Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections	
RULE TITLES:	RULE NOS.:
Eligibility for Late Registration for	
Overseas Citizens	1S-2.029
Electronic Transmission of	
Absentee Ballots	1S-2.030
DUDDOGE AND FEFEOR TO A 11' 1	1 1 0 1 1

PURPOSE AND EFFECT: To establish standards for the topic titles shown above, in compliance with the requirements of Chapter 2001-40, Laws of Florida, the "Florida Election Reform Act of 2001."

SUBJECT AREA TO BE ADDRESSED: Procedural requirements and standards for implementation of the provisions of Chapter 2001-40, Laws of Florida.

SPECIFIC AUTHORITY: 97.0555, 101.697 FS.

LAW IMPLEMENTED: 97.0555, 101.697 FS.

TIME AND DATE: 2:00 p.m. - 4:00 p.m., January 3, 2002

PLACE: The Collins Building, Room 100, 107 West Gaines Street, Tallahassee, Florida 32399 (Please note that the entrance is now located on Bloxham Street)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Amy Tuck, Division of Elections, Room 100, 107 West Gaines Street, Tallahassee, Florida 32399, atuck@mail.dos.state.fl.us, (850)245-6200

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

DEPARTMENT OF BANKING AND FINANCE

Division of Banking

RULE TITLE:RULE NO.:Reports to the Department3C-110.045PURPOSE AND EFFECT: The purpose and effect of thisamendment is to implement Subsection 655.045(2), F.S.,

which requires state financial institutions to submit periodic reports to the Department.

SUBJECT AREA TO BE ADDRESSED: Credit union quarterly reports.

SPECIFIC AUTHORITY: 655.012(3) FS.

LAW IMPLEMENTED: 655.045(2) FS.

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

TIME AND DATE: 10:00 a.m., January 14, 2002

PLACE: Division of Banking Conference Room, 6th Floor, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Linda B. Charity, Chief, Bureau of Financial Institutions, District I, Division of Banking, 101 East Gaines Street, Suite 636, Tallahassee, Florida 32399-0350, (850)410-9111

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3C-110.045 Reports to the Department.

The Department shall require a quarterly report of condition, to be prepared as of the close of business on March 31, June 30, September 30, and December 31 on Form NCUA 5300 (effective 12/01) DBF-C-68, Quarterly Report of Condition (revised 10/95), which is hereby incorporated by reference. Such reports shall be due no later than April 22, July 22, October 22, and January 22, respectively, of each year. If any due date falls on a weekend or holiday, a quarterly report is timely filed if it is postmarked or electronically transmitted no later than the next business day. An administrative late fee of \$100.00 per day shall be levied against a credit union pursuant to Section 655.045(2)(b), Florida Statutes, for reports not timely filed unless the administrative fine is waived by the Department for good cause, such as incidental and isolated clerical errors or omissions. Each report shall contain a true and accurate balance sheet, income statement, and delinquent loan summary and shall be signed by the chief executive officer and the individual preparing the report.

Specific Authority 120.53(1)(b), 655.012(3) FS. Law Implemented 655.045(2) FS. History–New 10-31-81, Formerly 3C-30.31, 3C-30.031, Amended 10-8-95,_____.

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLES:	RULE NOS.:
Application for Certificate of Authority	3F-5.002
Application for Transfer of a	
Certificate of Authority	3F-5.0022
Procedure for Licensing Existing Cemeteries	3F-5.005
Procedure for Licensing a New Cemetery	3F-5.004
Procedure for Licensing Transferred Cemeteries	3F-5.006
Conversion Procedures	3F-5.007
Regulatory Standards for Evaluating	
Applications by the Board	3F-5.009
PURPOSE AND EFFECT: The Board propos	ses to undate

PURPOSE AND EFFECT: The Board proposes to update these rules to incorporate updated forms and remove or replace obsolete language.

SUBJECT AREA TO BE ADDRESSED: Application for Certificate of Authority, Application for Transfer of a Certificate of Authority, Procedure for Licensing a New Cemetery, Procedure for Licensing Transferred Cemeteries, Conversion Procedures, and Regulatory Standards for Evaluating Applications by the Board.

SPECIFIC AUTHORITY: 497.103 FS.

LAW IMPLEMENTED: 497.201 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, IF AVAILABLE, IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER TITLE:	RULE CHAPTER NO .:
Pesticides	5E-2
RULE TITLE:	RULE NO.:
Restrictions on Use and Sale of Aldic	arb.

Restrictions on Use and Sale of Aldicarb;

Permit Requirements and Procedures;

Department Approval; Records; Penalties 5E-2.028 PURPOSE AND EFFECT: The purpose of the proposed rule change is to update procedures for obtaining approval to apply aldicarb (Temik) in Florida, making available an electronic filing process and deleting the need for applicators to file amendments. The rule change will also update forms and addresses and change the name of the process from a notification of intent to apply aldicarb to an aldicarb permitting process.

SUBJECT AREA TO BE ADDRESSED: Aldicarb, Temik, notification of intent to apply aldicarb, permits.

SPECIFIC AUTHORITY: 570.07(23), 487.051 FS.

LAW IMPLEMENTED: 487.051 FS.

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

TIME AND DATE: 9:30 a.m., January 15, 2002

PLACE: Agricultural Environmental Services Conference Room, 3125 Conner Blvd., Tallahassee, Florida 32399-1650 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mr. Dale Dubberly, Chief, Bureau of Compliance Monitoring, Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, 3125 Conner Blvd., Bldg. 8. (L29), Tallahassee, Florida 32399-1650, telephone (850)488-8731

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-2.028 Restrictions on Use and Sale of Aldicarb; <u>Permit</u> Reporting Requirements and Procedures; Department Approval; Records; Penalties.

(1) Use and Sale Restrictions. The use of aldicarb in accordance with label directions is authorized statewide, with the following additional restrictions:

(a) Aldicarb shall be applied only during the time period for which written authorization is issued by the department <u>by</u> means of an aldicarb permit.

(b) Aldicarb shall be applied only at the site for which written authorization is issued by the department <u>by means of an aldicarb permit</u>.

(c) No change.

(d) Aldicarb shall not be applied within 300 feet of any well in this state, with the exception of wells that meet the provisions of subsection (1)(e). Aldicarb shall not be used on Florida citrus within 1000 feet of any well when any soil series within the intended site of application is identified by the U.S.D.A. Soil Conservation Service as highly permeable well-drained sand, unless the applicator furnishes the department with construction documentation confirming that the well is properly cased to a depth of 100 feet below ground surface or a minimum of 30 feet below the water table. The 1000-foot setback requirement shall not apply to any wells that meet the provisions of subsection (1)(e). Soils series which have been identified by the U.S.D.A. Soil Conservation Service as highly permeable well-drained sand include, but are not limited to, the following:

Adamsville Archbold Astatula Candler Cassia Lake Neilhurst Orsino Palm Beach Paola Satellite St. Lucie Tavares

Well construction documentation shall consist of either a copy of the well <u>completion report</u> construction permit issued by the appropriate water management district or a statement certified as to accuracy by a licensed well contractor.

(e) through (i) No change.

(2) Reporting Requirements and Procedures.

revised 9/97, hereby adopted and incorporated herein by reference Applications shall be filed either electronically on the web site www.temikentent.com or in hard copy by delivery of a completed Application for Permit to Apply Aldicarb (Temik), Form DACS-13317, to the address listed on the form. Applications filed in hard copy shall be submitted with one original plus three copies. For the purposes of this rule, filing means received by the department. Copies of the form may be obtained from the Pesticide Certification Office, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650.

(b) Licensed applicators conducting research with aldicarb and making application to no more than 10 acres per site shall be exempt from the 10-day pre-application notification requirement, provided that a signed statement attesting the application is for research purposes is filed with the permit application Form DACS 130317 and provided a permit is obtained before the application is made.

(c)(b) Each intended application site shall be listed as a separate entry <u>on the permit application</u> or on a separate form. Application sites situated in more than one township, range, and/or section must be submitted as multiple sites, with each site identified as one entry with a distinct township, range, and <u>section</u>. For purposes of this rule, contiguous parcels of property lying within more than one section of a township may be identified as a single entry, using the section number in which the larger portion of the property is located.

(d) Form DACS-13317, Application for Permit to Apply Aldicarb (Temik), revised 12/01, hereby adopted and incorporated by reference, may be obtained from the Pesticide Certification Section, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8 (L29), Tallahassee, Florida 32399; telephone (850)488-3314.

(c) A separate Form DACS 130317 shall be filed for each intended application site under different ownership or management from other reported application sites.

(3) Amendments to Notice of Intended Application.

(a) When there is a change in the licensed applicator for a particular site, the original applicator shall file an original and 3 copies of Form DACS-130309, revised 9/97, hereby adopted and incorporated herein by reference, canceling the original notice of application for that site. The newly designated applicator shall also file an original and 3 copies of Form DACS-130309. Copies of Form DACS-130309 may be obtained from the Pesticide Certification Office, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650. The department

shall not issue authorization to the newly designated applicator until all the requirements of this chapter and chapter 5E-9, F.A.C., have been met.

(b) The applicator shall file an original and 3 copies of Form DACS 130309 when the intended application of aldicarb is cancelled for any site. The form shall be filed no later than 30 days after the intended application period. In this event, the applicator shall not apply aldicarb to that site unless further written authorization is issued by the department.

(e) If any information other than that described in paragraphs (a) and (b) of this subsection submitted to the department on Forms DACS-130317 or DACS-130309 shall change, the applicator shall file an original and 3 copies of Form DACS-130309 reflecting the corrected information no later than 30 days after the authorized application period.

(3)(4) Department Authorization; Permit.

(a) No person shall apply aldicarb in this state unless written authorization has been issued by the department <u>by</u> means of an aldicarb permit.

(b) No person shall apply aldicarb in this state to any site for at least 10 days after <u>an aldicarb permit has been issued</u> DACS-130317 has been filed for that site. This subsection shall not apply to licensed applicators who apply aldicarb for research purposes to 10 acres or less per site and who otherwise meet the requirements set forth in this chapter.

(c) The department shall designate on <u>the permit</u> <u>application</u> Form DACS-130317 the dates during which aldicarb is approved for application in this state. The time period authorized for application shall not exceed six (6) months.

(d) Department authorization is not transferable.

(e) For purposes of this section, filing means received by the department.

(4)(5) Records. Each applicator shall maintain a copy of all <u>aldicarb permits approved by</u> forms filed with the department for by that applicator, including all attachments, for a minimum of 2 years. These records shall be made available upon request by an authorized representative of the department. For permit approvals issued to the applicator via the web site www.temikintent.com, upon request by an authorized representative of the department, the applicator must either provide a printed copy of the permit information from the web site or make the permit information available by computer screen for review and printing by the department representative.

(5)(6) Penalties. The use, sale, distribution or application of aldicarb by any person in a manner inconsistent with the provisions of this rule is a violation of Chapter 487, F.S., and subject to the penalties described therein.

Specific Authority 487.042, 487.051, 570.07(23) FS. Law Implemented 487.051, 487.160 FS. History–New 1-1-84, Amended 4-8-84, 5-8-85, Formerly 5E-2.28, Amended 2-9-93, 7-18-95, 9-21-98,_____.

DEPARTMENT OF EDUCATION

Florida School f	or the Deaf a	nd the B	lind		
RULE TITLES:				RULE N	OS.:
President				6D-4	.002
Business Manage	r			6D-4	.003
DUDDOGE AND	DEFECT.	T 1		t - l- 1: - l-	4 1

PURPOSE AND EFFECT: These rules establish the responsibilities of the President and the Business Manager of the Florida School for the Deaf and the Blind.

SUBJECT AREA TO BE ADDRESSED: Amendment of language in the President's role to bring it in concert with other Board of Trustees rules. Clarification of areas of supervision for the Business Manager.

SPECIFIC AUTHORITY: 242.331(3) FS.

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

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

TIME AND DATE: 9:00 a.m., January 26, 2002

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, 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

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

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE TITLE:RULE NO.:Food Service6D-8.004

PURPOSE AND EFFECT: This rule establishes policies and procedures for the Food Service Department of the Florida School for the Deaf and the Blind.

SUBJECT AREA TO BE ADDRESSED: Policies and Procedures Manual of the Food Service Department of the Florida School for the Deaf and the Blind.

SPECIFIC AUTHORITY: 242.331(3) FS.

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

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

TIME AND DATE: 9:00 a.m., January 26, 2002

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, 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

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

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
Staff Housing – Definitions	33-208.501
Criteria for Assignment to Staff Housing	33-208.504
Staff Housing – Rent and Utilities	33-208.505
Staff Housing Agreement Form	33-208.506

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to correct staff titles responsible for making staff housing decisions, revise the list of staff to receive priority assignment to staff housing, clarify the process for approval of perquisites, and to revise the staff housing agreement form.

SUBJECT AREA TO BE ADDRESSED: Staff Housing. SPECIFIC AUTHORITY: 20.315, 944.09, 945.025 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.025 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.501 Staff Housing – Definitions.

For the purposes of this chapter:

(1) through (6) No change.

(7) "Approving Authority"

(a) For institutions means the deputy secretary, <u>chief of</u> <u>staff, directors</u> assistant secretaries, regional directors, wardens or assistant wardens with authorizing authority for volunteers or interns and associated programs at an institution;

(b) For facilities or offices means the deputy secretary, <u>chief of staff, directors</u> assistant secretaries, regional directors, circuit administrators and deputy circuit administrators with authorizing authority for volunteers or interns and associated programs at a facility or office.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History–New 9-1-88, Formerly 33-26.001, Formerly 33-602.501, Amended 8-16-00,_____.

33-208.504 Criteria for Assignment to Staff Housing.

The warden shall assign staff housing based upon the best interests of the institution and the following:

(1) Houses, Apartments and Mobile Homes.

(a) To the extent that houses, apartments and mobile homes are available, certain priority staff of a major institution shall be required to live at the institution of their assignment so that emergencies can be resolved with a minimum of delay. An institution with insufficient housing for its priority staff may be allocated such housing at a nearby institution by the Regional Director. The following priority staff are listed in the order of priority by which the assignment of at least one employee in each category shall be considered by the warden. Only the Secretary may alter these priorities based upon proof of an employee's significant personal hardship or in the best interests of the Department.

1. Warden.

2. Assistant Warden.

3. Chief of Security Correctional Officer.

4. Licensed Medical Representative, who is either a <u>Physician or Medical Doctor</u>, Registered Nurse or Correctional <u>Medical Technician Certified</u>.

5. Maintenance Representative, who is qualified to respond to varied maintenance emergencies.

6. Fire Chief or Firefighter Supervisor, where such position is authorized.

7. Senior or Supervising Chaplain Food Service Director.

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

(b) Employees or occupants of personally owned mobile homes must provide proof of ownership by title or registration. Compliance with this requirement shall be noted on the staff housing agreement, Form DC2-808A.

(c) through (5) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History–New 9-1-88, 9-5-89, Formerly 33-26.004, Formerly 33-602.504, Amended 8-16-00,_____.

33-208.505 Staff Housing - Rent and Utilities.

The Department of Management Services (DMS) is required by law to approve all prerequisites and sales of goods and services, including staff housing and utilities, effective each July 1st. Once initially approved by DMS, each July 1st the chief of staff shall approve all perquisites including staff housing and utilities. Any rent or utility charges approved for the Department of Corrections at fixed rates shall be paid by payroll deduction.

Specific Authority 20.315, 944.09(1), 945.025(1), 216.262(1)(e),(f) FS. Law Implemented 20.315, 944.09(1), 945.025(1), 216.262(1)(e),(f) FS. History–New 9-1-88, Formerly 33-26.005, Formerly 33-602.505, Amended 8-16-00,

33-208.506 Staff Housing Agreement Form.

(1) Any employee who is required or requests to occupy staff housing shall submit a completed Staff Housing Agreement, Form DC2-808A, for processing in compliance with the assignment criteria in Section 33-208.504 herein. This form is hereby incorporated by reference, and a copy may be obtained from the Forms Control Administrator, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____ August 16, 2000.

(2) through (3) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History–New 9-1-88, Formerly 33-26.006, Formerly 33-602.506, Amended 8-16-00,_____.

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS .:
Legal Documents and Legal Mail	33-210.102
Privileged Mail	33-210.103

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise the process for handling legal and privileged mail to provide for inspection of all mail in the inmate's presence to ensure that it contains no contraband.

SUBJECT AREA TO BE ADDRESSED: Legal Documents and Legal Mail; Privileged Mail.

SPECIFIC AUTHORITY: 20.315, 944.09, 944.11 FS.

LAW IMPLEMENTED: 944.09, 944.11 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-210.102 Legal Documents and Legal Mail.

(1) through (5) No change.

(6) Processing of Legal Mail.

(a) All outgoing and incoming legal mail will be opened in the presence of the inmate to determine that the correspondence is legal mail and that it contains no contraband. forwarded unopened when it can be determined from the envelope that the correspondence is legal mail and that it contains no contraband or other nonecommunicative objects. A determination can be made in most instances by bending, shaking, or holding the envelope to a light. If a determination cannot be made from an examination of the envelope, the mail may be:

(a) opened for inspection in the presence of the inmate. Only the signature and letterhead may be read.; or

(b) held for a reasonable time pending verification that it was sent by or is properly addressed to a person or agency listed in subsection (2). Mail identified as being a communication from an attorney to a client will not be opened unless articles other than mail are detected therein.

(c) If the <u>incoming</u> mail is not legal mail, it will be returned to the sender along with a form letter which states that the correspondence is being returned in accordance with subsection (6) of this rule because it was being transmitted under the guise of legal mail. The inmate whom the mail was addressed shall receive a copy of the form letter.

(b) Inmates shall present all outgoing legal mail unsealed to the mail collection representative to determine, in the presence of the inmate, that the correspondence is legal mail and that it contains no contraband. Only the address may be read to determine whether it is properly addressed to a person or agency listed in subsection (2) of this rule. If the outgoing mail contains contraband or is not legal mail, the inmate shall be subject to disciplinary action.

(7) through (15) No change.

Specific Authority 20.315, 944.09, 944.11 FS. Law Implemented 944.09, 944.11 FS. History–New 10-8-76, Amended 4-19-79, 7-2-81, 6-8-82, 9-23-85, Formerly 33-3.05, Amended 10-7-86, 8-20-89, 4-4-91, 9-1-93, 4-28-96, 2-12-97, 5-25-97, 10-7-97, 12-7-97, 2-15-98, Formerly 33-3.005, Amended 12-20-99, Formerly 33-602.402, Amended ______.

33-210.103 Privileged Mail.

(1) No change.

(2) Processing of Privileged Mail.

(a) All outgoing and incoming privileged mail shall be opened in the presence of the inmate to determine forwarded unopened when it can be determined from the envelope that the correspondence is privileged mail and that it contains no contraband or other noncommunicative objects. A determination can be made in most instances by bending, shaking, or holding the envelope to a light. If a determination cannot be made from an examination of the envelope, the mail may be:

(a) Opened for inspection in the presence of the inmate. Only the signature and letterhead may be read.; or

(b) Held for a reasonable time pending verification that it was sent by or is properly addressed to a public official, a governmental agency or a member of the news media. If the incoming mail is not privileged mail, it will be returned to the sender along with a form letter which states that the correspondence is being returned in accordance with subsection (2) of this rule because it was being transmitted under the guise of privileged mail. The inmate to whom the mail was addressed shall receive a copy of the form letter.

(b) Inmates shall present all outgoing privileged mail unsealed to the mail collection representative to determine, in the presence of the inmate, that the correspondence is privileged mail and that it contains no contraband. Only the address may be read to determine whether it is properly addressed to a person or agency listed in subsection (1) of this rule. If the outgoing mail contains contraband or is not privileged mail, the inmate shall be subject to disciplinary action.

(3) through (6) No change.

Specific Authority 20.315, 944.09, 944.11 FS. Law Implemented 944.09, 944.11 FS. History–New 9-1-93, Amended 5-25-97, 2-15-98, Formerly 33-3.0052, Amended 12-20-99, Formerly 33-602.403, Amended ______.

DEPARTMENT OF CORRECTIONS

RULE TITLE:	RULE NO.:	
Youthful Offender Program Participation	33-601.226	
PURPOSE AND EFFECT: The purpose and effect of the		
proposed rule is to delete unnecessary language and to clarify		
the circumstances under which an inmate is	ineligible to	
receive consideration for a sentence	modification	
recommendation.		

SUBJECT AREA TO BE ADDRESSED: Youthful Offender Program Participation.

SPECIFIC AUTHORITY: 958.11 FS.

LAW IMPLEMENTED: 958.11, 958.12 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.226 Youthful Offender Program Participation.

(1) through (2) No change.

(3) Successful participation in all phases of the youthful offender extended day program and successful completion of the offender management plan and reclassification to minimum or community custody will result in an evaluation by the ICT to determine the inmate's eligibility for a recommendation to the court for a modification of sentence at any time prior to the scheduled expiration of sentence as provided in s. 958.04(2)(d), F.S.

(a) After the youthful offender has successfully participated in the youthful offender program and completed the IMP as developed, a complete evaluation of the case shall be initiated. The evaluations shall include a review and summary of the following areas:

1. through 3. No change.

4. Work assignments which would assist the youthful offender in obtaining future employment;

5. through 9. No change.

(b) through (c) No change.

(d) One or more of the following will render the inmate ineligible for consideration of a sentence modification to the court:

<u>1. Conviction for murder, attempted murder, or an offense</u> resulting in a death;

2. Conviction for sexual battery pursuant to s. 794.011, F.S.;

3. Conviction for kidnapping pursuant to s. 787.01, F.S.;

4. Conviction for carjacking pursuant to s. 812.133, F.S.;

5. Conviction for domestic violence pursuant to s. 741.28, F.S.;

6. Conviction for home invasion robbery pursuant to s. 812.135, F.S.;

7. Sentenced as a habitual offender pursuant to s. 775.084, F.S.; or

8. Currently serving mandatory portion of a sentence pursuant to s. 775.082, F.S.

Specific Authority 958.11(1) FS. Law Implemented 958.11, 958.12 FS. History–New 10-11-95, Amended 9-11-97, Formerly 33-33.013, Amended 3-13-01, Formerly 33-506.106, Amended ______.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Workers' CompensationRULE TITLES:RULE NOS.:Cancellation of Workers' Compensation38F-6.008Insurance by an Insurer38F-6.008Carrier and Instructions28E 6 000

Forms and Instructions	38F-6.009
Policy Information Filing Requirements	
for Insurers	38F-6.014
Definitions	38F-6.016

PURPOSE AND EFFECT: Rule 38F-6.008 is being amended to require an insurer to file workers' compensation insurance policy cancellation notices electronically. Amendments to Rule 38F-6.009 eliminate certain paper forms. Rule 38F-6.014 is being amended to mandate electronic filing of workers' compensation insurance policy information effective March 1, 2002. Rule 38F-6.014 is also being amended to eliminate the penalty provisions associated with the filing of paper forms. Rule 38F-6.016 provides definitions.

SUBJECT AREA TO BE ADDRESSED: Electronic filing requirements for workers' compensation policy information submitted pursuant to these rules.

SPECIFIC AUTHORITY: 440.05, 440.05(9), 440.10, 440.42(2),(3), 440.185(7),(9), 440.591, 440.593 FS.

LAW IMPLEMENTED: 440.05, 440.103, 440.42(3), 440.185(7),(9), 440.38(2), 440.42(2), 440.593 FS.

THE AGENCY HEAD HAS DETERMINED THAT A RULE DEVELOPMENT WORKSHOP IS UNNECESSARY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMNARY DRAFT, IF AVAILABLE, IS: Philip Wilcox, Investigations Manager, Bureau of Compliance, Suite 209, Hartman Building, 2012 Capital Circle, S. E., Tallahassee, FL 32399-2189, phone number (850)488-2333, Ext. 173

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

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Workers' Compensation

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Electronic Data Interchange (EDI)	
Technical Requirements	38F-56
RULE TITLES:	RULE NOS.:
EDI Forms and Instructions	38F-56.001
Definitions	38F-56.002
Mandate of Proof of Coverage (POC)) EDI 38F-56.100
Technical Requirements for (POC)	
EDI Transactions	38F-56.110

PURPOSE AND EFFECT: Rule Chapter 38F-56 is being created to identify the technical requirements for filing workers' compensation forms via Electronic Data Interchange (EDI). Rule 38F-56.001 is being created to identify the forms required in this Rule Chapter. Rule 38F-56.002 is being created to define the terms used in this rule section. Rule 38F-56.100 is being created to mandate electronic filing of workers' compensation proof of coverage (POC) information effective March 1, 2002. Rule 38F-56.110 is being created to identify the technical filing requirements for electronic POC transactions.

SUBJECT AREA TO BE ADDRESSED: Electronic filing requirements for workers' compensation policy and claims information submitted to the Division pursuant to these rules. SPECIFIC AUTHORITY: 440.591, 440.593 FS.

LAW IMPLEMENTED: 440.593 FS.

A RULE DEVELOPMENT WORKSHOP IS DEEMED NOT TO BE NECESSARY BY THE SECRETARY OF THE AGENCY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Linda Yon. W.C. Administrator, Bureau of Information Management, Suite 212, Forrest Building, 2728 Centerview Tallahassee, FL 32399-0685, phone number Dr. (850)488-3030, Ext. 129

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE CHAPTER NO .:
40B-400
RULE NOS.:
40B-400.046
40B-400.051

Publications and Agreements Incorporated

i deniedno and i greeniento interportated	
by Reference	40B-400.091
Limiting Conditions	40B-400.115
Variances	40B-400.191
General Permit to the Department to	
Conduct Minor Activities	40B-400.483

PURPOSE AND EFFECT: The purpose and effect of the proposed amendments are to repeal and amend District rules which were listed by the District as unauthorized in whole or in part pursuant to Section 120.536, F.S.; respond to objections of the Joint Administrative Procedures Committee identifying language that is nonspecific; and clarify the authority for certain forms incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: Chapter 40B-400 addresses environmental resource permitting including noticed general environmental resource permits for those activities which have been determined to have minimal impacts to the water resources of the District. Specifically, the proposed amendments: make grammatical and typographical corrections (40B-400.046(7)(b), 40B-400.483(1)); specify that to be exempt from the requirement of a permit, certain insect control impoundment dikes must be connected to tidally influenced waters during the period from September 1 to February 28 (40B-400.051(2)(e)); clarify permit exemptions for installation, replacement or repairs associated with certain piers, docks and docking facilities (40E-400.051(1)(f) and (g)); delete language which excludes the exemption of construction of vertical seawalls in estuaries or lagoons unless the construction is within an existing man-made canal where the shoreline is currently occupied by vertical seawalls (40B-400.051(2)(k)); delete language that requires restoration of a seawall or riprap in accordance with the criteria of 373.414(5), F.S. (40B-400.051(2)(1) and (m)); delete an exemption for the use of rotenone by the Florida Fish and Wildlife Conservation Commission (40B-400.051(2)(s)); delete Governing Board option to waive or modify certain general conditions issued pursuant to this chapter and Chapter 40B-4 (40B-400.115(1)); provide reference citations for certain forms (40B-400.091 and 40B-400.115(1)(j)); require that the Governing Board impose project-specific conditions to achieve District objectives (40B-400.115(2)); repeal the Governing Board authority to grant variances from the provisions of 373.414 and 403.201, F.S. (40B-400.191(1)).

SPECIFIC AUTHORITY: 373.044, 373.046(4), 373.113, 373.118, 373.171, 373.414, 373.415, 373.118, 373.421(2), 373.461(3) FS.

LAW IMPLEMENTED: 373.046, 373.118, 373.413, 373.4135, 373.415, 373.416, 373.421(2)-(6), 373.426, 373.461(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Linda Welch, 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 AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Hospice	58A-2
RULE TITLE:	RULE NO.:
Administration of the Hospice	58A-2.005
PURPOSE AND EFFECT: The proposed rule 58A-2.0051 will	

provide physical plant standards for hospice facilities as specified in paragraph (i) of section 400.605, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Physical Plant Standards.

SPECIFIC AUTHORITY: 400.605 FS.

LAW IMPLEMENTED: 400.605 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. – 4:00 p.m., Friday, February 15, 2002

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conf. Rm. 225F, Tallahassee, FL

THE PERSONS TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Linda Macdonald, Assisted Living Program, Division of Community Based Services, or Pat Dunn, Office of General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2113

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid	
RULE TITLE:	RULE NO.:
Home and Community-Based	
Services Waivers	59G-8.200

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Developmental Services Waiver Services Coverage and Limitations Handbook, June 2001, and to repeal portions of the rule that are duplicated in the Medicaid handbooks, other Medicaid rules of general applicability, Florida Statutes, or federal regulations. The effect will be to incorporate by reference in the rule the current Florida Medicaid Developmental Services Waiver Services Coverage and Limitations Handbook and to eliminate duplication.

SUBJECT AREA TO BE ADDRESSED: Home and Community-Based Services Waivers.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906(12), 409.912(7) FS.

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

TIME AND DATE: 10:00 a.m. - 12:00 Noon, January 14, 2002

PLACE: AHCA, Conference Room E, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kathryn Stephens, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)921-4464

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 59G-8.200 follows. See Florida Administrative Code for present text.)

59G-8.200 Home and Community-Based Services Waivers.

(1) through (11) No change.

(12) Developmental Services Waiver – <u>General. This rule</u> applies to all Developmental Services Waiver Services providers enrolled in the Medicaid program. All Developmental Services Waiver Services providers enrolled in the Medicaid program must comply with the Florida Medicaid Developmental Services Waiver Services Coverage and Limitations Handbook, June 2001, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081, until required to use HCFA-1500, which is incorporated by reference, in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

(a) Program Summary. This program provides HCB waiver services to recipients with developmental disabilities who are clients of the Department of Health and Rehabilitative Services (HRS) developmental services (DS) program, and who are eligible for admission to an intermediate care facility for the mentally retarded developmentally disabled (ICF/MR-DD). The recipients have elected to receive services in the community rather than in an ICF/MR-DD.

(b) Covered Services and Provider Qualifications. Providers of the DS waiver services must be certified by the HRS DS program in each district where it applies to provide services. Additional provider requirements are noted below by the respective service:

1. Adult Day Training and Child Day Training. Agencies or centers providing these services must be designated by the DS program as adult day training centers or child day training centers and must be certified by DS.

2. Behavioral Analysis Services. Providers must be psychologists licensed in accordance with Chapter 490, F.S.; clinical social workers, marriage and family therapists, or mental health counselors licensed in accordance with Chapter 491, F.S.; or providers certified by the HRS DS behavior analysis certification program as having a Master's degree in behavior analysis, health or human services, or education.

3. Chore Services. Providers must have at least one year of experience directly related to the area of work they will be performing. College, or vocational/technical training, equal to 30 semester hours, 45 quarter hours, or 720 classroom hours ean substitute for the required experience.

4. Companion Services. Private vendors must be registered as a "companion" or "sitter" with the Agency in accordance with s. 400.509, F.S., and Rule 59A 8, F.A.C.

5. Environmental Modification. Providers must be licensed contractors, electricians, plumbers, carpenters, handymen or medical supply companies. Contractors and electricians will be licensed in accordance with Chapter 489, F.S.; medical supply companies will be licensed in accordance with Chapter 205, F.S.; and plumbers will be licensed in accordance with Chapter 553, F.S., by the Department of Business and Professional Regulation. Handymen shall have experience in providing the required service and shall be licensed according to local community requirements.

6. Homemaker. Providers must be registered as a "homemaker" with the Agency in accordance with s. 400.509, F.S., and Chapter 59A-8, F.A.C.

7. Non Residential Support Services. Persons providing this service must have at least one year of experience working in a medical, psychiatric, nursing, or childcare setting, or in working with developmentally disabled persons. College, or vocational/technical training, equal to 30 semester hours, 45 quarter hours, or 720 classroom hours can substitute for the required experience.

8. Occupational Therapy. Providers must be occupational therapists or occupational therapy aids licensed under Chapter 468, Part III, F.S.

9. Personal Care Assistance. These services are provided pursuant to the requirements in Chapter 393, F.S. Providers must be employees of Medicaid participating home health agencies or individuals with at least one year of experience working in a medical, psychiatric, nursing or child are setting or in working with developmentally disabled persons. College, or vocational/technical training, equal to 30 semester hours, 45 quarter hours, or 720 classroom hours can substitute for the required experience.

10. Personal Emergency Response Systems. Vendors of this service must be licensed by the Department of Business and Professional Regulation in accordance with Chapter 489, F.S.

11. Physical Therapy. Providers must be licensed as physical therapists or physical therapist assistants, either independently or as employees of licensed and Medicaid-participating home health agencies. Physical therapists and physical therapist assistants must be licensed under Chapter 486, F.S., and home health agencies must be licensed under Chapter 400, F.S.

12. Private Duty Nursing. Providers must be licensed and Medicaid-participating home health agencies or licensed nurses. Individual nurses must be licensed in accordance with Chapter 464, F.S.; home health agencies must be licensed under Chapter 400, F.S.

13. Psychological Assessment Services. These services must be provided by a psychologist licensed under Chapter 490, F.S.

14. Residential Habilitation. Providers must be group home facilities or foster care facilities licensed under Chapter 393 or Chapter 400, F.S., and Chapter 10F-6, F.A.C. Persons providing this service must have at least one year of experience working in a medical, psychiatric, nursing, or child care setting or in working with developmentally disabled persons. College, or vocational/technical training, equal to 30 semester hours, 45 quarter hours, or 720 classroom hours can substitute for the required experience.

15. Respite. Agencies providing respite care services must be home health agencies, group homes, assisted living facilities (ALF's), nursing registries, or independent vendors. Home health agencies must be Medicaid certified and licensed in accordance with Chapter 400, F.S. Group homes must be licensed in accordance with Chapter 393, F.S. The ALF's must be licensed in accordance with Chapter 400, F.S. Nurses must be licensed in accordance with Chapter 400, F.S. Nurses must be licensed in accordance with Chapter 464, F.S. Aids providing respite services must have at least one year of experience working in a medical, psychiatric, nursing, or child care setting, or in working with developmentally disabled persons. College, or vocational/technical training, equal to 30 semester hours, 45 quarter hours, or 720 classroom hours can substitute for the required experience.

16. Skilled Nursing Services. Providers must be licensed home health agencies, or independent licensed nurses. Individual nurse providers must be licensed in accordance with Chapter 464, F.S. Home health agencies must be licensed under Chapter 400, F.S., and Medicaid certified.

17. Special Medical Equipment and Supplies. Providers must be medical supply companies, licensed pharmacies or independent vendors. Medical supply companies and independent vendors must be licensed under Chapter 205, F.S.; pharmacies must be licensed under Chapter 465, F.S. Supplies and equipment will be purchased from vendors based on availability and best price.

18. Special Medical Home Care. Providers must be licensed group homes employing registered nurses, licensed practical nurses and nurses aides. The group home must b3 licensed in accordance with Chapter 393, F.S. Registered nurses and licensed practical nurses must be licensed in accordance with Chapter 464, F.S. Nurse's aides must work under the supervision of either a registered nurse or a licensed practical nurse.

19. Speech and Language Therapy. Providers must be licensed as speech pathologists, either independent or as employees of licensed and Medicaid participating home health agencies. Speech pathologists and speech therapy assistants must be licensed under Chapter 468, Part I, F.S.; home health agencies must be Medicaid certified and licensed under Chapter 400, F.S.

20. Support Coordination (also known as case management). Support coordinators must have a baccalaureate degree from an accredited college or university and have two years of professional experience in developmental disabilities, mental health, counseling, social work, guidance, or health and rehabilitative services. A master's degree can substitute for one year of the required experience. Within 120 days of assuming support coordination functions, support coordinators must complete the required support coordination training program provided by the Department's DS program.

21. Transportation. Providers of private autos, wheelchair vans, buses, and taxis must be licensed under Chapter 322, F.S., and meet Department of Highway Safety and Motor Vehicles rules for operation.

(c) Recipient Eligibility

1. Developmental Services waiver services are available only to individuals who are not residing in an institution or an ICF/MR-DD, who are financially eligible for Medicaid in accordance with Chapter 10C-8, F.A.C., who are clients of developmental services, and who meet the level of care criteria for an ICF/MR-DD.

2. Recipients determined financially eligible for DS waiver services must also meet admission criteria for ICF/MR DD services as defined in Section 59G 4.170, F.A.C.

(d) Provider Enrollment. Prospective providers of DS waiver services will submit a completed DS provider application, Medicaid Provider Enrollment Application, and a Medicaid Non-Institutional Technical and Professional Agreement to the DS program in the district where the provider intends to provide services. When the prospective provider is certified by DS, the district DS office forwards the completed Medicaid forms together with the DS certification to the Medicaid fiscal agent. (c) Program Operations. The HCB services program under this waiver shall comply with the standards established in Section 10F-13, F.A.C.

(13) through (15) No change.

Specific Authority 409.919 FS. Law Implemented 409.906(12), 409.912(7) FS. History–New 4-20-82, Formerly 10C-7.527, Amended 3-22-87, 11-23-89, Formerly 10C-7.0527, Amended 1-16-96, 7-23-97,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE TITLES:	RULE NOS.:
Procedures for Operation	61B-36.001
Notice of Change in Land Use	61B-36.002
Claims Procedure	61B-36.003
Approved Forms	61B-36.004

PURPOSE AND EFFECT: The purpose for the development is to provide procedures for the operation of the Florida Mobile Home Relocation Corporation and the process for making and paying relocation expense claims to mobile home owners who are evicted due to a change in land use pursuant to Section 723.061, F.S.

SUBJECT AREA TO BE ADDRESSED: Florida Mobile Home Relocation Corporation operating procedures and payment of relocation expense claims to mobile home owners evicted due to a change in land use pursuant to Section 723.061, F.S.

SPECIFIC AUTHORITY: 723.0611, 723.0612 FS.

LAW IMPLEMENTED: 723.0611, 723.0612 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE BOARD OF DIRECTORS, A RULE DEVELOPMENT WORKSHOP WILL BE HELD IN CONJUNCTION WITH THE BOARD OF DIRECTORS MEETING AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., Wednesday, January 16, 2002 PLACE: City of Clearwater Commission Chambers, 112 S. Osceola Avenue, Clearwater, Florida 33756

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Robert S. Cohen, General Counsel, Florida Mobile Home Relocation Corporation, 1435 East Piedmont Drive, Suite 201-B, Tallahassee, Florida 32308, (850)385-8556

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE:RULE NO.:Address of Licensee64B8-50.008PURPOSE AND EFFECT: The Board proposes to update the
existing rule.

SUBJECT AREA TO BE ADDRESSED: Address of Licensee.

SPECIFIC AUTHORITY: 478.43(1) FS.

LAW IMPLEMENTED: 456.035 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, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE:

RULE NO .:

Rule Governing Licensure and Inspection of Electrology Facilities

64B8-51.006

PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUBJECT AREA TO BE ADDRESSED: Rule Governing Licensure and Inspection of Electrology Facilities.

SPECIFIC AUTHORITY: 456.037, 478.43(1),(4), 478.51(3) FS.

LAW IMPLEMENTED: 478.49, 456.037(2),(3),(5), 478.51 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, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists	
RULE TITLES:	RULE NOS.:
Licensure Without Examination Fees	64B14-2.001
Application, Examination and Initial	
Licensure Fees	64B14-2.0015
Biennial Renewal Fee	64B14-2.002
Delinquent License Fee	64B14-2.003
Reactivation Fee	64B14-2.004
Change of Status Fee	64B14-2.005
Fees for Licensure by Examination	64B14-2.014

PURPOSE AND EFFECT: The Board proposes an amendment to existing rules increasing the fees for application for license, initial licensure, renewal of license, and reactivation of license. SUBJECT AREA TO BE ADDRESSED: License and application fees.

SPECIFIC AUTHORITY: 456.004(5), 456.013(2), 456.025(1),(5), 456.036(3), 468.802, 468.803(2), 468.805(4), 468.806(1) FS.

LAW IMPLEMENTED: 456.004(5), 456.013(2), 456.025(1),(5), 456.036(3), 468.803(2), 468.805(4), 468.806(1) 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, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, Division of Medical Quality Assurance, Department of Health, 4052 Bald Cypress Way, BIN #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLE:	RULE NO.:
Citations	64B14-7.004
DUDDOSE AND EFFECT. The Dec	rd proposas on amandmant

PURPOSE AND EFFECT: The Board proposes an amendment to an existing rule setting forth violations that may be resolved with a citation.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077 FS.

LAW IMPLEMENTED: 456.077 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, Division of Medical Quality Assurance, Department of Health, 4052 Bald Cypress Way, BIN #C07, Tallahassee, Florida 32399-3257

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

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Elections

RULE TITLE:

RULE NO.: 1S-5.001

Voting System Equipment Regulations 1S-5.001 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is update the current rule that establishes minimum standards for hardware and software for electronic and electromechanical voting systems pursuant to section 101.015(2), Florida Statutes.

SUMMARY: The rule provides for adoption of a new release of the Florida Voting Systems Standards, Form DS-DE-101, eff.12/01.

The new version of the standards, Form DS-DE-101, eff.12/01; the prior version Form DS-DE-101, eff. 7/98; and a marked-up draft showing changes between the two versions of the form may be found on the department's web site at: http://election.dos.state.fl.us/votingsystems/fvss.html

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: 101.015 FS.

LAW IMPLEMENTED: 101.015 FS.

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

TIME AND DATE: 1:00 p.m., January 23, 2002

PLACE: The Ralph D. Turlington Florida Education Center, Room 1721/25, 325 W. Gaines Street, Tallahassee, FL 32301

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should contact Paul Craft, (850)245-6220, at least three days in advance of the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Craft, Division of Elections, 107 West Gaines Street, Room 231, Tallahassee, Florida 32399-0250, pcraft@mail.dos.state.fl.us, (850)245-6220

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-5.001 Voting System Equipment Regulations.

The Department of State, Division of Elections, is required to establish minimum standards for certification and provisional approval of hardware and software for electronic and electromechanical voting systems. The Division shall establish minimum levels of voting systems capability and certify voting system equipment in accordance with the requirements contained in Florida Voting Systems Standards, Form DS-DE-101, eff. <u>12/01</u> 7/98, which is hereby incorporated by reference and available from the Division upon request. The publication contains the minimum standards, procedures for testing to determine if those standards have been met, and procedures for certifying and provisionally certifying compliance with the minimum standards.

Specific Authority 101.015, 101.294 FS. Law Implemented 101.141-.161, 101.5605, 101.5606, 101.5607, 101.5609, 102.166(9)(a) FS. History–New 3-28-90, Amended 7-28-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Paul Craft

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: L. Clayton Roberts, Division Director, Florida Department of State, Division of Elections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 19, 2001

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	: RULE CHAPTER NO.:		
Toll Facilities Operations – Rules			
for Florida Guaranteed			
Toll Accounts	14-80		
RULE TITLE:	RULE NO.:		
Initial Application	14-80.002		

Initial Application 14-80.002 PURPOSE AND EFFECT: Rule Chapter 14-80 was repealed recently. Rule 14-80.002 was inadvertently omitted from the original notice of rulemaking. This repeal is part of the ongoing effort by the Office of the General Counsel to review and repeal any unnecessary rules.

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

SPECIFIC AUTHORITY: 334.044(2), 334.187(4), 338.155(1) FS.

LAW IMPLEMENTED: 334.187, 338.155 FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost has been developed.

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

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

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

14-80.002 Initial Application.

Specific Authority 20.05, 334.044(2) FS. Law Implemented 334.187, 338.155 FS. History–New 1-12-83, Formerly 14-80.02, Amended 10-11-94. Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Robin Naitove, Comptroller

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

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

PUBLIC SERVICE COMMISSION

DOCKET NO. 011495-WS

RULE TITLE:

RULE NO.:

Calculation of Rate Reduction After Rate

Case Expense is Amortized 25-30.4705 PURPOSE AND EFFECT: Codifies the method to be used to remove rate case expense from rates after the four year amortization period has expired as required by Section 367.0816, F.S.

SUMMARY: the adoption of this rule would codify the method to be used by the Commission to remove rate case expense from rates after the four year amortization period has expired.

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 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: 350.127(2), 367.121 FS.

LAW IMPLEMENTED: 367.0816, 367.121 FS.

Written comments or suggestions on the proposed rule may be submitted to the FPSC, Division of the Commission Clerk and Administrative Services, within 21 days of the date of this notice for inclusion in the record of the proceeding.

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

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6245

THE FULL TEXT OF THE PROPOSED RULE IS:

25-30.4705 Calculation of Rate Reduction After Rate Case Expense is Amortized.

To calculate the rate reduction to be made four years after a rate case as required by section 367.0816, F.S., the following methodology shall be used. The annual amount of rate case expense, which is equal to one-fourth of the total allowed rate case expense, shall be divided by the regulatory assessment fee gross up factor. The resulting number shall then be divided by the revenue requirement to determine the percentage of the rate reduction. The percentage is then multiplied against the new rates to determine the amount of the future rate reduction. Revised tariff sheets implementing the reduction shall be filed no later than one month before the end of the fourth year.

Specific Authority 350.127(2), 367.121 FS. Law Implemented 367.0816, 367.121 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marshall Willis

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 27, No. 41, October 12, 2001

DEPARTMENT OF CORRECTIONS

RULE TITLE: RULE NO.: Use of Cameras and Tape Recorders

by Attorneys 33-601.712

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the circumstances under which an attorney bring and use a camera to photograph his inmate client.

SUMMARY: The proposed rule clarifies the circumstances under which an attorney bring and use a camera to photograph his inmate client.

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, 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 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:

33-601.712 Use of Cameras and Tape Recorders by Attorneys.

(1) An attorney may bring and use a camera to photograph his inmate client if he certifies in writing that the physical condition of the inmate client is relevant to a pending or prospective lawsuit, judicial or quasi-judicial proceeding, or administrative proceeding involving another agency, that he needs to photograph the inmate client to preserve evidence of such condition, and that he will comply with reasonable security procedures. No inmate shall be photographed without his consent. Photographs that might jeopardize security by showing the physical layout of the institution or in any other specific way shall not be permitted.

(2) through (3) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 1-12-83, Formerly 33-5.091, Amended 3-8-98, 3-23-99, Formerly 33-5.0091, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry Vaughan

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2001

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLES:RULE NOS.:Permit Fees40C-1.603

Timeframe for Providing Requested Information 40C-1.1008 PURPOSE AND EFFECT: The purposes of the proposed rule amendments are to (1) revise the fee structure and fee amounts for Environmental Resource Permits, (2) revise the fee amount for mitigation bank permits, and (3) revise the time period for an applicant to respond to a request for additional information (RAI), delegate the authority to further extend that time period, and remove the mandate that District staff prepare a permit application for denial at the next Governing Board meeting because the applicant has failed to respond to an RAI within the allowed time period. The effects of the proposed amendments are to (1) simplify the fee structure and revise fee amounts for Environmental Resource Permits, (2) raise the fee amount for mitigation bank permits, and (3) extend the time period in which an applicant must respond to a request for additional information (RAI) before District staff will

recommend the application for administrative denial, delegate to certain District staff the authority to further extend that time period, and provide that inactive applications that remain incomplete after the requisite time period shall be subject to denial.

SUMMARY: (1) Revises fee structure and fee amounts for Environmental Resource Permits, (2) raises the fee amount for mitigation bank permits, and (3) extends the time period for administrative permit denials, delegates authority to further extend that time period, and provides that inactive applications that remain incomplete after the requisite time period shall be subject to denial.

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

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

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

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

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

TIME AND DATE: 9:00 a.m., February 13, 2002 (following the regularly scheduled Governing Board Meeting)

PLACE: St. Johns River Water Management District, Headquarters, 4049 Reid Street, Palatka, Florida 32177

Any person decides to appeal any decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodations to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting Ann Freeman and (386)329-4101, or (386)329-4450 (TDD).

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

THE FULL TEXT OF THE PROPOSED RULES IS:

40C-1.603 Permit Fees.

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

(1) through (4) No change.

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

permits:	
(a) Individual and conceptual permits	<u>\$4,500</u>
1. Systems with less than one acre of dredgin	Ig
or filling in wetlands or other surface waters and	
which involve the construction of fewer than 10	
new boat slips	\$3,000
2. Systems which involve:	
a. The construction of docking facilities that	
provide 10 or more new boat slips	\$6,500
b. Dredging and filling of one acre or greater	
of wetlands or other surface waters	\$4,500
(b) Mitigation Bank permits and	
conceptual approvals	6 <u>10,000</u> 4,500
(c) Applications for modification	
of individual or conceptual environmental	
resource permits, or Mitigation Bank permits	
or conceptual approval permits, where the	
total land area of the project is not increased	\$1,000
(d) Applications for modification	
of individual or conceptual environmental	
resource permits, or Mitigation Bank	
permits or conceptual approval permits,	
where the total land area of the project	
is increased	\$3,000
(e) Chapter 40C-40, F.A.C., standard e	environmental
resource permits:	
1. Systems which have a project area	
greater than or equal to 40 acres	<u>\$1,500</u>
do not involve dredging or filling in wetlands	
or other surface waters	\$1,000
2. Systems which have a project area	
less than 40 acres and greater than one acre	<u>\$1,000</u>
involve dredging or filling in less than one acre	
of wetlands or other surface waters and have	
a project area of 40 acres or more	\$1,500
3. Systems which have a project area of less	
than or equal to one acre	<u>\$500</u>
involve dredging or filling in less than one	
acre of wetlands or other surface waters and	
have a project area of less than 40 acres	\$700
4. Systems which involve dredging or	
filling in less than one acre of wetlands or	
other surface waters and have a project	
area of less than or equal to one acre	\$500

5. Systems which do not involve	
dredging or filling in wetlands or other	
surface waters and have a project area	
of less than or equal to 10 acres	\$250
(f) Chapter 40C-400, F.A.C.,	
noticed general environmental resource	
permits set forth in sections	
40C-400.417 through 40C-400.499, F.A.C.	\$100
(g) through (k) No change.	
(6) through (13) No change.	
-	

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

40C-1.1008 Timeframe for Providing Requested Information.

The applicant shall have 120 90 days from receipt of a request for additional information regarding a permit or license application undergoing review by the District to submit that information to the District. If an applicant requires more than 120 90 days in which to complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown, the application shall be held in active status for additional periods commensurate with the good cause shown. As used herein, good cause shown means a demonstration that the applicant is diligently acquiring the requested information, and that the additional time period requested is both reasonable and necessary to supply the information. The Executive Director, Assistant Executive Director, the Department Directors and Assistant Department Directors of the Departments of Water Resources and Resource Management, the Director of the Division of Water Use Regulation and any Service Center Director are authorized to make a determination that such good cause has been provided. Any application which has not been completed by the applicant within the given time period following a request for additional information by the District shall be subject to recommended for denial at the next regularly scheduled Board meeting. The requested information or written request showing good cause for additional time may be submitted to the District at any time prior to the denial of the application. Denial of an application due to failure to submit requested additional information shall be a denial without prejudice to the applicant's right to file a new application. The applicant may request a section 120.569, F.S., hearing pursuant to chapter 28-106 and section 40C-1.1006, F.A.C., to dispute the necessity of the information required.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Elledge, Director, Department of Water Resources, St. Johns River Water Management District, P. O. Box 1329, Palatka, Florida 32178-1429, (386)329-4347

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2001

WATER MANAGEMENT DISTRICTS

RULE TITLE:

St. Johns River Water Management District

RULE NO.:

Publications Incorporated by Reference 40C-2.101 PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to extend the time period for an applicant to respond to a request for additional information from 90 days to 120 days, to allow more time before an application will be recommended for incomplete administrative denial. This amendment will achieve consistency with the District's concurrent proposed amendment to Rule 40C-1.1008, F.A.C.

SUMMARY: Revises time frame for administrative permit denials.

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

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

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

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

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

TIME AND DATE: 9:00 a.m., February 13, 2002 (following the regularly scheduled Governing Board Meeting)

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

Any person decides to appeal any decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodations to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting Ann Freeman and (386)329-4101 or (386)329-4450 (TDD).

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

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-2.101 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference Parts I, II and III, and the "Water Conservation Public Supply" requirements in Appendix I of the document entitled "Applicant's Handbook, Consumptive Uses of Water", _____2 8.99. The purpose of the document is to provide information regarding the policy, procedure, criteria, and conditions which pertain to the District's administration of the

consumptive use permitting program.

(2) No change.

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

APPLICANT'S HANDBOOK SECTION

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Elledge, Director, Department of Water Resources, St. Johns River Water Management District, P. O. Box 1329, Palatka, Florida 32178-1429, (386)329-4347

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2001

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District RULE TITLE:

RULE NO.: Publications Incorporated by Reference 40C-4.091 PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to extend the time period for an applicant to respond to a request for additional information from 90 days to 120 days, to allow more time before an will incomplete application be recommended for administrative denial. This amendment will achieve with the District's concurrent proposed consistency amendment to Rule 40C-1.1008, F.A.C.

SUMMARY: Revises time frame for administrative permit denials.

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

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

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

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

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

TIME AND DATE: 9:00 a.m., February 13, 2002 (following the regularly scheduled Governing Board Meeting)

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

Any person decides to appeal any decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodations to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting Ann Freeman and (386)329-4101 or (386)329-4450 (TDD).

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

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-4.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference:

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

(b) through (c) No change.

(2) No change.

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

APPLICANT'S HANDBOOK SECTION

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Elledge, Director, Department of Water Resources, St. Johns River Water Management District, P. O. Box 1329, Palatka, Florida 32178-1429, (386)329-4347

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2001

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLES:	RULE NOS.:
Definitions	40C-8.021
Minimum Surface Water Levels and Flows	

and Groundwater Levels 40C-8.031 PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to establish minimum water levels for the following lakes in the following counties: Apshawa North and South, Cherry and Minneola, Lake County; Burkett, Irma, Martha and Pearl, Orange County; Fox and South Lakes, Brevard County; Lowery, Polk County. Also, the proposed rule will revise minimum flows and levels for Lakes Daugharty, Drudy, Emporia, Lower Louise and Pierson, Volusia County; Stella, Putnam County. The proposed rule amendment would also correct a typographical error for Lake Howell in Seminole County, which erroneously has two different levels for "typically saturated" by repealing the 52.6 foot level. Additionally, the proposed rule amendment would clarify the definition of "semi-permanently flooded" in subsection 40C-8.021(16), F.A.C., so that exposure of the ground elevations, rather than water levels causing inundation, is expected to occur every five to ten years for extended periods during moderate droughts.

SUMMARY: This proposed rule would establish or revise minimum water levels for the above listed lakes pursuant to the mandate of section 373.042, Florida Statutes. Each of these levels would have an associated hydroperiod category. The terms herein are already defined in chapter 40C-8, F.A.C. As with all minimum levels established by the District, if adopted, the minimum levels in this rule amendment would be used as a basis for imposing limitations on withdrawals of groundwater and surface water in the consumptive use permit regulatory process and for reviewing proposed surface water management systems in the environmental resource permit regulatory process.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421 FS.

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

TIME AND DATE: 9:00 a.m., February 13, 2002 (following the regularly scheduled Governing Board meeting)

PLACE: St. Johns River Water Management District, Headquarters, 4049 Reid Street, Palatka, Florida 32178

Any person decides to appeal any decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodations to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting Ann Freeman, (386)329-4101 or (386)329-4450 (TDD).

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

THE FULL TEXT OF THE PROPOSED RULES IS:

40C-8.021 Definitions.

Unless the context indicates otherwise, the following terms shall have the following meanings.

(1) through (15) No change.

(16) "Semi-permanently flooded" means a hydroperiod category where surface water inundation persists in most years. When surface water is absent the water table is usually near the land surface. In many lakes with emergent marshes this water level is near the lower elevation that supports emergent marsh or floating vegetation and peat substrates, or other highly organic hydric substrates. This characterization may not be true for herbaceous wetlands around sandhill type lakes, which often have emergent vegetation that follows declining water levels to below the lower elevation of peat substrate. Water levels causing inundation are expected to occur approximately eighty percent of the time over a long term period of record. Exposure of these ground elevations are Water levels causing inundation is expected to re-occur, on average, about every five to ten years for extended periods (several or more months) during moderate droughts.

(17) through (19) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.415 FS. History–New 9-16-92, Amended 8-17-94, 6-8-95,_____.

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

(1) No change.

(2) The following minimum surface water levels are established:

LAKE NAME	COUNTY	HYDROPERIOD CATEGORY	MINIMUM INFREQUENT <u>HIGH</u>	MINIMUM FREQUENT <u>HIGH</u>	MINIMUM AVERAGE <u>LEVEL</u>	MINIMUM FREQUENT <u>LOW</u>	MINIMUM INFREQUENT <u>LOW</u>
<u>(a) APSHAWA</u> <u>NORTH</u>	LAKE	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		<u>85.0</u>	<u>83.3</u>	<u>81.3</u>	
(b) APSHAWA SOUTH	LAKE	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		<u>86.0</u>	<u>84.7</u>	<u>83.2</u>	
(c) ARGENTA	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		50.1	47.7	46.3	
<u>(d)</u> ASHBY	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		13.8	12.1	11.1	
<u>(e)</u> BANANA	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		38.0	36.2	34.4	
(<u>f)</u> BELL	PUTNAM	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		42.5	40.5	38.7	
(<u>g)</u> BIG	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		26.1	25.0	23.7	
(<u>h)</u> BIG POND	PUTNAM	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		41.8	39.5	38.1	
(i) BLUE POND	CLAY	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		174.1	173.3	171.7	
<u>(j)</u> BOGGY MARSH	LAKE	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		117.3	115.9	114.5	
(k) BRANTLEY	SEMINOLE	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		46.3	45.6	44.1	
(<u>1)</u> BROOKLYN	CLAY	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		114.6	108.0	101.0	
(<u>m)</u> BROWARD	PUTNAM	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		40.0	38.25	36.5	
(n) BURKETT	<u>ORANGE</u>	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		<u>53.5</u>	<u>52.6</u>	<u>51.2</u>	
(o) CHERRY	LAKE	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		<u>96.0</u>	<u>94.9</u>	<u>93.4</u>	
(p) CLEAR	PUTNAM	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		37.4	36.4	34.9	

LAKE NAME	COUNTY	HYDROPERIOD CATEGORY	MINIMUM INFREQUENT <u>HIGH</u>	MINIMUM FREQUENT <u>HIGH</u>	MINIMUM AVERAGE <u>LEVEL</u>	MINIMUM FREQUENT <u>LOW</u>	MINIMUM INFREQUENT <u>LOW</u>
(q) COLBY	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		28.3	26.6	25.2	
<u>(r)</u> COMO	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMINPERMANENTLY FLOODED		38.0	36.2	34.4	
<u>(s)</u> COMO, LITTLE LAKE	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		38.0	36.6	35.2	
(t) COWPEN	PUTNAM	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		89.1	85.7	84.2	
(u) COW POND	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		40.5	39.8	37.6	
(v) COON POND	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		35.7	34.6	33.1	
(w) CRYSTAL/BAKER	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED			35.5 33.9	33.0	
(<u>x)</u> DAUGHARTY	VOLUSIA	N/A SEASONALLY FLOODED N/A TYPICALLY FLOODED N/A SEMIPERMANENTLY FLOODED N/A N/A	4 6.3	<u>44.8</u> 4 5.5	<u>42.6</u> 44.5	<u>41.2</u> 43.0	4 1.5
(<u>x)</u> DAUGHARTY (<u>y)</u> DAVIS	VOLUSIA	<u>SEASONALLY FLOODED N/A</u> <u>TYPICALLY FLOODED N/A</u> <u>SEMIPERMANENTLY FLOODED N/A</u>	4 6.3	<u>44.8</u> 4 5.5 36.2	<u>42.6</u> 44. 5 35.4	<u>41.2</u> 43.0 34.0	4 1.5
		SEASONALLY FLOODED N/A TYPICALLY FLOODED N/A SEMIPERMANENTLY FLOODED N/A N/A SEASONALLY FLOODED TYPICALLY SATURATED	46.3				4 1.5
<u>(y)</u> DAVIS	VOLUSIA	SEASONALLY FLOODED N/A TYPICALLY FLOODED N/A SEMIPERMANENTLY FLOODED N/A N/A SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED SEASONALLY FLOODED TYPICALLY SATURATED	46.3	36.2	35.4	34.0	4 1.5
(y) DAVIS (z) DEEP	VOLUSIA PUTNAM	SEASONALLY FLOODED N/A TYPICALLY FLOODED N/A SEMIPERMANENTLY FLOODED N/A N/A SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED SEASONALLY FLOODED TYPICALLY FLOODED TYPICALLY FLOODED	46. 3	36.2 35.0	35.4 33.1	34.0 32.2	4 1.5
(y) DAVIS (z) DEEP (aa) DIAS	VOLUSIA PUTNAM VOLUSIA	SEASONALLY FLOODED N/A TYPICALLY FLOODED N/A SEMIPERMANENTLY FLOODED N/A N/A SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED SEASONALLY FLOODED TYPICALLY FLOODED SEMIPERMANENTLY FLOODED SEASONALLY FLOODED TYPICALLY FLOODED TYPICALLY FLOODED	46. 3	36.2 35.0 34.5	35.4 33.1 34.1	34.0 32.2 32.8	4 <u>1.5</u>
(y) DAVIS (z) DEEP (aa) DIAS (bb) DISSTON	VOLUSIA PUTNAM VOLUSIA FLAGLER	SEASONALLY FLOODED N/A TYPICALLY FLOODED N/A SEMIPERMANENTLY FLOODED N/A N/A SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED TYPICALLY FLOODED SEASONALLY FLOODED TYPICALLY FLOODED SEASONALLY FLOODED	46. 3	36.2 35.0 34.5 13.8	35.4 33.1 34.1 13.2	34.0 32.2 32.8 12.5	4 <u>1.5</u>

LAKE NAME	COUNTY	HYDROPERIOD CATEGORY	MINIMUM INFREQUENT <u>HIGH</u>	MINIMUM FREQUENT <u>HIGH</u>	MINIMUM AVERAGE <u>LEVEL</u>	MINIMUM FREQUENT <u>LOW</u>	MINIMUM INFREQUENT <u>LOW</u>
<u>(ff)</u> ECHO	PUTNAM	SEASONALLY FLOODED TYPIALLY FLOODED SEMIPERMANENTLY FLOODED		38.8	36.7	35.2	
(gg) EMPORIA	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		<u>38.9</u> 37.5	<u>35.8</u> 36.4	<u>34.3</u> 35.0	
(hh) ESTELLA	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		38.6	37.2	36.5	
<u>(ii) FOX</u>	BREVARD	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		<u>16.7</u>	<u>15.3</u>	<u>13.8</u>	
(jj) GENEVA	CLAY	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		103.0	101.0	98.5	
(<u>kk)</u> GEORGES LAKE	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		98.4	97.8	97.0	
(<u>11)</u> GERTIE	VOLUSIA	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		27.5	25.6	23.3	
<u>(mm)</u> GORE	FLAGLER	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		21.6	20.8	19.8	
(nn) GRANDIN	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		81.8	81.3	80.1	
(00) HELEN	VOLUSIA	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		46.1	44.2	43.6	
(pp) HIRES	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		41.0	39.5	38.0	
<u>(qq)</u> HOKEY	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		35.4	33.7	32.3	
(<u>rr)</u> HOWELL	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		34.5	33.6	31.8	
(ss) HOWELL	SEMINOLE	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		53.7	52.9	51.5	
(tt) IRMA	ORANGE	TYPICALLY SATURATED SEASONALLY FLOODED TYPICALLY SATURATED		<u>55.1</u>	52.6 <u>54.8</u>		
		SEMIPERMANENTLY FLOODED			<u></u>	<u>53.4</u>	

LAKE NAME	COUNTY	HYDROPERIOD CATEGORY	MINIMUM INFREQUENT <u>HIGH</u>	MINIMUM FREQUENT <u>HIGH</u>	MINIMUM AVERAGE <u>LEVEL</u>	MINIMUM FREQUENT <u>LOW</u>	MINIMUM INFREQUENT <u>LOW</u>
(uu) KERR	MARION	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		24.4	22.9	21.5	
(vv) LIZZIE	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		43.9	42.7	41.7	
(ww) LOUISA	LAKE	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		96.5	95.4	94.0	
(<u>xx)</u> LOWER LAKE LOUISE	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		<u>31.8</u> 32.0	<u>31.2</u> 30.5	<u>29.7</u> 29.2	
(yy) LOWERY	POLK	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED	<u>130.0</u>		<u>128.0</u>	126.5	
(zz) MAGNOLIA	CLAY	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		124.7	124.2	121.4	
<u>(aaa)</u> MALL, LITTLE LAKE	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		38.7	36.8	35.2	
(bbb) MARGARET	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		35.2	34.5	32.5	
(ccc) MARTHA	<u>ORANGE</u>	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		<u>53.5</u>	<u>52.6</u>	<u>51.2</u>	
(ddd) MARVIN	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		38.6	37.3	36.3	
(eee) MCGRADY	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		41.5	39.9	37.8	
(fff) MCKASEL	PUTNAM	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED	36.7	35.5		34.1	
(ggg) MELROSE	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		105.2	104.2	102.8	
(hhh) MILLS	SEMINOLE	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		42.5	41.4	39.9	
(iii) MINNEOLA	<u>LAKE</u>	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		<u>96.0</u>	<u>95.3</u>	<u>93.9</u>	
(jjj) NETTLES/ ENGLISH	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		44.3	42.7	41.7	
(<u>kkk)</u> NORRIS	LAKE	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		30.5	29.7	29.1	

LAKE NAME	COUNTY	HYDROPERIOD CATEGORY	MINIMUM INFREQUENT <u>HIGH</u>	MINIMUM FREQUENT <u>HIGH</u>	MINIMUM AVERAGE <u>LEVEL</u>	MINIMUM FREQUENT <u>LOW</u>	MINIMUM INFREQUENT <u>LOW</u>
(III) NORTH COMO PARK	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		41.3	39.7	38.5	
<u>(mmm)</u> NORTH TALMADGE	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		55.6	54.4	52.9	
(nnn) OMEGA	PUTNAM	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		57.4	56.1	54.0	
(000) ORIO	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		37.1	35.6	34.7	
<u>(ppp)</u> PAM	PUTNAM	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		39.3	37.5	36.1	
(qqq) PEARL	<u>ORANGE</u>	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		<u>53.5</u>	<u>52.6</u>	<u>51.2</u>	
(ftt) PIERSON	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		<u>34.4</u> 35.5	<u>33.8</u> 34.2	<u>32.4</u> 32.5	
(sss) PINE ISLAND	LAKE	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		107.7	106.8	105.4	
(ttt) PREVATT	ORANGE	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		56.0	53.0	50.9	
(uuu) PRIOR	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		42.3	40.0	39.0	
(vvv) PURDOM	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		37.0	36.4	35.0	
(www) SAND	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		40.9	39.0	36.6	
(xxx) SAND HILL	CLAY	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		132.0	131.65	129.5	
(yyy) SCOGGIN	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		35.0	34.1	32.7	
(zzz) SHAW	VOLUSIA	N/A N/A N/A N/A	38.5	36.9	36.2	34.0	32.0
(aaaa) SILVER	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		36.5	35.1	34.0	

LAKE NAME	COUNTY	HYDROPERIOD CATEGORY	MINIMUM INFREQUENT <u>HIGH</u>	MINIMUM FREQUENT <u>HIGH</u>	MINIMUM AVERAGE <u>LEVEL</u>	MINIMUM FREQUENT <u>LOW</u>	MINIMUM INFREQUENT <u>LOW</u>
(bbbb) SOUTH	BREVARD	TEMPORARILY FLOODED TYPICALLY SATURATED SEMIPERMAENTLY FLOODED		<u>16.7</u>	<u>15.3</u>	<u>13.8</u>	
(cccc) STAR	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		77.5	75.4	74.0	
(dddd) STELLA	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		<u>39.4</u> 39.9	<u>38.6</u> 39.6	<u>37.2</u> 38.0	
(eeee) SUNSET	LAKE	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		85.9	83.5	81.0	
(ffff) SWAN	PUTNAM	TEMPORARILY FLOODED TYPICALLY SATURATED		93.0	90.3		
<u>(gggg)</u> SYLVAN	SEMINOLE	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		40.4	38.9	37.5	
(hhhh) TARHOE	PUTNAM	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		37.0	36.0	35.2	
<u>(iiii)</u> THREE ISLAND LAKES	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		23.4	21.8	18.8	
(jjjj) TRONE	PUTNAM	SEASONALLY FLOODED TYPICALLY FLOODED SEMIPERMANENTLY FLOODED		37.5	35.7	34.3	
<u>(kkkk)</u> TROUT	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		23.3	20.9	17.7	
(1111) UPPER LAKE LOUISE	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		35.3	34.6	33.2	
(<u>mmmm)</u> WASHINGTO!	N BREVARD	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		15.6	14.2	12.8	
<u>(nnnn)</u> WAUBERG	ALACHUA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		67.4	67.1	65.6	
(0000) WEIR	MARION	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		57.2	56.4	54.9	
(<u>pppp)</u> WINNEMISETT	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTLY FLOODED		59.5	57.8	56.0	
(qqqq) WINONA	VOLUSIA	SEASONALLY FLOODED TYPICALLY SATURATED SEMIPERMANENTY FLOODED		36.1	33.5	32.0	

(3) through (4) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 272.0421 373.103, 373.415 FS. History–New 9-16-92, Amended 8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98, 6-27-00, 2-13-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sonny Hall, Technical Program Manager, Department of Resource Management, St. Johns River Water Management District, P. O. Box 1329, Palatka, Florida 32178-1429, (386)329-4368, Suncom 860-4368

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board, St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2001

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District RULE TITLE:

Publications Incorporated by Reference 40C-42.091 PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to extend the time period for an applicant to respond to a request for additional information from 90 days to 120 days, to allow more time before an incomplete application will be recommended for This amendment administrative denial. will achieve consistency with the District's concurrent proposed amendment to Rule 40C-1.1008, F.A.C.

RULE NO.:

SUMMARY: Revises time frame for administrative permit denials.

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

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

SPECIFIC AUTHORITY: 120.54(8), 373.044, 373.113, 373.171, 373.418 FS.

LAW IMPLEMENTED: 373.413, 373.416, 373.426 FS.

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

TIME AND DATE: 9:00 a.m., February 13, 2002 (Following the regularly scheduled Governing Board Meeting)

PLACE: St. Johns River Water Management District, Headquarters, 4049 Reid Street, Palatka, Florida 32177

Any person decides to appeal any decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based. Anyone requiring special accommodations to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting Ann Freeman and (386)329-4101 or (386)329-4450 (TDD).

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

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-42.091 Publications Incorporated by Reference.

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

(2) through (3) No change.

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

APPLICANT'S HANDBOOK SECTION

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Elledge, Director, Department of Water Resources, St. Johns River Water Management district, P. O. Box 1329, Palatka, Florida 32178-1429, (386)329-4347 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2001

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District RULE TITLE:

Publications Incorporated by Reference 40C-44.091 PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to extend the time period for an applicant to respond to a request for additional information from 90 days to 120 days, to allow more time before an incomplete application will be recommended for administrative denial. This amendment will achieve

RULE NO.:

amendment to Rule 40C-1.1008, F.A.C. SUMMARY: Revises time frame for administrative permit denials.

consistency with the District's concurrent proposed

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

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

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

LAW IMPLEMENTED: 373.406, 373.413, 373.416 FS.

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

TIME AND DATE: 9:00 a.m., February 13, 2002 (following the regularly scheduled Governing Board Meeting)

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

Any person decides to appeal any decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodations to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting Ann Freeman and (386)329-4101 or (386)329-4450 (TDD).

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

THE FULL TEXT OF THE PROPOSED RULE:

40C-44.091 Publications Incorporated by Reference.

(2) through (3) No change.

Specific Authority 373.044, 373.113, 373.171, 373.406, 373.416, 373.418 FS. Law Implemented, 373.406, 373.413, 373.416 FS. History–New 10-20-92, 7-4-93, 10-3-95, 11-1-99,_____.

APPLICANT'S HANDBOOK SECTION

- 5.3.3 If an applicant requires more than 120 days in which to complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown, the application shall be held in active status for additional periods commensurate with the good cause shown. As used herein, good cause means a demonstration that the applicant is diligently acquiring the requested information, and that the additional time period requested is both reasonable and necessary to supply the information. The applicant has 90 days from the date of the request for additional information to supply that information to the District. If an applicant requires more than 90 days in which to complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown, the application shall be held in active status for one additional period of up to 90 days.
- 5.3.4 If, within the given time frame, the applicant does not submit the requested information (which was requested within 30 days after receipt of the application) the application may be prepared for denial in accordance with section 40C-1.1008 40C-1.605, F.A.C. In such instances, the applicant will be mailed or delivered a notice of the intent to take such action at a minimum of 14 days prior to the meeting at which the Board will consider denial. The applicant may request a section 120.569 120.57, F.S., hearing pursuant to Chapter 28-106 and section 40C-1.1007 40C-1.511, F.A.C., to dispute the necessity of the information required. The applicant may present evidence to the Board stating why the permit application should not be denied. Denial pursuant to this procedure is not a determination of the merit of an application and does not preclude reapplying at a later time.
- 6.4.3 If an applicant requires more than <u>120</u> 90 days in which to complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown. As used herein, good cause means a demonstration that the applicant is diligently acquiring

the requested information, and that the additional time period requested is both reasonable and necessary to supply the information.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Elledge, Director, Department of Water Resources, St. Johns River Water Management district, P. O. Box 1329, Palatka, Florida 32178-1429, (386)329-4347

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE TITLES:	RULE NOS.:
General Provisions; Forms and Fees	61B-60.002
Application for and Renewal of Broker or	
Salesperson License	61B-60.003
Bond and Irrevocable Letter of Credit	61B-60.004
Principal Place of Business; Broker's Branch	
Office License Application and	
Branch Office License Renewal	61B-60.005
Escrow Depository; Closing Transactions	61B-60.006

Standards of Conduct; Penalties 61B-60.008 PURPOSE AND EFFECT: The purpose of this rule amendment is to renumber forms; delete the forms used for licenses, temporary licenses, surety bonds, and complaints; repeal procedures superseded by the Uniform Rules; clarify application of escrow trust accounts; repeal repetition of statutory requirements for financial institutions holding escrow trust funds; repeal requirements for the letter of credit on the application form, and increase fees paid for fingerprint processing in accordance with section 215.405, Florida Statutes.

SUMMARY: The rule amendment addresses the increase in cost for fingerprint processing for licensing; renumbers forms and deletes the forms used for licenses, temporary licenses, surety bonds and complaints; repeals procedures superseded by the Uniform Rules; clarifies the application of escrow trust funds; repeals repetition of statutory requirements for financial institutions holding escrow trust funds; and repeals the requirements for the letter of credit on the application form.

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

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

SPECIFIC AUTHORITY: 215.405, 326.002, 326.003, 326.004 FS.

LAW IMPLEMENTED: 326.004, 326.005, 326.006 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., January 22, 2002

PLACE: Warren Building Conference, B-30, 202 Blount Street, Tallahassee, Florida 32399-1030

Those persons who cannot attend in person may submit their comments in writing Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, within 21 days of this notice. Written comments received after the hearing may not be considered.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting Sharon A. Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THE FULL TEXT OF THE PROPOSED RULES IS:

61B-60.002 General Provisions; Forms and Fees.

(1) through (3) No change.

(4) Fees shall be \$500 for application relating to an initial license and \$500 for biennial renewal of a license. The fee for national fingerprint processing shall be \$43 \$33 and shall apply to the initial application process. The fee for each broker's branch office license and renewal thereof shall be \$100, based upon an effective period of 2 years.

(5) No change.

(6) The division, prior to taking final agency action which may adversely affect the substantial interests of a person, including but not limited to the denial of a license application, shall notify that person of the intended agency action and of his right to a formal hearing or an informal proceeding as provided by section 120.57, Florida Statutes, and Chapter 7-4, Florida Administrative Code.

(7)(a) In those cases in which the division intends to deny an initial license or renewal license to an applicant, or intends to suspend or revoke a license which has been issued, the division shall notify the applicant or licensee that if the applicant or licensee fails to request an administrative hearing within 21 days of the receipt of the notice of the division's intended action, the denial, suspension or revocation shall be conclusive and final agency action.

(b) If the applicant or licensee fails to file a request for an administrative hearing within 21 days after receipt of the division's notice of intended action, the division's action shall become conclusive and final agency action.

(6)(8) Licensees shall, not later than 30 days after a change of business address or affiliation, notify the division in writing of the updated information. The licensee shall return the license to the division. The division will then reissue the license reflecting the changes indicated and revise the effective date referenced on the license to reflect the date that the division actually records the change. Any reissuance pursuant to this rule shall not result in any extension of the expiration date of the license, and the expiration date shall continue to be the date listed on the license prior to its reissuance.

(9) Filing of Complaints. Any person wishing to file a complaint against a licensed broker or salesperson may utilize DBR Form 31-005, YACHT AND SHIP COMPLAINT FORM, effective 11-25-90, incorporated by reference.

61B-60.003 Application for and Renewal of Broker or Salesperson License.

(1) Application for License.

(a) All persons desiring to obtain a license to act as a broker or salesperson, shall apply for licensure by filing with the division a completed application on <u>DBPR Form YS</u> <u>6000-1</u> DBR Form 31-001, APPLICATION FOR A YACHT AND SHIP <u>EMPLOYING BROKER</u>, BROKER OR SALESPERSON LICENSE, incorporated herein by reference and effective <u>10-11-92</u>, a copy of which may be obtained at the address referenced in rule 61B-60.002(1), accompanied by the \$500 application fee, the <u>\$43</u> \$33 \$500 fingerprint processing fee, a complete set of fingerprints which comply with the form provided in the application materials, and by the bond or irrevocable letter of credit as provided by rule 61B-60.004, Florida Administrative Code.

(b) through (c) No change.

(2) Review for Form.

(a) The division shall review the application within 10 days of its receipt to determine if it is in acceptable form, meaning that the application form is completed in its entirety and the application fee, the <u>\$43</u> \$33 \$33 fingerprint processing fee, a complete set of fingerprints, and bond or letter of credit conforming to the requirements of Rule 61B-60.004, Florida Administrative Code, have been received by the division. If the application is in acceptable form, the division shall issue a temporary 90-day license, DBR form 31-011.

(b) through (d) No change.

(3) Review for Good Moral Character.

(a)1. through 4. No change.

5. Other relevant information generated in the course of the application process that bears upon the applicant's moral character, including but not limited to those acts described by Section 326.006(2)(e)-(f) 326.006(3), (4), Florida Statutes; and

6. through 7. No change.

7.a. The disposition of criminal charges shall be considered if such constitutes a felony; or if such constitutes a misdemeanor involving moral turpitude, fraud, theft, dishonesty, assault and battery, or false statement.

b. through (c) No change.

(d) If upon completion of its evaluation of the moral character of an applicant, the division concludes that the applicant does possess good moral character, the division shall issue the applicant a license, DBR Form 31-003, YACHT AND SHIP BROKER LICENSE, effective 11-25-90, incorporated by reference, upon payment of all fees owed to the division, if any.

(e) No change.

(f) If upon completion of its evaluation of the moral character of an applicant, the division concludes that the applicant does not possess good moral character, the division shall <u>issue a notice of its intent to deny the application proceed</u> as provided in Rule 61B 60.002(6), Florida Administrative Code.

(4) Notification of License Expiration. The division shall notify all licensees of impending license expiration, not less than 60 days prior to expiration, on a <u>DBPR Form YS 6000-6</u> <u>BPR form 31-007</u>, APPLICATION FOR YACHT AND SHIP LICENSE RENEWAL/BRANCH OFFICE RENEWAL, effective ______ 2-13-97, incorporated by reference, a copy of which may be obtained at the address referenced in rule 61B-60.002(1).

(5) Submission of Application for License Renewal. Licensees shall apply for renewal of their license on a <u>DBPR</u> <u>Form YS 6000-6</u> <u>BPR form 31-007</u>, APPLICATION FOR YACHT AND SHIP LICENSE RENEWAL/BRANCH OFFICE RENEWAL, <u>incorporated in subsection (4) above</u>, accompanied both by a \$500 renewal fee and by the bond or letter of credit or proper continuation certificate, as provided by Rule 61B-60.004, Florida Administrative Code. Completed applications shall be postmarked not less than 30 days prior to the expiration of the current license.

(6) through (7) No change.

(8) If upon completion of the evaluation of moral character, the division approves the application for license renewal, the division shall issue a <u>license</u> BPR form 31-003, <u>VACHT AND SHIP BROKER LICENSE</u>, effective 2-13-97, <u>incorporated by reference</u>.

(9) No change.

Specific Authority 215.405, 326.003, 326.004 FS. Law Implemented 326.004 FS. History–New 2-13-90, Amended 11-25-90, 10-11-92, Formerly 7D-60.002, Amended ______.

Specific Authority 215.405, 326.003 FS. Law Implemented 326.004, 326.006 FS. History–New 2-13-90, Amended 11-25-90, 10-11-92, Formerly 7D-60.003, Amended 2-13-97,_____.

61B-60.004 Bond and Irrevocable Letter of Credit.

(1) Applications for licensure as a broker or a salesperson shall be accompanied by a good and sufficient surety bond or irrevocable letter of credit on DBR form 31 002, YACHT AND SHIP BROKER OR SALESPERSON BOND, incorporated herein by reference and effective 8 28 91.

(2) through (3) No change.

Specific Authority 326.003 FS. Law Implemented 326.004 FS History–New 2-13-90, Amended 11-25-90, 8-28-91, Formerly 7D-60.004, Amended

61B-60.005 Principal Place of Business; Broker's Branch Office License Application and Branch Office License Renewal.

(1) No change.

(2) In order to obtain a broker's branch office license, a broker licensed by the division shall complete <u>DBPR Form YS</u> 6000-4 <u>DBR Form 31 004</u>, <u>EMPLOYING</u> BROKER'S BRANCH OFFICE LICENSE APPLICATION, effective <u>11 25 90</u>, incorporated by reference, <u>a copy of which may be obtained at the address referenced in rule 61B-60.002(1)</u>, and shall file it with the division, accompanied by the appropriate license fee. Since the expiration date for the branch office license, the pro-rata fee structure for the branch office license will be as follows:

(a) For a period up to 6 months - \$25;

(b) For a period between 6 months and 1 year - \$50;

(c) For a period between 1 year and 18 months - \$75; and

- (d) For any period exceeding 18 months \$100.
- (3) through (7) No change.

(8) Renewal of Branch Office License. In order to renew a broker's branch office license, the broker shall submit a completed DBPR Form YS 6000-6 DBR form 31 007, _ 1 26 97, incorporated by reference, in effective Rule 61B-60.003(4), accompanied by a renewal fee of \$100. The completed application shall be postmarked not less than 30 days prior to expiration of the branch office license. If the application is deficient for form, the division shall so notify the applicant, and the applicant shall have 10 days after receiving notification of the deficiency in which to correct the deficiency. The application shall be deemed to be in correct form if it is filled out in its entirety and accompanied by the \$100 renewal fee. If the applicant fails to correct the deficiency within this time period, the division shall deny the application by proceeding as set forth in rule 61B 60.002(6), Florida Administrative Code. If the application is in correct form, the division shall issue a branch office license DBR form 31-004, BROKER'S BRANCH OFFICE LICENSE, effective 1 26 97, incorporated by reference.

Specific Authority 326.003 FS. Law Implemented 326.004, 326.006 FS. History–New 2-13-90, Amended 11-25-90, 10-11-92, Formerly 7D-60.005, Amended 1-26-97._____.

61B-60.006 Escrow <u>Trust</u> Depository; Closing Transactions.

(1) No change.

(2) A broker holding the license of a salesperson shall make all <u>escrow</u> trust account deposits and withdrawals of monies involved in a transaction brokered by the salesperson. Any salesperson who receives any deposit shall immediately deliver the same to the broker under whom he is licensed as a salesperson.

(3) Within 3 working days of receipt of funds pursuant to a purchase contract, all funds received by a broker or salesperson in connection with the sale, exchange, or purchase of a yacht shall be deposited in the broker's escrow trust account and shall remain in the account until the funds are disbursed pursuant to the provisions of the contract or controlling statute. "Escrow trust Trust account" shall mean a segregated account as required by Section 326.005, Florida Statutes, established with a bank or trust company, credit union, or a savings and loan association within the State of Florida having a net worth in excess of 5 million dollars, in which only funds received pursuant to the sale, exchange, or purchase of a yacht as regulated by Chapter 326, Florida Statutes, shall be deposited. No personal or operating funds shall be deposited or intermingled with any funds held in an escrow trust account, and monies deposited into the account shall not be used to pay operating expenses.

(4) A broker shall maintain books and records of receipts, deposits and withdrawals of <u>escrow</u> trust account funds in accordance with generally accepted accounting principles.

Specific Authority 326.003 FS. Law Implemented 326.004, 326.005 FS. History-New 2-13-90, Amended 11-25-90, Formerly 7D-60.006, Amended

61B-60.008 Standards of Conduct; Penalties.

(1) No change.

(2) The division shall suspend or revoke the license of a broker or salesperson under the provisions of Section 326.006(2)(e), (f), Florida Statutes, for cause shown including the violation of applicable administrative rules, upon proceeding in accordance with Rule 61B-60.002(6), (7), Florida Administrative Code.

(3) through (4) No change.

Specific Authority 326.002, 326.003, 326.004 FS. Law Implemented 326.004, 326.006 FS. History–New 11-25-90, Amended 10-11-92, Formerly 7D-60.008, 7D-60.009, 7D-60.010, Amended 1-26-97,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Peter Butler, Chief, Bureau of Customer Service, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1032

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kim Binkley-Seyer, Secretary, Department of Business and Professional Regulation DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 18, 2001 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 7, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE CHAPTER TITLE:	RULE CHAPTER NO.:			
Florida Elevator Safety Code	61C-5			
RULE TITLES:	RULE NOS .:			
Elevators, Dumbwaiters, Escalators, Moving				
Walks, Inclined and Vertical Whee	lchair			
Lifts and Inclined Stairway Chairli	ifts 61C-5.001			
Elevator Fees; Permits, Annual				
Certificates of Operation	61C-5.006			
Fees; Elevator Certificates of				
Competency, Renewal	61C-5.007			
Service Maintenance Contracts	61C-5.013			

PURPOSE AND EFFECT: The purpose is to update the existing rules and implement requirements imposed by Chapter 399, Florida Statutes. The effect will be to put the public on notice of these new rule provisions and requirements of Chapter 399, Florida Statutes, to provide greater clarity, and to implement the statutory requirements of this program.

SUMMARY: The proposed rule development will address language clarification relative to inspector certification, inspections and implementation of recent legislation.

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

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

SPECIFIC AUTHORITY: 399.02, 399.02(5)(d), 399.07(1)(d), 399.07(2)(d), 399.10, 399.105(2) FS.

LAW IMPLEMENTED: 399.02, 399.02(2), 399.02(5)(d), 399.07(1)(d), 399.07(2)(d), 399.105 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: 1:00 p.m. – 3:00 p.m., EST, January 18, 2002

PLACE: The Second Floor Hearing Room, The McCarty Building, 941 West Morse Boulevard, Winter Park, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 business hours before the hearing by contacting Lee M. Cornman, Management Review Specialist, (850)488-1133. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Lee M. Cornman, Management Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012, Telephone (850)488-1133

THE FULL TEXT OF THE PROPOSED RULES IS:

61C-5.001 Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts.

The installation and maintenance of elevators, dumbwaiters, escalators, moving walks, manlifts, inclined and vertical wheelchair lifts, and inclined stairway chairlifts, in Florida, shall be governed by the following standards, which are hereby adopted by reference, with certain amendments and exclusions. This rule shall not apply to hand-operated dumbwaiters, construction hoists, or other similar temporary lifting or lowering apparatus.

(1) American National Standard Safety Code for elevators and escalators, ASME A17.1, 1996 edition, effective 10-4-00 and ASME A17.1a, 1997 addenda, effective 10-4-00, and ASME A17.1b, 1998 addenda, effective 10-4-00.

(2)(a) American National Standard Inspectors Manual for Electric Elevators, ASME A17.2.1, 1996 edition, including ASME A17.2.1a, 1997 Addenda and ASME A17.2.1b, 1998 Addenda.

(b) American National Standard <u>I</u> inspectors Manual for Hydraulic Elevators ASME A17.2.2, 1997 edition including ASME A17.2.2a, 1998 Addenda.

(c) American National Standard Inspectors Manual for Escalators and Moving Walks, ASME A17.2.3, 1998 edition.

(3) American National Standard Safety Code for Manlifts, ASME A90.1, 1992 edition.

(3)(4) National Fire Protection Association, NFPA-70, National Electrical Code, 1999 edition.

(4)(5) The Uniform Fire Safety Standards for Elevators, Chapter 4A-47, Florida Administrative Code, established by the Department of Insurance, State Fire Marshal's Office, are hereby adopted by reference.

(5)(6) Each elevator shall be accessible to Americans with Disabilities in accordance with the Federal Americans with Disabilities Act Accessibility Guidelines, Appendix B, Sections 4.10 and 4.11 and all applicable requirements, references, and drawings set forth in these sections.

(6)(7) The following rules of ASME A17.1, are hereby amended as follows:

(a) Rule 211.9e is added, and reads as follows: Each car in a multicar group shall be sequentially numbered from left to right, as viewed from the elevator lobby.

(b) Rule 101.3a of the ASME A17.1, which is amended to read as follows: Rule 101.3a General Requirements. A permanent, safe and convenient means of access to elevator machine rooms and overhead machinery spaces shall be provided for authorized persons. The key to the machine rooms and overhead machinery spaces shall be kept on the premises at all times and readily available for use by state elevator inspectors.

(c) Rule 211.8 Switch Keys, of ASME A17.1, is amended to read as follows: The switches required by Rule 211.2 through 211.5, for all elevators in a building, must be operable by the same keys. This key must not operate any other switch and shall not be part of a building master key system. There must be a key for the designated level switch and for each elevator in the group. These keys must be kept on the premises at all times in a location readily accessible to authorized personnel, and state elevator inspectors, but not where the key is available to the general public. NOTE: (RULE 211.8): Local authorities may specify a uniform keyed lock box to contain the necessary keys.

(d) Rule 805.2d is added, and reads as follows: The key for the starting switches must be kept on the premises at all times in a location readily available to authorized personnel and state elevator inspectors, but not where the key is available to the general public.

(e) Rule 106.1b(3). Drains connected directly to sewers shall not be installed in elevator pits. Where drains are not provided to prevent the accumulation of water, a sump of adequate size and depth to accommodate a pump shall be provided, with or without a pump.

(7)(8) Specifically excluded from ASME A17.1, 1996 edition and supplements are:

(a) Part XVIII, entitled Screw Column Elevators.

(b) Part XXI, entitled Private Residence Inclined Stairway Chairlifts and Inclined and Vertical Wheelchair Lifts.

(c) Section 1200 General Requirements, Rule 1200.1 Conformance with Safety Code for Existing Installations.

(d) Part V, Private Residence Elevators.

Specific Authority 399.02 FS. Law Implemented 399.02 FS. History– Amended 10-20-63, 4-20-64, 11-17-73, 12-20-73, Revised 3-22-74, Amended 12-18-74, 8-21-79, 8-1-82, 9-19-84, Formerly 7C-5.01, Amended 11-1-87, 10-31-88, 6-12-89, 9-10-89, 10-3-90, 5-12-91, 6-23-91, 8-9-91, 8-27-92, Formerly 7C-5.001, Amended 2-2-94, 8-1-96, 1-1-98, 10-4-00_______.

61C-5.006 Elevator Fees; Construction and Alteration Permits; Annual Certificates of Operation; Delinquency Fee; Temporary Operation Permits Certificate Replacement.

(1) <u>Each aApplication for an elevator permit to erect or</u> move shall be accompanied by a fee of \$250. <u>Every permit</u> <u>Iissued permits will</u> becomes invalid <u>if unless</u> the work authorized by such permit <u>does not</u> is commenced within 1 year after issuance, <u>or</u> of if the work authorized by such permit is suspended or abandoned for a period of 1 year after the time the work is commenced.; provided that, for good cause, <u>O</u>one or more extensions of time, for periods not exceeding 90 days each, may be allowed. Such extensions shall be in writing and signed by the director or his designee. The following grounds for extension shall constitute good cause for the granting of an extension:

(a) An extension of time shall be granted due to delays in construction, including delay arising from the non-availability of parts necessary to complete construction; except when the director or his designee determines that the delay is the fault of the contractor or applicant, or where the delay results from failure to diligently pursue construction.

(b) An extension of time shall be granted due to delays caused by the injury, illness or death of an involved material party to the construction.

(c) The director shall also grant an extension of time where failure to grant the requested extension will impose hardship on the party requesting the permit; except when the director or his designee determines that the necessity for the extension is due to the party's own negligence and the necessity for the extension would have been avoided by the party's exercise of due diligence.

(2) through (3) No change.

(4) Annual certificate of operation fees for elevators are based on whether or not a service maintenance contract to insure safe elevator operation is consistently in force. In addition, the fee shall be based on the following schedules:

(a) Fees based on type of installation and number of landings. Hand-operated, electric, hydraulic passenger and freight elevators, escalators, side walk elevators, power operated dumbwaiters, material lifts and dumbwaiters with automatic transfer devices, inclined stairway chairlifts, inclined and vertical wheelchair lifts and inclined elevators.

NUMBER OF <u>LANDINGS</u>	FEES UNDER SERVICE MAINTENANCE <u>CONTRACT</u>	FEE NO SERVICE MAINTENANCE <u>CONTRACT</u>
Elevators serving 0-2		
landings	\$32	\$72
Elevators serving 3-5		
landings	\$36	\$77
Elevators serving 6-10		
landings	\$41	\$81
Elevators serving 11-15		
landings	\$45	\$86
Elevators serving over 15 landings	\$45	\$90

(b) Fee based on type of installation, regardless of the number of landings:

	FEES UNDER	FEE NO
TYPE OF	SERVICE	SERVICE
INSTALLATION	MAINTENANCE	MAINTENANCE
	<u>CONTRACT</u>	<u>CONTRACT</u>
Special purpose		
Elevators, Manlifts,	\$45	\$90
Moving Walks		

(c) Fee for Temporary Operating Permits - \$100. The permit shall be issued for a period not to exceed 30 days.

(5) through (6) No change.

Specific Authority <u>399.03(2)</u>, 399.07(1)(d), 399.07(2)(d), 399.10 FS. Law Implemented <u>399.07(1)(d),(2)(d)</u> FS. History–New 8-21-79, Amended 11-20-79, 10-8-81, 4-21-82, 8-1-82, 11-27-83, 9-19-84, 10-8-85, Formerly 7C-5.06, Amended 10-31-88, 7-1-92, 10-11-92, Formerly 7C-5.006, Amended 2-2-94, 1-1-98, 5-24-01,______

61C-5.007 Fees; <u>Elevator</u> Certificates of Competency, Renewal.

(1) The initial application for an <u>elevator</u> certificate of competency shall be accompanied by a fee of $\frac{50100}{0}$.

(2) The renewal application for a<u>n elevator</u> certificate of competency shall be accompanied by a fee of \$50.

(3) All applicants for a Certificate of Competency must have a degree in mechanical or electrical engineering from a four year, accredited College or University or equivalent work experience in the construction, installation, inspection, maintenance, and repair of elevators. Work in the areas indicated above may be substituted on a year for year basis for the required College training.

(3)(4) Each Certificate of Competency shall be issued for a one ealendar year period from the date of issuance and <u>must be</u> renewed shall expire at the end of the <u>one</u> year <u>period</u> unless renewed by the division. For the purpose of this section, eertificates will expire on December 31 at 11:59 p.m. of each year. Applications for renewal certificates of competency must be paid by January 1 of each year.

(4)(5) Before an initial An Elevator Certificate of Competency may only be issued to an individual who has is issued by the division, the applicant must pass successfully completed an examination conducted by the division or a provider approved by the division, its designee covering the construction, installation, inspection, maintenance, and repair of elevators and their associated systems appurtenances. The division shall maintain a listing of approved providers which may be obtained from the Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

(5)(6) Pursuant to s. 399.01(15), Florida Statutes, eEach elevator company must register and have on file with the division a valid Certificate of Comprehensive General Liability Insurance evidencing coverage limits in the minimum amounts of \$100,000 per person and \$300,000 per occurrence and the

name of at least one employee who holds a current Certificate of Competency issued pursuant to section 399.045, Florida Statutes.

(6)(7) Any elevator company that fails to register with the division is subject to an administrative fine set by the division not greater than $\frac{1,000}{500}$ in addition to any other penalty provided by law.

(7) Pursuant to s. 399.01(16), Florida Statutes, each certified elevator inspector shall file with his or her annual registration a valid Certificate of Comprehensive General Liability insurance evidencing inspector coverage limits in the minimum amounts of \$100,000 per person and \$300,000 per occurrence.

(8) Pursuant to s. 399.01(17), Florida Statutes, each certified elevator technician shall file with his or her annual registration a valid Certificate of Comprehensive General Liability insurance evidencing technician coverage limits in the minimum amounts of \$100,000 per person and \$300,000 per occurrence.

Specific Authority <u>399.01(15)</u>, <u>399.01(19)</u>, <u>399.02(5)(d)</u>, <u>399.10</u>, <u>399.105(2)</u> FS. Law Implemented <u>399.02(5)(d)</u> FS. History–New 10-8-81, Amended 11-27-83, 2-19-84, Formerly 7C-5.07, Amended 4-11-91, Formerly 7C-5.007, Amended 2-2-94,_____.

61C-5.013 Service Maintenance Contracts.

(1) If a service maintenance contract is in effect, the elevator owner must provide, as part of the annual renewal process, information on:

(a) The dates the contract is in effect;

(b) The serial number for which elevator the contract was executed; and,

(c) That each service maintenance contract executed by the owner meets the requirements of the Florida Building Code.

(2)(1) For the purpose of this chapter, the term "routine examination" as it relates to the definition of a service maintenance contract means:

(a) Registered elevator companies that enter into service maintenance contracts with elevator owners must follow the procedures within the scope of ASME A17.2.1, A17.2.2, and A17.2.3, Inspectors Manual, and latest Addendas, for its routine examinations of elevators;

(b) The safety tests required by ASME A17.1 and its latest Addendas must be conducted within the time frames established by that standard;

(c) The routine examination by registered elevator companies shall be performed at least on a yearly basis; and

(d) The elevator service maintenance company must make a written record indicating the date or dates of routine examinations and required testing. This record must be maintained in the elevator machine room, available for review by the division or its contractual designees.

(3)(2) If the required code related tests are not included in a service maintenance contract, the service contract will not be valid and would not be considered to be a service maintenance contract pursuant to Section 399.01(7), Florida Statutes.

Specific Authority 399.02, <u>399.03</u>, 399.061(1)(a) FS. Law Implemented 399.01 FS. History–New 2-2-94, Amended 10-4-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lee M. Cornman, Management Review Specialist, Division of Hotels and Restaurants, Department of Business and **Professional Regulation**

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Kim Binkley-Seyer, Secretary, Department of Business and Professional Regulation

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 16, 2001, Vol. 27, No. 46

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE:

RULE NO.: Schedule of Fees 61G15-24.001

PURPOSE AND EFFECT: The Board proposes to update the rule text with regard to fees charged by the Board.

SUMMARY: This rule is being amended to correct the description of certain fees imposed by the Board.

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

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

SPECIFIC AUTHORITY: 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS.

LAW IMPLEMENTED: 119.07(1)(a), 455.217(3), 471.011, 471.019 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Natalie Lowe, Administrator, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-24.001 Schedule of Fees Adopted by Board.

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

(f) <u>Delinquency Fee</u> Late renewal penalty - \$100.00

(g) through (3) No change.

Specific Authority 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS. Law Implemented 119.07(1)(a), 455.217(3), 471.011, 471.019 FS. History–New 1-8-80, Amended 8-26-81, 12-19-82, 6-2-83, 2-28-84, Formerly 21H-24.01, Amended 3-10-86, 12-11-86, 3-10-87, 4-12-88, 12-21-88, 1-10-90, 8-15-90, 1-6-93, Formerly 21H-24.001, Amended 11-15-94, 8-10-98, 6-16-99, 5-8-00, 11-15-01.

NAME OF PERSON ORIGINATING PROPOSED RULE: **Board of Professional Engineers**

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board RULE TITLE: RULE NO .: Voluntary Certification Categories 61G19-6.016 PURPOSE AND EFFECT: The Board proposes to update the rule text.

SUMMARY: The Board has determined that this rule should be amended to delete rule text that is not necessary.

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

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

SPECIFIC AUTHORITY: 468.606, 468.609(10) FS.

LAW IMPLEMENTED: 468.609(10) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Building Code Administrators, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-6.016 Voluntary Certification Categories.

The following voluntary certification categories are created. All specialty licenses require a standard certification.

(1) through (3) No change.

(4) Electrical Inspector. Electrical Inspector means a person who is certified as both a commercial and residential electrical inspector.

(5) through (7) renumbered (4) through (6) No change.

Specific Authority 468.606, 468.609(10) FS. Law Implemented 468.609(10) FS. History–New 7-5-95, Amended 7-7-96, 8-6-97, 6-25-98, 12-28-00,

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board RULE TITLE: RULE NO.:

One and Two Family Dwelling

Inspector Certification 61G19-6.017 PURPOSE AND EFFECT: The purpose for the rule is to provide procedures relating to one and two family dwelling inspector certification.

SUMMARY: The Board proposes to promulgate a new rule which will provide language for one and two family dwelling inspector certification.

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

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

SPECIFIC AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 468.609(2),(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Building Code Administrators, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

<u>61G19-6.017 One and Two Family Dwelling Inspector</u> <u>Certification.</u>

(1) Provisional certification may be obtained in the category of one and two family dwelling inspector, provided that the licensee's supervisor holds standard certification pursuant to Chapter 468, Part XII, F.S.

(2) Applicants for standard or provisional certification in this category must meet the eligibility requirements according to one of the following criteria:

(a) Five years' experience as a registered or certified state general, building, or residential contractor in a managerial or supervisory capacity that included operational control and direction of building, mechanical, electrical, and plumbing personnel or subcontractors on residential projects; or

(b) Five years' experience as a job superintendent or project manager in a managerial or supervisory capacity that included operational control and direction of building, mechanical, electrical, and plumbing personnel or subcontractors on residential projects; or

(c) Five years' experience including two years of hands-on electrical experience, two years of hands-on building experience, and one year of hands-on experience in either mechanical or plumbing; or

(d) Standard certification as an inspector in any of the categories listed in section 468.603(6), plus at least six months' hands-on experience in each of the following areas in which the applicant does not hold standard certification: building, plumbing, electrical, and mechanical; or

(e) A combination of postsecondary education in the field of construction or a related field and experience which totals four years, with at least one year of such total being experience in construction, building code inspection, or plans review; or

(f) A combination of technical education in the field of construction or a related field and experience which totals four years, with at least one year of such total being experience in construction, building code inspection, or plans review; or

(g) Standard certification as an inspector in any of the categories listed in section 468.603(6), plus satisfactory completion of a one and two family inspector training program of not less than 500 hours.

Specific Authority 468.606 FS. Law Implemented 468.609(2),(7) FS. History_ New_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2001

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 01-37R	
RULE CHAPTER TITLE:	RULE CHAPTER NO .:
Surface Water Quality Standards	62-302
RULE TITLE:	RULE NO.:
Everglades Protection Area	

Phosphorus Criterion 62-302.540 SUMMARY: This proposed rule will implement the requirements of subparagraph 373.4592(4)(e)2., Florida Statutes, by establishing a numeric phosphorus criterion of 10 parts per billion (ppb) for the freshwater portions of the Everglades Protection Area. "Phosphorus criterion" is defined in paragraph 373.4592(2)(j), Florida Statutes, as "a numeric interpretation for phosphorus of the Class III narrative nutrient criterion." The Class III nutrient criterion is set forth in Rule 62-302.530(48)(b) as follows: "In no case shall nutrient concentrations of a body of water be altered so as to cause an imbalance in natural populations of aquatic flora or fauna."

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE:	RULE NO.:
Trainee Registration	64B3-4.001
PURPOSE AND EFFECT: The Board pro	poses to update the
existing rule text.	

SUMMARY: The Board determined that individuals enrolled in a Board-approved histology program shall be issued a two-year trainee registration.

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

SPECIFIC AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.809(3), 483.811(2),(3),(4), 483.825, 483.827 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-4.001 Trainee Registration.

(1) through (3) No change.

(4) Upon graduation from a Board approved training program, a student who intends to work in a laboratory licensed under Chapter 483, Florida Statutes, shall apply for licensure.

(a) Individuals enrolled in a Board-approved histology program shall be issued a two-year trainee registration.

(5) through (6) No change.

Specific Authority 483.805(4) FS. Law Implemented 483.809(3), 483.811(2),(3),(4), 483.825, 483.827 FS. History–New 7-20-93, Formerly 21KK-4.001, 61F3-4.001, Amended 4-10-96, 7-3-97, Formerly 59O-4.001, Amended 3-19-98, 2-15-01, ______.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 19, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 12, 2001

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel RULE TITLE:

Director; Limitations, Qualifications and Responsibilities

64B3-5.007

RULE NO.:

PURPOSE AND EFFECT: The Board proposes to eliminate unnecessary duplication by striking information that was located in multiple locations.

SUMMARY: The proposal deletes director responsibilities that are set forth elsewhere in the rules.

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

SPECIFIC AUTHORITY: 483.051, 483.805(4) FS.

LAW IMPLEMENTED: 483.041(5), 483.051(1), 483.811(2), 483.823(1), 483.824 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: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.007 Director; Limitations, Qualifications and Responsibilities.

(1) through (4) No change.

(5) Responsibilities of a Director. The director is responsible for the:

(a) Overall operation and administration of the clinical laboratory.

(b) Employment of personnel who have appropriate education and experience and are competent to perform the procedures and tasks assigned to them and perform test methods according to the laboratory's policies and procedures.

(c) Prompt, accurate and proficient performance, recording and reporting of test results.

(d) Compliance of the laboratory with all applicable state and federal laws, rules and regulations.

(c) Performance of the duties of a supervisor or technologist, as needed.

(f) Physical plant and environmental conditions of the clinical laboratory which shall be appropriate for the testing performed and provide a safe environment where employees are protected from physical, chemical and biological hazards.

(g) Verification of test methodologies and testing systems to determine the accuracy, precision, and other pertinent characteristics of the method or system to assure quality results required for patient care.

(h) Enrollment and active participation of the laboratory in a proficiency testing program for the testing performed which meets the requirements of Rule Chapter 59A-7, F.A.C., and the review of proficiency testing reports to evaluate performance, identify problems that require corrective action and initiate the necessary corrective action.

(i) Quality control and quality assurance programs established and maintained by the laboratory to assure the quality of clinical laboratory services provided and to identify and correct problems as they occur.

(j) Remedial actions taken and documented whenever significant deviations from the clinical laboratory's established performance characteristics are identified.

(k) Inclusion of pertinent information required for interpretation in test reports.

(1) Availability of consultation services to the clinical laboratory's clients on matters relating to the quality of test results reported, the methodology used, and their interpretation concerning specific patient conditions.

(m) Assessment of laboratory staffing needs and the advisement of management when insufficient clinical laboratory personnel are employed.

(n) Laboratory procedure manual approved by the clinical laboratory director and for its distribution to all personnel responsible for any aspect of the testing process.

(o) Policies and procedures established to monitor and evaluate clinical laboratory personnel and personnel who collect, process and handle specimens, perform test procedures and report test results. When necessary, identify needs for remedial training or continuing education to improve skills.

(p) Selection of the clinical laboratory's test menu and methods, the schedule of testing, the criteria for specimen collection and rejection and the methods for reporting results.

(q) Patient identification system established and maintained by the laboratory.

(r) Financial management of resources for the clinical laboratory and for establishing and maintaining accurate billing practices.

(s) Workload limits for each individual examining slides in cytology and for ensuring that individuals do not exceed the slide limit established in Chapter 59A 7, F.A.C., regardless of testing location.

(t) Specify in writing the responsibilities and duties of each person engaged in laboratory test performance. In each ease, the procedures which the individual is authorized to perform and whether supervision is necessary shall be annotated.

Specific Authority 483.051, 483.805(4) FS. Law Implemented 483.041(5), 483.051(1), 483.811(2), 483.823(1), 483.824 FS. History–New 6-6-85, Formerly 10D-41.67, Amended 3-11-90, Formerly 10D-41.067, Amended 7-1-97, Formerly 59O-5.007, Amended 5-26-98, 3-2-99,_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 12, 2001

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE:	RULE NO.:
Licensure Examinations	64B3-7.001

PURPOSE AND EFFECT: The Board proposes to add another exam provider for licensure as a technologist and another exam for technicians.

SUMMARY: The Board proposes that the American Association of Bioanalysts be added as an examination provider for licensure as a technologist or technician.

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 provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. SPECIFIC AUTHORITY: 456.017, 483.809(2) FS. LAW IMPLEMENTED: 456.017, 483.809(2) FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD SCHEDULED AND ANNOUNCED IN THE FAW. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-7.001 Licensure Examinations.

(1) through (5) No change.

(6) For licensure as a technologist:

(a) A state examination in one or more of the following specialties: microbiology, serology/immunology, clinical chemistry, hematology, immunohematology, blood banking/immunohematology, histology, or examinations prepared by the American Society of Clinical Pathologists, the American Medical Technologists (AMT), or the National Certification Agency for Clinical Laboratory Personnel (NCA), or the American Association of Bioanalysts (AAB); or

(b) In the specialty of cytology, the Cytotechnologist Examination prepared by the Board of Registry of the American Society of Clinical Pathologists; or

(c) In the specialty of cytogenetics, the Clinical Laboratory Specialist in Cytogenetics Examination prepared by the National Certification Agency for Medical Laboratory Personnel; or

(d) In the specialty of histocompatibility, the Certification Examination for Histocompatibility Technologists, prepared by the American Board of Histocompatibility and Immunogenetics; or

(e) In the specialty of radioassay, the Certification Examination in Radioassay, prepared by the Clinical Ligand Assay Society Certification Board; or

(f) In the specialty of blood gas analysis, either the Cardiovascular Science Examination, prepared by Cardiovascular Credentialing International, or the Advanced Pulmonary Function Technologist Examination, prepared by the National Board of Respiratory Care.

(g) In the specialty of blood banking/immunohematology, the Technologist Certification Examination in Blood Banking, or the Specialist in Blood Banking Certification Examination, prepared by the Board of Registry of the American Society of Clinical Pathologists are also acceptable in addition to the options stated in (6)(a) above.

(7) No change.

(8) For licensure as a Technician:

(a) There shall be two types of examinations. A candidate may choose either a generalist examination covering microbiology, serology/immunology, clinical chemistry, hematology and immunohematology or an examination in histology. A candidate may alternately choose to take either one of the generalist medical laboratory technician or medical technologist examinations administered by the American Society of Clinical Pathologists (ASCP), the National Certification Agency for Medical Laboratory Personnel (NCA), or American Medical Technologists (AMT) or the technician histology or technologist histology examination administered by the American Society of Clinical Pathologists (ASCP).

(b) The applicant shall be licensed as a generalist technician in the specialties of microbiology, serology/immunology, clinical chemistry, hematology, and immunohematology upon passage of the state generalist examination Θ of the American Society of Clinical Pathologists (ASCP), the National Certification Agency for Medical Laboratory Personnel (NCA), or the American Medical Technologists (AMT), or the American Association of Bioanalysts (AAB) medical laboratory technician or medical technologist generalist examination: or

(c) The applicant shall be licensed as a technician in the specialty of histology upon passage of the state histotechnician examination or the histotechnician or histotechnologist examination administered by the American Society of Clinical Pathologists (ASCP).

(d) There is no technician level radioassay, blood banking, blood gas analysis, cytology, histocompatibility or cytogenetics examination.

Specific Authority 456.017, 483.809(2) FS. Law Implemented 456.017, 483.809(2) FS. History–New 5-12-93, Formerly 21KK-7.001, 61F3-7.001, Amended 12-5-95, Formerly 59O-7.001, Amended 3-19-98, 6-23-98, 7-1-99, 4-10-01,_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 22, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 28, 2001

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLES:	RULE NOS.:
Examination and Reexamination Fees	64B3-9.003
Refunds	64B3-9.007
Change of Status Fee	64B3-9.013
PURPOSE AND EFFECT: The Board propo	ses to repeal the

existing rules. SUMMARY: The Board has decided to repeal these out-of-date rules relating to examination and reexamination fees, refunds, and changed status fee.

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

Any person who wishes to provide information regarding 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:** 483.807(1), 483.805(4), 456.036(5), 483.819(1) FS.

LAW IMPLEMENTED: 483.807, 483.807(1), 456.036(5), 483.819(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN 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 RULES IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B3-9.003 Examination and Reexamination Fees.

The fee for each examination taken including reexamination is \$150.

Specific Authority 483.807(1) FS. Law Implemented 483.807(1) FS. History-New 12-7-93, Formerly 61F3-9.003, 59O-9.003, Amended 5-26-98, 1-28-99, 7-15-99, 9-6-00, Repealed______

64B3-9.007 Refunds.

(1) All application fees are nonrefundable.

(2) Examination fees are refundable only if the applicant is found by the Board to be ineligible to sit for the examination.

(3) Licensure renewal fees, reactivation and voluntary late fees are nonrefundable.

Specific Authority 483.805(4), 483.807(1) FS. Law Implemented 483.807 FS. History-New 12-7-93, Formerly 61F3-9.007, 59O-9.007, Amended 5-26-98, 6-10-99, Repealed

64B3-9.013 Change of Status Fee.

The fee for change of status is \$25. This fee shall be assessed only when such an application is made at times other than at the time for licensure renewal.

Specific Authority 483.807(1), 456.036(5), 483.819(1) FS. Law Implemented 483.807(1), 456.036(5), 483.819(1) FS. History-New 4-9-00, Repealed

NAME OF PERSON ORGINATING PROPOSED RULE: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 19, 2001

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE:	RULE NO .:
Address of Licensee	64B8-40.008

PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUMMARY: The rule amendment is for the purpose of permitting licensees to notify the Council electronically of a change of address.

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

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

SPECIFIC AUTHORITY: 468.507, 468.514, 456.035 FS.

LAW IMPLEMENTED: 456.073(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-40.008 Address of Licensee.

Each person holding a license issued pursuant to Part X of Chapter 468, Florida Statutes, must maintain on file with the Council the current address at which any notice required by law may be served by the Department, the Board, the Council, or its agents. Within 60 days of changing this address, whether or not within this state, the licensee shall notify the Council of the new address either in writing or electronically of the new address. If the licensee uses electronic notification, it is the responsibility of the licensee to ensure that the electronic notification was received by the Council.

Specific Authority 456.035, 468.507, 468.514 FS. Law Implemented 456.073(1) FS. History-New 4-6-92, Formerly 21M-46.008, 61F6-46.008, 59R-40.008, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: **Dietetics and Nutrition Practice Council**

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2001

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO .: Fees 64B8-41.001

PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUMMARY: The rule amendment provides for a \$5 fee to combat unlicensed activity.

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: 456.036, 468.507, 468.508 FS.

LAW IMPLEMENTED: 456.036, 456.065, 468.508 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-41.001 Fees.

(1) through (3) No change.

(4) The fee for initial licensure shall be \$175.00. There shall be an additional fee of \$5.00, payable at the time of initial licensure for the fund to combat unlicensed activity pursuant to Section 456.065.

(5) No change.

(6) The biennial renewal fee shall be \$100.00. There shall be an additional fee of \$5.00, payable at the time of each biennial renewal, for the fund to combat unlicensed activity pursuant to Section 456.065.

(7) through (9) No change.

(10) The fee for renewal of inactive status shall be \$95.00. There shall be an additional fee of \$5.00, payable at the time of each biennial renewal, for the fund to combat unlicensed activity pursuant to Section 456.065.

(11) No change.

Specific Authority 456.036, 468.507, 468.508 FS. Law Implemented 456.036, 456.065, 468.508 FS. History–New 4-9-89, Amended 8-28-90, 11-9-92, Formerly 21M-47.001, Amended 9-21-93, 11-4-93, 1-3-94, Formerly 61F6-47.001, Amended 12-28-94, 5-2-95, Formerly 59R-41.001, Amended 11-24-97, 6-22-99, 8-19-99, 9-26-01,

NAME OF PERSON ORIGINATING PROPOSED RULE: **Dietetics and Nutrition Practice Council**

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2001

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE:

Exemption of Spouses of Members of

Armed Forces from License

RULE NO .:

Renewal Requirements 64B8-42.004 PURPOSE AND EFFECT: The purpose for the rule is to provide procedures relating to exemption of spouses of members of armed forces from license requirements.

SUMMARY: The Board proposes to promulgate a new rule entitled "Exemption of Spouses of Member of Armed Forces from License Renewal Requirements."

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

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

SPECIFIC AUTHORITY: 468.507, 456.024 FS.

LAW IMPLEMENTED: 456.024 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-42.004 Exemption of Spouses of Members of Armed Forces from License Renewal Requirements.

A licensee who is the spouse of a member of the Armed Forces of the United States and was caused to be absent from the State of Florida because of the spouse's duties with the armed forces shall be exempt from all licensure renewal provisions under these rules during such absence. The licensee must show satisfactory proof to the Council of the absence and the spouse's military status.

Specific Authority 468.507, 456.024 FS. Law Implemented 456.024 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practice Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2001

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE:

RULL IIILL.	RULL NO
Documentation	64B8-44.004
PURPOSE AND FEFECT: The	Board proposes to amond the

PURPOSE AND EFFECT: The Board proposes to amend the existing rule by updating the rule text.

SUMMARY: The rule amended will update the current rule by providing for a custodian of a licensee's patient medical records.

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: 456.057(19), 468.507 FS.

LAW IMPLEMENTED: 456.057(19), 468.503(3),(4),(8),(9), 468.516, 468.518(1)(f),(h),(j),(k) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-44.004 Documentation.

(1) through (6) No change.

(7) In the event of the death of a licensee, or the mental or physical incapacitation of the licensee, or the abandonment of medical records by a licensee, the Board may temporarily or permanently appoint a person or entity as a custodian of the licensee's patient medical records. Specific Authority <u>456.057(19)</u>, 468.507 FS. Law Implemented <u>456.057(19)</u>, 468.503(3),(4),(8),(9), 468.516, 468.518(1)(f),(h),(j),(k) FS. History–New 1-1-92, Formerly 21M-50.004, Amended 6-22-94, Formerly 61F6-50.004, 59R-44.004, <u>Amended</u>.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practice Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2001

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO ·

RULE TITLE:	RULE NO .:
Citations	64B8-44.005
PURPOSE AND EFFECT: The Board pro	poses to update the
existing rule.	

SUMMARY: The rule amendment is for the purpose of adding disciplinary violations for which a citation may be imposed.

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

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

SPECIFIC AUTHORITY: 468.507, 456.077 FS.

LAW IMPLEMENTED: 456.077, 46.517, 468.518 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-44.005 Citations.

(1) through (3) No change.

(4) The Board designates the following as citation violations, which shall result in a penalty of \$100:

(a) through (e) No change.

(f) Failure to comply with continuing education requirements.

(g) Failure to timely pay required fees and fines.

(h) Failure to comply with advertising requirements.

(i) Failure to display signs, licenses, and permits.

(5) through (6) No change.

Specific Authority 468.507, 456.077 FS. Law Implemented 456.077, 468.517, 468.518 FS. History–New 1-1-92, Formerly 21M-50.005, 61F6-50.005, 59R-44.005, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practice Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2001

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE:	RULE NO.:
General Requirements	64B8-45.001

PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUMMARY: The purpose of the rule amendments is to add required continuing education in the prevention of medical errors.

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(7), 456.013(8), 468.507 FS.

LAW IMPLEMENTED: 456.013(7), 468.514, 468.515 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-45.001 General Requirements.

(1) through (6) No change.

(7) Two (2) hours of the required thirty contact hours per biennium shall relate to prevention of medical errors, including a study of root-cause analysis, error reduction and prevention, and patient safety. If the course is being offered by a facility licensed pursuant to chapter 395, F.S., for its employees, up to one hour of the two-hour course may be specifically related to error reduction and prevention methods used in that facility. Specific Authority 456.013(7), 456.013(8), 468.507 FS. Law Implemented 456.013(7), 468.514, 468.515 FS. History–New 12-5-90, Amended 1-1-92, 9-24-92, 5-6-93, Formerly 21M-51.001, Amended 9-28-93, Formerly 61F6-51.001, Amended 1-2-95, 11-12-95, Formerly 59R-45.001, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practice Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2001

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE:

Procedure for Approval of Attendance at

Continuing Education Courses 64B8-52.003 PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

RULE NO .:

SUMMARY: The purpose of the rule amendments is to update the rule text with regard to procedure for approval of attendance at continuing education courses, and to require continuing education in prevention of medical errors.

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: 478.43(1),(4), 478.50(2),(4)(a),(b) FS.

LAW IMPLEMENTED: 456.013, 456.033, 478.43(4), 478.50(2),(4)(a),(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-52.003 Procedure for Approval of Attendance at Continuing Education Courses.

(1) through (2) No change.

(3) <u>No fewer than, and no more than</u> 2 hours each biennium must be obtained by each licensee in approved offerings on blood-borne diseases including 1 hour on HIV/AIDS education. Approved offerings in HIV/AIDS are those that meet the requirements of Section 456.033(1), F.S.

Courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health pursuant to Section 456.033, F.S., are approved by this council.

(4) Two (2) hours each biennium must be obtained by each licensee in approved offerings on prevention of medical errors, including a study of root-cause analysis, error reduction and prevention, and patient safety. Courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health pursuant to Section 456.013(7), F.S., are approved by this council.

(4) through (6) renumbered (5) through (7) No change.

Specific Authority 478.43(1),(4), 478.50(2),(4)(a),(b) FS. Law Implemented 456.013, 456.033, 478.43(4), 478.50(2),(4)(a),(b) FS. History–New 6-1-93, Formerly 21M-77.003, 61F6-77.003, Amended 5-11-95, Formerly 59R-52.003, Amended 2-9-98, 2-16-99, 2-17-00, 9-21-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 2001

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:

Equipment and Devices; Protocols for Laser and Light-Based Devices 64B8-56.002

PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUMMARY: The rule amendment is for the purpose of adding Chapter 459, Florida Statutes to the text.

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: 478.43 FS.

LAW IMPLEMENTED: 458.331(1)(v), 458.348(3), 478.42(5), 478.43(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399 THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-56.002 Equipment and Devices; Protocols for Laser and Light-Based Devices.

(1) No change.

(2) Licensed electrologists may not use laser and light-based hair removal or reduction devices unless they:

(a) through (c) No change.

(d) Are operating under the direct supervision and responsibility of a physician properly trained in hair removal and licensed pursuant to the provisions of Chapter 458 or 459, Florida Statutes.

(3) through (6) No change.

Specific Authority 478.43 FS. Law Implemented 458.331(1)(v), 458.348(3), 478.42(5), 478.43(4) FS. History–New 9-12-01, Amended______.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 2001

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE:RULE NO.:Initial Licensure Fee for Physical Therapists64B17-2.002PURPOSE AND EFFECT: The Board proposes to raise theinitial licensure fees.

SUMMARY: The Board is amending this rule by changing the initial licensure fee during the first year of the biennial renewal period and deleting a fee reference for the second year of the biennial renewal period.

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

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

SPECIFIC AUTHORITY: 456.013(2), 486.025, 486.061 FS.

LAW IMPLEMENTED: 456.013(2), 486.081(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-2.002 Initial Licensure Fee for Physical Therapists.

(1) An applicant who has been certified by the Board during the first year of the biennial renewal period as having satisfied the licensure requirements of either Rule Chapter 64B17-3, 64B17-3.001 or 64B17-3.004, Florida Administrative Code, shall not be issued a license until the applicant he remits to the Department an initial licensure fee in the amount of \$100 \$55.

(2) An applicant who has been certified by the Board during the second year of the biennial renewal period as satisfying requirements of Rule 64B17 3.001 or 64B17 3.003, Florida Administrative Code, shall not be issued a license until he remits to the Department an initial licensure fee in the amount of \$30.

Specific Authority 456.013(2), 486.025, 486.061 FS. Law Implemented 456.013(2), 486.081(2) FS. History–New 8-6-84, Formerly 21M-7.35, Amended 6-20-89, Formerly 21M-7.035, Amended 10-17-90, Formerly 21MM-2.002, 61F11-2.002, 59Y-2.002, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 15, 2001

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE:RULE NO.:Initial Licensure Fee for Physical64B17-2.004

PURPOSE AND EFFECT: The Board proposes to raise the initial licensure fees.

SUMMARY: The Board is amending this rule by changing the initial licensure fee during the first year of the biennial renewal period and deleting a fee reference for the second year of the biennial renewal period.

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

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

SPECIFIC AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 456.013(2), 486.106, 486.107(2) FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-2.004 Initial Licensure Fee for Physical Therapist Assistants.

(1) An applicant who has been certified by the Board during the first year of the biennial renewal period as having satisfied the licensure requirements of either Rule Chapter 64B17-4, 64B17-2.001 or 64B17-2.004, Florida Administrative Code, shall not be issued a license until the applicant he remits to the Department an initial licensure fee in the amount of \$100 \$55.

(2) An applicant who has been certified by the Board during the second year of the biennial renewal period as satisfying the licensure requirements of Rule 64B17-2.001 or 64B17-2.004, Florida Administrative Code, shall not be issued a license until he remits to the Department an initial licensure fee in the amount of \$30.

Specific Authority 486.025 FS. Law Implemented 456.013(2), 486.106, 486.107(2) FS. History–New 8-6-84, Formerly 21M-10.35, Amended 4-12-87, 9-22-87, 6-20-89, Formerly 21M-0.035, Amended 10-17-90, Formerly 21MM-2.004, 61F11-2.004, 59Y-2.004, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 15, 2001

DEPARTMENT OF HEALTH

RULE TITLE:

Board of Physical Therapy Practice

RULE NO.:

Licensure Examination Subjects and Passing

Score; Additional Requirements After Third Failure

64B17-3.002

PURPOSE AND EFFECT: The Board proposes to provide the applicant with greater flexibility in preparing to re-take the examination for the fourth time.

SUMMARY: The Board proposes to amend this rule for Licensure Examination Subjects and Passing Score to allow the applicant to determine what remedial assistance he or she needs to be successful.

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

SPECIFIC AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 456.109 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-3.002 Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure.

(1) through (2) No change.

(3) An applicant must reapply in order to retake the examination. If an applicant wishes to take the examination for the fourth time, the applicant must submit to the Board for approval satisfactory evidence of having successfully completed the following since the last taking of the examination: successful completion of a course of study or internship designed to prepare the applicant for the physical therapy examination by a physical therapy program accredited by the American Physical Therapy Association. An applicant who has completed these additional requirements may take the examination on two more occasions. An applicant who has failed the Department administered examination after five attempts is no longer eligible to take the examination.

Specific Authority 456.017, 486.025, 486.051 FS. Law Implemented 456.017, 486.051 FS. History–New 8-6-84, Formerly 21M-7.22, Amended 3-16-88, 6-20-89, Formerly 21M-7.022, Amended 6-6-90, 6-3-92, 3-24-93, Formerly 21MM-3.002, 61F11-3.002, Amended 12-22-94, Formerly 59Y-3.002, Amended _______

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 15, 2001

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice	
RULE TITLE:	RULE NO.:
Licensure Examination Subjects and Passing	
Score; Additional Requirements	
After Third Failure	64B17-4.002

PURPOSE AND EFFECT: The Board proposes to provide the applicant with greater flexibility in preparing to re-take the examination for the fourth time.

SUMMARY: The Board proposes to amend this rule for Licensure Examination Subjects and Passing Score to allow the applicant to determine what remedial assistance he or she needs to be successful.

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

SPECIFIC AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 456.109 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-4.002 Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure.

(1) through (2) No change.

(3) An applicant must reapply in order to retake the examination. If an applicant wishes to take the examination for the fourth time, the applicant must submit to the Board for approval satisfactory evidence of having successfully completed the following since the last taking of the examination: successful completion of a course of study or internship designed to prepare the applicant for the physical therapy assistant examination by a physical therapist or physical therapist assistant program accredited by the American Physical Therapy Association. An applicant who has completed these additional requirements may take the examination on two more occasions. An applicant who has failed the Department administered examination after five attempts is no longer eligible to take the examination.

Specific Authority 456.017(1)(b), 486.025, 486.104 FS. Law Implemented 456.017, 486.104 FS. History–New 8-6-84, Formerly 21M-10.22, Amended 4-12-87, 3-16-88, 6-20-89, Formerly 21M-10.022, Amended 6-3-92, 3-24-93, Formerly 21MM-4.002, 61F11-4.002, Amended 12-22-94, Formerly 59Y-4.002, Amended ______.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2001 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 15, 2001

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE:	RULE NO.:
Continuing Education	64B17-9.001
DUDDOGE AND EFFECT TI D 1	. 1

PURPOSE AND EFFECT: The Board proposes to amend continuing education requirements and to allow for emergency or hardship exceptions.

SUMMARY: The Board is specifying the emergency or hardship circumstances under which licensees shall be granted waivers or extensions of time with regard to the continuing education requirements.

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

SPECIFIC AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 456.109 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-9.001 Continuing Education.

(1) through (6) No change.

(7) The Board shall make exceptions for licensees from the continuing education requirements including waiver of all or a portion of these requirements or the granting of an extension of time in which to complete these requirements upon a finding of good cause by majority vote of the Board at a public meeting following receipt of a written request for exception based upon emergency or hardship. Emergency or hardship cases are those: 1) involving long term personal illness or illness involving a close relative or person for whom the licensee has care-giving responsibilities: 2) where the licensee can demonstrate that the required course(s) are not reasonably available; and 3) other demonstrated economic, technological or legal hardships that substantially relate to the ability to perform or complete the continuing education requirements.

Specific Authority 486.025 FS. Law Implemented 486.109(2) FS. History– New 4-6-92, Formerly 21MM-9.001, Amended 3-7-94, Formerly 61F11-9.001, Amended 12-5-95, Formerly 59Y-9.001, Amended______. NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 15, 2001

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs	
RULE TITLES:	RULE NOS.:
Voluntary Inactive Certification	64E-2.0094
Training Program	64E-2.036

Cardiopulmonary and Advanced Cardiac

Life Support Courses 64E-2.038 PURPOSE AND EFFECT: Cardiopulmonary Resuscitation/Advanced Cardiac Life Support: To develop rules to comply with section 401.27, F.S., which was amended during the 2001 Legislative Session directing the department to provide for a rule identifying advanced cardiac life support training equivalent to that offered by the American Heart Association and cardiopulmonary resuscitation training equivalent to that offered by the American Heart Association and American Red Cross.

SUMMARY: Same as above.

STATEMENT OF ESTIMATED REGULATORY COSTS: A. A Cardiopulmonary (CPR) or Advanced Cardiac Life Support (ACLS) card is usually valid for a two-year period and it is estimated that many EMS providers and approximately 36,000 paramedics and emergency medical technicians working in Florida will be affected by this rule.

B. It is estimated that the cost to the individual applicant for CPR or ACLS certification will be the same or possibly decreased because of the increased availability of these courses.

The cost to the Department of Health, Bureau of EMS, will increase proportion to the number of requests for approval. Thus, the exact cost cannot be determined at this time; however, it is reasonable to anticipate that the majority of the 250 licensed EMS providers will explore the feasibility of CPR or ACLS equivalent courses either through phone calls, letters, or course equivalency approval pursuant to the rule. It should be noted that many of the EMS providers directly or indirectly incur the cost of training required for recertification including CPR or ACLS courses.

C. It is estimated that the cost for initial CPR certification will be \$30-50 and initial ACLS certification will be \$100-125. The cost for CPR refresher certification is the same, and the cost for ACLS refresher certification is estimated to be \$85-110. 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: 401.27, 401.35 FS.

LAW IMPLEMENTED: 401.27. 401.2715 FS.

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

TIME AND DATE: 1:00 p.m., January 22, 2002

PLACE: Division of Emergency Medical Services and Community Health Resources, 4025 Esplanade Way, Room 301 A & B, Tallahassee, Florida 32311-7829

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pam Lesley, Government Analyst, Division of Emergency Medical Services and Community Health Resources, 4052 Bald Cypress Way, Bin #C15, Tallahassee, Florida 32399-1735, (850)245-4440, Ext. 2733, or Fax (850)921-8162

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-2.0094 Voluntary Inactive Certification.

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

(b) Hold either a current American Heart Association Basic Life Support Cardiopulmonary Resuscitation course card or an American Red Cross Cardiopulmonary Resuscitation course card <u>or equivalent pursuant to section 64E-2.038</u>, <u>F.A.C.</u>

(c) through (3) No change.

Specific Authority 401.27, 401.35 FS. Law Implemented 401.27, 401.34, 401.35 FS. New 8-4-98, Amended 1-3-99, 9-3-00,_____.

64E-2.036 Training Programs.

(1) through (4)(c)1.a. and b. No change.

e. Courses such as American Red Cross and American Heart Association CPR and ACLS will be reviewed to determine if there is documentation that they were conducted consistent with national standards, or that they have been reviewed and approved by another state's EMS Office, or by the Continuing Education Coordinating Board for Emergency Medical Services (CECBEMS).

2. through (8) No change.

Specific Authority 401.27, 401.2715 FS. Law Implemented 401.27, 401.2715 FS. History–New 9-3-00, Amended 4-15-01,_____.

<u>64E-2.038 Cardiopulmonary and Advanced Cardiac Life</u> <u>Support Courses.</u>

(1) Any public or private entity desiring to conduct a Cardiopulmonary Resuscitation (CPR) or advanced cardiac life support (ACLS) course equivalent to those conducted by the American Heart Association (AHA) or American Red Cross (ARC), shall apply in writing to the department for approval.

The application for approval shall be processed in accordance with Section 120.60, F.S. The following information shall be submitted in writing:

(a) Name of entity, address, phone.

(b) Name of individual responsible for oversight of the equivalent course, address, phone.

(c) Course title. Course titles must include the following information based on type of course and hours of student credit:

1. CPR initial course	<u>8 hours</u>
2. CPR renewal course	4 hours
3. ACLS initial course	16 hours
4. ACLS renewal course	<u>8 hours</u>

(d) Florida location of training site.

(e) Course outline and course content.

(f) Name of the Florida licensed physician and license number.

(g) To be approved the CPR course must meet the Guidelines 2000 for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care incorporated by reference and available from American Heart Association, 7272 Greenville Avenue, Dallas, Texas 75231-4596, Phone: (214)706-1611. The applicant must include a copy of the proposed CPR curriculum outlining the following subjects:

1. Techniques of airway management.

2. Chest compressions.

3. Assessment and treatment of airway obstruction.

4. Assessment and treatment of acute ischemia.

5. Resuscitation and termination of treatment.

(h) To be approved the ACLS course must meet the Guidelines 2000 for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care incorporated by reference in (g) above. The applicant must include a copy of the proposed ACLS curriculum outlining the following subjects:

1. Techniques of airway management.

2. Assessment and treatment of dysrhythmias.

3. Assessment and treatment of acute ischemia.

4. Resuscitation and termination of treatment.

(i) Documentation signed by the physician stating he or she has reviewed and approved the course curriculum.

(j) Documentation of the physician's current employment by or contract with any hospital that delivers in-hospital emergency medical services.

(k) A copy of the physician's contract with the applicant showing the physician oversight of the medical training of students.

(1) Documentation that the faculty is currently licensed in Florida as a physician, nurse or paramedic as provided in chapters 458, 459, 464, or 401, F.S., or who is currently certified as an instructor in CPR or ACLS by AHA or ARC. (m) A copy of the student's course completion certificate and card which includes: name of institution, course title, date of course, expiration date of the certificate and card, and original signature of the contracted physician and course instructor.

(2) The CPR or ACLS student completion certificate and card must be issued with original signatures to each student successfully completing the course and shall be valid for a period of up to 24 months.

(3) The minimum number of clock hours for an initial CPR course shall be 8 and CPR renewal courses shall be 4. The minimum number of clock hours for an initial ACLS course shall be 16 and ACLS renewal courses shall be 8.

(4) The department shall periodically conduct monitoring site visits to entities conducting CPR or ACLS equivalency training to verify that the training is being conducted in compliance with chapter 401, F.S., and chapter 64E-2, F.A.C., documented through a system of record keeping.

(5) Any changes to the required information in this section must be submitted, in writing, to the department within 30 days of the change for review and approval.

(6) If the applicant is approved, the department shall issue the entity a certificate of approval which shall be valid for 24 months.

Specific Authority 401.35 FS. Law Implemented 401.27 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE: Pam Lesley, Government Analyst

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Art Clawson, Division Director DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 26, 2001 P.O. G10454

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE CHAPTER TITLE:	RULE CHAPTER NO .:
Cooperative Assistance Program	66B-1
RULE TITLES:	RULE NOS.:
Policy	66B-1.004
Funds Allocation	66B-1.005
Application Process	66B-1.006
Application Form	66B-1.007
Project Eligibility	66B-1.008
Project Administration	66B-1.009
Project Agreement	66B-1.010
Reimbursement	66B-1.011
Accountability	66B-1.012

PURPOSE AND EFFECT: The purpose of the proposed rule making is to provide guidance to the District and the program applicants in the administration of the District's Cooperative Assistance Program. The proposed rule amendment consists of reorganizing and simplifying the rule, in addition to some minor additions and deletions. The effect of the proposed rule amendments will be to clarify the intent and application of the program rules for a more effective and efficient program.

SUMMARY: The proposed rule making will include the following provisions in the program rule: add sub-headings to each sub-section; move policy sub-sections to appropriate rule sections; add non-compliance conditions to policy section; add education facilities and programs eligibility conditions; allow Board policy for determination for overall funding availability; set project funding ratio; define pre-agreement costs and eligibility; clarify the procedure for the application process; clarify the eligibility of interlocal agreement process; clarify the method of application evaluation; delete the application form section; list the property control requirements; set public marina eligibility; set the parameters of the project agreement; clarify matching funds requirement; set the provisions for minor cost estimate modifications; delete project agreement section; and clarify the reimbursement process; The effect of the rule development is to implement changes in the administration of the District's Cooperative Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) FS.

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

TIME AND DATE: 11:00 a.m., January 18, 2002

PLACE: The District office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

THE FULL TEXT OF THE PROPOSED RULES IS:

66B-1.004 Policy.

The following constitutes the policy of the District regarding the administration of the program.

(1) <u>Financial Assistance Eligibility</u>: Eligible state agencies may be provided financial assistance, support or cooperation in planning, acquisition, development, construction, reconstruction, extension, improvement, operation or the maintenance of public navigation, public recreation, inlet management, environmental education and boating safety projects directly related to the waterways.

(2) <u>Notification</u>: The District will notify, by direct mail and/or advertised public notice, all eligible state agencies of the program and the upcoming authorized submission period.

(3) <u>Project Approval:</u> Approval of projects by the District shall be in accordance with these rules.

(4) The District and the project sponsor shall enter into a project agreement prior to the release of program funds.

(5) The project sponsor shall clearly identify and enumerate the amount and source of the matching funds it will be using to match the program funds supplied by the District for an approved project. The project sponsor shall provide suitable evidence that it has the matching funds available at the time the project agreement is executed.

(6) The District shall release program funds in accordance with the terms and conditions set forth in the project agreement. This release of program funds shall be on a reimbursement only basis unless otherwise authorized by the Board. Board authorization shall only be given if the applicant can demonstrate that the project cannot be accomplished otherwise.

(7) The site of a new proposed land based development project shall be dedicated for the public use for which the project was intended for a minimum period of 25 years after project completion. Such dedication shall be in the form of a deed, lease, management agreement or other legally binding document and shall be recorded in the public property records of the county in which the property is located. This property control requirement also applies to a project site owned by another governmental entity. The governmental entity that owns the project site may be joined as a co applicant to meet this property control requirement. Existing land based development projects that are being repaired, replaced or modified must demonstrate that the project site has been dedicated for public use for at least 25 years with at least 10 years remaining on the dedication document.

(4)(8) Project Accessibility: Facilities or programs funded in whole or in part by program funds shall be made available to the general public of all of the member counties on a non-exclusive basis without regard to race, color, religion, age, sex or similar condition. Additionally, facilities funded in whole or in part by program funds, shall not require a paid membership for the general public of all of the member counties as a condition to use the facilities. User or entrance fees may be charged for the use of facilities funded in whole or in part by program funds, however such fees shall be reasonable and shall be the same for the general public of all of the member counties.

(9) The project sponsor shall not commence work on an approved project prior to the execution of the project agreement unless authorized by the Board during the review and funding approval process. All project costs must be incurred and work performed within the project period as stipulated in the project agreement unless pre agreement costs are approved by the Board. Pre agreement expenses, except for projects approved by the Board as multi year projects, will be authorized if they are less than fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only fifty (50) percent of the pre agreement expenses will be eligible for reimbursement funding from the District, except for projects approved by the Board as multi year projects.

(10) The project shall be completed within three (3) years of the beginning of the District's first fiscal year for which the project was approved. If the completion of a project is impacted by a declared state of emergency and the Board waives this rule section, the extension of time granted shall not exceed one additional three (3) year period.

(11) Project funds shall not be spent except as consistent with the project agreement cost estimate that was approved by the Board, which shall be an attachment to the project agreement. This cost estimate will establish the maximum funding assistance provided by the District and the percentage of funding provided by each party to the project. The District will pay the lesser of (1) the percentage total of project funding that the Board has agreed to fund, or (2) the maximum application funding assistance amount.

(12) The project sponsor is responsible for obtaining and abiding by any and all federal, state and local permits and regulations in the development of the project.

<u>(5)(13)</u> Waterway Impacts: All development projects must be designed so as not to impact navigation along the District's waterways through the placement of structures, attendant uses, or the necessity of a boating speed zone for safety purposes. Before applying for boating speed zone designation in District waterways because of a project funded by this program, the sponsor shall first receive approval from the Board. The Board will use the criteria found in s. 327.46(1), F.S., in determining whether to approve the proposed boating speed zone.

(6)(14) Project Maintenance: The project sponsor shall be responsible for the operation, maintenance, and management of the project for the anticipated life of the project and shall be responsible for all expenses required for such purposes. The project shall be maintained in accordance with the standards of maintenance for other similar local facilities and in accordance

with applicable health standards. Project facilities and improvements shall be kept reasonably safe and in reasonable repair to prevent undue deterioration and to encourage public use. The project sponsor shall have full legal authority and financial ability to operate and maintain the project facilities.

(7)(15) Non-compliance: The District shall terminate a project agreement and demand return of program funds disbursed to the project sponsor for non-compliance with any of the terms of the project agreement or this rule. Failure of a project sponsor to comply with the provisions of this rule or the project agreement shall result in the District declaring the project sponsor ineligible for further participation in the program until such time as compliance has been met to the satisfaction of the District.

(8)(16) Education Facilities and Programs: Waterways related environmental education facilities and programs sponsored by the District shall occur at specially designated environmental education facilities located adjacent and contiguous to the waterways. It is the District's intent to consolidate its environmental education efforts in the least number of facilities within an area that will adequately serve the education needs of that area of the District.

(17) All public marina projects funded through this program shall include sewage pumpout facilities for vessels, unless the applicant can demonstrate that inclusion of such a facility is physically, operationally or economically impracticable. All public marina projects funded through this program shall have at least ten (10%) percent of their slips or mooring areas available for transient vessels. Program funds to public marina projects shall not be utilized for maintenance of the facilities if revenues generated by the facility are not exclusively allocated to the operation, maintenance and improvement of the public marina facility.

(9)(18) <u>Public Information Availability:</u> Public information produced with assistance from this program shall not be copyrighted and shall be provided free of cost, except for the cost of reproduction, to the public.

(10)(19) Third-Party Agreements: Projects that are being developed and operated by a third party which is a not for profit agency shall have sufficient oversight by the eligible project sponsor. Such oversight at a minimum will include a project liaison that is a staff member of the eligible project sponsor, oversight of the operating hours and admission fees of the facility by the eligible project sponsor through a legal agreement, and submission of the third party's most recent audited financial statement. All third party projects shall be open to the public in accordance with this rule.

66B-1.005 Funds Allocation.

The Board will allocate funding for this program based upon the District's overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. If funds are determined to be available for the program, the District will notify potential eligible state <u>and regional</u> agencies of the availability of program funding and the authorized submission period. Applications will be reviewed by the Board utilizing District Forms No. 98-01 Cooperative Assistance Program Application Evaluation and Rating Form (effective date 3-31-99) hereby incorporated by reference and available from the District office.

(1) <u>Funding Assistance Availability:</u> The Board will allocate funding for this program based upon the District's overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. Funding for the construction phase of a project may be approved by the District Board for a multiple year period subject to budgeting and appropriations pursuant to the provisions of Chapter 200, F.S.

(2) Project Funding Ratio: All financial assistance and support to eligible state and regional agencies shall require, at minimum, equal matching funds from the project sponsor with the exception of public navigation projects that meet the provisions of s. 66B-1.005(6). Applicant's in-house costs are limited pursuant to s. 66B-1.007(1)(c). All financial assistance to seaports shall require equal matching funds. The District shall contribute no more than fifty (50) percent of the state share of the cost of an inlet project. The District shall not contribute funding to both the state and local shares of an inlet management project. The construction phase of projects that are large scale, involve multiple phases, have a construction time line of one year or longer, or are requesting over 50% of the total assistance funding available for the program, will be reviewed and approved by the Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. The determination by the Board to provide assistance funding on a multi-year basis can be made at any time during the application review process.

(3) Pre-agreement Expenses: The project sponsor shall not commence work on an approved project element prior to the execution of the project agreement unless authorized by the Board during the review and funding approval process. All project costs must be incurred and work performed within the project period as stipulated in the project agreement unless pre-agreement costs are approved by the Board. Pre-agreement expenses, except for projects approved by the Board as multi-year projects, will be limited to fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only one-half (1/2) or less of the approved pre-agreement expenses will be eligible for reimbursement funding from the District, except for projects approved by the Board as multi-year projects. All financial assistance and support to eligible state agencies shall

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(2) FS. History–New 12-17-90, Amended 2-6-97, Formerly 16T-1.004, Amended 5-17-98, 3-31-99, 3-5-00, 3-21-01._____.

require equal matching funds from the project sponsor with the exception of public navigation projects. Project sponsors of public navigation projects shall provide matching funds of at least ten (10) per cent of the total cost of the project. All financial assistance to scaports shall require equal matching funds.

(4) Multi-Year Funding: The construction phase of projects that are large scale, involve multiple phases, have a construction time line of one year or longer, or are requesting over 50% of the total assistance funding available for the program, will be reviewed and approved by the Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. The determination by the Board to provide assistance funding on a multi-year basis can be made at any time during the application review process.

(5)(4) Public Navigation: Projects or project elements in the category of public navigation that will qualify for up to ninety (90%) per cent program funds include:

(a) Navigation channel dredging where the project sponsor demonstrates that the source of channel sedimentation has been identified and is in the process of or has been controlled, or that the frequency and amount of shoaling is such that dredging will provide an improvement to the channel that will last for twenty (20) years or more and therefore is more cost effective than identifying and correcting the cause of shoaling, or that the cost of identifying the source of channel sedimentation exceeds the cost of the dredging project.

(b) Navigation channel lighting and markers. Other public navigation projects or project elements will only qualify for up to fifty percent (50%) program funding.

(5) Interlocal Agreements. The District may enter into interlocal agreements to accomplish the goals of this program provided that funds are determined to be available based upon the District's overall goals, management policies, fiscal responsibilities and operational needs at the time of the request. Interlocal agreements will be considered by the Board at any time upon submission of a proposal on the forms of this program. Interlocal agreements under this program shall be in compliance with Chapters 374 and 163, F.S., and will only be approved for multi-agency projects that involve more than one project site or more than one political sub-division of the state, will directly benefit the maintenance of the Atlantic Intracoastal Waterway channel as documented by the District's long range dredged material management plans, will directly benefit the maintenance of the Okeechobee Waterway channel in Martin County as documented by the District's long range dredged material management plan, will directly benefit the maintenance or improvement of District property, or will have multiple funding partners including the Corps of Engineers as the project manager. Interlocal agreements may include participation in government sponsored projects at privately owned waterway related facilities that serve the public on a first come, first serve basis. Interlocal agreement projects shall comply with all other provisions of this rule, except for the permitting and property control requirements.

(6) Inlet Management: Projects and project elements in the categories of inlet management shall benefit public navigation within the District and shall be consistent with a Department of Environmental Protection approved inlet management plan.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(3) FS. History–New 12-17-90, Amended 2-6-97, Formerly 16T-1.005, Amended 5-17-98, 3-31-99, 3-21-01.____.

66B-1.006 Application Process.

(1) <u>Application Period</u>: Applications for assistance through this program will be submitted during the authorized submission period that shall be established by vote of the Board at a scheduled meeting.

(2) Application Form: Florida Inland Navigation District Cooperative Assistance Program Application Form Number FIND 90-12 (effective date 12-17-90) is hereby incorporated by reference and available from the District office. All applications for financial assistance and support through this program shall be made on this form.

(3)(2) Sponsor Resolution: The project sponsor shall approve the submission of an application by official resolution from its governing board or commission. Said resolution shall be made on FIND Resolution Form No. 90-11 (effective date 12-17-90) hereby incorporated by reference and available from the District office located at 1314 Marcinski Road, Jupiter, Florida 33477.

(4) Attorney's Certification: If the application is for a project that is a land based development project the applicant shall submit an Attorney's Certification of Title, FIND Form Number 94-26 (effective date 3-5-00), hereby incorporated by reference and available from the District office.

(5)(3) Application Review: If the proposed project is a construction project within a single County, a pre-application meeting will be held with the local FIND Commissioner prior to formal submission of the application. If the proposed project is a regional project, a A pre-application meeting will be held with District staff prior to formal submission of the application. Upon receipt in the District office, staff will review the applications for completeness of the informational requirements identified in the Application Checklist, FIND Form Number 90-16 (effective date 2-6-97), hereby incorporated by reference and available from the District office, and for compliance with the eligibility requirements of this rule. If the application is for a project that is a land based development project the applicant shall submit an Attorney's Certification of Title, FIND Form Number 94-26 (effective date 3-5-00), hereby incorporated by reference and available from the District office. When an application is determined by staff to be incomplete or ineligible, Staff will immediately inform the applicant by mail. The applicant will then have until the date established by the Board in the application package to

bring the application into compliance. If the applicant fails to provide a complete application in compliance with these rules, the application will not be considered for funding.

(6)(4) Interlocal Agreements: The District may enter into interlocal agreements to accomplish the goals of this program provided that funds are determined to be available based upon the District's overall goals, management policies, fiscal responsibilities and operational needs at the time of the request. Interlocal agreements will be considered by the Board at any time upon submission of a proposal on the forms of this program. Interlocal agreements under this program shall be in compliance with Chapters 374 and 163, F.S., and will only be approved for multi-agency projects that involve more than one project site or more than one political sub-division of the state, will directly benefit the maintenance of the Atlantic Intracoastal Waterway channel as documented by the District's long range dredged material management plans, will directly benefit the maintenance of the Okeechobee Waterway channel in Martin County as documented by the District's long range dredged material management plan, will directly benefit the maintenance or improvement of District property, or will have multiple funding partners including the Corps of Engineers as the project manager. Interlocal agreements may include participation in government sponsored projects at privately owned waterway related facilities that serve the public on a first come, first serve basis. Applications that the Board determines meet the criteria set forth in s. 66B-1.005(5) can qualify for project assistance through an interlocal agreement pursuant to s. 163, F.S. or s. 374.984(6)(a), F.S. District staff will identify applications that appear to meet these criteria and present them to the Board for its determination as to the funding. Interlocal agreement projects shall comply with all other provisions of this rule, except for the permitting and property control requirements.

(7)(5) Application Presentations: Applications determined to be complete and in compliance with this rule will be forwarded to the Board for review and then scheduled for presentation to the Board at a scheduled meeting of the Board. Applicants can decline to make a presentation to the Board by submitting a written request. The applicant's presentation will at a minimum include a discussion of the applicant's answers to the Evaluation and Rating Criteria on Form No. 00-25. Following the presentations, the Board will review the applications and evaluate them using the Project Evaluation and Rating Form No. 00-25 (effective date 1-01) hereby incorporated by reference and available from the District office.

(8)(6) Application Evaluation: Following the presentations, the Board will review the applications and evaluate them using the Project Evaluation and Rating Form No. 00-25 (effective date 1-01) hereby incorporated by reference and available from the District office. The total points awarded to each application by the Commissioners will

be averaged to determine an applications final rating score. The final rating score for each application must equal or exceed 35 points for the application to be considered for funding assistance. Reconsideration of any application with a final rating score of less than 35 points will only occur if the majority of the Commissioners evaluating the project rated the project equal to or exceeding 35 points and two-thirds of the Commissioners vote for reconsideration of the application.

(9)(7) Funding Determination: The Board will hold a funding allocation meeting at which time the Board will determine the allocation of funds, if any, to each project. Allocations will be based in part upon the cumulative score of the applications as calculated from the Project Evaluation and Rating Form.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History– New 12-17-90, Amended 2-6-97, Formerly 16T-1.006, Amended 3-5-00, 3-21-01,_____.

66B-1.007 Application Form.

Florida Inland Navigation District Cooperative Assistance Program Application Form Number FIND 90-12 (effective date 12-17-90) is hereby incorporated by reference and available from the District office. All applications for financial assistance and support through this program shall be made on this form.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History– New 12-17-90, Formerly 16T-1.007, Repealed_____.

66B-1.008 Project Eligibility.

(1) <u>Eligible Projects:</u> Financial assistance and support through this program shall be used to plan or carry out public navigation, public recreation, environmental education, boating safety, and inlet management directly related to the waterways.

(a) Program funds may be used for projects such as acquisition planning, development, construction, reconstruction, extension improvement, operation or maintenance of the following for public use on land and water:

1. Public navigation channel dredging

2. Public navigation aids and markers

3. Inlet management projects that are a benefit to public navigation in the District

4. Public shoreline stabilization

5. Public spoil disposal site development

6. Waterway signs and buoys for safety, regulation or information

7. Public boat ramps and launching facilities and land acquisition for additional trailer parking at an existing boat ramp

8. Public boat docking and mooring facilities

9. Waterways related environmental education programs and facilities

10. Public fishing and viewing piers

11. Public waterfront boardwalks

12. Waterways boating safety programs and equipment

13. Beach renourishment on beaches adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project

14. Other waterway related projects.

(b) <u>Ineligible Project or Project Elements</u>: costs ineligible for program funding or matching funds will include: contingencies, miscellaneous, reoccurring personnel related costs, land acquisition that is not for additional trailer parking at an existing boat ramp and any extraneous recreational amenities not directly related to the waterway such as the following:

1. Landscaping

2. Park and playground equipment

3. Restrooms

4. Tennis courts

5. Roadways

6. Parking areas for cars without boat trailers

7. Utilities not on docking or launching facilities

8. Lighting not on docking or launching facilities or boat trailer parking areas

9. Irrigation equipment

10. Maintenance equipment

11. Picnic shelters and furniture

12. Vehicles to transport vessels.

13. Operational items such as fuel, oil, etc.

(c) <u>Project Elements with Eligibility Limits</u>: Subject to approval by the Board of an itemized expense list:

1. The following project costs will be eligible for program funding or as matching funding:

a. Project management, administration and inspection;

b. Design, permitting, planning, engineering or surveying costs for completed construction project;

c. Restoration of sites disturbed during the construction of an approved project;

d. Equipment costs.

2. The following project costs will be eligible only as matching costs and cannot exceed fifteen (15) percent of the applicants match:

a. Applicant's non-recurring personnel costs;

b. Applicant's equipment costs;

c. Applicant's In-house project management administration and inspection costs;

d. Applicant's In-house design, permitting, planning, engineering or surveying costs for completed construction project;

e. Applicant's other in-kind services.

Before reimbursement is made by the District on any of the costs listed in subsection 1. or 2. above, a construction contract for the project, approved and executed by the project sponsor and project contractor must be submitted to the District.

(d) Phase I Projects: Applications for eligible waterway projects that include construction elements below mean high water will be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work will be submitted along with the Phase I application for Board review. Applicants for Phase II funding will demonstrate that the environmental permitting element of Phase I will be completed by the District's final TRIM hearing. This demonstration will be by the submission of the required environmental permit(s) or by the submission of a letter from the agency stating that a permit is not required. Should the environmental permitting element of Phase I of an application for a construction project not be completed by the District's final TRIM hearing, the Phase II project will not be considered for funding. The District will not deviate from the funding schedule, whereby funding decisions are completed at the final TRIM hearing, to accommodate any application deficiency.

(2) Property Control: The site of a new proposed land-based development project shall be dedicated for the public use for which the project was intended for a minimum period of 25 years after project completion. Such dedication shall be in the form of a deed, lease, management agreement or other legally binding document and shall be recorded in the public property records of the county in which the property is located. This property control requirement also applies to a project site owned by another governmental entity. The governmental entity that owns the project site may be joined as a co-applicant to meet this property control requirement. Existing land based development projects that are being repaired, replaced or modified must demonstrate that the project site has been dedicated for public use for at least 25 years with at least 10 years remaining on the dedication document.

(3) Permits: The project sponsor is responsible for obtaining and abiding by any and all federal, state and local permits and regulations in the development of the project.

(4) Public Marina Qualifications: All public marina projects funded through this program shall include sewage pumpout facilities for vessels, unless the applicant can demonstrate that inclusion of such a facility is physically, operationally or economically impracticable. All public marina projects funded through this program shall have at least ten (10%) percent of their slips or mooring areas available for transient vessels. Program funds to public marina projects shall not be utilized for maintenance of the facilities if revenues generated by the facility are not exclusively allocated to the operation, maintenance and improvement of the public marina facility.

(5)(2) <u>Final Decisions</u>: The Board will make all final decisions on the eligibility of a project or specific project costs.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History–New 12-17-90, Amended 2-6-97, Formerly 16T-1.008, Amended 5-17-98, 3-31-99, 3-5-00, 3-21-01._____.

66B-1.009 Project Administration.

The District will administer all funded projects through an executed project agreement. The District will appoint a project manager who shall be responsible for monitoring the project and the project agreement. The project manager shall also be responsible for approving all reimbursement requests. The project sponsor shall appoint a liaison agent, who will be a member of the eligible applicant's staff, to act on its behalf in carrying out the terms of the project agreement. Administration of the project will be as follows:

(1) Project Agreement: For each funded project, the District and the project sponsor will enter into a project agreement setting forth the mutual obligations of the parties concerning the project. The project agreement shall incorporate the applicable policies and procedures of the program as outlined in this rule. Project agreements will be for a two-year period with the possibility for one, one-year extension. A project agreement will be executed between the District and the project sponsor.

(2) Matching Funds: The project sponsor shall clearly identify and enumerate the amount and source of the matching funds it will be using to match the program funds supplied by the District for an approved project. The project sponsor shall provide suitable evidence that it has the matching funds available at the time the project agreement is executed.

(3) Agreement Modification: All proposed changes to the project agreement must be submitted to the District in writing by the project sponsor accompanied by a statement of justification for the proposed changes. All project agreement amendments shall be approved by the District Board, except that the executive director may approve a minor project agreement amendment for a project within a county with the local District commissioner's concurrence. A minor project amendment shall not change the approved project's category nor result in a reallocation of more than 35% of the approved funding of the project among project elements. Project agreement amendments will not include a change to the approved project's location or a change in the approved project's purpose or project type Agreed changes shall be evidenced by a formal amendment to the project agreement.

(4)(2) Project Reporting: The liaison agent will submit quarterly reports to the project manager summarizing the work accomplished since the last report, problems encountered, percentage of project completion and other appropriate information. These reports shall continue throughout the length of the project period until completion of the project. (5)(3) <u>Reimbursement Requests</u>: The liaison agent may submit periodic reimbursement requests during the project period. The project manager will approve or disapprove all reimbursement requests. The final payment of program funds will be made upon certified completion of the project.

(6)(4) <u>Project Inspection</u>: Upon reasonable request, the project manager shall have the right to inspect the project and any and all records relating to the project.

(7) Project Completion: The project shall be completed within three (3) years of the beginning of the District's first fiscal year for which the project was approved. If the completion of a project is impacted by a declared state of emergency and the Board waives this rule section, the extension of time granted shall not exceed one additional three (3) year period.

(8)(5) <u>Project Completion Requirements:</u> Upon completion of the project, the liaison agent shall provide the following to the project manager:

(a) A Project Completion Certificate, FIND Form No. 90-13 (effective date 12-17-90) hereby incorporated by reference and available from the District office, which certifies that the project was completed in accordance with the project agreement and the final project plans.

(b) A final reimbursement request accompanied by all required billing statements and vouchers.

(c) Photograph(s) showing the installation of the sign required by s. 66B-1.013.

(d) Photograph(s) of the completed project clearly showing the program improvements.

(9)(6) Project Completion Review: The project manager will review the project completion package and will authorize or reject the final reimbursement payment, which will include all retained funds from previous requests.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History-New 12-17-90, Formerly 16T-1.009, Amended 3-21-01,_____.

66B-1.010 Project Agreement.

(1) For each funded project, the District and the project sponsor will enter into a project agreement setting forth the mutual obligations of the parties concerning the project. The project agreement shall incorporate the applicable policies and procedures of the program as outlined in this rule.

(2) All proposed changes to the project agreement must be submitted to the District in writing by the project sponsor accompanied by a statement of justification for the proposed changes. Agreed changes shall be evidenced by a formal amendment to the project agreement.

(3) All project agreement amendments shall be approved by the District board. Project agreement amendments will not include a change to the approved project's location or a change in the approved project's purpose or project type.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History-New 12-17-90, Formerly 16T-1.010, Amended 3-21-01, <u>Repealed</u>. 66B-1.011 Reimbursement.

The District shall release program funds in accordance with the terms and conditions set forth in the project agreement. This release of program funds shall be on a reimbursement only basis unless otherwise authorized by the Board. Board authorization shall only be given if the applicant can demonstrate that the project cannot be accomplished otherwise. The District shall reimburse the project sponsor for project costs expended on the project in accordance with the project agreement. However, the Board may approve the payment of all or a portion of the program funds upon the execution of the project agreement. Project funds to be reimbursed will require the submission of a Reimbursement Request Form and required supporting documents, FIND Form No. 90-14 (effective date 12-17-90) hereby incorporated by reference and available from the District office.

(1) Project Reimbursement: Project funds shall not be spent except as consistent with the project agreement cost estimate that was approved by the Board, which shall be an attachment to the project agreement. This cost estimate will establish the maximum funding assistance provided by the District and the percentage of funding provided by each party to the project. The District will pay the lesser of (1) the percentage total of project funding that the Board has agreed to fund, or (2) the maximum application funding assistance amount.

(2) Phase I Reimbursement: In accordance with these rules, reimbursement cannot be made on a Phase I application until a construction contract is executed by the applicant for the construction phase of the project. If the Phase I project is completed but a construction contract is not executed by the three (3) year project deadline, then the District shall only allow one (1) year from the Phase I project deadline to enter into the required construction contract before the Phase I funding is cancelled.

(3)(1) <u>Reimbursement Requests</u>: All project costs shall be reported to the District and summarized on the Reimbursement Request Form. All requests for reimbursement shall include supporting documentation, such as billing statements for work performed and cancelled payment vouchers for expenditures made.

(4)(2) Retainage: The District shall retain ten per cent (10%) of all reimbursement payments until final certification of completion of the project. The District shall withhold any reimbursement payment, either in whole or part, for non-compliance with the terms of this agreement.

(5)(3) Advanced Payment: For those projects where the Board approves payment of project funds in advance, the project sponsor shall provide an accounting of the expended program funds prior to the expiration date of the contract. Any program funds not expended pursuant to the Project Agreement shall be reimbursed to the District.

(4) In accordance with these rules, reimbursement cannot be made on a Phase I application until a construction contract is executed by the applicant for the construction phase of the project. If the Phase I project is completed but a construction contract is not executed by the three (3) year project deadline, then the District shall only allow one (1) year from the Phase I project deadline to enter into the required construction contract before the Phase I funding is cancelled.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History–New 12-17-90, Formerly 16T-1.011, Amended 3-31-99,_____.

66B-1.012 Accountability.

The following procedures shall govern the accountability of program funds:

(1) <u>Accounting</u>: Each project sponsor is responsible for maintaining an accounting system that meets generally accepted accounting principles and for maintaining such financial records as necessary to properly account for all program funds.

(2) <u>Quarterly Reports</u>: The project sponsor shall submit quarterly project status reports to FIND <u>in accordance with</u> <u>s. 66B-1.009(4)</u> during the project period. These reports will summarize the work accomplished since the previous report, problems encountered, percentage of project completion and any other appropriate information.

(3) <u>Completion Certification:</u> All required final completion certification documents and materials as outlined in s. 66B-1.009(8)(5) of this rule shall be submitted to the District prior to final reimbursement of program funds.

(4) <u>Auditing</u>: All project records including project costs shall be available for review by the District, or by an auditor selected by the District, for 3 years after completion of the project. Any such audit expenses incurred shall be borne entirely by the project sponsor.

(5) <u>Project Records:</u> The project sponsor shall retain all records supporting project costs for three years after either the completion of the project or the final reimbursement payment, whichever is later, except that should any litigation, claim, or special audit arise before the expiration of the three year period, the project sponsor shall retain all records until the final resolution of such matters.

(6) <u>Repayment:</u> If it is found by any State, County, FIND, or independent audit that program funds have not been used in accordance with this rule and applicable laws, the project sponsor shall repay the misused program funds to the District.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History– New 12-17-90, Formerly 16T-1.012, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: David K. Roach Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386 DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: September 6, 2001

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

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE CHAPTER TITLE:	RULE CHAPTER NO .:
Waterways Assistance Program	66B-2
RULE TITLES:	RULE NOS .:
Policy	66B-2.004
Funds Allocation	66B-2.005
Application Process	66B-2.006
Application Form	66B-2.007
Project Eligibility	66B-2.008
Project Administration	66B-2.009
Project Agreement	66B-2.010
Reimbursement	66B-2.011
Accountability	66B-2.012
Small-Scale Spoil Island Restoration	

and Enhancement Projects 66B-2.014 PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to provide guidance to the District and the program applicants in the administration of the District's Waterways Assistance Program. The proposed rule amendment consists of reorganizing and simplifying the rule, as well as minor additions and deletions. The effect of the proposed rule amendments will be to clarify the intent and application of the program rules for a more effective and efficient program.

SUMMARY: The proposed rule making will include the following provisions in the program rule: add sub-headings to each sub-section; move policy sub-sections to appropriate rule sections; add project funding ratio and pre-agreement expenses criteria to the funds allocation section; cite the appropriate forms, minimum requirements and process for application; allow for specific rule exemptions for interlocal agreements; cite the appropriate form utilized for project evaluation and rating; delete application form section; set property control requirements for eligibility; require permits for eligibility; set public marina qualification criteria; clarify the administration of an agreement by establishing criteria for the project agreement, required matching funds, agreement modification and project completion; delete project agreement section; list the terms for reimbursement; set authorized expenditure criteria; and add a new section to administer the requirements of a small-scale spoil island restoration and enhancement program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) FS.

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

TIME AND DATE: 11:30 a.m., January 18, 2002

PLACE: The District Office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

THE FULL TEXT OF THE PROPOSED RULES IS:

66B-2.004 Policy.

The following constitutes the policy of the District regarding the administration of the program:

(1) <u>Financial Assistance Eligibility</u>: Financial assistance, support and cooperation may be provided to eligible governmental agencies for approved projects as follows:

(a) Member counties may be provided financial assistance, support or cooperation in planning, acquisition, development, construction, reconstruction, extension, improvement, operation or the maintenance of public navigation, public recreation, inlet management, environmental education, law enforcement and boating safety projects directly related to the waterways. Member counties may also be provided financial assistance, support, and cooperation in planning and carrying out beach renourishment and inlet management projects.

(b) Eligible local governments may also be provided financial assistance, support and cooperation in planning and carrying out public navigation, public recreation, inlet management, environmental education, law enforcement and boating safety projects directly related to the waterways. Eligible local governments may also be provided financial assistance, support and cooperation in planning and carrying out beach renourishment and inlet management projects.

(c) Navigation related districts may be provided with financial assistance to pay part of the costs of the planning and acquisition of dredge material management sites if the Board finds that the site is required for the long-range maintenance of the Atlantic Intracoastal Waterway channel. All such sites must meet the development and operational criteria established by the District through a long-range dredge material management plan for that county. Navigation related districts may also be provided with assistance for environmental mitigation projects associated with waterway improvement related activities and inlet management projects if the Board finds that the project benefits public navigation in the Atlantic Intracoastal Waterway. All navigation related districts shall contribute at least equal matching funds to any District financial assistance provided. Seaports may also be furnished assistance and support in planning and carrying out environmental mitigation projects. All seaport projects shall benefit publicly maintained channels and harbors. Each seaport shall contribute matching funds for funded projects.

(2) <u>Notification:</u> The District will notify by direct mail and/or advertised public notice all eligible governmental agencies of the program and the upcoming authorized submission period. Funding allocations to navigation related districts, member counties and local governments shall be based upon the proportional share of the District's ad valorem tax collections from each county.

(3) <u>Project Approval:</u> Approval of projects by the District shall be in accordance with these rules.

(4) The District and the project sponsor shall enter into a project agreement prior to the release of program funds.

(5) The project sponsor shall clearly identify and enumerate the amount and source of the matching funds it will be using to match the program funds supplied by the District for an approved project. The project sponsor shall provide suitable evidence that it has the matching funds available at the time the project agreement is executed.

(6) The District shall release program funds in accordance with the terms and conditions set forth in the project agreement. This release of program funds shall be on a reimbursement only basis.

(7) The site of a new proposed land-based development project shall be dedicated for the public use for which the project was intended for a minimum period of 25 years after project completion. Such dedication shall be in the form of a deed, lease, management agreement or other legally binding document and shall be recorded in the public property records of the county in which the property is located. This property control requirement also applies to a project site owned by another governmental entity. The governmental entity that owns the project site may be joined as a co-applicant to meet this property control requirement. Existing land based development projects that are being repaired, replaced or modified must demonstrate that the project site has been dedicated for public use for at least 25 years with at least 10 years remaining on the dedication document.

(4)(8) Project Accessibility: Facilities or programs funded in whole or in part by program funds shall be made available to the general public of all of the member counties on a non-exclusive basis without regard to race, color, religion, age, sex or similar condition. Additionally, facilities funded in whole or in part by program funds, shall not require a paid membership for the general public of all of the member counties as a condition to use the facilities. User or entrance fees may be charged for the use of facilities funded in whole or in part by program funds, however such fees shall be reasonable and shall be the same for the general public of all of the member counties.

(9) The project sponsor shall not commence work on an approved project prior to the execution of the project agreement unless authorized by the Board during the review and funding approval process. All project costs must be incurred and work performed within the project period as stipulated in the project agreement unless pre-agreement costs are approved by the Board. Pre-agreement expenses, except for projects approved by the Board as multi year projects, will be authorized if they are less than fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only fifty (50) percent of the pre-agreement expenses will be eligible for reimbursement funding from the District, except for projects approved by the Board as multi year projects.

(10) The project shall be completed within three (3) years of the date beginning of the District's first fiscal year for which the project was approved. If the completion of a project is impacted by a declared state of emergency and the Board waives this rule section, the extension of time granted shall not exceed one additional three (3) year period.

(11) Project funds shall not be spent except as consistent with the project agreement cost estimate that was approved by the Board, which shall be an attachment to the project agreement. This cost estimate will establish the maximum funding assistance provided by the District and the percentage of funding provided by each party to the project. The District will pay the lesser of (1) the percentage total of project funding that the Board has agreed to fund, or (2) the maximum application funding assistance amount.

(12) The project sponsor is responsible for obtaining and abiding by any and all federal, state and local permits and regulations in the development of the project.

(5)(13) Waterway Impacts: All development projects must be designed so as not to impact navigation along the District's waterways through the placement of structures, attendant uses, or the necessity of a boating speed zone for safety purposes. Before applying for boating speed zone designation in District waterways because of a project funded by this program, the sponsor shall first receive approval from the Board. The Board will use the criteria found in s. 327.46(1), F.S., in determining whether to approve the proposed boating speed zone.

(6)(14) Project Maintenance: The project sponsor shall be responsible for the operation, maintenance, and management of the project for the anticipated life of the project and shall be responsible for all expenses required for such purposes. The project shall be maintained in accordance with the standards of

maintenance for other similar local facilities and in accordance with applicable health standards. Project facilities and improvements shall be kept reasonably safe and in reasonable repair to prevent undue deterioration and to encourage public use. The project sponsor shall have full legal authority and financial ability to operate and maintain the project facilities.

(15) The District shall terminate a project agreement and demand return of program funds disbursed to the project sponsor for non compliance with any of the terms of the project agreement or this rule. Failure of a project sponsor to comply with the provisions of this rule or the project agreement shall result in the District declaring the project sponsor ineligible for further participation in the program until such time as compliance has been met to the satisfaction of the District.

(16) All public marina projects funded through this program shall include sewage pumpout facilities for vessels, unless the applicant can demonstrate that inclusion of such a facility is physically, operationally or economically impracticable. All public marina projects funded through this program shall have at least ten (10%) percent of their slips or mooring areas available for transient vessels. Program funds to public marina projects shall not be utilized for maintenance of the facilities if revenues generated by the facility are not exclusively allocated to the operation, maintenance and improvement of the public marina facility.

<u>(7)(17)</u> <u>Public Information Availability:</u> Public information produced with assistance from this program shall not be copyrighted and shall be provided free of cost, except for the cost of reproduction, to the public.

(8)(18) Third-Party Agreements: Projects that are being developed and operated by a third party which is a not-for-profit agency shall have sufficient oversight by the eligible project sponsor as determined by the Board. Such oversight, at a minimum, will include a project liaison that is a staff member of the eligible project sponsor, oversight of the operating hours and admission fees of the facility by the eligible project sponsor through a legal agreement, and submission of the third party's most recent audited financial statement. All third party projects shall be open to the public in accordance with this rule.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1), (2) FS. History–New 12-17-90, Amended 2-3-94, 2-6-97, Formerly 16T-2.004, Amended 5-18-98, 3-31-99, 5-25-00, 3-21-01.____.

66B-2.005 Funds Allocation.

The Board will allocate funding for this program based upon the District's overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. If funds are determined to be available for the program, the District will notify potential eligible governmental agencies of the availability of program funding. Applications will be reviewed by the Board utilizing District Forms No. 91-25 Waterways Assistance Program Application Evaluation and Rating Form, and 91-25A Waterways Assistance Program Navigation Districts Application Evaluation and Rating Form, (effective date 1-2001) hereby incorporated by reference and available from the District office.

(1) <u>Funding Assistance Availability</u>: In as much as the District has other fiscal responsibilities and operational needs, financial assistance to eligible government agencies shall not exceed an amount equal to eighty (80) per cent of the proportional share of the District's ad valorem tax collections from each county in which such agencies are located. The District may make an exception to this funding limitation, if funds are determined to be available based upon the District's overall goals, management policies, fiscal responsibilities and operational needs, in counties that are recovering from a state of emergency declared under Chapter 252, Florida Statutes.

(2) Project Funding Ratio: All financial assistance and support to eligible governmental agencies shall require, at minimum, equal matching funds from the project sponsor with the exception of public navigation projects that meet the provisions of s. 66B-2.005(7). Applicant's in-house costs are limited pursuant to s. 66B-2.008(1)(c). All financial assistance to seaports shall require equal matching funds. The District shall contribute no more than fifty percent (50%) of the local share of the cost of an inlet management or beach renourishment project. The District shall not contribute funding to both the state and local shares of an inlet management or beach renourishment project. The construction phase of projects that are large scale, involve multiple phases, have a construction time line of one year or longer, or are requesting a significant amount of assistance funding in relation to the total assistance available for the county where the project is located, will be reviewed and approved by the District Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. The determination by the Board to provide assistance funding on a multi-year basis can be made at any time during the application review process.

(3) Pre-agreement Expenses: The project sponsor shall not commence work on an approved project element prior to the execution of the project agreement unless authorized by the Board during the review and funding approval process. All project costs must be incurred and work performed within the project period as stipulated in the project agreement unless pre-agreement costs are approved by the Board. Pre-agreement expenses, except for projects approved by the Board as multi-year projects, will be limited to fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only one-half (1/2) or less of the approved pre-agreement expenses will be eligible for reimbursement funding from the District, except for projects approved by the Board as multi-year projects. Financial assistance to seaports may exceed the proportional share of the District's ad valorem tax collections as set forth in

Section 66B-2.005(1) from the county in which such scaport is located if the scaport can demonstrate that a regional benefit occurs from the ports activities. Financial assistance to a scaport project that demonstrates a regional benefit shall not exceed an amount equal to (i) the proportional share of the District's ad valorem tax collections as set forth in Section 66B-2.005(1) from the counties where the benefit is demonstrated less (ii) funding allocated in the same fiscal year to all other local government projects funded in those counties.

(4) Multi-Year Funding: The construction phase of projects that are large scale, involve multiple phases, have a construction time line of one year or longer, or are requesting a significant amount of assistance funding in relation to the total assistance available for the county where the project is located, will be reviewed and approved by the District Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. The determination by the Board to provide assistance funding on a multi-year basis can be made at any time during the application review process. All financial assistance and support to eligible government agencies shall require equal matching funds from the project sponsor with the exception of public navigation projects. Project sponsors of public navigation projects shall provide matching funds of at least ten (10) per cent of the total cost of the project. All financial assistance to seaports shall require equal matching funds.

(5) Seaport Funding Eligibility: Financial assistance to seaports may exceed the proportional share of the District's ad valorem tax collections as set forth in s. 66B-2.005(1) from the county in which such seaport is located if the seaport can demonstrate that a regional benefit occurs from the port's activities. Financial assistance to a seaport project that demonstrates a regional benefit shall not exceed an amount equal to (i) the proportional share of the District's ad valorem tax collections as set forth in s. 66B-2.005(1) from the counties where the benefit is demonstrated less (ii) funding allocated in the same fiscal year to all other local government projects funded in those counties.

(6)(5) Inlet Management and Beach Renourishment: Projects and project elements in the categories of inlet management and beach renourishment shall be subject to the following provisions. The District shall contribute no more than fifty per cent of the local share of the cost of the project. The District shall not contribute funding to both the state and local shares of an inlet management or beach renourishment project. Funding for the construction phase of an inlet management or beach renourishment project may be approved by the District Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. Additionally the following provisions shall be met for inlet management or beach renourishment projects:

(a) Inlet Management

1. Inlet management projects shall benefit public navigation within the District and shall be consistent with Department of Environmental Protection approved inlet management plans and the statewide beach management plan pursuant to s. 161.161, F.S. Inlet management projects that are determined to be consistent with Department of Environmental Protection approved inlet management plans are declared to be a benefit to public navigation.

(b) Beach Renourishment

1. All projects in this category shall be consistent with the statewide beach management plan. Beach renourishment projects shall only include those beaches that have been adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project. The determination of beach areas that are adversely impacted by navigation for the purposes of this program shall be made by Department of Environmental Protection approved inlet management plans. If state funding is not provided for a beach project, public access with adequate parking must be available in accordance with s. 161, F.S.

(7)(6) <u>Public Navigation</u>: Projects or project elements in the category of public navigation that will qualify for up to ninety (90%) per cent program funds include:

(a)1. Navigation channel dredging where the project sponsor demonstrates that the source of channel sedimentation has been identified and is in the process of or has been controlled, or that the frequency and amount of shoaling is such that dredging will provide an improvement to the channel that will last for twenty (20) years or more and therefore is more cost effective than identifying and correcting the cause of shoaling, or that the cost of identifying the source of channel sedimentation exceeds the cost of the dredging project,.

(b)2. Navigation channel lighting and markers.

Other public navigation projects or project elements will only qualify for up to fifty percent (50%) program funding.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(3) FS. History–New 12-17-90, Amended 6-24-93, 9-5-96, 2-6-97, Formerly 16T-2.005, Amended 5-17-98, 8-26-99, 3-1-01,_____.

66B-2.006 Application Process.

(1) <u>Application Period: Applications for assistance</u> <u>through this program will be submitted during the authorized</u> <u>submission period that shall be established by vote of the</u> <u>Board at a scheduled meeting.</u> <u>Applications for assistance</u> through this program shall be submitted during the authorized submission period, which is from March 1st through May 1st of each year, unless modified by vote of the Board at a scheduled meeting. The project sponsor shall approve the submission of an application by official resolution from its governing board or commission. Said resolution shall be made on FIND Resolution Form No. 90 21 (effective date 12 17 90) hereby incorporated by reference and available from the District office located at 1314 Marcinski Road, Jupiter, FL 33477.

(2) Application Forms: Florida Inland Navigation District Waterways Assistance Program Application Form Number FIND 90-22 (effective date 4-12-95) and 93-22A (effective date 4-12-95) are hereby incorporated by reference and available from the District office. With the exception of Small-Scale Spoil Island Restoration and Enhancement projects, all applications for financial assistance and support through this program, from member counties and local governments shall be made on Form Number FIND 90-22. All applications for financial assistance and support through this program from navigation related districts shall be made on Form Number FIND 93-22A. Applications will be reviewed by the local FIND Commissioner before being submitted to the District Office. Upon receipt in the District office, staff will review the applications for completeness of the informational requirements identified in the Application Checklist, FIND Form Number 90-26 (effective date 4-12-95) and for compliance with the eligibility requirements of this rule. If the application is for a project that is a land based development project the applicant shall submit an Attorney's Certification of Title, FIND Form Number 94-26 (effective date 5-25-00). When an application is determined by staff to be incomplete or ineligible, staff will immediately inform the applicant by mail. The applicant will then have until the date established by the Board in the application package to bring the application into compliance. If the applicant fails to provide a complete application in compliance with these rules, the application will not be considered for funding.

(3) Sponsor Resolution: The project sponsor shall approve the submission of an application by official resolution from its governing board or commission. Said resolution shall be made on FIND Resolution Form No. 90-21 (effective date 12-17-90) hereby incorporated by reference and available from the District office located at 1314 Marcinski Road, Jupiter, FL 33477.

(4) Attorney's Certification: If the application is for a project that is a land based development project the applicant shall submit an Attorney's Certification of Title, FIND Form Number 94-26 (effective date 5-25-00).

(5)(2) Application Review: Applications will be reviewed by the local FIND Commissioner before being submitted to the District Office. Upon receipt in the District office, staff will review the applications for completeness of the informational requirements identified in the Application Checklist, FIND Form Number 90-26 (effective date 4-12-95) and for compliance with the eligibility requirements of this rule. If the application is for a project that is a land based development project the applicant shall submit an Attorney's Certification of Title, FIND Form Number 94-26 (effective date 5-25-00). When an application is determined by staff to be incomplete or ineligible, staff will immediately inform the applicant by mail. The applicant will then have until the date established by the Board in the application package to bring the application into compliance. If the applicant fails to provide a complete application in compliance with these rules, the application will not be considered for funding.

(6)(3) Interlocal Agreements: Applications that the Board determines will directly benefit the maintenance of the Atlantic Intracoastal Waterway channel as documented by the District's long range dredged material management plans, will directly benefit the maintenance of the Okeechobee Waterway channel in Martin County as documented by the District's long range dredged material management plan, will directly benefit the maintenance or improvement of District property, or have multiple funding partners including the Corps of Engineers as the project manager can qualify for project assistance through an interlocal agreement pursuant to s. 163, F.S. or s. 374.984(6)(a), F.S. District staff will identify these applications and present them to the Board for their determination as to funding. Interlocal agreement projects shall comply with all other provisions of this rule, except for pre-agreement expenses, permitting and property control requirements. The Board will hold a funding allocation meeting at which time the Board will determine the allocation of funds, if any, to each project. Allocations will be based in part upon the cumulative score of the applications as calculated from the Project Evaluation and Rating Form. Allocations will also be based upon the specific needs of the individual counties.

(7)(4) Application Presentations: Applications determined to be complete and in compliance with this rule will be forwarded to the Board for review and then scheduled for presentation to the Board at a scheduled meeting of the Board. Applicants can decline to make a presentation to the Board by submitting a written request. The applicant's presentation will at a minimum include a discussion of the applicant's answers to the Evaluation and Rating Criteria on Form No. 91-25. Following the presentations, the Board will review the applications and evaluate them using the Project Evaluation and Rating Form No. 91-25 (effective date 1-2001) hereby incorporated by reference and available from the District office.

(8)(5) Application Evaluation and Rating Score: Following the presentations, the Board will review the applications and evaluate them using the Project Evaluation and Rating Form No. 91-25 (effective date 1-2001) hereby incorporated by reference and available from the District office. The total points awarded to each application by the Commissioners will be averaged to determine an applications final rating score. The final rating score for each application must equal or exceed 35 points for the application to be considered for funding assistance. Reconsideration of any application with a final rating score of less than 35 points will only occur if the majority of the Commissioners evaluating the project rated the project equal to or exceeding 35 points and two-thirds of the Commissioners vote for reconsideration of the application.

(9)(6) Funding Determination: The Board will hold a funding allocation meeting at which time the Board will determine the allocation of funds, if any, to each project. Allocations will be based in part upon the cumulative score of the applications as calculated from the Project Evaluation and Rating Form. Allocations will also be based upon the specific needs of the individual counties.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History-New 12-17-90, Amended 9-2-92, 6-24-93, 4-12-95, Formerly 16T-2.006, Amended 5-25-00, 3-21-01,_____.

66B-2.007 Application Form.

Florida Inland Navigation District Waterways Assistance Program Application Form Number FIND 90-22 (effective date 4-12-95) and 93-22A (effective date 4-12-95) are hereby incorporated by reference and available from the District office. All applications for financial assistance and support through this program, from member counties and local governments shall be made on Form Number FIND 90-22. All applications for financial assistance and support through this program from navigation related districts shall be made on Form Number FIND 93-22A.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History– New 12-17-90, Amended 6-24-93, 2-3-94, 4-12-95, Formerly 16T-2.007, <u>Repealed</u>_____.

66B-2.008 Project Eligibility.

(1) <u>Eligible Projects:</u> Financial assistance and support through this program shall be used to plan or carry out public navigation, public recreation, environmental education, boating safety, spoil site acquisition directly related to the waterways, inlet management, environmental mitigation and beach renourishment.

(a) Program funds may be used for projects such as acquisition, planning, development, construction, reconstruction, extension, improvement, operation or maintenance of the following types of projects for public use on land and water. These project types will be arranged into a priority list each year by vote of the Board. The priority list will be distributed to applicants with the project application.

1. Public navigation channel dredging.

2. Public navigation aids and markers.

3. Inlet management projects that are a benefit to public navigation in the District.

4. Public shoreline stabilization.

5. Public spoil disposal site development.

6. Waterway signs and buoys for safety, regulation or information.

7. Public boat ramps and launching facilities and land acquisition for additional trailer parking at an existing boat ramp.

8. Public boat docking and mooring facilities

9. Derelict Vessel Removal.

10. Waterways related environmental education programs and facilities.

11. Public fishing and viewing piers.

12. Public waterfront boardwalks.

13. Waterways boating safety programs and equipment.

14. Beach renourishment on beaches adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project.

15. Other waterway related projects.

(b) <u>Ineligible Projects or Project Elements</u>: Project costs ineligible for program funding or matching funds will include: contingencies, miscellaneous, reoccurring personnel related costs, land acquisition that is not for additional trailer parking at an existing boat ramp and any extraneous recreational amenities not directly related to the waterway such as the following:

1. Landscaping.

2. Park and playground equipment.

3. Restrooms for non-waterway users.

4. Tennis courts.

5. Roadways providing access to non-waterway users.

6. Parking areas for non-waterway users.

7. Utilities for non-waterway related facilities.

8. Lighting for non-waterway related facilities.

9. Irrigation equipment.

10. Maintenance equipment.

11. Picnic shelters and furniture.

12. Vehicles to transport vessels.

13. Operational items such as fuel, oil, etc.

(c) <u>Project Elements with Eligibility Limits</u>: Subject to approval by the Board of an itemized expense list:

1. The following project costs will eligible for program funding or as matching funding:

a. Project management, administration and inspection;

b. Design, permitting, planning, engineering or surveying costs for completed construction project;

c. Restoration of sites disturbed during the construction of an approved project;

d. Equipment costs.

2. The following project costs, with the exception of those projects requesting Small-Scale Spoil Island Restoration and Enhancement funding, will be eligible only as matching costs and cannot exceed fifteen (15) percent of the applicants match:

a. Applicant's non-recurring personnel costs;

b. Applicant's equipment costs;

c. Applicant's in-house project management administration, and inspection costs;

d. Applicant's in-house design, permitting, planning, engineering or surveying costs for completed construction project;

e. Applicant's other in-kind services.

Before reimbursement is made by the District on any of the costs listed in subsection 1. or 2. above, a construction contract for the project, approved and executed by the project sponsor and project contractor must be submitted to the District.

(d) Phase I Projects: Applications for eligible waterway projects that include construction elements below mean high water will be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work will be submitted along with the Phase I application for Board review. Applicants for Phase II funding will demonstrate that the environmental permitting element of Phase I will be completed by the District's final TRIM hearing. This demonstration will be by the submission of the required environmental permit(s) or by the submission of a letter from the agency stating that a permit is not required. Should the environmental permitting element of Phase I of an application for a construction project not be completed by the District's final TRIM hearing, the Phase II project will not be considered for funding. The District will not deviate from the funding schedule, whereby funding decisions are completed at the final TRIM hearing, to accommodate any application deficiency.

(2) Property Control: The site of a new proposed land-based development project, with the exception of those projects requesting Small-Scale Spoil Island Restoration and Enhancement funding, shall be dedicated for the public use for which the project was intended for a minimum period of 25 years after project completion. Such dedication shall be in the form of a deed, lease, management agreement or other legally binding document and shall be recorded in the public property records of the county in which the property is located. This property control requirement also applies to a project site owned by another governmental entity. The governmental entity that owns the project site may be joined as a co-applicant to meet this property control requirement. Existing land based development projects that are being repaired, replaced or modified must demonstrate that the project site has been dedicated for public use for at least 25 years with at least 10 years remaining on the dedication document.

(3) Permits: The project sponsor is responsible for obtaining and abiding by any and all federal, state and local permits and regulations in the development of the project.

(4) Public Marina Qualifications: All public marina projects funded through this program shall include sewage pumpout facilities for vessels, unless the applicant can demonstrate that inclusion of such a facility is physically, operationally or economically impracticable. All public marina projects funded through this program shall have at least ten (10%) percent of their slips or mooring areas available for transient vessels. Program funds to public marina projects shall not be utilized for maintenance of the facilities if revenues generated by the facility are not exclusively allocated to the operation, maintenance and improvement of the public marina facility.

(5)(2) <u>Final Decisions</u>: The Board will make all final decisions on the eligibility of a Project or specific project costs.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History–New 12-17-90, Amended 9-2-92, 6-24-93, 2-3-94, 4-12-95, 9-5-96, 2-6-97, Formerly 16T-2.008, Amended 5-17-98, 3-31-99, 5-25-00, 3-21-01.

66B-2.009 Project Administration.

The District will administer all funded projects through an executed project agreement. The District will appoint a project manager who shall be responsible for monitoring the project and the project agreement. The project manager shall also be responsible for approving all reimbursement requests. The project sponsor shall appoint a liaison agent, who will be a member of the eligible applicant's staff, to act on its behalf in carrying out the terms of the project agreement. Administration of the project will be as follows:

(1) <u>Project Agreement: For each funded project, the</u> <u>District and the project sponsor will enter into a project</u> <u>agreement, prior to the release of program funds, setting forth</u> <u>the mutual obligations of the parties concerning the project.</u> <u>The project agreement shall incorporate the applicable policies</u> <u>and procedures of the program as outlined in this rule. Project</u> <u>agreements will be for a two-year period with the possibility</u> <u>for one, one-year extension.</u> A project agreement will be <u>executed between the District and the project sponsor</u>.

(2) Matching Funds: The project sponsor shall clearly identify and enumerate the amount and source of the matching funds it will be using to match the program funds supplied by the District for an approved project. The project sponsor shall provide suitable evidence that it has the matching funds available at the time the project agreement is executed.

(3) Agreement Modification: All proposed changes to the project agreement must be submitted to the District in writing by the project sponsor accompanied by a statement of justification for the proposed changes. All project agreement amendments shall be approved by the District Board, except that the Executive Director may approve a minor project agreement amendment for a project within a county with the local District commissioner's concurrence. A minor project amendment shall not change the approved project's category nor result in a reallocation of more than 35% of the approved funding of the project among project elements. Project agreement amendments will not include a change to the approved project's location or a change in the approved project's purpose or project type. Agreed changes shall be evidenced by a formal amendment to the project agreement and shall be in compliance with these rules.

(4)(2) Project Reporting: The liaison agent will submit quarterly reports to the project manager summarizing the work accomplished since the last report, problems encountered, percentage of project completion and other appropriate information. These reports shall continue throughout the length of the project period until completion of the project.

(5)(3) Reimbursement Requests: The liaison agent may submit periodic reimbursement requests during the project period in accordance with s. $66B-2.0\underline{11}40$. The project manager will approve or disapprove all reimbursement requests. The final payment of program funds will be made upon certified completion of the project by the District.

(6)(4) <u>Project Inspection</u>: Upon reasonable request, the project manager shall have the right to inspect the project and any and all records relating to the project.

(7) Project Completion: The project shall be completed within three (3) years of the date beginning of the District's first fiscal year for which the project was approved. If the completion of a project is impacted by a declared state of emergency and the Board waives this rule section, the extension of time granted shall not exceed one additional three (3) year period.

(8)(5) <u>Project Completion Requirements:</u> Upon completion of the project, the liaison agent shall provide the following to the project manager:

(a) A Project Completion Certificate, FIND Form No. 90-23 (effective date 12-17-90) hereby incorporated by reference and available from the District office, which certifies that the project was completed in accordance with the project agreement and the final project plans.

(b) A final reimbursement request accompanied by all required billing statements and vouchers.

(c) Photograph(s) showing the installation of the sign required by s. 66B-2.013.

(d) Photograph(s) of the completed project clearly showing the program improvements.

(9)(6) Project Completion Review: The project manager will review the project completion package and will authorize or reject the final reimbursement payment, which will include all retained funds from previous requests.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History-New 12-17-90, Formerly 16T-2.009, Amended 3-21-01,_____.

66B-2.010 Project Agreement.

(1) For each funded project, the District and the project sponsor will enter into a project agreement setting forth the mutual obligations of the parties concerning the project. The project agreement shall incorporate the applicable policies and procedures of the program as outlined in this rule. Project agreements will be for a two-year period with the possibility for one, one-year extension. (2) All proposed changes to the project agreement must be submitted to the District in writing by the project sponsor accompanied by a statement of justification for the proposed changes. Agreed changes shall be evidenced by a formal amendment to the project agreement and shall be in compliance with these rules.

(3) All project agreement amendments shall be approved by the District board except that the executive director may approve a minor project agreement amendment for a project within a county with the local District commissioner's concurrence. A minor project amendment shall not change the approved project's category nor result in a reallocation of more than 35% of the approved funding of the project among project elements. Project agreement amendments will not include a change to the approved project's location or a change in the approved project's purpose or project type.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History– New 12-17-90, Amended 9-5-96, 3-21-01, Formerly 16T-2.010, Repealed

66B-2.011 Reimbursement.

The District shall release program funds in accordance with the terms and conditions set forth in the project agreement. This release of program funds shall be on a reimbursement only basis. The District shall reimburse the project sponsor for project costs expended on the project in accordance with the project agreement. Project funds to be reimbursed will require the submission of a Reimbursement Request Form and required supporting documents, FIND Form No. 90-24 (effective date 6-24-93) hereby incorporated by reference and available from the District office.

(1) Authorized Expenditures: Project funds shall not be spent except as consistent with the project agreement cost estimate that was approved by the Board, which shall be an attachment to the project agreement. This cost estimate will establish the maximum funding assistance provided by the District and the percentage of funding provided by each party to the project. The District will pay the lesser of (a) the percentage total of project funding that the Board has agreed to fund, or (b) the maximum application funding assistance amount. All project costs shall be reported to the District and summarized on the Reimbursement Request Form. All requests for reimbursement shall include supporting documentation such as billing statements for work performed and cancelled payment vouchers for expenditures made.

(2) <u>Phase I Reimbursement: In accordance with these</u> rules, reimbursement cannot be made on a Phase I application until a construction contract is executed by the applicant for the construction phase of the project. If the Phase I project is completed but a construction contract is not executed by the three (3) year project deadline, then the District shall only allow one (1) year from the Phase I project deadline to enter into the required construction contract before the Phase I funding is cancelled. The District shall retain ten percent (10%) of all reimbursement payments until final certification of completion of the project. The District shall withhold any reimbursement payment, either in whole or part, for non-compliance with the terms of this agreement.

(3) <u>Reimbursement Requests: All project costs shall be</u> reported to the District and summarized on the Reimbursement Request Form. All requests for reimbursement shall include supporting documentation such as billing statements for work performed and cancelled payment vouchers for expenditures made. The final reimbursement check shall be presented by a District representative to the project sponsor during a public commission meeting or public dedication ceremony for the project facility.

(4) <u>Retainage: The District shall retain ten percent (10%)</u> of all reimbursement payments until final certification of completion of the project. The District shall withhold any reimbursement payment, either in whole or part, for non-compliance with the terms of this agreement. In accordance with these rules, reimbursement cannot be made on a Phase I application until a construction contract is executed by the applicant for the construction phase of the project. If the Phase I project is completed but a construction contract is not executed by the three (3) year project deadline, then the District shall only allow one (1) year from the Phase I project deadline to enter into the required construction contract before the Phase I funding is cancelled.

(5) Check Presentations: A District representative shall present the final reimbursement check to the project sponsor during a public commission meeting or public dedication ceremony for the project facility.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History-New 12-17-90, Amended 6-24-93, Formerly 16T-2.011, Amended 3-31-99.

66B-2.012 Accountability.

The following procedures shall govern the accountability of program funds:

(1) <u>Accounting</u>: Each project sponsor is responsible for maintaining an accounting system that meets generally accepted accounting principles and for maintaining such financial records as necessary to properly account for all program funds.

(2) <u>Quarterly Reports:</u> The project sponsor shall submit quarterly project status reports to FIND <u>in accordance with</u> <u>s. 66B-2.009(4)</u>. during the project period. These reports will summarize the work accomplished since the previous report, problems encountered, percentage of project completion and any other appropriate information.

(3) <u>Completion Certification</u>: All required final completion certification documents and materials as outlined in s. 66B-2.009(8)(5) of this rule shall be submitted to the District prior to final reimbursement of program funds.

(4) <u>Auditing:</u> All project records including project costs shall be available for review by the District or by an auditor selected by the District for 3 years after completion of the project. Any such audit expenses incurred shall be borne entirely by the project sponsor.

(5) <u>Project Records:</u> The project sponsor shall retain all records supporting project costs for three years after either the completion of the project or the final reimbursement payment, whichever is later, except that should any litigation, claim, or special audit arise before the expiration of the three year period, the project sponsor shall retain all records until the final resolution of such matters.

(6) <u>Repayment:</u> If it is found by any State, County, FIND, or independent audit that program funds have not been used in accordance with this rule and applicable laws, the project sponsor shall repay the misused program funds to the District.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History– New 12-17-90, Formerly 16T-2.012, Amended______.

<u>66B-2.014 Small-Scale Spoil Island Restoration and</u> Enhancement Projects.

Proposals shall be accepted for the restoration or enhancement of spoil islands and natural islands within the District's waterways for recreational, navigational, educational, and environmental purposes. The provisions of this rule apply to these applications with the following additions:

(1) Application Procedure – A Request for Proposals procedure will be used to request proposals for consideration. Proposals may be submitted to the District and considered by the Board at any time during the year.

(2) Eligibility: All proposals must meet the following eligibility criteria to be considered for funding.

(a) Management Plan Compliance: Projects shall be in compliance with the provisions of any Spoil Island Management Plans or other management plans that govern the Project site.

(b) Property Control: The Project Sponsor must have written property rights on the Project site to construct and maintain the Project for a minimum of five years. Such property rights can be in the form of a lease, interlocal agreement, use agreement or other legal form approved by the District.

(3) Funds Allocation: Funds shall be allocated pursuant to s. 66B-2.005, subject to the exceptions identified in this rule, and with the following additions:

(a) The District shall fund a maximum of up to \$7,500 per project, not to exceed \$22,500 per County, per fiscal year.

(b) The Project Sponsor may contribute in-kind construction labor; such in-kind construction labor costs will not be counted by the District as exceeding \$10.00 per hour. No administrative costs can be incorporated into the Project as Project costs.

(c) The funding provided by the District shall only be allocated for specific Project expenses such as construction materials, plant materials, herbicides, etc. The funding provided by the District shall not be allocated for parties, food or beverages.

(4) Hold Harmless Waiver: All volunteers, who are not government employees, shall sign a hold harmless waiver that is in a form approved by the District.

Specific Authority 374.976(2) FS. Law Implemented 374.976 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE: David K. Roach Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road. Jupiter, Florida 33477, Telephone Number (561)627-3386

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 6, 2001

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

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE: 6A-1.09981 Implementation of Florida's System of School Improvement and Accountability NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 46, November 16, 2001, issue of the Florida Administrative Weekly:

Sub-Subparagraph (1)(a)1.c. is amended to read:

c. Improvement of the FCAT reading scores of students in the lowest twenty-five (25) percent of each grade, aggregated for each school, unless they are performing above satisfactory, defined as FCAT Achievement Levels 4 and 5;

Subparagraph (1)(a)3. is amended to read:

3. Schools designated as Performance Grade "C" or above shall be required to demonstrate that adequate progress in reading has been made by the lowest twenty-five (25) percent of students in the school who scored at or below FCAT Achievement Level 3, based on their previous year's FCAT score in the current school year. The minimum requirement for

adequate progress is deemed to be met if at least fifty (50) percent of such students make learning gains as defined in paragraph (5)(b) of this rule. If the minimum requirement for adequate progress in reading among the lowest twenty-five (25) percent of students in the school is not met, the School Advisory Council shall amend include in its School Improvement Plan to include a component for demonstrating meeting the adequate progress requirement by the next school year. If a school otherwise designated as Performance Grade "BC" or above "C" does not meet the minimum adequate progress requirement for two (2) years in a row, the final Performance Grade designation shall be reduced by one (1) letter grade. No school shall be designated as performance grade "A" unless the minimum criteria for adequate progress in reading is met and the difference between the reading gains for the lowest twenty-five (25) percent of students in the school as defined in paragraph (5)(c) of this rule and the reading gains for all eligible students in the school as defined in paragraph (5)(b) of this rule is no more than ten (10) percentage points. Subsection (4) is amended to read:

(4) School Performance Grades. The measure of school accountability shall be the school performance grade. The Commissioner is authorized to designate a school performance grade for each school that:

1. Has at least thirty (30) eligible students with valid FCAT assessment scores in reading in the current and previous years, and

2. Has at least thirty (30) eligible students with valid FCAT assessment scores in math in the current and previous years, and scores.

3. Was included in the School Accountability System the previous year.

School performance grade designations shall be made in the summer of each school year., using student achievement data from the school year for which the designation is made. Performance designations shall be made using School Performance Grades A, B, C, D, and F, as specified in Section 229.57(7), Florida Statutes. School performance grades shall be based on the assessments and criteria as specified in subsection (5) of this rule. The Commissioner is authorized to establish appropriate achievement level criteria in newly assessed grade levels for submission to the State Board for final approval.

Subsection (5) is amended to read:

(5) Criteria for Designating School Performance Grades. School performance grades shall be designated in the summer of each year and shall be based on a combination of the following three components, as specified in Section 229.57(8), Florida Statutes:

(a) Student achievement scores, aggregated for each school, which indicate the percent of eligible students who score at or above FCAT Achievement Level 3 in reading and math and the percent of students who score "3" or higher

<u>averaged</u> combined with the percent who score "<u>3.5</u> 4" or higher on the FCAT writing assessment, not to exceed one-hundred (100) percent;

(b) Annual learning gains, aggregated for each school, which indicate the percent of eligible students who have:

<u>1.</u> Improved their FCAT Achievement level from one (1) year to the next. or

<u>2.</u> Maintained <u>their</u> a satisfactory or higher FCAT <u>a</u>Achievement <u>l</u>Levels within levels 3, 4, or 5 from one (1) year to the next<u></u> or

<u>3. Remained</u> improved their relative standing within FCAT Achievement Levels 1 or 2 and who demonstrated more than one (1) year's growth on the FCAT developmental scale, as determined by the Department of Education in the current year as compared to the previous year.

Students whose FCAT Achievement Level declines from one (1) year to the next shall not be deemed to have made annual learning gains. The annual learning gains calculation shall be based on students who have a valid FCAT reading and/or math score in both the current and previous year. Each school's Performance Grade shall also be based on:

(c) Improvement, as defined in paragraph (5)(b) of this rule, of the lowest twenty-five (25) percent of students in reading in <u>each grade, aggregated for</u> each school, unless they are performing above satisfactory, defined as FCAT Achievement Levels 4 and 5.

Paragraph (6)(c) is amended to read:

(c) One (1) point for each percent of students who score "3" or higher <u>averaged</u> combined with the percent who score "3.5 4" or higher on the FCAT writing assessment, not to exceed one-hundred (100) percent;

Subsection (7) is deleted:

(7) Bonus Points For Substantial Improvement In Reading for Selected Students in the Lowest Twenty five (25) Percent in Each School. After all grade point elements are added together, one (1) bonus point for each student in the lowest twenty five (25) percent in reading whose relative standing improves by ten (10) percentile points or more shall be added in an amount up to twenty five percent of the school grade points defined in paragraph (6)(f) of this rule not to exceed the minimum number required to raise a school's final performance designation one (1) letter grade. Bonus points shall accrue only to students in the lowest twenty five (25) percent in reading who improve from FCAT achievement levels one (1) or two (2).

Subsection (8) is renumbered and amended to read:

 $(\underline{7})(\underline{8})$ School Performance Grading Scale. The School Performance Grade shall be based on the sum of the six (6) grade point elements as defined in paragraphs (6)(a)-(f) of this rule and shall be scaled to reflect school performance, learning gains and improvement of the lowest twenty-five (25) percent beginning with the 2001-2002 school year, as required by Section 229.57(7), Florida Statutes. In addition to the

requirements in subsection (5) of this rule for minimum percent of students tested, the following scale shall be applied prior to the addition of bonus points defined in subsection (7) of this rule:

Paragraph (7)(f) is amended as follows:

(f) To achieve a smoother transition from the previous grading system, the Commissioner is authorized to apply to the 2002 school performance grades a one-time variance of up to five (5) percent of the grading scale as defined in paragraphs (7)(8)(a)-(e) of this rule.

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 public hearing on the above rules on:

DATE AND TIME: 9:00 a.m., Saturday, January 26, 2002

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

This meeting was originally scheduled for December 15, 2001, as published in the Florida Administrative Weekly, Vol. 27, No. 45, November 9, 2001 and Vol. 27, No. 48, November 30, 2001.

SPECIFIC AUTHORITY: 242.331(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES 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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
9G-22	Hazard Mitigation Grant Program
RULE NOS .:	RULE TITLES:
9G-22.002	Definitions
9G-22.003	Eligibility
9G-22.006	County Allocations and Project
	Funding
9G-22.007	Application
NOT	ICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 45, November 9, 2001, issue of the Florida Administrative Weekly.

9G-22.002 Definitions.

(1) through (2) No change.

(3) "Applicant" means a state agency, local government, Native American tribe or authorized tribal organization or eligible private non-profit organization, as defined in 44 C.F.R., §206.221(e), requesting hazard mitigation funding.

(4) "Disaster" means any emergency or major disaster as defined in 44 C.F.R., Part 206, Subpart A.

(5) "Division" means the Division of Emergency Management within the Department of Community Affairs.

(4)(6) No change.

(5)(7) "Florida Hazard Mitigation Strategy" means Florida's version of the Hazard Mitigation Plan referred to in 44 C.F.R., Part 206, Subpart M. The Florida Hazard Mitigation Strategy (Rev. September 11, 1997) is hereby incorporated into this rule by reference. <u>A copy may be obtained by contacting</u> the Division of Emergency Management, Department of <u>Community Affairs.</u>

(8) through (9) renumbered (6) through (7) No change.

(8)(10) "Hazard Mitigation Grant Program", herein referred to as HMGP, means the program authorized under Section 404 of the Stafford Act and implemented by 44 C.F.R., Part 206, Subpart N, hereby incorporated by reference, a copy of which may be obtained by contacting the Division, which provides funding for mitigation projects as identified in the State Hazard Mitigation Strategy.

(11) through (14) renumbered (9) through (12) No change.

Specific Authority 252.46 FS. Law Implemented 252.311, 252.32, 252.35 FS. History–New ______.

9G-22.003 Eligibility.

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

(c) Conform to 44 C.F.R., Part 9, Floodplain Management and Protection of Wetlands, and 44 C.F.R., Part 10, Environmental Considerations, both hereby incorporated by reference, copies of which may be obtained by contacting the Division;

(d) through (e) No change.

Specific Authority 252.46 FS. Law Implemented 252.311, 252.32, 252.35 FS. History–New _____.

9G-22.006 County Allocations and Project Funding.

(1) The available HMGP funds shall be allocated to the counties included in the relevant <u>presidential</u> disaster declaration, as defined in section 252.34(1), F.S., in proportion to each county's share of the federal disaster funding from the Public Assistance, Individual Assistance and Small Business Administration programs as of 90 days after the disaster declaration as reported by FEMA.

(a) Eligible and submitted projects for each county included in the relevant <u>presidential</u> disaster declaration will be funded in order of priority as outlined in the LMS until the allocated funds are exhausted, or all eligible projects are funded, whichever occurs first.

(b) Any allocation remaining after all eligible projects in any declared county are funded shall be re-allocated to those counties included in the relevant <u>presidential</u> disaster declaration whose allocation was not sufficient to fund all submitted eligible projects in proportion to each county's share of unfunded projects.

(2) If funds remain after all eligible projects under paragraph (1) above have been funded, then they shall be applied to fund eligible projects submitted from counties not included in the relevant <u>presidential</u> disaster declaration on a first-come-first-served basis until all available funds are obligated.

(3) No change.

Specific Authority 252.46 FS. Law Implemented 252.311, 252.32, 252.35 FS. History–New _____.

9G-22.007 Application.

(1) No change.

(a) No change.

(b) Private non-profit organizations or institutions that own or operate a private non-profit facility as defined in 44 C.F.R., §206.221(e), hereby incorporated by reference, a copy of which may be obtained by contacting the Division; and

(c) through (4) No change.

(5) Applications must be submitted using Form No. HMGP/FMA-001, State of Florida Joint Hazard Mitigation Grant Program & Flood Mitigation Assistance Application (Effective Date September 30, 2001), which is incorporated into this rule by reference, a copy of which may be obtained by contacting the Division.

(6) through (7) No change.

Specific Authority 252.46 FS. Law Implemented 252.311, 252.32, 252.35 FS. History–New ______.

PUBLIC SERVICE COMMISSION

DOCKET NO. 010982-EU RULE NO.: RULE TITLE: 25-6.065 Interconnection of Small Photovoltaic Systems

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 41, October 12, 2001, issue of the Florida Administrative Weekly:

25-6.065 Interconnection of Small Photovoltaic Systems.

(6) The utility may install, at its own expense, an additional meter or metering equipment on the customer's premises capable of measuring any excess kilowatt-hours

produced by the SPS and delivered back to the utility. The cost of the meter, installation, maintenance, and any recurring or non-recurring costs for reading and billing for this second meter shall be borne by the utility. The value of such excess generation shall be credited to the customer's bill based on the host utility's COG-1 tariff, or by other applicable tariffs approved by the Florida Public Service Commission. If the utility does not install such a meter or metering equipment, the utility shall permit the customer to net meter any excess power delivered to the utility by use of a single standard watt-hour meter capable of reversing directions to offset recorded consumption by the customer. If the kilowatt-hour of energy produced by the SPS exceeds the customer's kilowatt-hour consumption for any billing period, such that when the meter is read the value displayed on the register is less than the value displayed on the register when it was read at the end of the previous billing period, the utility shall carry forward credit for the excess energy to the next billing period. Credits may accumulate and be carried forward for a 12-month period specified by the utility in the SPS Interconnection Agreement. In no event shall the customer be paid for excess energy delivered to the utility at the end of the 12-month period.

EXECUTIVE OFFICE OF THE GOVERNOR

Office of Tourism, Trade, and Economic Development

· · · · · · · · · · · · · · · · · · ·	• • • · · · · · · · · · · · ·	
RULE NOS .:	RULE TITLES:	
27M-1.004	Planning and Approving Travel	
27M-1.005	Special Conditions of Travel	
27M-1.006	Rates of Payment	
27M-1.007	Transportation	
27M-1.008	Incidental Expenses	
27M-1.009	Advance Travel	
27M-1.010	Special Provisions for Educational	
Conferences and Conventions		
27M-1.011	Entertainment Expenses	
27M-1.013	Complimentary Goods and Services	
27M-1.014	Receipts	
27M-1.015	Exemption from State Contract	
Rates		
NOTICE OF CHANGE		

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 39, (September 27, 2001), issue of the Florida Administrative Weekly.

27M-1.004 Planning and Approving Travel.

(1) No change.

(2) Request for Travel Authorization. Each Office officer and employee shall complete Form RG-OFC2, incorporated by reference herein, and have it approved and signed by the agency head or his/her appropriate designee for all proposed travel. 27M-1.005 Special Conditions of Travel.

(1) No change.

(2) Travel of Authorized Persons. The agency head or his/her designee may approve travel by authorized persons who are called upon to contribute time and services as consultants or advisers when such travel is on behalf of the Office. In such instances, complete explanation and justification must be shown on or attached to Form RG-OFC3incorporated by reference herein. Travel expenses for authorized persons shall adhere to the same rates and guidelines as those for state officers and employees except that the letters NSE (non-state employee) will be used along with an identifying file number the Social Security number on Form RG-OFC3. In instances when such information is specifically exempted from disclosure by law, each invoice and/or voucher shall contain the letters NSE (non-state employee) on Form RG-OFC3 along with a statement of confidentiality and be properly referenced to the file (by number or otherwise) where the authorized persons information is available, as required by Section 288.075, F.S.

(3) through (4) No change.

Specific Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History-New _____.

27M-1.006 Rates of Payment.

(1)(a) Lodging. The traveler will be reimbursed for the cost of a single occupancy hotel room, receipt required for travel, which requires overnight absence from official headquarters. The traveler is to be reimbursed in accordance with the guidelines established in Section 112.061, F.S., and Executive Office of the Governor guidelines 4.5 (1), incorporated by reference herein. Copies of these guidelines may be obtained by writing to Deputy Director, Office of Film and Entertainment, The Capitol, Suite 2001, Tallahassee, Florida 32399-0001.

- (b) No change.
- (2) Actual Meal Expense.
- (a) through (b) No change.

(c) The amounts set forth above in (a) will be aggregated for each day's travel. The times for departure and return are merely determinative of the meals allowed for portions of travel of less than one calendar day. All reimbursement for meals shall be substantiated by paid receipts, which identify the restaurant. If no receipt can be produced, reasons shall be specified in writing to accompany Form RG-OFC3, incorporated by reference herein. Waiter tips in excess of twenty percent (20%) will not be reimbursed, unless a larger amount is automatically included as part of the bill.

(d) No change.

(3) Subsistence Allowance. The traveler may elect to receive a Subsistence Allowance, in accordance with the following:

Specific Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History-New _____.

(a) In lieu of the above actual meal expense, the traveler may elect to receive a subsistence allowance as provided in Section 112.061(6), F.S. However, the request for reimbursement shall be made in accordance with applicable provisions of Chapter 3A-42, F.A.C.

No one shall be reimbursed for any meal included in a registration fee paid for by the State or when paid for by the State in some other manner. Example: An employee claiming reimbursement for a meal for which they are already requesting reimbursement on Form RG-OFC4, incorporated by reference herein.

(b) through (c) No change.

(4) Reimbursement for Foreign Travel.

(a) Authorized travelers traveling in a foreign country shall claim the rates as specified in the U.S. Department of State Office of Allowances's monthly federal publication "Per Diem Allowances for Travel in Foreign Areas", found on the Internet at www.state.gov/m/a/als/prdm/2001/, incorporated by reference herein. A foreign traveler must also comply with "Standardized Regulations (Government Civilians, Foreign Areas)" (DSSR 000 960), found on the Internet at www.state.gov/m/a/als/index.efm?id=1843 and incorporated by reference herein. Authorized travelers traveling in a foreign country shall be reimbursed on a per diem basis as directed by Section 112.061(3)(e), Florida Statutes.

(b) Lodging. The maximum amount of lodging a traveler shall be reimbursed for is found in the monthly publication "Per Diem Allowances for Travel in Foreign Areas." A traveler must submit all receipts for lodging for reimbursement. The rates are determined by what foreign city or country the traveler is in.

(c) Per Diem Breakdown. Per diem breakdowns for meals and incidental expenses (MI&E Rate) for foreign travel are to be in accordance with Appendix B, Chapter 301- Federal Travel Regulations, found on the Internet at policyworks.gov/org/main/mt/homepage/mtt/FTR/ch301tc.ht ml and incorporated by reference herein. The standard used in this appendix is to allocate 15%, 25% and 40% of the total MI&E Rate from the publication "Per Diem Allowances for Travel in Foreign Areas" to breakfast, lunch, and dinner, respectively. The remainder of the MI&E Rate is the incidental expense allowance. The MI&E Rate is determined by what foreign city or country the traveler is in. In the event that the traveler spends over the incidental expense allowance for a particular city or country, the traveler may claim reimbursement for incidental expenses in accordance with Rules 27M-1.008(1)(a)-(i), F.A.C. and deduct the incidental expense allowances.

(b) In the event that the traveler spends over the incidental expense allowance for a particular city or country, the traveler may claim reimbursement for incidental expenses in accordance with Rules 27M-1.008(1)-(9), F.A.C. and deduct the incidental expense allowances permitted. $(\underline{c})(\underline{d})$ Rates for foreign travel shall not begin until the date and time of arrival in the foreign country from the United States and shall terminate on the date and time of departure from the foreign country to the United States. In the event the traveler travels within the United States prior to arriving in a foreign country, the traveler shall use the reimbursement guidelines as defined in Rule 27M-1.006, F.A.C.

(d)(e) If a hotel room is included in a registration fee paid to attend a function, or otherwise paid for by the State, the traveler shall not claim reimbursement for the expense of the room.

(e)(f) If a meal is included in a registration fee paid to attend a function in a foreign country, or otherwise paid for by the State, the allowance for that meal shall be deducted from the <u>per diem rate</u> for that particular calendar day.

(5) No change.

Specific Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History-New _____.

27M-1.007 Transportation.

- (1) No change.
- (2) Method of Travel.

(a) No change.

(b) Commercial Air Travel.

1. Commercial air travel will be by the most economical class (tourist or coach class). Travel by first class is at the discretion of the agency head, or his/her designee, when no other economical class is available, in accordance with Comptroller's Memorandum Number 02 for Fiscal Year 1999-2000, incorporated by reference herein and a copy of which may be obtained by writing to Deputy Director, Office of Film and Entertainment, The Capitol, Suite 2001, Tallahassee, Florida 32399-0001. If travel is by first class, the traveler must submit with Form RG-OFC3, incorporated by reference herein, a letter from the agency head verifying approval of first class travel and describing the circumstances of said travel. First class air travel is authorized for employees, guests, or authorized persons when actually traveling with business clients. The name of the business client or the project number must be provided in a statement on the travel voucher.

2. through 7. No change.

(c) through (e) No change.

 $(\underline{f})(\underline{g})$ Chartered Vehicle. The agency head or his/her designee when necessary, or where it is of fiscal advantage to the Office, will authorize transportation by chartered vehicle when traveling on official business. Limousines will only be authorized when transporting the Governor, Lieutenant Governor, or a business client.

(g)(h) Complimentary Travel.

1. No traveler shall be allowed either mileage or transportation expense when gratuitously transported by another person or when transported by another traveler who is entitled to mileage or transportation expense. However, the traveler should still show how and with whom he/she traveled.

2. A traveler on a private aircraft shall be reimbursed the actual amount charged and paid for the traveler's fare for such transportation up to the cost of a commercial airline ticket for the same flight, even though the owner or pilot of such aircraft is also entitled to transportation expense for the same flight.

Specific Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History-New _____.

27M-1.008 Incidental Expenses.

The following supporting information shall be required and maintained at the agency with Form RG-OFC3, incorporated by reference herein, when the traveler is claiming reimbursement for incidental travel expenses to include those authorized by Section 112.061(8)(a), F.S.:

(1) Taxis and Airport Limousines. Receipts are required on a <u>per fare basis</u> for all fares in excess of \$25 on a per fare basis. Tips paid to taxi drivers should not exceed 15% of the fare. <u>In countries where a language barrier may exist</u>, reimbursement may be made without receipts provided that the traveler attaches an additional certification to the travel voucher that the expense was actually incurred. In countries where a language barrier may exist, reimbursement may be made without receipts provided that an additional certification is provided the traveler attaches that the expense was actually incurred to the travel voucher.

(2) through (9) No change.

Specific Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History-New _____.

27M-1.009 Advance Travel.

(1) The following guidelines must be followed when travel advancements are required:

(a) No change.

(b) The traveler requesting a travel advance shall complete Form RG-OFC1, incorporated by reference herein. This form shall be properly executed, scheduled for payment, and received by the fiscal office in ample time to process the form and receive a state warrant from the State Comptroller prior to departure. Travel advances shall not be requested earlier than ten (10) business days before the travel period begins without written justification of circumstances that necessitate an exception to this restriction. Travel advance swill not be issued for less than \$100.00. A travel advance cannot be issued if a previous advance is still outstanding.

(c) When the travel period has ended, the traveler shall submit within one week (7 days) Form RG-OFC3, incorporated by reference herein, showing the actual travel performed. The agency shall then process the completed Form RG-OFC3 in the following manner:

1. through 2. No change.

(2) No change.

Specific Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History-New _____.

27M-1.010 Special Provisions for Educational Conferences and Conventions.

In addition to the requirements for regular travel, the following information and provisions apply to conference and convention travel:

(1) Benefits Accrued. A statement of the benefits accruing to the State of Florida by virtue of such travel will be included on Form RG-OFC2 and Form RG-OFC3, incorporated by reference herein.

(2) through (4) No change.

Specific Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History-New _____.

27M-1.011 Entertainment Expenses.

(1) Entertainment expenses are allowable for promotional items and services required to provide hospitality for business clients and authorized guests as set forth below:

(a) No change.

(b) Hospitality in the form of recreational activities should be acquired through normal purchasing procedures when possible. When this is not possible, reimbursement will be made to the Office employee requesting reimbursement provided that the claim for reimbursement accompanied by receipt is submitted on Form RG-OFC4, incorporated by reference herein.

(c) No change.

(2) Entertainment expenses of state officers, state employees, and authorized persons are allowable only when in the presence of or physically accompanying a business client or authorized guest. Additionally, no state officer or state employee may receive hospitality in the form of tangible items as enumerated in (a) above, unless that officer or employee pays for the item. Any state officer or state employee receiving gifts from an authorized guest, business client, or other private non-family source is expected to comply with applicable requirements of Part III, Section 112.061, F.S., relating to public disclosure.

Specific Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History-New _____.

27M-1.013 Complimentary Goods and Services.

The Office, its employees, and representatives may accept and use complimentary travel, accommodations, meeting space, meals, equipment, transportation, and any other goods or services necessary for or beneficial to the performance of the Office's duties and purposes, so long as such acceptance or use is not in conflict with Part III, Section 112.061, F.S. All goods or services accepted by the Office or its employees shall be accompanied by receipts, vouchers, or proof of the actual value

of the complimentary assistance that shall include an attached statement that the complimentary assistance was actually incurred as necessary in the performance of official duties of the Office. The Office shall maintain record of same along with all other office records.

Specific Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History-New _____.

27M-1.014 Receipts.

While receipts are required for most reimbursement pursuant to these rules, it is recognized that circumstances may arise, i.e. language barriers, loss of receipts, or unavailability of same, which require some alternate procedure for documentation of reimbursable expenses. In those isolated situations, documentation stating reason for non-existence or loss, along with the date the debt was incurred, amount of receipt, issuer, and reason for incurring receipt must be completed by the traveler and included on Form RG-OFC3, incorporated by reference herein. Should additional details or information be required by The Executive Office of the Governor administrative personnel or officials of the State Comptroller's Office, the additional information is to likewise be presented on Form RG-OFC3, and labeled "amended" by the traveler. The provisions of this section will not normally apply to reimbursement for hotel accommodations.

Specific Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History-New _____.

27M-1.015 Exemption from State Contract Rates.

In the event that an employee or officer of the Office receives a quote for travel expenses less than what the traveler would pay using the State of Florida contract rates, the Office is exempted from using the contract rates <u>and the traveler will be</u> reimbursed for the lower rates. This exemption applies to hotel accommodations, airfare, or rental vehicles. Explanation of the lower rates shall be provided by the traveler on Form RG-OFC2 and Form RG-OFC3, incorporated by reference herein.

Specific Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History-New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

State Center for Health Statistics

RULE NO.:	RULE TITLE:
59B-9.015	Reporting Instructions
	NOTICE OF CHANGE

The proposed amendments were originally published in Vol. 27, No. 43 of the Florida Administrative Weekly, dated October 26, 2001. Proposed amendments to Rule 59B-9.015 are being changed to address comments from HCA-The Healthcare Company (hereinafter "HCA"). An alternative change suggested by HCA was to delete the term "licensed physician" from the rule to include all surgery services performed and the services provided that correspond to Current

Procedural Terminology (CPT) codes 10000 through 69999 and 93500 through 93599. Accordingly, this section has been changed so that when adopted it will read as follows:

59B-9.015(2) Ambulatory centers shall report data for all non-emergency room ambulatory or outpatient visits in which surgery services were performed by a licensed physician and the services provided correspond to Current Procedural Terminology (CPT) codes 10000 through 69999 and 93500 through 93599. Codes must be valid in the current or the immediately preceding year's code book to be accepted.

DEPARTMENT OF MANAGEMENT SERVICES

Human Resource Management

RULE NOS.:	RULE TITLES:
60L-30.001	General Responsibilities
60L-30.002	Employee Records
60L-30.003	Technical Assistance
NOTICE OF CORRECTION	

Notice is hereby given that the above rules have been adopted with the above rule numbers. The rule numbers have been corrected from the numbers originally noticed in Vol. 27, No. 45, November 9, 2001, Florida Administrative Weekly (60L-32.002, 60L-30.003, and 60L-30.007, respectively), due to the notice of withdrawal of other rules in this chapter noticed in Vol. 27, No. 46, November 16, 2001, Florida Administrative Weekly, and renumbering of subsequent rules.

DEPARTMENT OF MANAGEMENT SERVICES

Human Resource Management

RULE NOS .:	RULE TITLES:
60L-31.001	General Responsibilities
60L-31.002	Class Specifications
60L-31.003	Position Descriptions
60L-31.004	Exercise of Classification Authority
	NOTICE OF CORRECTION

Notice is hereby given that the above rules have been adopted with the above rule numbers. The rule numbers have been corrected from the numbers originally noticed in Vol. 27, No. 45, November 9, 2001, Florida Administrative Weekly (60L-31.002, 60L-31.003, 60L-31.004, and 60L-31.005, respectively), due to the notice of withdrawal of other rules in this chapter noticed in Vol. 27, No. 46, November 16, 2001, Florida Administrative Weekly, and renumbering of subsequent rules.

DEPARTMENT OF MANAGEMENT SERVICES

Human Resource Management

RULE NOS.:	RULE TITLES:
60L-32.001	Determining Salary Upon
	Appointment
60L-32.0011	Increases to Base Rate of Pay
60L-32.0012	Salary Additives
60L-32.0013	Reduction in Pay

60L-32.002	Computation of Hourly Rate
60L-32.003	Dual Employment and
	Compensation
60L-32.004	Perquisites
60L-32.005	Benefits
60L-32.006	Other Personal Services
	NOTICE OF CORRECTION

Notice is hereby given that the above rules have been adopted with the above rule numbers. The rule numbers have been corrected from the numbers originally noticed in Vol. 27, No. 45, November 9, 2001, Florida Administrative Weekly (60L-32.003, 60L-32.0031, 60L-32.0032, 60L-32.0033, 60L-32.004, 60L-32.005, 60L-32.006, 60L-32.007, and 60L-32.008, respectively), due to the notice of withdrawal of other rules in this chapter noticed in Vol. 27, No. 46, November 16, 2001, Florida Administrative Weekly, and renumbering of subsequent rules.

DEPARTMENT OF MANAGEMENT SERVICES

Human Resource Management

RULE NOS.:	RULE TITLES:
60L-33.004	Workforce Reduction and
	Employee Transition
60L-33.005	Other Personal Services
	Employment
60L-33.006	Volunteers
60L-33.007	Equal Employment Opportunity
	and Affirmative Action
	NOTICE OF CORRECTION

Notice is hereby given that the above rules have been adopted with the above rule numbers. The rule numbers have been corrected from the numbers originally noticed in Vol. 27, No. 45, November 9, 2001, Florida Administrative Weekly (60L-33.005, 60L-33.006, 60L-33.007, and 60L-33.008, respectively), due to the notice of withdrawal of other rules in this chapter noticed in Vol. 27, No. 49, December 7, 2001, Florida Administrative Weekly, and renumbering of subsequent rules.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
62-503	State Revolving Loan Program for
	Water Pollution Control
NOTICE OF CORRECTION	

The Department of Environmental Protection has made a correction to the notice of proposed rulemaking for Chapter 62-503, F.A.C., State Revolving Loan Program for Pollution Control, which appeared in the November 16, 2001, edition of the Florida Administrative Weekly, Vol. 27, No. 46. The name of the supervisor who approved the rules is David B. Struhs, Secretary.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE CHAPTER NO.:RULE CHAPTER TITLE:62-504State Revolving Loan Program for
Stormwater FacilitiesNOTICE OF CORRECTION

The Department of Environmental Protection has made a correction to the notice of repeal for Chapter 62-504, F.A.C., State Revolving Loan Program for Stormwater Facilities, which appeared in the November 16, 2001, edition of the Florida Administrative Weekly, Vol. 27, No. 46. The name of the supervisor who approved the rules is David B. Struhs, Secretary.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 00-53R	
RULE CHAPTER NO .:	RULE CHAPTER TITLE:
62-602	Operator Certification
RULE NOS.:	RULE TITLES:
62-602.200	Definitions
62-602.360	Licensing Requirements for
	Non-Florida Operators

NOTICE OF CHANGE

SUMMARY: As a result of comments from the Joint Administrative Procedure Committee, the Department is making changes to the above-referenced rules to clarify the approval of the Department for "experience," and that the examination will satisfy the examination criterion for licensing non-Florida operators for a period of four years from the date a passing score is obtained. The above proposed rules were published in Vol. 27, No. 45, dated November 9, 2001, FAW.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE: 64B3-5.004 Technician NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 27, No. 24, June 15, 2001, issue of the Florida Administrative Weekly. The changes

are in response to comments received from the Joint Administrative Procedures Committee and from the Board meeting held on October 19, 2001. The rule shall now read as follows:

The rule shall now read as follow

64B3-5.004 Technician.

(1) through (2) No change.

(3) Qualifications for Histology Technicians. For the category of histology, applicants for technician licensure shall have four hours of Board approved HIV/AIDS continuing education, a minimum of a high school diploma or its equivalent, and examination certification in histology by the American Society of Clinical Pathologists.

(4) Qualifications for Molecular Genetic Technicians. To be licensed as a molecular genetic technician, an applicant shall have four hours of Board approved HIV/AIDS continuing education, a minimum of a high school diploma or high school equivalent, and be licensed as a clinical laboratory technologist or technician in any specialty area.

(5) Qualifications for Technicians who perform High Complexity Testing. Technicians performing high complexity testing as defined in 42 C.F.R. 493.5 and 493.17, and who have been licensed after September 1, 1997, shall meet the minimum educational and training qualifications provided in 42 C.F.R. 493.1489 (March, 1999), incorporated herein by reference, including a minimum of an associate degree in laboratory science, medical laboratory technology, or equivalent education and training.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE: 64B3-10.005 Scope of Practice Relative to Specialty of Licensure NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 27, No. 41, October 12, 2001 issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee and from the Board meeting held on October 19, 2001.

The rule shall now read as follows:

64B3-10.005 Scope of Practice Relative to Specialty of Licensure.

(1) through (6) No change.

(7) The purpose of the specialty of clinical chemistry is to perform qualitative and quantitative analyses on body fluids such as blood, urine, spinal fluid, feces, tissue, calculi and

other materials to measure the chemical constituents including but not limited to carbohydrates, proteins, lipids, enzymes, non-protein nitrogenous substances, electrolytes, blood gases, trace elements, inorganic compounds, therapeutic and drugs of abuse, hormones, vitamins, tumor markers, other automated immunoassays and other analyses. The specialty also encompasses urine microscopics and the chemical evaluation of liver, renal, lung, cardiac, neuromuscular, reproductive, bone, endocrine and other organ function and pathology and all testing included in the specialties of radioassay as defined in Subsection (9) and blood gas analysis as defined in Subsection (10). Individuals employed in plasmapheresis centers who perform only total protein by refractometer are not required to hold a license in clinical chemistry if they meet the requirements of 42 CFR 493.1423, and can document appropriate training.

(8) through (16) No change.

(17) There is no technician license available in radioassay, blood gases, cytogenetics, or histocompatibility, However, clinical laboratory technicians licensed in the specialties of radioassay, blood gas analysis and cytogentics prior to March 28, 1995, may continue to perform such testing under direct supervision.

(18) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.:	RULE TITLE:
64B15-14.0075	Osteopathic Physician Office
	Incident Reporting

CORRECTED NOTICE OF CHANGE

The Board of Osteopathic Medicine hereby gives notice of this correction to the Notice of Change which was recently published in the December 21, 2001 issue of the Florida Administrative Weekly, Vol. 27, No. 51. The rule was originally published in the November 2, 2001 issue of the Florida Administrative Weekly, Vol. 27, No. 44.

A sentence is being added to Subsection (2)(a) of this rule which will notify licensees that the form being incorporated in this rule can be obtained from the Board office.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Easton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Road, Bin #C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide ProgramsRULE CHAPTER NO.:RULE CHAPTER TITLE:64E-24Nursing Scholarship Program

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to proposed Rule 64E-24, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Florida Administrative Weekly, Vol. 27, No. 47 on November 21, 2001. The changes are as follows:

Subsection 64E-24.002(1), F.A.C., Replace entire paragraph with: Scholarship recipients must begin the full-time employment service obligation no later than 3 months after receiving Florida licensure or certification and no later than 12 months after graduating from nursing school. P.O. G10454

DEPARTMENT OF CHILDREN AND FAMILY

SERVICES

Economic Self Sufficiency ProgramRULE NO.:RULE TITLE:65A-1.900Overpayment and Benefit Recovery
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule identified above in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 27, No. 40, October 5, 2001, issue of the Florida Administrative Weekly. These changes are the result of potential objections raised by the Joint Administrative Procedures Committee in a letter dated October 12, 2001, and a Florida Legal Services Miami Advocacy Office letter dated October 29, 2001, in response to the Notice of Proposed Rulemaking.

Paragraph (1)(b) is amended as follows: "Intentional Program Violation: Intentional Program Violation or fraud error is defined pursuant to Section 414.39, F.S., 7 CFR 273.16 (incorporated by reference), and 45 CFR 235.110 (incorporated by reference)."

The second sentence of paragraph (1)(f) is amended as follows: "Such notification shall be in compliance with 7 CFR 273.18 (incorporated by reference) or 45 CFR 235.110 (incorporated by reference) as appropriate".

Paragraph (2)(b) is amended as follows: "Food stamp overpayments shall be recovered from the individuals specified in 7 CFR 273.18 (incorporated by reference)".

Paragraph (3)(b) is amended as follows: "Monthly amounts of all food stamp overpayments shall be determined in accordance with 7 CFR 273.18 (incorporated by reference)".

Paragraph (4)(b) is amended as follows: "The method of repayment of a food stamp overpayments shall be as specified in 7 CFR 273.18 (incorporated by reference)".

Subsection (8) is amended as follows: "Notification of Overpayment. The persons responsible for repayment of overpayment must be notified in writing that overpayment exists and that they are required, by law, to repay the entire amount pursuant to s. 414.41, F.S., or that they may seek compromise of a food stamp overpayment pursuant to 7 CFR 273.18(e)(3)(7) (incorporated by reference)."

The first sentence of paragraph (8)(d) is amended as follows: "The assistance group or persons that receive such notification will have 30 calendar days in which to contact the department before being considered to have refused to repay, except for food stamp recipients the period to contact the department shall be <u>from the post-marked date of the letter: five days for</u> intentional program violations; 10 days for inadvertent <u>household error; and, 30 days for agency error</u> as specified in 7CFR 273.18(d).

The next to the last sentence of paragraph (9)(a) is amended as follows: "In cases where the department determines that an individual has committed fraud in the cash assistance or food stamp programs, the department will pursue a determination of Intentional Program Violation (IPV) through either court action, administrative disqualification hearing (ADH), or both, where permitted by 7 CFR 273.16 (incorporated by reference), or 45 CFR 235.110 (incorporated by reference)."

The first sentence of subsection (11) is amended as follows: "The following notices, hereby incorporated by reference, are used by the department in the process of establishing and recovering overpayment: Notice of Overissuance Overpayment (cash) (automated notice); Notice of Overpayment (food stamps) (automated notice); Notice of Overpayment (Medicaid) (automated notice); Post-Fair Hearing Demand Letter (cash) (automated notice); Post-Fair Hearing Demand Letter (food stamps) (automated notice); Post-Fair Hearing Demand Letter (Medicaid) (automated notice); EBT Voluntary Repayment Agreement (automated notice); Notice of Hardship Decision (automated notice); Confirmation of Repayment Agreement (automated notice); 3057, Aug. CF-ES 2001, Information Concerning Administrative Disqualification Hearings; Notice of Cash Disgualification temporary and permanent (Waiver) (automated notice); Notice of Cash Disqualification (ADH) (automated notice); Notice of Cash Disgualification temporary and permanent (DCA) (automated notice); Notice of Cash Disgualification (court) (automated notice); Notice of Food Stamp Disqualification (ADH) (automated notice); Notice of Food Stamp Disqualification - temporary and permanent (DCA) (automated notice); Notice of Food Stamp Disgualification – temporary and permanent (Waiver) (automated notice); Notice of Food Stamp Disqualification (court) (automated notice); CF-ES Form 3400, Aug. 83, Request for Additional Information; CF-ES Form 3410, Aug. 2001, Waiver of Administrative Disqualification Hearing; CF-ES Form 3410A, Aug. 2001, Waiver of Administrative Disqualification Hearing; and, CF-ES Form 3414, Aug. 99, Disgualification Consent Agreement."

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE TITLE:

RULE NO .:

Instant Game Number 409, QUICK CASH 53ER01-76 SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 409, "QUICK 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:

53ER01-76 Instant Game Number 409, QUICK CASH.

(1) Name of Game. Instant Game Number 409, "QUICK CASH."

(2) Price. QUICK CASH lottery tickets sell for \$1.00 per ticket.

(3) QUICK 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 QUICK CASH lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any QUICK 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 five matching sets of numbers. The prizes are: TICKET, \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$25.00, \$100, \$500, \$2,500.

(b) A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a QUICK CASH lottery ticket which entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(9) The value, number of prizes, and odds of winning in Instant Game Number 409 are as follows:

			NUMBER OF
			WINNERS IN 42
		ODDS OF	POOLS OF 180,000
GAME PLAY	WIN	<u>1 IN</u>	TICKETS PER POOL
FREE TICKET	<u>\$1</u>	8.33	907,200
<u>\$1</u>	<u>\$1</u>	30.00	252,000
\$1 + \$1	<u>\$2</u>	37.50	201,600
\$1 + \$1 + \$1 + \$1 + \$1	<u>\$1</u> <u>\$2</u> <u>\$5</u>	60.00	126,000
$\underline{\$2 + \$3}$	<u>\$5</u>	60.00	126,000
<u>\$5</u>	<u>\$5</u> \$5	60.00	126,000
\$1 + \$2 + \$2 + \$5	<u>\$10</u>	300.00	25,200
<u>\$10</u>	\$10	300.00	25,200
\$5 + \$5 + \$5 + \$5 + \$5	<u>\$25</u>	419.58	18,018
\$10 + \$10 + \$10 + \$10 + \$10	<u>\$50</u>	15,000.00	<u>504</u>
\$25 + \$25	\$50	15,000.00	<u>504</u>
<u>\$100 + \$100 + \$100 +</u>			
\$100 + \$100	\$500	504,000.00	<u>15</u>
<u>\$500</u>	\$500	504,000.00	<u>15</u>
<u>\$500 + \$500 + \$500 +</u>			
<u>\$500 + \$500</u>	\$2,500	1,080,000.00	<u>7</u>
\$2,500	\$2,500	1,890,000.00	<u>4</u>

(10) The overall odds of winning any prize in Instant Game Number 409 are 1 in 4.18.

(11) For reorders of Instant Game Number 409, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered. (12) By purchasing a QUICK 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 QUICK 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), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History–New 12-14-01.

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

EFFECTIVE DATE: December 14, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE:	RULE NO.:
PLAY 4 Drawings	53ER01-81
SUMMARY OF THE DILLE. This amongon of mile supersodes	

SUMMARY OF THE RULE: This emergency rule supersedes 53-31.002, F.A.C., and updates and clarifies provisions regarding PLAY 4 drawings.

THE PERSON TO BE CONTATED REGARDING THE EMERGENCY RULE IS: Diane d. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florid 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER01-81 PLAY 4 Drawings.

(1) PLAY 4 drawings are conducted daily.

(2) PLAY 4 drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm who shall certify to the integrity, security, and fairness of each drawing.

(3) The equipment (ball set(s) and drawing machine(s)) used in a PLAY 4 drawing shall be determined by random selection and shall be inspected before and after each drawing.

(4) The equipment shall be configured so that one ball is drawn from each of four units of balls numbered zero through nine.

(5) Once the ball set(s) has been selected and inspected, the selected drawing machine(s) shall be loaded by an employee of the Lottery's Security Division ("Draw Manager") and the ball set(s) mixed by the action of an air blower.

(6) Four balls shall be drawn by vacuum action, one each into four separate display devices. The numbers shown on the four balls, after certification by the Draw Manager and the accountant employed by the certified public accounting firm, shall be the official winning numbers for the drawing. (7) In the event a malfunction in the drawing procedures occurs or the drawing equipment malfunctions, the Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the accountant referred to in subsection (2). In using such substitute procedures the Lottery shall strive to maintain the highest level of public confidence, security and integrity.

(8) The Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(9) This emergency rule supersedes section 53-31.002, Florida Administrative Code, *Play 4 Drawings*.

Specific Authority 24.105(9)(d), 24.109(1) FS. Law Implemented 24.105(9)(d) FS. History–New 12-19-01.

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

EFFECTIVE DATE: December 19, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE:	RULE NO.:
CASH 3 Drawings	53ER01-82
SUMMARY OF THE RULE: This emergency rule supersedes	

53-30.002, F.A.C., and updates and clarifies provisions regarding CASH 3 drawings.

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:

53ER01-82 CASH 3 Drawings.

(1) CASH 3 drawings are conducted daily.

(2) CASH 3 drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm who shall certify to the integrity, security, and fairness of each drawing.

(3) The equipment (ball set(s) and drawing machine(s)) used in a CASH 3 drawing shall be determined by random selection and shall be inspected before and after each drawing.

(4) The equipment shall be configured so that one ball is drawn from each of three units of balls numbered zero through nine.

(5) Once the ball set(s) has been selected and inspected, the selected drawing machine(s) shall be loaded by an employee of the Lottery's Security Division ("Draw Manager") and the ball set(s) mixed by the action of an air blower. (6) Three balls shall be drawn by vacuum action, one each into three separate display devices. The numbers shown on the three balls, after certification by the Draw Manager and the accountant employed by the certified public accounting firm, shall be the official winning numbers for the drawing.

(7) In the event a malfunction in the drawing procedures occurs, or the drawing equipment malfunctions, the Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the accountant referred to in subsection (2). In using such substitute procedures the Lottery shall strive to maintain the highest level of public confidence, security and integrity.

(8) The Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(9) This emergency rule shall supersede section 53-30.002, Florida Administrative Code, *CASH 3 Drawings*.

Specific Authority 24.105(9)(d), 24.109(1) FS. Law Implemented 24.105(9)(d) FS. History–New 12-19-01.

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

EFFECTIVE DATE: December 19, 2001

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on November 30, 2001, the South Florida Water Management District (SFWMD) received a petition for waiver from Cornerstone Group Development Corporation on behalf of San Marino Club, for utilization of works or land of the SFWMD known as the CR951, Collier County. The petition seeks relief from the Rules 40E-6.011(4),(5) and (6), and 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-6.091(1), Fla. Admin. Code, which govern the placement of above-ground permanent or semi-permanent encroachments within 40' of the top of the canal bank within works or lands of the District for the placement of vegetation and landscaping.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail at jsluth@sfwmd.gov.

The SFWMD will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Jan Sluth, Office of Counsel.

NOTICE IS HEREBY GIVEN that on December 4, 2001, the South Florida Water Management District (SFWMD) received a petition for waiver from the Florida Department of Transportation, for utilization of works and lands of the SFWMD known as the C-51, Palm Beach County. The petition seeks relief from Rules 40E-6.011(4),(5) and (6), Fla. Admin. Code and Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-6.091(1), Fla. Admin. Code, which govern the placement and semi-permanent above-ground of permanent encroachments within 40 feet of the top of bank within works or lands of the District.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail at jsluth@sfwmd.gov.

The SFWMD will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Jan Sluth, Office of Counsel.

NOTICE IS HEREBY GIVEN that on December 12, 2001, the South Florida Water Management District (SFWMD) received a request to withdraw the Petition for Waiver (Application 010514-2), filed by the Cocohatchee Nature Center in Collier County, for waiver of the permit application processing fee for Application 991229-9, which is currently under review for an Environmental Resource Standard General Permit.

A copy of the withdrawal may be obtained from Beth Colavecchio, (561)682-6905 or e-mail at bcolavec@ sfwmd.gov. The SFWMD will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn.: District Clerk.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2001-681 DAO-ROW), dated December 13, 2001 to Florida Power & Light Company. The petition for waiver was received by the SFWMD on October 23, 2001. Notice of receipt of the Petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 46, on November 16, 2001. No public comment was received. This Order provides a waiver of the District's criteria governing the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet of the top of canal bank within Works of the District. Specifically, the Order grants a waiver from subsections 40E-6.011(4),(5) and (6), Fla. Admin. Code and Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, to allow installation of a down guy wire located approximately 116' east of the N. W. 52nd Avenue Bridge, Section 24, Township 49 South, Range 41 East, Broward County. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rules is necessary to prevent Florida Power & Light Company from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, Telephone (561)682-6299 or e-mail jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2001-680 DAO-ROW), dated December 13, 2001 to Lourdes & Hector Tundidor. The petition for waiver was received by the SFWMD on October 12, 2001. Notice of receipt of the Petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 45 on November 9, 2001. No public comment was received. This Order provides a waiver of the District's criteria governing the placement of permanent and/or semi-permanent encroachments within 40' of the top of canal bank within Works or Lands of the District. Specifically, the Order grants a waiver from subsections 40E-6.011(4),(5) and (6), Fla. Admin. Code and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, to allow installation of a fence enclosure and to allow existing trees to remain within the east right of way of C-100A at the rear of 11040 S. W. 73rd Court, Section 11, Township 55 South, Range 40 East, Miami-Dade County. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rules is necessary to prevent Lourdes & Hector Tundidor from a violation of the principles of fairness.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, Telephone (561)682-6299 or e-mail jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2001-683 DAO-ROW), dated December 13, 2001 to Ulysses Garcia and W. Nancy Robles. The petition for waiver was received by the SFWMD on September 4, 2001. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 39 on September 28, 2001. No public comment was received. This Order provides a waiver of the District's criteria governing the placement of permanent and/or semi-permanent encroachments within 40' of the top of canal bank within Works or Lands of the District. Specifically, the Order grants a waiver from subsections 40E-6.011(4),(5) and (6), Fla. Admin. Code and Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, to allow placement of decorative handrails located partially within the north right of way of C-4 at the rear of 13602 Southwest 6th Street, Section 2, Township 54 South, Range 39 East, Miami-Dade County. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule is necessary to prevent Ulysses Garcia and W. Nancy Robles from a violation of the principles of fairness.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone number (561)682-6299 or by e-mail jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2001-686 DAO-ROW), dated December 13, 2001 to the Town of Davie. The petition for waiver was received by the SFWMD on April 17, 2001. Notice of receipt of the Petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 20 on May 18, 2001. No public comment was received. This Order provides a waiver of the District's criteria governing the placement of permanent and semi-permanent above-ground encroachments within 40' of the top of canal bank within Works or Lands of the District. Specifically, the Order grants a waiver from subsections 40E-6.011(4),(5) and (6), Fla. Admin. Code, and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, for proposed trees and 3 pavilions, each with a drinking fountain and trash receptacle, within the south right of way of C-11, beginning immediately east of Davie Road Bridge, continuing easterly approximately 1 1/2 miles ending west of District Water Control Structure S-13; and beginning immediately east of SW 148th Street and continuing easterly approximately 2 miles, ending immediately west of Flamingo Road, Sections 25, 26 & 27, Township 50 South, Range 40 & 41 East, Broward County. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule is necessary to prevent the Town of Davie from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, Telephone (561)682-6299 or e-mail jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2001-685 DAO-ROW), dated December 13, 2001 to the Florida Department of Transportation. The petition for waiver was received by the SFWMD on September 12, 2001. Notice of receipt of the Petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 40 on October 5, 2001. No public comment was received. This Order provides a waiver of the District's criteria governing the placement of permanent and semi-permanent above-ground encroachments within 40' of the top of canal bank and within the District's designated 100 foot long equipment staging areas located within Works or Lands of the District. Specifically, the Order grants a waiver from subsections 40E-6.011(4),(5) and (6), Fla. Admin. Code, and subsection 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, for the proposed installation of signalization mast arm structures, traffic barrier walls and pull boxes within the north and south rights of way of C-51, associated with the replacement of the existing Military Trail Bridge, Section 1, 36, Township 43, 44 South, Range 42, 43 East, Palm Beach County. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1)

these facilities do not interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule is necessary to prevent the Florida Department of Transportation from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, Telephone (561)682-6299 or e-mail jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2001-684 DAO-ROW), dated December 13, 2001 to the Florida Department of Transportation. The petition for waiver was received by the SFWMD on September 12, 2001. Notice of receipt of the Petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 40 on October 5, 2001. No public comment was received. This Order provides a waiver of the District's criteria governing the placement of permanent and semi-permanent above-ground encroachments within 40' of the top of canal bank and within the District's designated 100 foot long equipment staging areas located within Works or Lands of the District. Specifically, the Order grants a waiver from subsections 40E-6.011(4),(5) and (6), Fla. Admin. Code and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, for the proposed installation of signalization mast arm structures, traffic barrier walls and pull boxes within the north and south rights of way of C-51, associated with the replacement of the existing Kirk Road bridge, Section 1, 36, Township 43, 44 South, Range 42, 43 East, Palm Beach County. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule is necessary to prevent the Florida Department of Transportation from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, Telephone (561)682-6299 or e-mail jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2001-682 DAO-ROW), dated December 13, 2001 to

the Florida Department of Transportation. The petition for waiver was received by the SFWMD on September 12, 2001. Notice of receipt of the Petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 40 on October 5, 2001. No public comment was received. This Order provides a waiver of the District's criteria governing the placement of permanent and semi-permanent above-ground encroachments within 40' of the top of canal bank and within the District's designated 100 foot long equipment staging areas located within Works or Lands of the District. Specifically, the Order grants a waiver from subsections 40E-6.011(4),(5) and (6), Fla. Admin. Code and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, for the proposed installation of signalization mast arm structures, traffic barrier walls and pull boxes within the north and south rights of way of C-51, associated with the widening of the existing Haverhill Road bridge, Section 1, 36, Township 43, 44 South, Range 42, 43 East, Palm Beach County. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule is necessary to prevent the Florida Department of Transportation from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, Telephone (561)682-6299 or e-mail jsluth@sfwmd.gov.

DEPARTMENT OF THE LOTTERY

NOTICE IS HEREBY GIVEN THAT the Department of the Lottery has received a Petition for Waiver of Rule 53ER98-16(9), F.A.C., *Procedures for Awarding Prizes*, filed on December 19, 2001, by Nina P. Saunders of Sarasota, Florida. Emergency Rule 53ER98-16, F.A.C, sets forth the provisions for payment of prizes to players. A copy of the Petition can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Barbers' Board hereby gives notice that it received a petition for variance or waiver filed by Freddie J. Parson. The Petitioner sought a petition for variance from or waiver of Rule

61G3-20.020, which requires a delinquent fee of a hundred dollars (\$100.00). Based on its review evidence before the Board on July 23, 2001, the Board found the following:

1. Petitioner does not hold a valid Barbers' license in the State of Florida and has not held a license to practice since August 1998. In August 1998, Petitioner's license became delinquent.

2. Because Petitioner did not renew his license in a timely manner and did not apply for active/inactive status during the licensing year, Petitioner's went null and void in August 2000.

3. As Petitioner is not a licensed Barber within the meaning of section 476.034(1), F.S. and Board Rule 61G3-20.020, F.A.C., the Board has no jurisdiction to rule in this matter.

Based on the foregoing findings of fact, it is therefore ORDERED and ADJUDGED that this matter is dismissed for lack of jurisdiction.

A copy of the order can be obtained from: Julie Baker, Executive Director, Barbers' Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

On November 7, 2001, the Florida Department of Environmental Protection (Department) received a petition for waiver under section 120.542 of the Florida Statutes from James Spikes to obtain a waiver of the provisions of subsection 62-312.080(7), Florida Administrative Code, which prohibits the Department from issuing a permit for dredging and filling in Class II waters approved for shellfish harvesting.

A copy of the petition may be obtained by contacting Amy Porto, Department of Environmental Protection, Northwest District Office, 160 Governmental Center, Pensacola, Florida 32501-5794, telephone (850)595-8300. Any written comments regarding the petition must be submitted to the Department at the above address no later than fourteen days from the date of publication of this notice.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

DEP received, on December 10, 2001, a petition, pursuant to Section 120.542, F.S., from the Miami-Dade Aviation Department for Tank Farm #1 at Miami International Airport in Miami, Florida, seeking a waiver from the secondary containment requirements of paragraph 62-761.510(3)(d), F.A.C. The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

DEP received, on December 10, 2001, a petition, pursuant to Section 120.542, F.S., from the Miami-Dade Aviation Department for Tank Farm #4 at Miami International Airport in Miami, Florida, seeking a waiver from the secondary containment requirements of paragraph 62-761.510(3)(d), F.A.C. The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on December 10, 2001, Florida Housing Finance Corporation received a Petition for Variance from or Waiver of Rule 67-44.004(3), Florida Administrative Code, from Hope Properties, Inc. (the "Petition"). The Petition is seeking a variance from the rule which provides that no additions, deletions, or changes to an application will be accepted for consideration once the application has been received.

A copy of the Petition can be obtained from: Sheila A. Freaney, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State**, **Division of Cultural Affairs**, announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Thursday, January 17, 2002, 1:00 p.m. PLACE: Capital Business Interiors, Conference Room, 132-1 Hamilton Park Drive, Tallahassee, FL 32304, (850)383-4225 GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review Meeting to select artwork for Art in State Buildings Project No. DOH 9837/5100, Tallahassee Children's

Medical Services Building, Tallahassee, Leon County.

COMMITTEE: Art Selection Committee

DATE AND TIME: Wednesday, January 23, 2002, 9:00 a.m. PLACE: Lake County Conference Room, 4th Floor, Florida Department of Transportation, District Five Office, 719 South Woodland Boulevard, DeLand, FL 32720, (386)943-5005 GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review Meeting to select artwork for Art in State Buildings Project No. DOT 243-359, Leesburg Complex, Lake County.

COMMITTEE: Art Selection Committee

DATE AND TIME: Wednesday, January 30, 2002, 11:30 a.m. PLACE: Wakulla County Health Department, Conference Room, 3093 Crawfordville Hwy., Crawfordville, FL 32327, (850)926-3591

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold an Orientation Meeting to determine potential artwork sites for Art in State Buildings, Project No. DOH 9865/7550, Wakulla County Health Department in Crawfordville, Wakulla County.

For more information or to obtain a copy of the agenda, please contact: Lee Modica, Arts Administrator, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250, (850)487-2980, Ext. 116.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Don Blancett, (850)487-2980, Ext. 131. If you are hearing or speech impaired, please contact the agency by calling TT (850)488-5779.

DEPARTMENT OF LEGAL AFFAIRS

The Executive Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested parties are invited to attend.

DATE AND TIME: January 8, 2002, 10:00 a.m.

PLACE: Call (850)414-3300 for information on participation GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050

The Job Search Committee of the Florida **Commission on the Status of Women** will hold a meeting to which all interested parties are invited to attend

DATE AND TIME: January 15, 2002, 1:00 p.m. – 5:00 p.m. (Please call (850)414-3300 for instructions on participation) PLACE: Room 163, Collins Building, Tallahassee, Florida GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the vacant Executive Director Position. If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

The Executive Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited to attend.

DATE AND TIME: January 16, 2002, 10:00 a.m.

PLACE: Call (850)414-3300 for information on participation. GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

The Legislative Advocacy Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited to attend. DATE AND TIME: January 25, 2002, 10:00 a.m.

PLACE: Call (850)414-3300 for instructions on participation GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF BANKING AND FINANCE

The Florida **Board of Funeral and Cemetery Services** announces a telephone conference Board Meeting and all persons are invited to attend.

DATE AND TIME: January 15, 2002, 9:00 a.m. – 11:00 a.m. PLACE: Telephone conference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose the person 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.

To obtain further information on how to participate contact: Frances Restifo, Administrative Assistant II, Division of Securities and Finance, Fletcher Bldg., Room 649B, 101 East Gaines St., Tallahassee, FL 32399-0350, (850)410-9853. An agenda will be available seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Frances Restifo, (850)410-9853, at least 48 hours before the meeting. If you are hearing or speech impaired, contact Frances Restifo via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

DEPARTMENT OF INSURANCE

The **Department of Insurance** announces a public meeting to which all persons are invited:

DATE AND TIME: January 11, 2002, 1:00 p.m. – 7:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Task Force on the use of credit reports in underwriting automobile and homeowners' insurance policies. Contact Person: Robbie J. Simpson, (850)413-5250

A copy of the agenda may be obtained from the contact person identified above.

Please be advised that if any person decides to appeal any decision made by this Task Force with respect to any matter considered at any public meeting of the Task Force, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the contact person identified above.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

DATE AND TIME: January 4, 2002, 10:00 a.m.

PLACE: Peace River Ranch, 4615 N. E. 110th Avenue, Ocala, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board 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.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** (DOF) and the Okaloacoochee Slough State Forest Management Plan Advisory Group announce two public meetings and a public hearing to which all persons are invited.

OKALOACOOCHEE SLOUGH STATE FOREST MANAGEMENT PLAN ADVISORY GROUP DATE AND TIME: Tuesday, January 29, 2002, 5:00 p.m.

PLACE: LaBelle Civic Center, 481 Highway 80, West, LaBelle, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Okaloacoochee Slough State Forest Management Plan Advisory Group to prepare for a public hearing the evening of January 29, 2002 and provide recommendations to the DOF to help in preparation of a management plan for the Okaloacoochee Slough State Forest.

DATE AND TIME: Tuesday, January 29, 2002, 6:00 p.m.

PLACE: LaBelle Civic Center, 481 Highway 80, West, LaBelle, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit public comments on management of the Okaloacoochee Slough State Forest. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the DOF's Caloosahatchee District Office, 10941 Palm Beach Blvd., Ft. Myers, FL 33905, to the attention of Kevin Podkowka and should be mailed so as to arrive at the District Office by the date of the public hearing.

OKALOACOOCHEE SLOUGH STATE FOREST MANAGEMENT PLAN ADVISORY GROUP

DATE AND TIME: Wednesday January 30, 2002, 9:00 a.m.

PLACE: LaBelle Civic Center, 481 Highway 80, West, LaBelle, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Okaloacoochee Slough State Forest Management Plan Advisory Group to review comments from the public hearing of January 29, 2002, and provide recommendations to the DOF to help in preparation of a management plan for the Okaloacoochee Slough State Forest.

Copies of a working draft on the plan are available by contacting the Caloosahatchee District Office in writing at the above address or contacting Kevin Podkowka, (863)612-0776. Special accommodations for persons with disabling condition should be requested in writing at least 48 hours in advance of these proceedings. Any request for special accommodations can be made by writing to the DOF's Caloosahatchee District Office at the above listed address.

You are hereby notified in accordance with Rule 286.0105, Florida Statutes, should you decide to appeal any decision made as a result of, or take exception to any findings of fact with respect to any matter considered at the hearing and meeting referred to above, you may need to ensure that a verbatim record of the proceedings is made. Such record shall include the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF EDUCATION

The **Department of Education** announces the following meetings of the Occupational Access and Opportunity Commission and RFP Review/Evaluation Workgroup and to which all persons are invited and to which all interested individuals are encouraged to attend.

OAOC FULL COMMISSION MEETING

DATE AND TIME: January 3, 2002, 9:00 a.m. - 10:00 a.m.

PLACE: Division of Vocational Rehabilitation Services, Building A, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider approval of the State Plan Amendment.

RFP REVIEW/EVALUATION WORKGROUP

DATE AND TIME: January 3, 2002, 10:00 a.m. – Adjournment (Please note change in time from previous advertisement).

PLACE: Division of Vocational Rehabilitation Services, Building A, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the RFP Review/Evaluation Workgroup and to review proposals received for ITN #2002-10.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, at least seven days before the meeting.

The Florida **Department of Education**, Charter School Review Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 10, 2002, 9:00 a.m. – 3:00 p.m.

PLACE: Florida Department of Education, Room 1703-07, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)488-5011

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of the Charter School Review Panel will address possible refinements to Florida's Charter School Statute and issue related recommendations to be considered during the upcoming 2002 Legislative Session.

An agenda will be available one week prior to the meeting.

To obtain a copy of the agenda, please call or write: Choice Office, Room 522, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)414-0780 or Suncom 994-0780.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in this meeting are requested to contact Karen L. Hines-Henry at the above address or telephone numbers.

The Articulation Coordinating Committee announces a public meeting to which all interested persons are invited:

DATE AND TIME: Wednesday, January 16, 2002, 9:30 a.m. – 12:30 p.m.

PLACE: Room 1706, Turlington Building, 325 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the items to be addressed may be obtained by contacting: K-16 Articulation, Florida Department of Education, Room 401, Turlington Building, Tallahassee, Florida 32399-0400, (850)922-0344 or Suncom 292-0344.

The State of Florida, **Education Practices Commission** announces an Administrator and Teacher Hearing Panel to which all persons are invited.

DATE AND TIME: January 25, 2002, 8:30 a.m. or as soon thereafter as can be heard

PLACE: The Crowne Plaza, 700 N. Westshore Boulevard, Tampa, Florida 33609, (813)289-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Administrator and Teacher Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing: Education Practices Commission, Room 224-E, Turlington Building, 325 W. Gaines Street, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)488-0547, at least five calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The Florida **Community Colleges Risk Management Consortium** announces a meeting to which all persons are invited:

DATE AND TIME: Monday, January 14, 2002, 9:00 a.m. – 12:00 Noon

PLACE: Embassy Suites, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Florida Community Colleges Risk Management Consortium, 5700 S. W. 34th Street, Suite 1205, Gainesville, FL 32608 or by telephoning (352)955-2190, Ext. 2.

The Florida **Institute of Phosphate Research** announces a meeting of the Board of Directors to which all persons are invited.

DATE AND TIME: Friday, January 18, 2002, 9:30 a.m. – 4:30 p.m.

PLACE: Polk County Administration Building, 4th Floor, 330 W. Church St., Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider funding of research proposals and other business pertaining to the operation of the Institute.

A copy of the minutes of the October 21, 2001 Board Meeting may be obtained by writing: Dr. Paul R. Clifford, Executive Director, Florida Institute of Phosphate Research, 1855 West Main Street, Bartow, Florida 33830.

The **Gulf Coast Community College**, District Board of Trustees will hold its monthly meeting as follows.

DATE AND TIME: January 17, 2002, 10:00 a.m. (CDT)

PLACE: Gardner Seminar Room, Gulf Coast Community College, Panama City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting.

Contact person for the meeting is: Dr. Robert L. McSpadden, President

DEPARTMENT OF COMMUNITY AFFAIRS

The **State Emergency Response Commission** (SERC) for Hazardous Materials announces a meeting of the Training Task Force to which all persons are invited.

DATE AND TIME: January 10, 2002, 10:00 a.m.

PLACE: Sheraton Hotel, Ballroom A, 2900 S. W. 13th Street, Gainesville, Florida 32608, (352)377-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the ongoing work of the District Response Teams Subcommittee to the Training Task Force and other hazardous materials training issues.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Education and Training Section, (850)413-9899, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Education and Training Section using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you 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.

Additional information may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or by telephoning (850)413-9899.

The **State Emergency Response Commission for Hazardous Materials** announces a meeting of all Local Emergency Planning Committee chairpersons and staff contacts to which all persons are invited.

DATE AND TIME: January 10, 2002, 1:30 p.m.

PLACE: Sheraton Hotel, Ballroom A, 2900 S. W. 13th Street, Gainesville, Florida 32608, (352)377-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Local Emergency Planning Committees in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Compliance Planning Section, (850)410-1271, at least five calendar days prior to the meeting.

If you are hearing or speech impaired, please call the Compliance Planning Section using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you 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 agenda may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or by telephoning (850)413-9970.

The **State Emergency Response Commission for Hazardous Materials** announces a meeting to which all persons are invited.

DATE AND TIME: January 11, 2002, 10:00 a.m.

PLACE: Sheraton Hotel, Ballroom A, 2900 S. W. 13th Street, Gainesville, Florida 32608, (352)377-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Compliance Planning Section, (850)410-1271, at least five calendar days prior to the meeting.

If you are hearing or speech impaired, please call the Compliance Planning Section using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision, with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you 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 agenda may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or by telephoning (850)413-9970.

The **Department of Community Affairs** announces a meeting of the State Energy Program (SEP) Clean Fuel Florida Advisory Board (CFF) to which all interested parties are invited.

SEP CFF MEETING

DATE AND TIME: January 17, 2002, 9:00 a.m. – 3:00 p.m.

PLACE: University of South Florida, Center for Urban Transportation Research, Room CUT – 100, 4202 East Fowler Avenue, Tampa, Florida 33620-5375

ACTIONS TO BE TAKEN: The CFF will consider the following items:

- 1. Report on State Energy Initiatives
- 2. Legislative Initiative Report
- 3. State EPACT Compliance
- 4. Funding Options
- 5. State Energy Program Special Project Solicitation
- 6. Long Range Plan

APPEAL INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public meeting he or she may need a record or transcript of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record may include testimony and evidence relevant to the appeal.

Anyone who wants a copy of the agenda or additional information on this meeting may write or call: Essie Turner, Staff Assistant, Department of Community Affairs, 2255 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2475. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP using the Florida Dual Party System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

NOTICE OF CORRECTION – The **Department of Community Affairs** announces a notice of correction to the meeting notice that was published in Vol. 27, No. 51, Florida Administrative Weekly, December 21, 2001. Correction was made under the public hearing purpose.

PURPOSE: To obtain input and recommendations from the public and interested parties concerning the WAP State Plan for FFY 2002-2003 which will be submitted to the United States Department of Energy.

The **Florida Building Commission** announces the following meetings to which all persons are invited. The meetings will be held at:

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida, 1(800)366-9700

DATE AND TIME: January 7, 2002, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Accessibility Advisory Council to consider the following applications for waiver from accessibility requirements: Ponce de Leon Warehouse Showroom Addition, 4203 Ponce de Leon Boulevard, Coral Gables; Mater Academy East, 450 S. W. 4th Street, Miami; Palmetto Beach Community Association Child Care Center, 2818 Corinne Street, Tampa; Lauderdale Imports Ltd. BMW, 1400 South Federal Highway, Fort Lauderdale; First Steps International Academy, 2803 Executive Park Drive, Weston; StarChild Academy at Waterford Waterford, Lakes Parkway, Orange County; Renovations to Memorial United Methodist Church, 603 Centre Street, Fernandina Beach.

DATE AND TIMES: January 7, 2002, 8:00 a.m. – Meeting of the U of F Building Code Training Program Quality Management Task Force; 8:00 a.m. – Joint meeting of the Mechanical and Building/Structural TACs; 9:00 a.m. – Meeting of the Energy Technical Advisory Committee; 10:00 a.m. – Meeting of the Education Ad Hoc Committee; 1:00 p.m. – Meeting of the Electrical Technical Advisory Committee; 2:00 p.m. – Meeting of the Accessibility Technical Advisory Committee and Hotel, Parking and Code Commentary Sub-committees; 3:00 p.m. – Meeting of the Product Approval Ad Hoc Committee

DATE AND TIME: January 8, 2002, 8:30 a.m. – Meeting of the Florida Building Commission

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and take necessary actions on the December 2001 Commission meeting minutes, and the January 2002 Commission agenda; Hearing on Prototype Buildings Rule (9B-73); Additional Rule Adoption Hearing on Product Approval System (9B-72); consideration of accessibility waiver applicants: Ponce de Leon Warehouse Showroom Addition, 4203 Ponce de Leon Boulevard, Coral Gables; Mater Academy East, 450 S. W. 4th Street, Miami; Palmetto Beach Community Association Child Care Center, 2818 Corinne Street, Tampa; Lauderdale Imports Ltd. BMW, 1400 South Federal Highway, Fort Lauderdale; First Steps International Academy, 2803 Executive Park Drive, Weston; StarChild Academy at Waterford Waterford, Lakes Parkway, Orange County; Renovations to Memorial United Methodist Church 603 Centre Street, Fernandina Beach; Education Ad Hoc Report and Recommendations; Accessibility TAC Report and TAC Recommendations; Electrical Report and Recommendations; Joint Mechanical and Building/Structural TAC Report and Recommendations including request for Declaratory Statement by Emilio Guzman DCA01-DEC-156; Energy TAC Report and Recommendations including requests for Declaratory Statements by Donald C. Herrmann/TECO BGA DCA01-DEC-226 and by William Albert/Carrier DCA-01-DEC-240; legal staff report including request for Declaratory Statement by Jack Laser/Lauderdale Tennis Club DCA01-DEC-242; consideration of Declaratory Statement by Paul Roth/Roll-A-Way Pool Fence request DCA01-DEC-224, and request by Doug Murdock/Gainesville DCA01-DEC-246; presentation by FDOT on Turnpike Facility Permitting and Code Enforcement; receive public comment.

DATE AND TIME: January 8, 2002, 1:30 p.m. – Meeting of the Building Construction Industry Research Advisory Committee

A copy of the Committee and Commission meeting agendas and other documents may be obtained by sending a request in writing: Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436 or looking on the website at www.florida building.org.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they 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.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Kathryn Willis, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The **Criminal Justice Professionalism Program** announces that the Criminal Justice Standards and Training Commission's Executive Planning Committee is schedule to meet for the purpose of reviewing future direction and project priorities for the criminal justice standards and training system. All parties are invited to attend.

DATE AND TIME: Thursday, January 24, 2002, 10:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Law Enforcement, Training Classroom C, 2331, Phillips Road, Tallahassee, Florida 32302 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Planning Committee will be reviewing and discussing issues relating to the training and certification of criminal justice officers.

A copy of the January Executive Planning Committee meeting agenda can be obtained by calling Jay Preston, (850)410-8658, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302-1489.

Any person requiring special accommodation at this meeting, because of a disability or physical impairment, should contact Jay Preston, (850)410-8658, at least two (2) weeks prior to the meeting.

The **Criminal Justice Professionalism Program** announces the following meeting dates and times for the Criminal Justice Standards and Training Commission and Commission-related meetings: The Quarterly Criminal Justice Standards and Training Commission meeting, Training Center Directors' Committee and Business meetings, Probable Cause Determination Hearings, Rules Workshop, and presentation of Officer Discipline Cases for final disposition. These meetings are held to discuss issues relating to standards, training, certification, de-certification, record management for law enforcement, correctional, and correctional probation officers, Commission rules, and issues concerning certification and recertification of Commission-certified criminal justice training schools. All parties are invited to attend.

Training Center Directors' Committee Meetings

DATE AND TIME: Tuesday, February 5, 2002, 4:00 p.m.

Training Center Directors' Business Meeting

DATE AND TIME: Wednesday, February 6, 2002, 8:30 a.m.

Probable Cause Determination Hearings

DATE AND TIME: Wednesday, February 6, 2002, 8:30 a.m.

2002 Proposed Rules Workshop

DATE AND TIME: Wednesday, February 6, 2002, 2:00 p.m.

CJS&T Commission meeting business agenda

DATE AND TIME: Thursday, February 7, 2002, 8:30 a.m. – 1:00 p.m.

Officer Discipline Case Proceedings

DATE AND TIME: Thursday, February 7, 2002, 1:00 p.m. – Open

PLACE: Sheraton Orlando North, 600 N. Lake Destiny Drive, Maitland, Florida 32751 (Telephone Number for Hotel Reservations: Phone (407)660-9000, Fax (407)660-9008)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss standards and training for criminal justice officers, certification and decertification of criminal justice officers, final agency action on officer discipline cases, Commission rules, and certification and re-certification of Commission-certified criminal justice training schools.

COMMISSION MEETING AGENDAS: A copy of the February 7, 2002 Commission Meeting agenda may be obtained by contacting Donna Hunt, (850)410-8615, and a copy of the Officer Discipline Agenda may be obtained by contacting Brenda Presnell, (850)410-8648. If you wish to write the Commission for a copy of the above agendas, please write to: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Donna Hunt or Brenda Presnell. If you wish to call or write for a copy of the Training Center Directors' Association agenda, please write or call Training Center Director Association Chairman Ray Newman, (863)297-1030, Polk Community College, 999 Avenue H, Northeast, Winter Haven, FL 33881-4299.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact Donna Hunt, (850)410-8615, at least 5 days prior to the meeting.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Friday, January 11, 2002, 9:00 a.m. – Conclusion

PLACE: Broward Convention Center, Room 222, 1950 Eisenhower Boulevard, Fort Lauderdale, 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: January 21, 2002, 2:00 p.m. - 5:00 p.m.

PLACE: Department of Transportation, Executive Conference Room, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Briefing of the Florida Transportation Commission

DATE AND TIME: January 22, 2002, 8:00 a.m. - 5:00 p.m.

PLACE: Department of Transportation, Auditorium, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Transportation Commission.

Statewide public hearing on the Department of Transportation Tentative Work Program for fiscal years 2002/2003 through 2006/2007 at which time the Commission will hear comments offered by the public relating to compliance of the Tentative Work Program with all applicable laws and department policies. The Florida Transportation Commission is statutorily prohibited from considering individual construction projects.

Information may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings are asked to advise the Commission at least 48 hours before the meetings by contacting Cathy Goodman, (850)414-4105.

The **Department of Transportation**, Turnpike District announces a Public Hearing to which all persons are invited.

DATE AND TIMES: January 24, 2002, Open House – 6:00 p.m.; Formal Presentation – 7:00 p.m.

PLACE: City of Leesburg City Hall, Commission Meeting Room, 501 West Meadows Street, Leesburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being conducted pursuant to the provisions of Rule Chapter 14-97, Florida Administrative Code, and Section 335.18, Florida Statutes. This hearing is being held in accordance with Federal-Aid Highway Act of 1968, as amended, 23 U.S.C. 128, 40 C.F.R., 1500-1508 C.F.R. 771, and Section 339.155 Florida Statutes, and is also consistent with the Americans With Disabilities Act of 1990. This hearing is also in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, as amended. This hearing is being held to afford interested persons the opportunity to express their views concerning the design of Financial Project ID No. 404214-1-52-01 otherwise known as the County Road 470 Interchange at Florida's Turnpike. The proposed improvements include the addition of a new partial-cloverleaf interchange. The improvements also include the reconstruction of C.R. 470 within the interchange limits including a new bridge structure overpass. Potential encroachment on wetlands and floodplains may be given special consideration under Executive Orders 11990 and 11988.

Anyone needing project or public hearing information may contact: Mike Van Der Heyden, P.E., Project Manager, Turnpike District, (407)532-3999, Ext. 3433 or in writing: Florida Department of Transportation, Turnpike District, Mile Post 263, Building 5315, P. O. Box 613069, Ocoee, Florida 34761.

Anyone requesting special accommodations under the Americans With Disabilities Act of 1990 should contact Catherine Bradley, P.E. by telephone, (407)532-3999, Ext. 3802 or by writing: Florida Department of Transportation, Turnpike District, Mile Post 263, Building 5315, P. O. Box 613069, Ocoee, Florida 34761. Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Mike Van Der Heyden, P.E., Project Manager, at the Florida Department of Transportation, Turnpike District, Mile Post 263, Building 5315, P. O. Box 613069, Ocoee, Florida 34761.

The Florida **Department of Transportation**, District 6 announces a public hearing to which all interested persons are invited.

DATE AND TIME: January 29, 2002, 7:30 p.m. – 9:00 p.m.

PLACE: Calusa Elementary School Cafeteria, 9580 West Calusa Club Drive, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views on the action being considered by the Florida Department of Transportation (FDOT) to reclassify the access management classification of North Kendall Drive between S. W. 142 Avenue and S. W. 167 Avenue, from a Class 3 to a Class 5. Access Management Classification designation is defined as the careful control of ingress and egress into safe operation of driveways, median openings, interchanges and street connections along the corridor.

Anyone needing project or public hearing information should write to the address given below or call Ms. Christina Miskis of the FDOT, (305)377-5800.

Special accommodation requests under the Americans with Disabilities Act of 1990 should be made at least seven (7) days prior to the public hearing to Ms. Christina Miskis at the same telephone number. A copy of the agenda may be obtained by writing: Christina Miskis, Project Manager, Florida Department of Transportation, 602 South Miami Avenue, Miami, Florida 33130.

The **Department of Transportation**, District 4 announces a public hearing to which all persons are invited

DATE AND TIME: January 31, 2002, 7:00 p.m.

PLACE: Holiday Inn, 2905 Sheridan Street, Hollywood, FL 33020

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID Number 228098-1-22-01, Federal-Aid Number 6680-010-U, otherwise known as Sheridan Street (SR 822). The limits of the project corridor are from west of Dixie Highway to east of Federal Highway (US 1), in the cities of Hollywood and Dania Beach, Broward County, Florida.

Anyone needing project or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or call (954)777-4324 or Toll Free 1(800)930-3368, Ext. 4324. Special accommodation requests under the Americans With Disabilities Act should be made at least seven (7) days prior to the public hearing.

A copy of the agenda may be obtained by writing: Nicholas Danu, Project Manager, P.E., Florida Department of Transportation, District 4, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421.

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: January 16, 2002, 9:00 a.m. (The Commission will convene for the purposes of standing committee meetings and for the regular monthly meeting)

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues pertaining to budget revisions, contracts, advertising programs, budget items, rulemaking, balance scorecards, licensing and other matters that are addressed during monthly meetings of the Commission.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

AMENDED NOTICE – The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: December 19, 2001, 9:00 a.m. (The Commission will convene for the purposes of standing committee meetings and for the regular monthly meeting)

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues pertaining to budget revisions, contracts, advertising programs, budget items, rulemaking, balance scorecards, licensing and other matters that are addressed during monthly meetings of the Commission. The Commission will also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to address issues resulting from the December 5, 2001, court ordered mediation in the Tampa Juice, et al v. Department of Citrus and the December 17, 2001, mediation in Towson v. Department of Citrus, et al. The parties attending the closed session will be John R. Alexander, Walter L. Brewer, Tristan G. Chapman, Harry H. Falk, Christopher W. Gargano, Raymond A. Jackson, William E. Kemper, John M. Luther, W. Lindsay Raley, Jr., Daniel R. Richey, Nancy J. Schafer, Andrew R. Taylor, Bob Crawford, Hank B. Campbell, Esq. and Mia L. McKown, Esq. In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 9, 2002, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980).

A copy of the agenda may be obtained by writing: Florida Parole Commission, Building C, 2601 Blairstone Road, Tallahassee, Florida 32399-2450. In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than two working days prior to the proceeding at the address given on the notice, (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces an open meeting to which all interested persons are invited. The meeting will be at the following date, time and place.

DATE AND TIME: January 7, 2002, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 182, 4075 Esplanade Way, Tallahassee, FL 32399-0862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To describe the recent reorganization of the Commission staff.

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 open meeting.

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.

The Florida **Public Service Commission** announces a hearing 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: January 17-18, 2002, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the petition by Sprint Communications Company Limited Partnership for arbitration with Verizon Florida Inc. pursuant to Section 251/252 of the Telecommunications Act of 1996, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on December 18, 2001. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of 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).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990649A-TP – Investigation into pricing of unbundled network elements (BellSouth track).

DATE AND TIME: January 17, 2002, 1:30 p.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).

The Florida **Public Service Commission** announces a workshop to which all interested persons are invited.

DATE AND TIME: February 7, 2002, 10:00 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL 32399-0862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss revisions to Rule No. 25-22.082, Selection of Generating Capacity.

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 (TDD).

REGIONAL PLANNING COUNCILS

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, January 10, 2002, 9:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702 GENERAL SUBJECT MATTER TO BE CONSIDERED: Agency on Bay Management – Full Agency Meeting.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Friday, January 18, 2002, 10:00 a.m. (Please call to confirm date, time and location)

PLACE: Embassy Suites Hotel, 3705 Spectrum Boulevard, Tampa, Florida 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Meeting of Tampa Bay Regional Planning Council.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, January 28, 2002, 9:30 a.m. (Subject to cancellation – please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Clearinghouse Review Committee

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, January 30, 2002, 10:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Local Emergency Planning Committee, District VIII Meeting. Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, January 10, 2002, 9:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, Suite 219, 9455 Koger Boulevard, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive/Budget Committee for Audit Exit Conference.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **South Florida Regional Planning Council**'s Institute for Community Collaboration announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 23, 2002, 8:30 a.m. – 4:00 p.m.

PLACE: Miami Metro Zoo, 12400 S. W. 152 Street, Miami, Florida 33177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Fifth meeting of the South Miami-Dade Watershed Study Advisory Committee to continue the process of gathering information and developing a scope of work for plan consultants.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the South Miami-Dade Watershed Study Advisory Committee with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD) if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

REGIONAL TRANSPORTATION AUTHORITIES

The **Hillsborough Area Regional Transit Authority** (HART) announces the following public meetings of the Governing Board of the Authority to which all persons are invited:

Public Hearing

DATE AND TIME: January 7, 2002, 8:30 a.m. PLACE: County Center, 601 E. Kennedy Boulevard, Planning Commission Board Room, 18th Floor, Tampa, FL PURPOSE: Regularly Scheduled Board Meeting.

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED:

- 1. Call to order
- 2. Approval of Minutes
- 3. Introductions, Recognition and Awards
- 4. Consumer Advisory Committee Report
- 5. Public Comment on Action Items
- 6. Consent Action Items
- 7. Other Action Items
- 8. Chairman's Report
- 9. Reports from HART Representatives
- 10. HART Committee Reports
- 11. Other Board Member's Report
- 12. Executive Director's Report
- 13. Employee Comment
- 14. General Public Comment
- 15. Discussion and Presentations
- 16. Monthly Information Reports
- 17. Other Information Items
- 18. Other Business

A copy of the detailed agenda may be obtained by contacting: Mary Staples, Administrative Assistant II, Hillsborough Area Regional Transit Authority, 201 E. Kennedy Boulevard, Suite 900, Tampa, FL 33602, (813)223-6831, Ext. 2111.

Section 286.0105, Florida Statutes, states that if a person decided to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Alvin Orgeron, (813)623-5835, at least 48 hours before the meeting. If the caller is hearing impaired, contact the Authority, (813)626-9158 (TTD).

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: January 8, 2002, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public hearing in accordance with Section 373.139(3)(a), F.S., concerning the proposed purchase 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; also the proposed acquisition of the flowage easement on two subdivision lots from the Church of the Nazarene (35,000 sq. ft. +/-) in Live Oak, Suwannee County, Florida; also the proposed acquisition of the Otter Sinks Conservation Easement, 11,609 acres in Dixie County, Florida.

DATE AND TIME: January 8, 2002, following Board Meeting PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Workshop

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 Projects and Land Committee meeting:

DATE AND TIMES: Friday, January 4, 2002, Projects and Land Committee meeting, 9:30 a.m. – 12:00 Noon; Land tour, Broadmoor and Sixmile Creek Restoration Areas, 1:15 p.m.

PLACE: Palm Bay Service Center, 525 Community College Parkway, Palm Bay, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: For information only.

For a copy of the itinerary write: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or call Sonia Kuecker, Business Resource Specialist IV, Department of Water Resources, (904)312-2330.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Mrs. Linda Lorenzen, (904)329-4262.

If you are hearing or speech impaired, please contact the agency by calling, (904)329-4450 (TDD).

NOTE: If any person decides to appeal any decision with respect to any matter considered by the St. Johns River Water Management District's Governing Board, such person may need to ensure that a verbatim record of the meeting is made to include the testimony and evidence upon which appeal is to be based.

The **St. Johns River Water Management District** announces the following public meetings and hearings, which may be conducted by means of or in conjunction with communications technology, to which all persons are invited:

GOVERNING BOARD CHAIRMAN AND COMMITTEE CHAIRMEN

DATE AND TIME: Tuesday, January 8, 2002, 9:30 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members. FINANCE/ADMINISTRATION COMMITTEE

DATE AND TIME: Tuesday, January 8, 2002, 10:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Finance, Facilities/Planning/Construction, Information Technology, and Personnel agenda items followed by committee recommendations to be approved by the full Governing Board.

REGULATORY COMMITTEE

DATE AND TIME: Tuesday, January 8, 2002, 10:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Regulatory agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD REGULATORY MEETING

DATE AND TIME: Tuesday, January 8, 2002, 1:00 p.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members. GOVERNING BOARD AND PUBLIC HEARING

DATE AND TIME: Wednesday, January 9, 2002, 9:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Staff will recommend approval of external budget amendments. Discussion and consideration of District business including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

NOTE: In the event of emergency conditions due to an imminent tropical storm or hurricane, this meeting may be conducted by teleconference.

A copy of the agenda for these meetings may be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, Attention: Ann Freeman, Executive Office.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings is requested to advise the District at least 48 hours before the meeting or hearing by contacting Ann Freeman, (386)329-4101. If you are hearing or speech impaired, please contact the District by calling (386)329-4450 (TDD).

If any person decides to appeal any decision with respect to any matter considered at the above listed meetings or hearings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meeting(s): POWER PLANT SITING MEETING

DATE AND TIME: Tuesday, January 8, 2002, 9:30 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of issues relative to siting power plants.

SOUTHERN WATER USE CAUTION AREA (SWUCA) GOVERNING BOARD WORKSHOP

DATE AND TIME: Thursday, January 10, 2002, 9:00 a.m.

PLACE: Polk County Administration Building, 1st Floor, Board Meeting Room, 330 W. Church Street, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWUCA technical and management issues.

PEACE RIVER BASIN BOARD MEETING

DATE AND TIME: Friday, January 11, 2002, 9:00 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business

BASIN BOARD EDUCATION COMMITTEE MEETING

DATE AND TIME: Tuesday, January 22, 2002, 9:30 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Committee business

LAKE PANASOFFKEE RESTORATION COUNCIL MEETING

DATE AND TIME: Monday, January 28, 2002, 5:00 p.m.

PLACE: Sumter County Courthouse, Commission Chambers, 209 North Florida Street, Bushnell, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Council business

GOVERNING BOARD MEETING, PUBLIC HEARING AND COMMITTEE MEETINGS

DATE AND TIME: Tuesday, January 29, 2002, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting, public hearing and committee meetings

GOVERNING BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday.)

DATE AND TIME: Wednesday, January 30, 2002, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting and public hearing

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4604, TTD only 1(800)231-6103 (Florida only); FAX (352)754-6874.

The **Southwest Florida Water Management District** announces the following meetings to which all interested parties are invited.

INDUSTRIAL ADVISORY COMMITTEE

DATE AND TIME: Tuesday, January 8, 2002, 9:00 a.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

PUBLIC SUPPLY ADVISORY COMMITTEE

DATE AND TIME: Friday, January 11, 2002, 9:30 a.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.

Copies of the agendas 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 American's with Disabilities Act (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 public meeting to which all interested parties are invited:

DATE AND TIME: January 7, 2002, 10:30 a.m.

PLACE: The South Florida Water Management Headquarters, B-1 Building, Governing Board Chambers, First Floor, 3301 Gun Club Road, West Palm Beach, Florida 33406.

The conference rooms at all the SFWMD Service Centers will be available for participating via video-conferencing. Members of the pubic are requested to contact Paula Moree or Julio Fanjul, SFWMD staff, (number listed below) prior to the meeting if they will be participating in the meetings via conference facilities from the Service Centers to ensure their participation in case of video conference failures.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission – Water Utilities Stakeholders Pre-January Programmatic Regulations Workshop

A copy of the agenda may be obtained at the (1) District Website (http://www.sfwmd.gov/agenda.html) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Julio Fanjul or Paula Moree, Governing Board Operations, Phone Number (561)682-6447, District Headquarters, 3301 Gun Club Road, Mail Stop Code, 6115 West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited: DATE AND TIME: January 8, 2002, 10:00 a.m.

PLACE: The South Florida Water Management Headquarters, B-1 Building, Governing Board Chambers, First Floor, 3301 Gun Club Road, West Palm Beach, Florida 33406. The conference rooms at all the SFWMD Service Centers will be available for participating via video-conferencing. Members of the pubic are requested to contact Paula Moree or Julio Fanjul, SFWMD staff, (number listed below) prior to the meeting if they will be participating in the meetings via conference facilities from the Service Centers to ensure their participation in case of video conference failures.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission – Agricultural Stakeholders Pre-January Programmatic Regulations Workshop.

A copy of the agenda may be obtained at the (1) District Website (http://www.sfwmd.gov/agenda.html) or (2) by writing to the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Julio Fanjul or Paula Moree, in the Governing Board Operations, Phone Number (561)682-6447, District Headquarters, 3301 Gun Club Road, Mail Stop Code, 6115 West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference, to which all interested parties are invited:

DATES AND TIME: Tuesday, January 8, 2002; January 15, 2002; January 22, 2002; January 29, 2002, 1:00 p.m. – 1:30 p.m.

PLACE: South Florida Water Management District Headquarters, B-1 Building, Egret Conference Room, 3rd Floor, North East End, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Appraisal Review Committee will hold its regular meeting to discuss appraisal issues and, if necessary, select an appraiser from proposals received on upcoming appraisal assignments.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Committee decision require a record of the proceedings. Although Appraiser Review Committee meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based. Persons with disabilities who need assistance may contact Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, or those wishing to submit written or physical evidence may contact: Ken Daw, Chief Appraiser, Land Acquisition Support Division, MSC 3330, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications technology, to which all interested parties are invited:

DATE AND TIME: January 9, 2002, 9:00 a.m.

PLACE: Stephen P. Clark Government Center, 111 N. W. 1st Street, Miami, FL 33128, (305)375-5569

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Regular Governing Board Workshop/Meeting to discuss and consider District business including regulatory and non-regulatory matters.

A. Conduct meeting of the Human Resources Committee.

B. Conduct meeting of Audit Committee.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members. In the event of emergency conditions due to an imminent tropical storm or hurricane, this meeting may be conducted by teleconference in order to take action on items listed on the Thursday, January 10th meeting agenda, including regulatory and non-regulatory items.

Those who want more information, please contact: Humberto Alonso, Miami Dade Service Center Department, Phone Number (305)377-7274 Ext. 7289, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6120, West Palm Beach, FL 33406.

DATE AND TIME: January 9, 2002, time to be determined PLACE: To be determined

GENERAL SUBJECT MATTER TO BE CONSIDERED: Possible off-site dinner with Governing Board members after workshop/meeting. No discussion of Governing Board's business or activities shall occur between or among board members at this dinner site.

DATE AND TIME: January 10, 2002, 8:30 a.m.

PLACE: District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Governing Board meeting for consideration of regulatory and non-regulatory matters, including public meetings. A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680, or may be acquired via the SFWMD Web Site at http://www.sfwmd.gov/agenda.html.

NOTE: Due to extensive demolition and construction at the main complex for the next 12 months, parking will be severely impacted. Additional parking for the public will be available at the National Guard Armory just east of the main complex, or at Lake Lytel Park, located west of the main complex.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Paula Moree, Deputy District Clerk, (561)682-6447, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Paula Moree, Deputy District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces a private attorney-client session:

DATE AND TIME: January 10, 2002, 8:30 a.m.

PLACE: South Florida Water Management District, Headquarters, B-1 Building Auditorium, 3301 Gun Club Road, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney-Client Session pursuant to Fla. Stat. Section 286.011(8) (2001) to discuss strategy related to litigation expenditures in Osceola Fish Farmers Association v. South Florida Water Management District.

ATTENDEES: Governing Board Members T. Williams, P. Brooks-Thomas, M. Collins, H. English, G. Fernandez, P. Gleason, N. Gutierrez, L. Lindahl, H. Thornton; District Staff Henry Dean, John Fumero, Doug MacLaughlin and Luna Ergas Phillips.

The private Attorney-Client Session shall commence at the January 10, 2002, open meeting of the Governing Board. The subject matter shall be confined to the pending litigation. At the conclusion of the session, the Governing Board meeting shall be re-opened. 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. Transcript of the attorney-client session shall be made part of the public record upon conclusion of litigation.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited: DATE AND TIME: January 11, 2002, 10:00 a.m.

PLACE: The South Florida Water Management Broward Service Center, 201 South Andrews Avenue, Fort Lauderdale, Florida 33301-1808

The conference rooms at all the SFWMD Service Centers will be available for participating via video-conferencing. Members of the pubic are requested to contact Paula Moree or Julio Fanjul, SFWMD staff, (number listed below) prior to the meeting if they will be participating in the meetings via conference facilities from the Service Centers to ensure their participation in case of video conference failures.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission – Environmental Stakeholders Pre-January Programmatic Regulations Workshop.

A copy of the agenda may be obtained at the (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, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Julio Fanjul or Paula Moree, in the Governing Board Operations, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406, (561)682-6447.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited:

DATE AND TIME: January 16, 2002, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget and Finance Advisory Commission meeting to discuss SFWMD Budget and finance-related matters.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 6260, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information or wishing to submit written or physical evidence may contact: Marcie Daniel, Budget Department, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6469.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATES AND TIME: January 17-18, 2002, 8:30 a.m.

PLACE: The South Florida Water Management Headquarters, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406.

A no host reception may be held on January 17, 2002, 6:00 p.m., Sheraton Inn, 630 Clearwater Park Road, West Palm Beach, Florida 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Monthly Meeting.

A copy of the agenda may be obtained at the (1) District Website http://www.sfwmd.gov/agenda.html or (2) by writing: South Florida Water Management District, Mail Stop 6115, Post Office Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Julio Fanjul or Paula Moree, Governing Board Operations, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406, (561)682-6447.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** announces a public meeting to which all persons are invited:

SHINE (Serving Health Insurance Needs of Elders) Program Planning and Steering Committee Meeting.

DATES AND TIMES: Tuesday, January 15, 2002, 8:00 a.m.; Thursday, January 17, 2002, 2:00 p.m.

PLACE: Sheraton Suites Orlando Airport, 7550 Augusta National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Elder Insurance Benefits, Counseling, Training, Education and Outreach techniques for the SHINE Program. A copy of the agenda may be obtained by contacting: Shelia Kilpatrick, (850)414-2060.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Pharmaceutical and Therapeutics Subcommittee on Generics to which all interested parties are invited.

DATE AND TIME: Thursday, January 10, 2002, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Call (Number available upon request) GENERAL SUBJECT MATTER TO BE CONSIDERED: Study of generic drugs on the Medicaid preferred drug list.

Anyone who wishes to listen to the meeting may call the Bureau of Pharmacy Services, (850)487-4441, to receive the telephone number.

The **Agency for Health Care Administration** announces a meeting of the Pharmaceutical and Therapeutics Committee to which all interested parties are invited.

DATE AND TIME: Wednesday, January 30, 2002, 12:00 Noon – 4:00 p.m.

PLACE: Marriott Hotel, Tampa International Airport, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of scheduled therapeutic classes for preferred drug list. Any attendee requiring special accommodation because of a disability or physical impairment should contact the Marriott, (813)874-6084, at least five days prior to the meeting.

The **Agency for Health Care Administration** announces a public meeting of the task force for the regular Disproportionate Share Program to which all persons are invited.

DATE AND TIME: January 16, 2002, 9:30 a.m.

PLACE: Orlando Regional Airport Marriott, Captiva Room C, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Senate Bill 2000, General Appropriations Act for FY 2001-02, Specific Appropriation 232, The Medicaid Disproportionate Share Task Force created in Specific Appropriation 196 of the FY 2000-01 General Appropriations Act, has been authorized to continue to convene in FY 2001-02 for the purpose of monitoring the implementation of enhanced Medicaid funding through the Special Medicaid Payment program. The task force will review the federal status of the upper payment limit funding option and recommend how this option may be further used to promote local primary care networks to uninsured citizens in the state, to increase the accessibility of trauma centers to Floridians and to ensure the financial viability of the state's graduate medical education programs and other health care policies determined by the task force to be state health care priorities.

The agenda has not been set. Contact: Edwin Stephens, (850)413-8067 or Suncom 294-8067, with any questions or to obtain an agenda when it is set.

The **Agency for Health Care Administration** announces a meeting of the Panel on Excellence in Long-Term Care to which all interested parties are invited.

DATE AND TIME: Wednesday, January 16, 2002, 10:00 a.m.

PLACE: Village on the Green, 500 Village Place, Longwood, Florida 32779

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Panel on Excellence in Long-Term Care. The purpose of this meeting is to review applications for the Gold Seal award. Other matters before the Panel will also be discussed.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Richard Kelly, (850)488-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Richard Kelly, Agency for Health Care Administration, Bldg. 1, Room 228, 2727 Mahan Drive, Tallahassee, FL 32308.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 18, 2002, 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 colvin1@fdhc.state.fl.us.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice, (850)922-0791.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Mobile Home Relocation Corporation** announces a meeting of its Board of Directors.

DATE AND TIME: Wednesday, January 16, 2002, 10:00 a.m. PLACE: City of Clearwater Commission Chambers, 112 S. Osceola Avenue, Clearwater, Florida 33756 GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation including adoption of by-laws or plan of operation and other matters related to the operation and initial business of the corporation.

Additional information may be obtained by contacting: Robert S. Cohen, General Counsel, Florida Mobile Home Relocation Corporation, Suite 201-B, 1435 East Piedmont Drive, Tallahassee, Florida 32308, (850)385-8556.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robert S. Cohen, Attorney at Law, (850)385-8556, at least five calendar days prior to the meeting.

The Florida **Board of Architecture and Interior Design** announces the following meetings to which all parties are invited to attend.

DATE AND TIME: January 16, 2002, 9:00 a.m.

PLACE: Department of 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 Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)488-6685, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited. DATES AND TIMES: Wednesday, January 9, 2002, 2:00 p.m.; Thursday, January 10, 2002, 8:00 a.m.; Friday, January 11, 2002, 8:00 a.m.

PLACE: Sheraton Suites Tampa Airport, 4400 West Cypress Road, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board. Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings 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.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 1940 North Monroe Avenue, Tallahassee, Florida 32399-0754.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Stacey Merchant, (850)921-6983, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Business and Professional Regulation**, **Board of Employee Leasing Companies** announces an official telephone conference call regarding change of ownership applications.

DATE AND TIME: Wednesday, January 16, 2002, 10:00 a.m. PLACE: Meet Me Telephone Number (850)921-2548 or Suncom 291-2548

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting of the Board regarding Change of Ownership Applications and other business as directed by the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling Pat Janecek, (850)921-6347.

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 Pat Janecek, (850)921-6347. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based.

For further information, contact the Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Landscape Architecture** announces the following meeting, to which all persons are invited to attend. DATE AND TIME: January 18, 2002, 9:00 a.m.

PLACE: Sheraton Suites, Tampa Airport, 4400 West Cypress Street, Tampa, FL 33607, (813)873-8675

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)488-0937, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Tuesday, January 29, 2002, 10:00 a.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees to which all persons are invited:

DATE AND TIME: Wednesday, January 30, 2002, 9:00 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants. A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The **Department of Business and Professional Regulation** announces the following meeting to be conducted by the **Building Code Administrators and Inspectors Board** (Board) via telephone conference call to which all persons are invited to attend:

MEETING: Building Code Administrators and Inspectors Board

DATE AND TIME: January 15, 2002, 10:00 a.m.

PLACE: The Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board Office, 1940 North Monroe Street, Tallahassee, FL 32399-2211, ACCESS NUMBER (850)410-0960 or Suncom 210-0960

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct an official meeting of the Building Code Administrators and Inspectors Board (Board).

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-2211.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence, Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, (850)921-4847, at least forty eight (48) hours prior to the meeting. If you are hearing or speech impaired, please call Elise Rice, Building Code Administrators and Inspectors Board using the Florida Dual Party Relay System which can be reached at 1(800)-955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida Real Estate Appraisal Board announces a meeting of its Probable Cause Panel.

DATE AND TIME: Monday, January 7, 2002, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 301, Third Floor, 400 W. Robinson Street, North Tower, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Real Estate Appraisal Board Probable Cause Panel. PORTIONS OF THE PROBABLE CAUSE PANEL MEETING ARE NOT OPEN TO THE PUBLIC.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Real Estate Appraisal Board/Division of Real Estate, (407)245-0800, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Real Estate Appraisal Board/Division of Real Estate using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida Real Estate Appraisal Board announces a meeting of its Probable Cause Panel.

DATE AND TIME: Monday, February 4, 2002, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 301, Third Floor, 400 W. Robinson Street, North Tower, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Real Estate Appraisal Board Probable Cause Panel. PORTIONS OF THE PROBABLE CAUSE PANEL MEETING ARE NOT OPEN TO THE PUBLIC.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Real Estate Appraisal Board/Division of Real Estate, (407)245-0800, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Real Estate Appraisal Board/Division of Real Estate using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Appraisal Board** announces a meeting to which everyone is invited at the time, date, and place shown below:

DATE AND TIME: Tuesday, February 5, 2002, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 301, Third Floor, 400 W. Robinson Street, North Tower, Orlando, FL 32801, (407)245-0800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board – Including but not limited to: Rule/statute amendments, and Disciplinary actions. Any person who decides to appeal a decision made by the Board with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Real Estate Appraisal Board, (407)245-0800, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Real Estate Appraisal Board 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: Deputy Clerk, Florida Real Estate Appraisal Board, P. O. Box 1900, Orlando, Florida 32802-1900.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection**, Clean Boating Partnership announces a pre-meeting:

DATES AND TIME: Thursday, January 17, 2002, 6:00 p.m.; Quarterly Meeting, Friday, January 18, 2002

PLACE: Renaissance Hotel-Airport, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of reviewing items for discussion and action at its first quarterly meeting for 2002 to which all persons are invited.

A copy of the agenda may be obtained by contacting: Jan R. De Laney, (850)488-5757, Extension 178, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

The Bureau of Mine Reclamation, Division of Water Resource Management of the **Department of Environmental Protection** will hold the "Florida Dam Safety 2002" conference and public awareness workshop to which all persons are invited.

DATES AND TIMES: January 16-17, 2002; 8:00 a.m. – Registration; 8:30 a.m. – Conference

PLACE: Crown Plaza Tampa at Sabal Park, 10221 Princess Palm Avenue, Tampa, Florida 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference is designed to bring together dam safety personnel from a broad spectrum of entities involved with dams to share information and discuss methods of improving dam safety in Florida. The agenda includes presentations by state and local government personnel, private consultants, contractors, dam operators and dam owners. For further information or to obtain a copy of the agenda contact: Joseph Bakker, Bureau of Mine Reclamation, 2051 East Dirac Drive, Tallahassee, Florida 32310-3760, (850)488-8217.

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 Florida Relay Service by calling 1(800)955-8771 (TDD).

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited. DATE AND TIME: January 31, 2002, 9:00 a.m.

PLACE: Florida State Turnbull Conference Center, Room 244, 555 West Pensacola Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of state agencies in Florida to discuss the development of a comprehensive plan that coordinates the responsibilities of the agencies to manage and prevent biological invasions.

A copy of the agenda may be obtained by writing: William Torres, Department of Environmental Protection, Division of State Lands, Bureau of Invasive Plant Management, 3900 Commonwealth Boulevard, M.S. 705, Tallahassee, FL 32399.

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 Florida Relay Service by calling 1(800)955-8771 (TDD).

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

The **Department of Environmental Protection**, Acquisition and Restoration Council (ARC), as defined in Section 259.035, Florida Statutes, announces the following calendar of 2002 for their public hearings/meetings to which all interested parties are invited.

PUBLIC HEARINGS (IN TALLAHASSEE)

DATES AND TIME: February 6, 2002; April 24, 2002; June 5, 2002; August 14, 2002; October 23, 2002; December 4, 2002, 9:00 a.m.

PLACE: Marjory Stoneman Douglas Building, Conference Room A & B, 1st Floor, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000

PUBLIC HEARING (OUTSIDE OF TALLAHASSEE)

DATES AND TIME: March 27, 2002; May 29, 2002; September 24, 2002; November 27, 2002, To Be Announced

PLACE: To Be Announced

COUNCIL MEETINGS

DATES AND TIME: February 7, 2002; April 25, 2002; June 6, 2002; August 15, 2002; October 24, 2002; December 5, 2002, 9:00 a.m.

PLACE: Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Conference Room A & B, 1st Floor, Tallahassee, Florida 32399-3000

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purposes of conducting business of the Council, including the review of land acquisition proposals, management plans and proposed interim management uses of state-owned lands and to conduct other business of the Council.

December 31, 2001 is the 1st Cycle Application Deadline July 1, 2002, is the 2nd Cycle Application Deadline.

For further information 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)488-2996, 1(800)955-8771 (TDD), at least seven days prior to the event.

The **Department of Environmental Protection**, Office of Greenways and Trails, announces a meeting concerning the rehabilitation/repairs to the Inglis Lock on the Marjorie Harris Carr Cross Florida Greenway, to which all interested parties are invited.

DATE AND TIME: Thursday, January 3, 2002, 6:30 p.m. – 8:00 p.m.

PLACE: Dunnellon Middle School, Auditorium, 21005 Chestnut Street, Dunnellon, FL, (813)281-0088

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the rehabilitation of the Inglis Lock on the Marjorie Harris Carr Cross Florida Greenway.

For additional information contact: Ed Morales, Bergmann Associates, Suite 109, 7411 Fuller Street, Jacksonville, FL 32256, (904)363-3233, Extension 202, E-mail Morales@ BERGMANNPC.com.

NOTE: If you need special accommodation in order to attend this meeting because of a disability, please contact Christine O'Connor, (813)281-0088, prior to January 3, 2002. The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

The **Department of Environmental Protection** announces a meeting of the Florida Greenways and Trails Council to which all interested parties are invited:

DATES AND TIME: January 17-18, 2002, 9:00 a.m.

PLACE: Marjory Stoneman Douglas Building, Conference Room A, 1st Floor, 3900 Commonwealth Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss projects submitted for land acquisition under the Florida Greenways and Trails Program and other business.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button entitled "Official Notices."

DEPARTMENT OF HEALTH

The **Board of Nursing** will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: Saturday, January 5, 2002, 9:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee at Meet Me Number (850)921-2470

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business and legislative discussion.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Board of Nursing, Interim Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

The **Department of Health, Board of Nursing** announces public meetings to which all interested persons are invited. CNA Council Meeting

DATE AND TIME: Wednesday, January 16, 2002, 9:30 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider rules on practice and discipline for Certified Nursing Assistants

A copy of the agenda may be obtained by writing: Joe Baker, Jr., Interim Executive Director, Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

Please Note that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings and for such purpose he/she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board office, (850)245-4355, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Orthotists and Prosthetists,** Probable Cause Panel will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: Friday, January 18, 2002, 9:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, Meet Me Number (850)921-6455

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence form which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Sherra Causey, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The Florida **Department of Health**, Office of Rural Health announces a meeting of the Critical Access Hospitals Advisory Team to which all persons are invited.

DATE AND TIME: January 10, 2002, 9:30 a.m. (EST)

PLACE: Southwood Office Complex, Room 320N, 4025 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss activities and policy related to the Medicare Rural Hospital Flexibility Grant Program. A copy of the agenda may be obtained by writing: Office of Rural Health, 4052 Bald Cypress Way, BIN #C-15, Tallahassee, FL 32399-1735 or by calling Bob Pannell, (850)245-4340, Ext. 2705.

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 Bob Pannell, (850)245-4340, Ext. 2705.

If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Correctional Medical Authority** announces a Budget and Personnel Committee conference call held in Tallahassee, Florida, to which all persons are invited to participate.

DATE AND TIME: January 10, 2002, 10:00 a.m. – 12:00 p.m. PLACE: Call: (850)921-6513, Suncom 291-6513

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of correctional health care budget and personnel issues.

Pursuant to Rule 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Council on Homelessness** announces a meeting of the its Barriers committee to which all persons are invited.

DATES AND TIME: Wednesday, January 9, 2002, 8:00 a.m. through January 18, 2002, 5:00 p.m.

PLACE: E-mail Address – http://groups.yahoo.com/group/homelessnesscouncil_fl (This meeting is to conducted by electronic Technology Media per Chapter 28-106, Florida Administrative Code. Committee members and interested members of the public will participate in this meeting over a 10-day period by use of e-mail through the Internet address given above. Personal computers, computers available at public libraries, or other public facilities, computers in Workforce One-Stop Centers located throughout the state may be used for access.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss the role of the committee, brainstorm, and list barriers encountered by homeless individuals, tentatively identify potential solutions, prioritize the work of the committee, agree upon initial tasks/assignments, and prepare recommendations for the full Council on Homelessness' review and approval. All suggestions, discussions, and recommendations will be recorded on the website and available for public review and comment. A more detailed agenda will be posted on the website not later than January 7, 2002, and may be modified by members in the course of the meeting. Those wishing to receive automatic e-mail notification of all comments posted on the website may register as members of this interest group at http://groups.yahoo.com/group/homelessnesscouncil_fl.

Pursuant to Rule 286.26, Florida Statutes, any disabled person wishing to access this meeting who may be in need of special assistance should contact the Office on Homelessness (850)922-4691, at least 48 hours in advance of the meeting.

The Florida **Department of Children and Family Services** announces a meeting of the Marion County Children's Alliance Committee to which all persons are invited.

DATE AND TIME: Wednesday, January 9, 2002, 12:00 Noon PLACE: Marion County Sheriff's Office, 692 N. W. 30th Avenue, Ocala, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Section 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785. Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, (352)330-2177.

The Florida **Department of Children and Family Services** announces a meeting of the Lake County Community Alliance Steering Committee to which all persons are invited.

DATE AND TIME: Wednesday, January 16, 2002, 12:00 p.m.

PLACE: Department of Children and Family Services, 1300 Duncan Dr., Tavares, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Chapter 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785. Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, telephone (352)330-2177.

The Florida **Department of Children and Family Services** announces a meeting of the Citrus County Shared Services Alliance to which all persons are invited.

DATE AND TIME: Thursday, January 31, 2002, 8:30 a.m.

PLACE: Citrus County School Board Office, 1007 W. Main Street, Inverness, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Chapter 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785.

Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, (352)330-2177.

The Florida **Department of Children and Family Services** announces a meeting of the Citrus County Shared Services Alliance Steering Committee to which all persons are invited. DATE AND TIME: Thursday, January 31, 2002, 10:00 a.m.

PLACE: Citrus County School Board Office, 1007 W. Main Street, Inverness, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Section 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785. Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, (352)330-2177.

The **Department of Children and Family Services**, District 12, Community Alliance announces the following public meeting to which all persons are invited.

DATE AND TIME: January 9, 2002, 1:00 p.m.

PLACE: Daytona Beach Regional Service Center, 210 N. Palmetto Avenue, Conference Room 148, Daytona Beach, Florida

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The Florida **Department of Children and Family Services** announces the District 8, Collier County Community Alliance will meet on the following date and time:

DATE AND TIME: January 15, 2002, 4:00 p.m.

PLACE: Collier County Courthouse, Building L, Courtroom 1B, 3301 Tamiami Trail East, Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Board meeting to discuss community-based care issues.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, Community-Based Care Unit, 2nd Floor, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to the meeting. All persons are invited. In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings or needing additional information should contact the Community-Based Care Unit, (941)338-1343.

The State of Florida, **Department of Children and Family Services**, District Ten, in conjunction with the community will conduct the following meetings during January-September 2002:

The Broward Family Care Council announces public meetings to which you are invited to attend:

DATES AND TIME: January 18, 2002; February 15, 2002; March 15, 2002; April 12, 2002; May 10, 2002; June 7, 2002; July 19, 2002; September 13, 2002, 10:00 a.m.

PLACE: Department of Children and Family Services, Suite 104-B, 201 W. Broward Boulevard, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: People who have Developmental Disability issues.

A copy of the agenda may be obtained by writing: Scott Silverman, Management Review Specialist, Regional Office, Suite 200, 201 W. Broward Boulevard, Ft. Lauderdale, Florida 33301.

Anyone requiring a special accommodation to participate in this meting is requested to advise District Administration, Scott Silverman, at least 5 working days before the meeting, (954)759-5446 or (954)467-4509 (TDD).

The Developmental Disabilities Program of the **Department** of Children and Family Services announces a meeting of the Interagency Quality Council to which all interested persons are invited.

DATES AND TIMES: January 22, 2002, 10:00 a.m. – 5:00 p.m.; January 23, 2002, 8:30 a.m. – 12:30 p.m.

PLACE: Department of Children and Family Services, Building 4, 1317 Winewood Blvd., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A regularly scheduled quarterly meeting for the purpose of planning and review of quality assurance for Developmental Disabilities.

A copy of the agenda may be obtained by contacting: Michael Freeman, Developmental Disabilities Program Office, (850)488-4877, Ext. 118.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting of the Corporation, to which all persons are invited:

DATES AND TIME: Concurrent Wednesdays beginning January 2, 2002 and ending March 27, 2002, 2:00 p.m.

PLACE: Florida Housing Finance Corporation, 6th Floor, Seltzer Room, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Corporation's State Housing Initiatives Partnership (SHIP) Program Review Committee. The purpose of these Review Committee Meetings is to consider SHIP related matters and approve New and Amended Local Housing Assistance Plans submitted by any of the 67 counties or 48 entitlement municipalities participating in the SHIP Program.

A copy of the weekly agenda may be obtained through the Corporation's SHIP Web Page at www.floridahousing.org. Any change to the agenda or the cancellation to the meeting will be posted on the SHIP web page five calendar days prior to the meeting.

Any person requiring a special accommodation at these meetings because of a disability or physical impairment should contact Amy Grissom, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Florida Housing Finance Corporation** announces a public workshop and meeting of the Board of Directors to which all interested parties are invited:

DATES AND TIME: January 10-11, 2002, 10:30 a.m. – adjourned

Fiscal Committee

Board Meeting

Guarantee Committee

Combined Cycle Committee

Multifamily Revenue Bond Committee

PLACE: Saddlebrook Resort, 5700 Saddlebrook Way, West Chapel, FL 33543, (813)973-1111

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- 1. Consider, review, and take action on matters brought to the Fiscal Committee and to consider recommendations made by the Fiscal Committee to the Board.
- 2. Consider, review, and take action on matters brought to the Guarantee Committee and to consider recommendations made by the Guarantee Program Committee to the Board.

- 3. Consider, review, and take action on matters brought to the Combined Cycle Committee and to consider recommendations made by the Combined Cycle Committee to the Board.
- 4. Consider, review, and take action on matters brought to the Multifamily Revenue Bond Committee and to consider recommendations made by the Multifamily Revenue Bond Committee to the Board.
- 5. Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds of pending multifamily issues, which have satisfied the requirements for funding.
- 6. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
- 7. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
- 8. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
- 9. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
- 10. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
- 11. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
- 12. Consideration of all necessary actions with regard to the Multifamily Bond Program.
- 13. Consideration of approval of underwriters for inclusion on approved master list and teams.
- 14. Consideration of all necessary actions with regard to the HOME Rental Program.
- 15. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
- 16. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
- 17. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
- 18. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
- 19. Consideration of all necessary actions with regard to the Home Ownership Programs.
- 20. Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.
- 21. Consideration of Appeals from Combined Cycle ranking and grading with entry of final orders

- 22. Consideration of workouts or modifications for existing projects funded by the Corporation
- 23. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida
- 24. Consideration of funding additional reserves for the Guarantee Fund
- 25. Consideration of audit issues
- 26. Evaluation of Professional and Consultant performance
- 27. Such other matters as may be included on the Agenda for the December 6, 2001, Board Workshop and Meeting.

A copy of the agenda may be obtained by contacting: Natalyne Richardson, Board Administrative Liaison, Florida Housing Finance Corporation, Suite 5000, 227 North Bronough Street, Tallahassee, Florida 32301-1329, (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Natalyne Richardson at the Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

FLORIDA PORTS COUNCIL

The **Florida Ports Financing Commission** announces a teleconference meeting in which all interested persons are invited to participate.

DATE AND TIME: January 4, 2002, 10:30 a.m. – 12:00 Noon PLACE: Florida Ports Financing Commission Offices, 315 South Calhoun Street, Suite 712, Tallahassee, Florida 32301, Call-in Number 1(800)646-0449, Participant Code 802022

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, Suite 712, 315 South Calhoun Street, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Toy Keller, (850)222-8028.

JUSTICE ADMINISTRATION COMMISSION

The **Justice Administrative Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: January 9, 2002, 2:00 p.m.

PLACE: Justice Administrative Commission Conference Room, 117 West College Avenue, Tallahassee, Florida 32301 GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting

In conjunction with the Americans with Disabilities Act, please contact June Hart, (850)488-2415 if special accommodations are needed. For TDD service, please use Dual Party Relay System 1(800)955-8771.

FLORIDA HEALTH REINSURANCE PROGRAM

The **Florida Health Reinsurance Program** announces a meeting to which all persons are invited.

DATE AND TIME: January 14, 2002, 9:00 a.m.

PLACE: Airport Hyatt Regency, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Florida Health Reinsurance Board.

FLORIDA SPORTS FOUNDATION

The **Florida Sports Foundation** announces a public meeting of the Florida Sports Foundation Regional Grant Committee to which all persons are invited.

DATE AND TIME: Monday, January 14, 2002, 10:00 a.m.

PLACE: Florida Sports Foundation, Suite 101, 2930 Kerry Forest Parkway, Tallahassee, FL 32309

FLORIDA LEGISLATURE

The **Joint International Program Review Team** announces a public meeting.

DATE AND TIME: January 15, 2002, 9:00 a.m. -5:00 p.m. PLACE: Room 301, The Capitol, Tallahassee, Florida 32399 GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentations and/or testimony from the Department of State, Enterprise Florida, Inc., Department of Agriculture and Consumer Services, Department of Citrus, Visit Florida, and other state entities that may have international duties and functions. Review team will also begin consideration of work product.

A copy of the agenda can be obtained by contacting: Debbie Gilreath, Office of Program Policy Analysis and Government Accountability, Suite 312, 111 West Madison Street, Tallahassee, FL 32399-1475, (850)487-9278.

If special accommodations are needed to attend this meeting because of a disability, please contact the above-mentioned individual at least 5 days in advance of the meeting.

CITY OF MIAMI BEACH

The **City of Miami Beach** announces a public meeting to which all persons are invited to observe.

DATE AND TIME: Tuesday, January 15, 2002, 6:30 p.m. – 9:30 p.m.

PLACE: South Pointe Elementary School, Cafeteria, 1050 4th Street, Miami Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A workshop for invited participants to discuss a plan for the revitalization of the 5th Street Corridor. Subjects to be discussed are Housing, Preservation and Aesthetics.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

NORTHEAST FLORIDA AREA AGENCY ON AGING

The Northeast Florida Area Agency on Aging (PSA4) announces a Budget/Finance Committee meeting, and a Board of Directors meeting to which all person are invited:

DATE AND TIMES: January 16, 2002, Budget and Finance Committee, 2:00 p.m.; Board of Directors Meeting, 2:30 p.m.

PLACE: Wolfe Conference Room of Flagler Hospital, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business; Voting on committee recommendations; Funding distribution; Membership for 2002; Officers for 2002.

A copy of the agenda may be obtained by contacting: The Northeast Florida Area Agency on Aging, Inc., 4401 Wesconnett Blvd., 2nd Floor, Jacksonville, FL 32210, (904)777-2106.

CRIMINAL JUSTICE TRAINING INSTITUTE

The **Region XIV, Advisory Council** announces a meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, January 16, 2002, 9:00 a.m.

PLACE: Room 8205, School of Justice and Safety Administration, Miami-Dade Community College-North Campus, Miami, FL Contract person: Mary Greene, Secretary, Region IV, Advisory Council, (305)237-1329.

The Indian River Community College, Criminal Justice Training Institute announces a public meeting, to which the public is invited.

DATE AND TIME: January 17, 2002, 10:00 a.m.

PLACE: Indian River Community College, Indian River Academy Site, 5900 Tedder Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Present the budget for the new year, review information gathered at the October/November State Commission meeting, and provide update on training classes at the academy.

FLORIDA HEALTHY KIDS CORPORATION

The **Florida Healthy Kids Corporation** announces its Board of Directors meeting to which all persons are invited to attend. DATE AND TIME: January 18, 2002, 10:00 a.m.

PLACE: Crowne Plaza Hotel, 13400 W. Sunrise Blvd., Sunrise, FL 33323

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Board of Directors.

Further details and an agenda for the meeting may be obtained by contacting: Florida Healthy Kids Corporation, P. O. Box 980, Tallahassee, Florida 32302 or by calling (850)224-5437.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN that the Department of Insurance has issued an order disposing of the petition for declaratory statement filed by the Z. K. Roberts on September 12, 2001. The following is a summary of the agency's disposition of the petition:

Question. Are temporary concessions (i.e., food service establishments located in mobile units, tents, trucks, etc.) within the Uniform Standards, as provided in Section 633.022, Florida Statutes, and Rule Chapter 4A-55, Florida Administrative Code?

Answer: Yes; however, the authority having jurisdiction over these public food service establishments is the local authority, not the State Fire Marshal.

Question. If so, then whose responsibility is it to make a decision as to whether the public food service establishment should be exempt from the requirements of Section 1-3.1.4, of NFPA 96?

Answer: The decision as to whether the public food service establishment should be exempt from the requirements of Section 1-3.1.4, of NFPA 96, is with the local authority having jurisdiction. In addition to its designation in Section 633.022(2)(b), Florida Statutes, the local authority having jurisdiction is the in the best position, being the inspector of the public food service establishment, to make a determination as to whether the public food service establishment should, in fact, be exempt from NFPA 96, because the inspectors are "on the scene," they can tell whether "...all necessary provisions that impact on the personal safety of the occupants are considered," which is the standard NFPA sets in A-1-3.1.4 for exempting the food service establishment from part or all of its requirements.

A copy of the order may be obtained from: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604.

NOTICE IS HEREBY GIVEN that the Department of Insurance has issued an order disposing of the petition for declaratory statement filed by the Hernando County Airport Authority on October 3, 2001. The following is a summary of the agency's disposition of the petition:

Question. Are 2-ea. -2 hour fire rated walls needed every 12,000 sq. ft. in row hangars, where each unit is divided by a partition having a fire resistance equivalent to that of the exterior walls or roof, whichever is greater?

Response: One 2-hour wall is needed if no area is greater than 12,000 square feet for a total 21,000 square foot building; therefore, in the situation described in the petition for declaratory statement, only one 2-hour wall would be needed for spaces 12,000 feet or less.

Question. Are two egress doors required from each unit in row hangars as described in NFPA 101, 42.6.2?

Response: Yes. Two means of egress are required unless the 50-foot exception applies.

A copy of the order may be obtained from: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines, Tallahassee, Florida 32399-0340, phone (850)413-3604.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on December 13, 2001, from Carrier Florida with regards to testing methodology for application of air handling unit credit multiplier as provided in Chapter 13, Section 610.2.A.2, Florida Building Code, 2001 edition.

It has been assigned the number DCA01-DEC-240.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on December 13, 2001, from Fabian Construction, Inc. with regards to the requirements of the Florida Building Code, Mechanical Volume, and the Standard Mechanical Code, 1997 edition, for materials used for exhaust ducts for domestic clothes dryers.

It has been assigned the number DCA01-DEC-239.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

NOTICE IS HEREBY GIVEN that the Department of Labor and Employment Security, Division of Workers' Compensation, has issued a declaratory statement In Re: Petition for Declaratory Statement by Hillsborough County, Florida, filed by Gerald Jacobs, Director of the Hillsborough County's Insurance and Claims Management Department, Petitioner, Case No. 01-139-DWC.

The Declaratory Statement provided, in summary, that the "Gross Pay" column of a 13-week wage statement (LES Form DWC-1a) should include the employee's pretax contributions to his "section 457" deferred compensation account. The statement also provided that certain biweekly payments made to the employee under a "section 125 cafeteria plan" (intended to assist the employee in paying for health insurance) are properly included in the "Gross Pay" column.

A copy of the Declaratory Statement may be obtained by contacting: Nelda Jan Atkinson, Agency Clerk, Suite 307, Hartman Building, 2012 Capital Circle, S. E., Tallahassee, Florida 32399-2189, (850)488-9370.

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 final order in In Re: Petition for Declaratory Statement, Sea Ranch Club Condominium Association, Inc., Petitioner; Docket Number CD2001-003.

The petition was denied because the petitioner did not provide the information requested and because the Division has promulgated rules concerning the issue. A copy of the final order 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.

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 In Re: Petition for Declaratory Statement, Earl E. Pollock, Unit Owner, Tangerine Bay Club, Petitioner; Docket Number CD2001-042.

The declaratory statement provided, in summary, that Tangerine Bay Club Association, Inc., may obtain unit owner approval for a special assessment through written consent, as set forth in its bylaws, instead of by vote at a duly noticed meeting in accordance with Section 718.112(2)(d)4., Florida Statutes (2000).

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:

Florida Keys Citizens Coalition, Inc. vs. Florida Administration Commission, Monroe County and City of Marathon; Case No.: 01-4767RP; Rule Nos.: 28-18, 28-20

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Osceola Fish Farmers Association, Inc. vs. South Florida Water Management District; Case No.: 00-3615RU; Closed

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

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 02L-94, W/O 84171, Phelps Lab Renovation, estimated budget: \$190,000-\$220,000, to be opened January 29, 2002, at 1:30 p.m., local time, in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Minor demolition of existing materials to be followed by site electrical, civil and concrete work. Structural steel, concrete block, brick, aluminum single hung windows, steel doors and frames, finished hardware, steel studs, veneer board, ceramic tile, carpet, vinyl composition tile, paint, millwork, acoustical tile and grid, electrical, plumbing and mechanical. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, Telephone (352)392-1331. A Mandatory Pre-bid Meeting will be held January 3, 2002, at 10:30 a.m. in the Physical Plant Division Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to A. J. Sontag, Assistant Director, UF Purchasing (352)392-1331, Ext. 306. AMERICANS WITH DISABILITY ACT OF 1991 - If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303 within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida announces that continuing professional services are required for the following discipline: Architecture (Minimum of 2) (Tampa and Lakeland Campuses).

Projects included in the scope of this agreement will be specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for these projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1, 2002 to June 30, 2003. Award of contract is for an initial period of one (1) year with an Owner's option to renew for one (1) additional year. The consultant receiving the award will not have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

Firms desiring to provide professional services shall submit a letter of interest specifying the discipline for which they are applying and a completed State University System "Professional Qualifications Supplement" form. Proposals must not exceed 40 pages, including the "Professional Qualifications Supplement" and letter of interest. 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. Attach to each letter of interest:

- 1. The State University System "Professional Qualifications Supplement," dated September, 1999. completed by the applicant. Applications on any other form will not be considered.
- 2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability; past experience; design ability; minority participation; volume of work; and distance from project.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The State University System "Professional Qualifications Supplement," descriptive project information, and selection criteria may be obtained by contacting: Vanessa Poole, Contracts Administrator, University of South Florida, Facilities Planning and Construction, 4202 East Fowler Avenue FPC110, Tampa, Florida 33620-7550, Phone (813)974-0891, (813)974-2625 or Fax (813)974-3542.

All interested firms are invited and encouraged to attend a Pre-submittal Meeting to be held at 2:00 p.m. Eastern Standard Time, on Thursday, January 24, 2002, at the University of South Florida, Tampa Campus, Facilities Planning and Construction, Conference Room FPC109, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. All interested firms are encouraged to attend. Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the shortlisted applicants and the University of South Florida. 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: John C. White, AIA, Project Manager, University of South Florida, Facilities Planning and Construction, 4202 East Fowler Avenue FPC110, Tampa, Florida 33620-7550. Applications that do not comply with the above instructions may be disqualified. Application materials will not be returned.

Submittals must be received at the above campus address by 2:00 p.m. Eastern Standard Time, on Monday, February 4, 2002. Facsimile (FAX) submittals are not acceptable and will not be considered. The Selection Committee may reject all proposals and stop the selection process at any time.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida Foundation, Inc. announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No. BR-498

Project and Location: Florida Center for the Arts and Education, downtown Orlando site, is generally bounded by South Street, Anderson Street, Rosalind Avenue and Orange Avenue (excluding church property), Orlando, Florida 32801.

Project Description: The program development, master planning, concept development and complete design of an approximate 350,000 sq. ft. complex of facilities that will contain a 2,200-seat lyric theater; a 600-seat proscenium flex theater, a 200-seat studio theater; a 300-seat music recital hall; a Florida Academy for the Arts; classroom/offices/support space; retail and security space; and parking.

The new buildings will provide "state of the art" technology for theater and music performance and production. The user groups will be made up of a variety of community and university organizations involved in arts and education. The budget for this project is under development and will be finalized with the participation of the selected architectural consultant in a program verification phase.

The selected firm will provide program development, master planning, concept development, complete design, construction documents and administration for the referenced project. After being selected, the firm may be asked to sub-contract with a "concept architect" with the concurrence of the Building Committee. The construction manager and theatre consultants for this project have already been selected. Blanket professional liability insurance will be required for this project in the amount of \$5,000,000 and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration must submit a letter of application.

The letter of application should have attached:

- 1. The most recent version of the Florida Board of Education, Division of Colleges and Universities "professional Qualifications Supplement" (PQS) dated 9/99, completed by the applicant. Applications on any other form will not be considered. Do not alter the PQS form.
- 2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. The development of the construction documents will take place in Central Florida.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Ms. Gina Seabrook, University of Central Florida, Phone (407)823-2166, Fax (407)823-5141, Email: gseabroo@mail.ucf.edu, Web site: www.fp.ucf.edu.

Submittals must be received in the Physical Plant Building (#16), University of Central Florida, Office of Facilities Planning, 4000 Central Florida Boulevard, P. O. Box 163020, Orlando, FL 32816-3020, by 5:00 p.m. local time, on February 11, 2002. Submissions after 5:)00 p.m. will not be accepted. Facsimile (FAX) submittals are not acceptable and will not be considered.

ADVERTISEMENT FOR BIDS Invitation To Bid (ITB) For a

GENERAL CONTRACTOR

Sealed bids will be received by Duval County Public Schools, Division of Facilities Services, Room 535, 1701 Prudential Drive, Jacksonville, Fl 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in 5th FLOOR, ROOM 513D, School Board Building.

BIDS ARE DUE ON OR BEFORE JANUARY 29, 2002

AND WILL BE ACCEPTED UNTIL 2:00 P.M.

OFFICIAL PROJECT TITLE: ADDITIONS, REMODELING, AND SITE IMPROVEMENTS AT JEAN RIBAULT HIGH SCHOOL NO. 96, WILLIAM M. RAINES HIGH SCHOOL NO. 165 AND WINDOW REPLACEMENT JEAN RIBAULT MIDDLE SCHOOL NO. 212 – DCPS PROJECT NO. C-90390

SCOPE/CONSTRUCTION BUDGET:

APPROXIMATE CONSTRUCTION BUDGET OF: \$1,800,000

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on January 15, 2002, 1:00 p.m., at Jean Ribault High School, No. 96, 3701 Winton Drive, Jacksonville, Florida 32208. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed contractors and registered corporations as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$150.00 at the office of:

Akel, Logan and Shafer, Architects/Planners William H. Bishop, II, AIA

DCSB Point of Contact: James Scott, (904)390-2279

Contract documents for bidding may be examined at the office of Akel, Logan and Shafer, Architects/Planners, 110 Riverside Avenue, Jacksonville, Florida 32202, (904)356-2654

MBE Participation Goal: 25% Minority Participation

The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

School Readiness Early Care and Education Services Invitation To Negotiate (ITN)

The Palm Beach School Readiness Coalition, Inc. is working to improve accessibility, affordability, and quality of the early care and education system in Palm Beach County. This is an ongoing process that involves building on existing services, working in cooperation with other programs for young children and coordinating and integrating program funding and services. All school readiness programs must be developmentally appropriate, research-based, involve parents as their child's first teacher, serve as preventive measures for children at risk for future school failure, enhance the educational readiness of eligible children, and educate families. To fulfill the intent of legislation (School Readiness Act of 1999, Florida Statute 411.01), the local School Readiness Coalition's role is to develop and administer a comprehensive school readiness program that prepares preschool children to succeed in school and life. This ITN defines and segregates the following three core functions, which are currently performed directly, or through a subcontract, by a Central Agency: child services, contracting, monitoring, and compliance. This design is based on sound research and successful delivery systems in other parts of the country. Applicants can bid on one function, all functions, or a combination of functions. The Palm Beach County School Readiness Coalition will coordinate, monitor, and evaluate these functions.

The selected applicant(s) will be responsible for the provision of services in Palm Beach County and must demonstrate an understanding of the function for which the application is made.

The School Readiness Coalition, Inc. intends to contract for the following:

Child Care Payment Administration Services, including but not limited to:

- reimbursement of child care providers, according to contract;
- fiscal management and analysis;
- tracking and reporting of services by funding category;
- conducting trend analysis and projections;
- management of client services utilization;
- management of local match and parent fees.

Child Care Resource & Referral Services, including but not limited to:

- eligibility determination for financially supported care and related services;
- enrollment of children in subsidized child care services;
- child care consumer information, education, and referrals for parents;
- technical assistance and support for child care providers to improve the quality of existing child care;
- recruitment and technical assistance to expand the supply of child care;
- school readiness data collection, management, and reporting;
- employer and community support, education, and assistance in implementing child care supports through the workplace.

Child Services, Contracting, Monitoring, and Compliance Services, including but not limited to:

- child care service delivery which can include subcontracting with child care providers and/or directly operating child care programs;
- subcontract monitoring and contract compliance;
- child screening, assessments, and referral;
- technical assistance and quality assurance.

Copies of the solicitation document will be available January 11, 2002 from:

Jeanne Brossell Contract Manager School Readiness Coalition, Inc. 1919 N. Flagler Dr. West Palm Beach, FL 33407 (561)655-1010, Ext. 204, jeanne@cscpbc.org

A Notice of Intent to Submit an Application must be received by the School Readiness Coalition at the office of the above contact person by January 25, 2002 at 5:00 p.m. An original and twelve (12) copies of the application must be received by Jeanne Brossell by February 20, 2002, 5:00 p.m., and will be opened at 9:00 a.m. on February 21, 2002.

The School Readiness Coalition, Inc. reserves the right to reject any and all applications or to waive or correct minor irregularities when to do so would be in the best interest of the Coalition. Certified Minority Business Enterprises are encouraged to participate in any offeror's conference or pre-solicitation or pre-bid meetings which are scheduled.

REQUEST FOR PROPOSAL 02-01 FOOD SERVICE MANAGEMENT OPERATION

The Purpose of this RFP is to enter into a one year contract with option to renew on a year-to-year basis for an additional four years with a qualified firm to provide management services for school food service operations. The current budget is \$6,800,000.

A mandatory pre-proposal conference will be held at the Santa Rosa County School Board Professional Development Center, 6556 Firehouse Road, Milton, FL 32570 at 9:00 a.m. on January 8, 2002. Site visits will begin immediately after the conference, and will continue, as needed, through January 11, 2002. An advanced copy of the proposal may be found on the Purchasing web site – http://www.santarosa.k12.fl.us/ purchasing

Proposal will be opened at 8:00 a.m. on, February 11, 2002 at the Purchasing, Department, 6544 Firehouse Road, Milton, FL 32570.

Point of contact is: Judson C. Crane, CPPB, CPPO, Purchasing Manager, 6544 Firehouse Rd., Milton, FL 32570, (850)983-5130.

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 (phone) 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.

JAMES B. PIRTLE CONSTRUCTION CO.

James B. Pirtle Construction Co., Inc. will be accepting Pre-Qualification packages from companies interested in supplying Modular Classroom Facilities for Miami-Dade County Public Schools. Pre-Qualified companies will be eligible to bid on one or more packages of projects. Each package will consist of up to 50 classrooms, located at various sites in groups of 4, 6 or 8. This is the first year of a five year program by Miami-Dade County Public Schools to replace all older portables. All interested parties should submit a letter of interest to Mike Geary no later than January 4, 2002.

> James B. Pirtle Construction Co., Inc. 4740 Davie Road, Davie FL 33314 Tel: (954)797-0410 Fax: (954)797-6330 E-mail: Mike@jamesbpirtle.com

BOCA TECHNOLOGY CENTER

NOTICE TO CONTRACTORS

Sealed Bids will be received by Boca Technology Center, LLC., owners of T-Rex Technology Center, 5000 T-Rex Avenue, Suite 100, Boca Raton, FL 33431 up to and opened at 3:00 p.m., local time, Monday, January 28, 2002.

A mandatory Pre-bid Conference will be held at 1:00 p.m. on Friday, January 4, 2002 at the offices of Boca Technology Center, LLC at T-Rex Technology Center, 5000 T-Rex Avenue, Suite 100, Boca Raton, FL 33431. Plans and bid documents are available prior to or at the Pre-bid Conference on January 4, for the cost of \$100.00 per set. Plans may be picked up at the office of PBS&J, 3230 Commerce Place, Suite A, West Palm Beach, FL 33407. All bids shall be submitted on the specific bid form shown in the bid documents. Non-participation by a Contractor in the Pre-bid Conference could lead to a lack of understanding of the conditions of the work and will be considered as grounds for rejection of the bid. Boca Technology Center, LLC. reserves the right to reject any or all bids. Minority participation is required, but in a yet to be determined percentage. Questions concerning bidding and contract procedures should be addressed to Vernon Priest, P.E., Project Manager for Boca Technology Center at (561)989-2420. Questions regarding the plans should be addressed to Doug Norris, P.E., PBS&J, (561)689-7275, Ext. 233.

Scope of Services:

Includes the construction of additional lanes (from 4 lanes to 8 lanes) on Yamato Road from I-95 west to Military Trail. The work includes the removal of existing construction and the addition of subgrade, road base, curbing, paving, drainage, bridge work and signalization improvements on Yamato Road in the City of Boca Raton, Palm Beach County, Florida.

Contractor's Requirements:

In order for the bid to be considered, the Contractor must satisfactorily demonstrate the ability to meet the following criteria:

- 1. A copy of the firm's active license to conduct business in the State of Florida must accompany any/all bids.
- 2. Contractor must be able to obtain a Payment and Performance Bond in the amount of 110% of the final bid amount from a bonding company with a rating of A++ or better.
- 3. The Contractor must show a documented history of previous FDOT work of similar description, dollar volume and complexity.
- 4. The Contractor must be on the Florida Department of Transportation's list of Pre-qualified Contractors and listed for the categories required for the construction of this project.
- 5. The Contractor must have the ability to commence construction with full resources on or about February 18, 2002.
- 6. The Contractor must have sufficient personnel and equipment to be able to complete the required work within the 420 days required by the contract.
- 7. The Contractor shall perform, with his own organization, a minimum of 50% of the total contract amount, less specialty work.
- 8. The Contractor must have or be able to provide, at a minimum, insurance coverage with the following limits: Comprehensive General Liability with minimum limits of \$1,000,000 per occurrence, umbrella liability with minimum limits of \$5,000,000 each occurrence, business automobile liability with minimum limits of \$1,000,000.

PALM BEACH COUNTY WORKFORCE DEVELOPMENT BOARD

REQUEST FOR PROPOSALS FOR INDIVIDUAL TRAINING ACCOUNT & OTHER TRAINING PROGRAMS

The Palm Beach County Workforce Development Board, Inc. (WDB) is accepting proposals from licensed public and non-public schools to offer training via Individual Training Accounts and other such occupational training programs. The deadline for receipt of RFP responses is 5:00 p.m. eastern daylight time as determined by WDB, February 4, 2002 at WDB's administrative office 2051 Martin Luther King, Jr. Blvd., Suite 302, Riviera Beach, FL. 33404 ATTN: Kenneth E. Montgomery without exception.

The RFP is available for pickup between the hours of 8:00 a.m. and 5:00 p.m. January 2, 2002 through February 4, 2002 at the WDB administrative office address stated above for a non-refundable service charge of \$20.00 per RFP application. Make checks payable to the "Palm Beach County Workforce Development Board, Inc.". The RFP is also available free of charge on WDB's website at www.pbcworks.com. WDB may change scheduled dates if it is to the advantage of WDB to do so. WDB will notify applicants of all RFP changes via posting on the WDB website, www.pbcworks.com., at the same location as the RFP. A bidder's conference to answer specific questions regarding the RFP will be held at WDB's administrative office on January 22, 2002 at 2:00 p.m. and January 31, 2002 at 9:00 a.m. The WDB complies with the provisions of the Americans With Disabilities Act. If you are a disabled person requiring any accommodations or assistance, please notify the WDB, Kenneth E. Montgomery at least 72 hours (3 days) in advance. WDB encourages women and minority businesses to submit proposals. WDB reserves the right to reject any or all proposals.

Section XII Miscellaneous

DEPARTMENT OF INSURANCE

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA CASE NO.: 01-2339

In Re: The Receivership of UNISOURCE INSURANCE COMPANY, a Florida corporation.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH UNISOURCE INSURANCE COMPANY.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 25th day of October, 2001, the Department of Insurance of the State of Florida was appointed as Receiver of UNISOURCE INSURANCE COMPANY, and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of UNISOURCE INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59 p.m. October 24, 2002, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Insurance, Receiver for UNISOURCE INSURANCE COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.:	BLIVR-1002-005
	BLID-1002-004
DATE RECEIVED:	October 18, 2001
DEVELOPMENT NAME:	PRATT WHITNEY
DEVELOPER/AGENT:	United Technologies Corp.
DEVELOPMENT TYPE:	28-24.020, 28-24.029, F.A.C.
COUNTY LOCATION:	Palm Beach
LOCAL GOVERNMENT:	Palm Beach County

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.:	BLID-0202-005
DATE RECEIVED:	December 18, 2001
DEVELOPMENT NAME:	WESTMINISTER OAKS
DEVELOPER/AGENT:	Westminister Services
DEVELOPMENT TYPE:	28-24.020, 28-24, 28-24, F.A.C.
COUNTY LOCATION:	Leon
LOCAL GOVERNMENT:	Leon County

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 P9A and P10 funding cycles. 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: 99-076-P9A/Lemon Bay Preserve

Grantee: Sarasota County

Amount of Approved Funds: the lesser of 40.00% of the final total project costs or \$840,673.60

Project: 99-077-P9A/North River Road Preserve

Grantee: Sarasota County

Amount of Approved Funds: the lesser of 40.00% of the final total project costs or \$1,359,326.40

Project: 00-029-P10/Harborview Park

Grantee: Town of Jupiter

Amount of Approved Funds: the lesser of 40.00% of the final total project costs or \$502,264.00

Project: 00-042-P10/Clam Bayou Expansion Project

Grantee: City of St. Petersburg

Amount of Approved Funds: the lesser of 50.00% of the final total project costs or \$750,000.00

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 at 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 General Motors Corporation intends to allow the relocation of Phillips Buick-Pontiac-GMC Truck, Inc., as a dealership for the sale of Buick, Pontiac and GMC vehicles, from its present location at 3320 Hwy. 411-27, Fruitland Park, Florida 34731, to a proposed location at 27/441 at the intersection of Grays Airport Road, Fruitland Park (Lake County), Florida 34731, on or after November 7, 2001

The name and address of the dealer operator(s) and principal investor(s) of Phillips Buick-Pontiac-GMC Truck, Inc. are dealer operator: Mr. Larry M. Phillips, 3320 Hwy. 441/27, Fruitland Park Florida 34731; principal investor(s): Larry M. Phillips, 3320 Hwy. 441/27, Fruitland Park Florida 34731 and Mary Grace Smalt, 3320 Hwy. 441/27, Fruitland Park Florida 34731.

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. Douglas J. Chandler, Dealer Contractual Group, General Motors Corporation, 100 Renaissance Center, Mail Code 482-A07-C66, Detroit, MI 48265-1000. 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.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that American Sundiro, Inc., intends to allow the establishment of Solano Cycle as a dealership for the sale of American Sundiro ATV, scooters and motorcycles, at 32 San Marco Avenue, St. Augustine, (St. Johns County), Florida 32804, on or after December 3, 2001.

The name and address of the dealer operator(s) and principal investor(s) Solano Cycle are dealer operator: Martin Solano, 9921 Morings Dr., Jacksonville, Florida 32257; principal investor(s): Patsy Elaine Haines, 3 Geberts Way, St. Augustine, Florida 32080.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, 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: Jaime Shea, Compliance Controller, American Sundiro, Inc., P. O. Box 3035, Russellville, Arkansas 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

WATER MANAGEMENT DISTRICTS

Notice of Approval of Priority Water Bodies and Schedule for Establishment of Minimum Flows and Levels

The Suwannee River Water Management District hereby publishes its approved priority list and schedule for minimum flows and levels pursuant to 373.042(2), F.S.

The Department of Environmental Protection has approved the lower Suwannee River and the river estuary's freshwater needs as the priority watercourse for minimum flows and levels.

The completion of ongoing technical studies will be followed by the initiation of rule making in the year 2003.

AGENCY FOR HEALTH CARE ADMINISTRATION

CERTIFICATE OF NEED EXEMPTIONS

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: OrangeDistrict: 7ID #: 0100035Decision: AIssue Date: 12/11/2001Facility/Project: Florida Hospital East Orlando

Applicant: Adventist Health System/Sunbelt, Inc.

Project Description: Add 11 acute care beds to 108 existing acute care beds.

Proposed Project Cost: \$3,168 Equipment Cost: AHCA Purchase Order Number \$5900J00163.

CERTIFICATE OF NEED RECEIPT OF EXPEDITED APPLICATIONS

The Agency For Health Care Administration received the following Certificate of Need applications for expedited review:

County: Collier Service District: 8

Facility/Project: The Willough at Naples

Applicant: Willough Health Care, Inc.

Project Description: Convert 24 adult psychiatric bed restricted to the treatment of eating disorder patients to general adult psych beds.

AHCA Purchase Order Number S5900J00163.

CERTIFICATE OF NEED NOTICE OF WITHDRAWAL

The Agency For Health Care Administration hereby notices withdrawal from review the following Certificate of Need applications:

County: MartinService District: 9CON #: 9505Decision Date: 10/17/2001Decision: WFacility/Project: HealthSouth of Stuart, Inc.Applicant: HealthSouth of Stuart, Inc.

Volume 27, Number 52, December 28, 2001

Project Description: Establish up to a new 60-bed comprehensive medical rehabilitation hospital

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

AHCA Purchase Order Number S5900J00163.

CERTIFICATE OF NEED DECISIONS ON BATCHED APPLICATIONS

The Agency For Health Care Administration made the following decisions on Certificate of Need applications for hospital batching cycle with an application due date of September 12, 2001: County: Okaloosa Service District: 1

CON #: 9474 Decision Date: 12/14/2001 Decision: D Facility/Project: Fort Walton Beach Medical Center Applicant: Fort Walton Beach Medical Center, Inc. Project Description: Add 20 new acute care beds Approved Cost: \$0 County: Leon Service District: 2 CON #: 9475 Decision Date: 12/14/2001 Decision: A Facility/Project: Covenant Hospice, Inc. Applicant: Covenant Hospice, Inc. Project Description: Establish a hospice program Approved Cost: \$82,648 County: Marion Service District: 3 CON #: 9477 Decision Date: 12/14/2001 Decision: D Facility/Project: Ocala Regional Medical Center Applicant: Marion Community Hospital, Inc. Project Description: Add 18 acute care beds Approved Cost: \$0 Service District: 3 County: Hernando CON #: 9478 Decision Date: 12/14/2001 Decision: A Facility/Project: Brooksville Regional Hospital Applicant: Hernando HMA, Inc. Project Description: Replace a 91-bed acute care hospital Approved Cost: \$52,066,836 County: Lake Service District: 3 CON #: 9479 Decision Date: 12/14/2001 Decision: D Facility/Project: Leesburg Regional Medical Center Applicant: Leesburg Regional Medical Center, Inc. Project Description: Add 15 acute care beds Approved Cost: \$0 County: Duval Service District: 4 CON #: 9480 Decision Date: 12/14/2001 Decision: A Facility/Project: Brooks Rehabilitation Hospital Applicant: Genesis Rehabilitation Hospital, Inc.

Project Description: Add 9 comprehensive medical rehabilitation beds Approved Cost: \$296,063 County: Duval Service District: 4 CON #: 9481 Decision Date: 12/14/2001 Decision: A Facility/Project: St. Vincent's Medical Center Applicant: St. Vincent's Medical Center, Inc. Project Description: Establish a 10-bed Level II NICU at a proposed new acute care hospital through the delicensure of 10 Level II NICU beds at St. Luke's Hospital. Approved Cost: \$110,865 County: Duval Service District: 4 CON #: 9482 Decision Date: 12/14/2001 Decision: A Facility/Project: Baptist Medical Center Applicant: Southern Baptist Hospital of Florida, Inc. Project Description: Establish a new 92-bed acute care hospital Approved Cost: \$8,442,000 County: Duval Service District: 4 CON #: 9483 Decision Date: 12/14/2001 Decision: A Facility/Project: St. Luke's Hospital Applicant: St. Luke's Hospital Association Project Description: Construct a replacement facility of 214 acute care beds and existing cardiac cath and transplant services Approved Cost: \$207,000,000 County: Duval Service District: 4 CON #: 9484 Decision Date: 12/14/2001 Decision: P Facility/Project: St. Vincent's Medical Center, Inc. Applicant: St. Vincent's Medical Center, Inc. Project Description: Establish a new 170-bed acute care hospital or a partial award for 135 beds Approved Cost: \$155,548,800 County: Duval Service District: 4 CON #: 9485 Decision Date: 12/14/2001 Decision: D Facility/Project: Baptist Medical Center - Beaches Applicant: Baptist Medical Center of the Beaches, Inc. Project Description: Add 25 acute care beds Approved Cost: \$0 County: Volusia Service District: 4 CON #: 9486 Decision Date: 12/14/2001 Decision: A Facility/Project: Hospice of Volusia-Flagler Applicant: Halifax Hospice, Inc. Project Description: Convert an existing 16-bed residential hospice to a 16-bed inpatient hospice Approved Cost: \$1,655,103 County: Pasco Service District: 5 CON #: 9487 Decision Date: 12/14/2001 Decision: A Facility/Project: Hernando-Pasco Hospice, Inc. Applicant: Hernando-Pasco Hospice, Inc.

Project Description: Establish a 24-bed freestanding inpatient hospice Approved Cost: \$4,275,304 County: Pinellas Service District: 5 CON #: 9488 Decision Date: 12/14/2001 Decision: A Facility/Project: Kindred Hospital – Bay Area Applicant: Kindred Hospitals East, L.L.C. Project Description: Add 22 long-term hospital beds to existing 60-bed long-term hospital Approved Cost: \$1,132,841 County: Pasco Service District: 5 CON #: 9489 Decision Date: 12/14/2001 Decision: D Facility/Project: East Pasco Medical Center Applicant: East Pasco Medical Center, Inc. Project Description: Establish a 20-bed comprehensive medical rehabilitation unit Approved Cost: \$0 Service District: 6 County: Hillsborough CON #: 9490 Decision Date: 12/14/2001 Decision: D Facility/Project: Continental Medical of Palm Beach, Inc. Applicant: Continental Medical of Palm Beach, Inc. Project Description: Establish a new 40-bed comprehensive medical rehabilitation hospital Approved Cost: \$0 Service District: 6 County: Hillsborough CON #: 9491 Decision Date: 12/14/2001 Decision: D Facility/Project: Genesis Rehabilitation Hospital, Inc. Applicant: Genesis Rehabilitation Hospital, Inc. Project Description: Establish a new 60-bed comprehensive medical rehabilitation hospital Approved Cost: \$0 County: Hillsborough Service District: 6 CON #: 9492 Decision Date: 12/14/2001 Decision: A Facility/Project: University Community Hospital Applicant: University Community Hospital, Inc. Project Description: Establish a five-bed Level III NICU through the conversion of five acute care beds Approved Cost: \$1,279,594 County: Hillsborough Service District: 6 CON #: 9493 Decision Date: 12/14/2001 Decision: D Facility/Project: St. Joseph's Hospital Applicant: St. Joseph's Hospital, Inc. Project Description: Add five Level III NICU beds through delicensure of five acute care beds Approved Cost: \$0 County: Brevard Service District: 7 CON #: 9494 Decision Date: 12/14/2001 Decision: D Facility/Project: Wuesthoff Memorial Hospital Applicant: Wuesthoff Memorial Hospital, Inc. Project Description: Add 50 acute care beds

Approved Cost: \$0 County: Brevard Service District: 7 CON #: 9495 Decision Date: 12/14/2001 Decision: D Facility/Project: Wuesthoff Memorial Hospital - Melbourne Applicant: Wuesthoff Memorial Hospital, Inc. Project Description: Add 50 acute care beds to the 50 approved beds under CON #8740 Approved Cost: \$0 County: Seminole Service District: 7 CON #: 9496 Decision Date: 12/14/2001 Decision: D Facility/Project: Orlando Regional Healthcare System Applicant: Orlando Regional Healthcare System Project Description: Establish a new 60-bed acute care hospital through delicensure of 30 acute care beds at South Seminole Hospital & the addition of 30 new beds Approved Cost: \$0 County: Seminole Service District: 7 CON #: 9497 Decision Date: 12/14/2001 Decision: D Facility/Project: Adventist Health System/Sunbelt, Inc. Applicant: Adventist Health System/Sunbelt, Inc. Project Description: Establish a 60-bed acute care hospital through delicensure of 50 acute care beds at Winter Park Memorial campus & 10 beds at Apopka campus Approved Cost: \$0 County: Brevard Service District: 7 CON #: 9498 Decision Date: 12/14/2001 Decision: D Facility/Project: Vitas Healthcare Corporation of Central Florida Applicant: Vitas Healthcare Corporation of Central Florida Project Description: Establish a hospice program Approved Cost: \$0 County: Sarasota Service District: 8 CON #: 9499 Decision Date: 12/14/2001 Decision: A Facility/Project: HealthSouth LTAC of Sarasota, Inc. Applicant: HealthSouth LTAC of Sarasota, Inc. Project Description: Establish a 40-bed long-term care hospital Approved Cost: \$12,726,541 County: Sarasota Service District: 8 CON #: 9500 Decision Date: 12/14/2001 Decision: D Facility/Project: Select Specialty Hospital-Sarasota, Inc. Applicant: Select Specialty Hospital-Sarasota, Inc. Project Description: Establish a 40-bed long-term care hospital Approved Cost: \$0 County: Lee Service District: 8 CON #: 9501 Decision Date: 12/14/2001 Decision: A Facility/Project: Lee Memorial Hospital-Health Park Applicant: Lee Memorial Health System Project Description: Add 122 acute care beds through the transfer of 81 beds from Lee Memorial Cleveland and 41 from Cape Coral

Approved Cost: \$80,159,800 County: Collier Service District: 8 CON #: 9502 Decision Date: 12/14/2001 Decision: A Facility/Project: Hospice of Naples, Inc. Applicant: Hospice of Naples, Inc. Project Description: Establish a 16-bed inpatient hospice facility Approved Cost: \$4,438,657 Service District: 8 County: Sarasota CON #: 9503 Decision Date: 12/14/2001 Decision: A Facility/Project: Hospice of Southwest Florida, Inc. Applicant: Hospice of Southwest Florida, Inc. Project Description: Establish a 6-bed inpatient hospice facility Approved Cost: \$1,147,864 County: Indian River Service District: 9 CON #: 9504 Decision Date: 12/14/2001 Decision: D Facility/Project: HealthSouth Treasure Coast Rehabilitation Hospital Applicant: HealthSouth of Treasure Coast, Inc. Project Description: Add 28 comprehensive medical rehabilitation beds Approved Cost: \$0 County: Martin Service District: 9 CON #: 9506 Decision Date: 12/14/2001 Decision: D Facility/Project: Martin Memorial Medical Center Applicant: Martin Memorial Medical Center, Inc. Project Description: Establish a 20-bed comprehensive medical rehabilitation unit Approved Cost: \$0 County: Palm Beach Service District: 9 CON #: 9507 Decision Date: 12/14/2001 Decision: A Facility/Project: Bethesda Memorial Hospital Applicant: Bethesda Healthcare System, Inc. Project Description: Establish a 28-bed comprehensive medical rehabilitation unit Approved Cost: \$8,977,381 County: Palm Beach Service District: 9 CON #: 9508 Decision Date: 12/14/2001 Decision: D Facility/Project: JFK Medical Center Applicant: Columbia/JFK Medical Center, L.P. Project Description: Establish a 20-bed comprehensive medical rehabilitation unit Approved Cost: \$0 County: St. Lucie Service District: 9 CON #: 9509 Decision Date: 12/14/2001 Decision: D Facility/Project: Lawnwood Regional Medical Center Applicant: Lawnwood Medical Center, Inc. Project Description: Add 8 comprehensive medical rehabilitation beds Approved Cost: \$0

County: Indian River Service District: 9	County: Palm Beach Service District: 9			
CON #: 9510 Decision Date: 12/14/2001 Decision: D	CON #: 9516 Decision Date: 12/14/2001 Decision: D			
Facility/Project: Indian River Memorial Hospital	Facility/Project: St. Mary's Medical Center			
Applicant: Indian River Memorial Hospital, Inc.	Applicant: Tenet St. Mary's, Inc.			
Project Description: Establish an adult open heart surgery	Project Description: Add 10 Level III NICU beds through the			
program	conversion of 10 acute care beds			
Approved Cost: \$0	Approved Cost: \$0			
County: Martin Service District: 9	County: Martin Service District: 9			
CON #: 9511 Decision Date: 12/14/2001 Decision: D	CON #: 9517 Decision Date: 12/14/2001 Decision: D			
Facility/Project: Martin Memorial Medical Center	Facility/Project: Martin Memorial Medical Center			
Applicant: Martin Memorial Medical Center, Inc.	Applicant: Martin Memorial Medical Center, Inc.			
Project Description: Establish an adult open heart surgery program	Project Description: Transfer 29 acute care beds from Martin Memorial Hospital South to Martin Memorial Medical Center			
Approved Cost: \$0	Approved Cost: \$0			
County: Palm Beach Service District: 9	County: Palm Beach Service District: 9			
CON #: 9512 Decision Date: 12/14/2001 Decision: D	CON #: 9518 Decision Date: 12/14/2001 Decision: D			
Facility/Project: Bethesda Memorial Hospital	Facility/Project: Wellington Regional Medical Center			
Applicant: Bethesda Healthcare System, Inc.	Applicant: Wellington Regional Medical Center, Inc.			
Project Description: Establish an adult open heart surgery	Project Description: Add 7 acute care beds			
program	Approved Cost: \$0			
Approved Cost: \$0	County: Palm Beach Service District: 9			
County: Palm Beach Service District: 9	CON #: 9519 Decision Date: 12/14/2001 Decision: A			
CON #: 9513 Decision Date: 12/14/2001 Decision: D	Facility/Project: Hospice of Palm Beach County			
Facility/Project: Boca Raton Community Hospital	Applicant: Hospice of Palm Beach County			
Applicant: Boca Raton Community Hospital, Inc.	Project Description: Add 12 inpatient beds to the existing 24			
Project Description: Establish an adult open heart surgery	inpatient bed hospice			
program	Approved Cost: \$2,090,383			
Approved Cost: \$0	County: Broward Service District: 10			
County: Palm Beach Service District: 9	CON #: 9520 Decision Date: 12/14/2001 Decision: D			
CON #: 9514 Decision Date: 12/14/2001 Decision: D	Facility/Project: South Broward Hospital District			
Facility/Project: Palms West Hospital	Applicant: South Broward Hospital District			
Applicant: Columbia Palms West Hospital	Project Description: Establish a new 100-bed acute care			
Project Description: Establish a five-bed Level II NICU	hospital			
through the delicensure of five Level II beds at Lawnwood	Approved Cost: \$0			
Regional Medical Center	A request for administrative hearing, if any, must be made in			
Approved Cost: \$0	writing and must be actually received by this department			
County: Palm Beach Service District: 9	within 21 days of the first day of publication of this notice in			
CON #: 9515 Decision Date: 12/14/2001 Decision: D	the Florida Administrative Weekly pursuant to Chapter 120,			
Facility/Project: St. Mary's Medical Center	Florida Statutes, and Chapter 59C-1, Florida Administrative			
Applicant: Tenet St. Mary's, Inc.	Code.			
Project Description: Add 7 Level II NICU beds through the	AHCA Purchase Order Number S5900I00310.			
conversion of 7 acute care beds				
Approved Cost: \$0				

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF COMMENCEMENT OF INTERNET PUBLICATION PILOT PROJECT

The Department of Environmental Protection gives notice that the Internet publication pilot project authorized and required under section 120.551 of the Florida Statutes will commence effective December 28, 2001, and shall continue in effect until July 1, 2003. The purpose of this pilot project is to determine the cost-effectiveness of publication of notices on the Internet in lieu of publication in the Florida Administrative Weekly.

Under this pilot project, notwithstanding any other provision of state law, whenever the Department of Environmental Protection is required to publish notices in the Florida Administrative Weekly, the Department of Environmental Protection instead will publish only a summary of such notice in the Florida Administrative Weekly along with the specific Internet address where the complete notice required by law is published. The Department of Environmental Protection will publish all other notices in the manner prescribed by law. Notices published on the Internet under this pilot project section will be posted on the same days the Florida Administrative Weekly is published, and will be retained on the Internet site during the duration of the pilot project. The data base will be permanently archived after the completion of the pilot project in a manner that allows citizens permanent electronic access to such archived documents.

The Internet site used for publication under this pilot project is a database that may be searched by date of publication, rule number, program area (e.g., Air Resource Management, Beach Management, etc.), and notice type (e.g., Proposed Rules; Notices of Meetings, Workshops, and Public Hearings, etc.). During the duration of this pilot program, the full text of all notices will be published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

On December 13, 2001, John O. Agwunobi, M.D., M. B. A., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Raphael Arwas, D.D.S., license number DN 013003. Arwas' last known address is 200 Leslie Drive – 523, Hallandale, Florida 33009. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(6), 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 December 13, 2001, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Jerome Feldman, M.D., license number ME 041475. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.225(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 December 13, 2001, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Brenton D. Thrasher, M.D., license number ME 0077922. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.225(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 December 13, 2001, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Edward M. Steinberg, D.D.S., license number DN 6157. Steinberg's last known address is 801 North Federal Highway, Hollywood, Florida 33020-3517. 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(6), 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 December 13, 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 Jan Tucker, L.P.N. Tucker holds license number PN 950221. Tucker's last known address is 1621 Compton Street, Brandon, Florida 33511. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII Index to Rules Filed During Preceding Week

RULES FILED BETWEEN December 10, 2001							
and December 14, 2001							
Rule No.	File Date	Effective	Proposed	Amended			
		Date	Vol./No.	Vol./No.			
DEPARTMEN	NT OF ST.	ATE					
John and Mab	le Ringlin	g Museum	of Art				
1K-1.013	12/10/01	12/30/01	27/42				
1K-2.001	12/10/01	12/30/01	27/42				
1K-2.002	12/10/01	12/30/01	27/42				
1K-2.003	12/10/01	12/30/01	27/42				
1K-2.010	12/10/01	12/30/01	27/42				
1K-6.009	12/10/01	12/30/01	27/42				
1K-7.002	12/10/01	12/30/01	27/42				
1K-7.003	12/10/01	12/30/01	27/42				
1K-7.004	12/10/01	12/30/01	27/42				
Division of Ele	ections						
1S-2.007	12/10/01	12/30/01	27/44				
18-2.012	12/10/01	12/30/01	27/44				

DEPARTMENT OF LEGAL AFFAIRS

Florida Election Commission

2B-1.0025	12/13/01	1/2/02	27/35	27/47
2B-1.003	12/13/01	1/2/02	27/35	
2B-1.004	12/13/01	1/2/02	27/35	
2B-1.0052	12/13/01	1/2/02	27/35	

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

3E-500.016 12/12/01 1/1/02 27/45	
----------------------------------	--

DEPARTMENT OF INSURANCE

	4-171.002	12/13/01	1/2/02	27/37	27/42
--	-----------	----------	--------	-------	-------

DEPARTMENT OF TRANSPORTATION

14-80.001	12/12/01	1/1/02	27/43
14-80.0011	12/12/01	1/1/02	27/43
14-80.002	12/12/01	1/1/02	27/43
14-80.003	12/12/01	1/1/02	27/43
14-80.004	12/12/01	1/1/02	27/43
14-80.005	12/12/01	1/1/02	27/43
14-80.0051	12/12/01	1/1/02	27/43
14-80.006	12/12/01	1/1/02	27/43

DEPARTMENT OF CORRECTIONS

33-602.223	12/13/01	1/2/02	27/40	27/45

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.				
AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid Program Office								
59G-4.100	12/11/01	12/31/01	27/37					
DEPARTMENT OF MANAGEMENT SERVICES Personnel Management System								
60L-29.001	12/12/01	1/1/02	27/45					
60L-30.001	12/12/01	1/1/02	27/45					
60L-30.002	12/12/01	1/1/02	27/45					
(proposed as 60L-3	30.003)							
60L-31.001	12/12/01	1/1/02	27/45					
(proposed as 60L-3	31.002)							
60L-31.002	12/12/01	1/1/02	27/45					
(proposed as 60L-3	31.003)							
60L-32.0011	12/12/01	1/1/02	27/45	27/46				
(proposed as 60L-3	32.0031)							
60L-32.002	12/12/01	1/1/02	27/45					
(proposed as 60L-3	32.004)							
60L-32.005	12/12/01	1/1/02	27/45	27/47				
(proposed as 60L-3	33.007)							
60L-33.001	12/12/01	1/1/02	27/45	27/47				
60L-33.0031	12/12/01	1/1/02	27/45					
60L-33.0032	12/12/01	1/1/02	27/45					
60L-33.0033	12/12/01	1/1/02	27/45					
60L-33.004	12/12/01	1/1/02	27/45					
(proposed as 60L-3	33.005)							
60L-33.005	12/12/01	1/1/02	27/45					
(proposed as 60L-3	33.006)							
60L-33.006	12/12/01	1/1/02	27/45					
(proposed as 60L-3	33.007)							
60L-33.007	12/12/01	1/1/02	27/45					
(proposed as 60L-3	33.008)							
60L-33.008	12/12/01	1/1/02	27/45					
60L-34.001	12/12/01	1/1/02	27/45					
60L-34.003	12/12/01	1/1/02	27/45					
60L-34.0042	12/12/01	1/1/02	27/45	27/49				
60L-34.0043	12/12/01	1/1/02	27/45					
60L-34.0044	12/12/01	1/1/02	27/45					
60L-34.0051	12/12/01	1/1/02	27/45	27/49				
60L-34.0052	12/12/01	1/1/02	27/45					
60L-34.0062	12/12/01	1/1/02	27/45					
60L-34.0071	12/12/01	1/1/02	27/45					
60L-34.0072	12/12/01	1/1/02	27/45					
60L-36.001	12/12/01	1/1/02	27/45					
60L-36.003	12/12/01	1/1/02	27/45	27/49				
60L-37.001	12/12/01	1/1/02	27/45					
60L-37.002	12/12/01	1/1/02	27/45					
60L-37.003	12/12/01	1/1/02	27/45					
60L-38.001	12/12/01	1/1/02	27/45					
60L-38.002	12/12/01	1/1/02	27/45					
60L-38.003	12/12/01	1/1/02	27/45					

	Rule No.	File Date	Effective	Proposed	Amended	Rule No.	File Date	Effective	Proposed	Amended
			Date	Vol./No.	Vol./No.			Date	Vol./No.	Vol./No.
	60L-38.004	12/12/01	1/1/02	27/45		DEPARTME	NT OF HI	EALTH		
	60L-38.005	12/12/01	1/1/02	27/45		Board of Opt				
	60L-39.001	12/12/01	1/1/02	27/45		64B13-3.003	12/13/01	1/2/02	27/45	
	60L-39.005	12/12/01	1/1/02	27/45		64B13-3.005	12/13/01	1/2/02	27/45	
						64B13-3.009	12/13/01	1/2/02	27/45	
	DEPARTMEN	NT OF BU	SINESS A	ND PROFE	SSIONAL	64B13-3.012	12/13/01	1/2/02	27/45	
	REGULATIO	N								
	Division of Par	ri-Mutuel	Wagering			Board of Oste	eopathic M	ledicine		
	61D-2.021	12/10/01	12/30/01	27/31	27/43	64B15-12.007	12/10/01	12/30/01	26/51	27/29
	Florida Building Code Administrators and Inspector				Board of Pharmacy					
	61G19-9.004	12/13/01	1/2/02	27/43		64B16-26.103	12/13/01	1/2/02	27/43	
						64B16-26.203	12/13/01	1/2/02	27/43	
DEPARTMENT OF ENVIRONMENTAL PROTECTION				OTECTION	64B16-27.300	12/13/01	1/2/02	27/43		
	Division of Bea	aches and	Shores			64B16-28.1135	12/13/01	1/2/02	27/43	
	62B-33.002	12/11/01	12/31/01	27/43		64B16-28.501	12/13/01	1/2/02	27/43	
	62B-33.007	12/11/01	12/31/01	27/43		64B16-30.001	12/13/01	1/2/02	27/43	
	62B-33.008	12/11/01	12/31/01	27/43		64B16-30.003	12/13/01	1/2/02	27/43	
	Division of Re	source Ma	anagement			DEPARTME	NT OF CH	HILDREN .	AND FAMI	ILY
	62C-36.002	12/14/01	1/3/02	27/41		SERVICES				
	62C-38.002	12/14/01	1/3/02	27/41		Family Safety	and Prese	ervation Pr	ogram	
	62C-38.008	12/14/01	1/3/02	27/41		65C-27.001	12/10/01	12/30/01	27/30	
	62C-39.002	12/14/01	1/3/02	27/41		65C-27.002	12/10/01	12/30/01	27/30	27/44
	62C-39.013	12/14/01	1/3/02	27/41						