

(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

~~averaged combined~~ with the percent who score "3.5 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:

1. Improved their FCAT Achievement level from one (1) year to the next, or

2. Maintained ~~their a satisfactory or higher FCAT a~~ Achievement ~~Levels~~ within levels 3, 4, or 5 from one (1) year to the next, or

3. ~~Remained 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 each grade, aggregated for 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 ~~averaged 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:

~~(7)(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

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. 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. A copy may be obtained by contacting the Division of Emergency Management, Department of Community Affairs.

(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 presidential 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 presidential 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 presidential 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 presidential 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.:

25-6.065

RULE TITLE:

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.

Specific Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History—New _____.

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-OFC3; ~~incorporated 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:

(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.cfm?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/ch301te.html 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.

~~(c)(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 per diem rate 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.

~~(f)(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 per fare basis for all fares in excess of \$25 ~~on a per fare basis~~. Tips paid to taxi drivers should not exceed 15% of the fare. In countries where a language barrier may exist, 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 advances will 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 and the traveler will be 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:
62-504	State Revolving Loan Program for Stormwater Facilities

NOTICE 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:

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.: 64B3-10.005
RULE TITLE: 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 cytogenetics 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.: 64B15-14.0075
RULE TITLE: 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 Programs

RULE CHAPTER NO.: 64E-24
RULE CHAPTER TITLE: Nursing 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 Program

RULE NO.:

RULE TITLE:

65A-1.900

Overpayment 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 from the post-marked date of the letter: five days for intentional program violations; 10 days for inadvertent household error; and, 30 days for agency error 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);~~ CF-ES 3057, Aug. 2001, Information Concerning Administrative Disqualification Hearings; ~~Notice of Cash Disqualification — temporary and permanent (Waiver) (automated notice);~~ ~~Notice of Cash Disqualification (ADH) (automated notice);~~ ~~Notice of Cash Disqualification — temporary and permanent (DCA) (automated notice);~~ ~~Notice of Cash Disqualification (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 Disqualification — 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, Disqualification Consent Agreement."