

## Section I

### Notices of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF INSURANCE**

**RULE TITLE:** Annual and Quarterly Reporting Requirements  
**RULE NO.:** 4-137.001  
**PURPOSE AND EFFECT:** The purpose of the proposed rule development is to adopt current NAIC annual statement instructions and accounting practices manuals.  
**SUBJECT AREA TO BE ADDRESSED:** Financial statements of insurance companies.  
**SPECIFIC AUTHORITY:** 624.307, 624.308(1) FS.  
**LAW IMPLEMENTED:** 624.307(1), 624.424(1) FS.  
**IF REQUESTED IN WRITING WITHIN 21 DAYS OF THIS NOTICE AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.**  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Kerry Krantz, Actuary, Division of Insurer Services, Department of Insurance, 200 E. Gaines Street, Room 317B, Larson Building, Tallahassee, FL 32399-0327, (850)413-4153  
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

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

- 4-137.001 Annual and Quarterly Reporting Requirements.
  - (1) through (3) No change.
  - (4) Manuals Adopted.
    - (a) Annual and quarterly statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:
      1. The NAIC’s Annual Statement Instructions, Property and Casualty, 2002 ~~2001~~;
      2. The NAIC’s Annual Statement Instructions/Life, Accident and Health, 2002 ~~2001~~; and
      3. At the option of a life, accident, and health company or a property and casualty company whose policy and contract premiums, claims, and liabilities are 100% health insurance, the NAIC’s Annual Statement Instructions/Health, 2002; and
      4. ~~3.~~ The NAIC’s Accounting Practices and Procedures Manual, as of March, 2002 ~~2001~~.
      - (b) No change.

Specific Authority 624.307, 624.308(1) FS. Law Implemented 624.307(1), 624.424(1) FS. History–New 3-31-92, Amended 8-24-93, 4-9-95, 4-9-97, 4-4-99, 11-30-99, 2-11-01, 4-5-01, 12-4-01, 12-25-01,\_\_\_\_\_.

**DEPARTMENT OF INSURANCE**

**RULE TITLE:** NAIC Financial Examiners Handbook Adopted  
**RULE NO.:** 4-138.001  
**PURPOSE AND EFFECT:** The purpose of the proposed rule development is to adopt the current NAIC Financial Condition Examiners Handbook manuals.  
**SUBJECT AREA TO BE ADDRESSED:** Financial examination of insurance companies.  
**SPECIFIC AUTHORITY:** 624.308(1) FS.  
**LAW IMPLEMENTED:** 624.307(1), 624.316(1)(c) FS.  
**IF REQUESTED IN WRITING WITHIN 21 DAYS OF THIS NOTICE AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.**  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Kerry Krantz, Actuary, Division of Insurer Services, Department of Insurance, 200 E. Gaines Street, Room 317B, Larson Building, Tallahassee, FL 32399-0327, (850)413-4153  
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

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

- 4-138.001 NAIC Financial Examiners Handbook Adopted.
  - (1) The National Association of Insurance Commissioners Financial Examiners Handbook Volume I, (2002 ~~2001~~) is hereby adopted and incorporated by reference.
  - (2) through (3) No change.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.316(1)(c) FS. History–New 3-30-92, Amended 4-9-97, 4-4-99, 11-30-99, 2-11-01, 12-25-01,\_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

**RULE TITLE:** Guidelines for Imposing Administrative Penalties  
**RULE NO.:** 5F-2.016  
**PURPOSE AND EFFECT:** The purpose of amending 5F-2.016 is to update a value in a table that reflects the adoption of the most recent Annual Book of ASTM Standards, the accepted standard for implementation of Chapter 525, F.S.

SUBJECT AREA TO BE ADDRESSED: Proposed Rule 5F-2.016, F.A.C., will amend the guidelines when administrative fines are imposed pursuant to Section 525.16, F.S.

SPECIFIC AUTHORITY: 525.14 FS.

LAW IMPLEMENTED: 525.16 FS.

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

TIME AND DATE: 10:00 a.m., Monday, May 20, 2002

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-2.016 Guidelines for Imposing Administrative Penalties.

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

The administrative fine will be a sum of the assigned monetary amounts of these factors. These factors will be assigned monetary amounts in the following manner:

1. The degree of harm is determined by the severity and nature of the violation and the extent of harm will be determined by the amount of substandard product sold.

a. Severity and Nature of the Violation

Gasoline

Fine	\$100	\$250	\$500
Distillation: End Point, °F	450-475	476-500	>500
Distillation: 10, 50 & 90% evaporated temperature, °F		all violations	
Vapor Pressure, psi	April-October: >maximum but # 11.5	November-March: >13.5 April-October: >11.5	
Antiknock Index			>2.0 below displayed value
Sulfur			all violations
Gum			all violations
Alcohol/Oxygenates		>maximum but 20%	>20%

Diesel, Kerosene and Fuel Oils

Fine	\$100	\$250	\$500
Flash Point, °F	diesel & fuel oils: 80-95.3 kerosene: 80-91	diesel, kerosene & fuel oils: 60-79	diesel, kerosene & fuel oils: <60
Distillation		diesel, kerosene & fuel oils: all violations	

Specific Authority 525.14 FS. Law Implemented 525.16 FS. History--New 2-24-00, Amended \_\_\_\_\_.

DEPARTMENT OF REVENUE

RULE TITLES: Definitions  
RULE NOS.: 12-3.0012

Adoption of Materials That Contain Departmental Procedures 12-3.0017

PURPOSE AND EFFECT: The amendments to Rule 12-3.0012, F.A.C. (Definitions), define the terms "adequate records" and "voluminous records" to ensure taxpayers understand how these terms apply to the examination of records by the Department.

The effect of amending this rule is to educate taxpayers about records that are subject to review by the Department.

The creation of Rule 12-3.0017, F.A.C. (Adoption of Materials That Contain Departmental Procedures) adopts publications, training manuals, and other materials that establish procedures the Department employs when administering its statutory responsibilities. Specifically, this new rule: A) adopts the Department's training manual on stratified statistical sampling procedures for electronic records (GT400116), which instructs the Department's auditors on how to define the population of data to be sampled, how to establish the pilot sample, how to complete the sample, and how to project and allocate the results of the sample; B) adopts the Department's training manual on basic electronic auditing procedures (GT400514), which instructs the Department's auditors on how to choose candidates for electronic auditing, the appropriate electronic audit techniques, and how to determine if stratified statistical sampling is appropriate; C) adopts the Department's taxpayer information booklet on auditing in an electronic environment (GT300034), which explains to audit candidates the benefits of electronic auditing, the Department's statutory authority for conducting such audits, the confidentiality of taxpayer information reviewed during the audit, how the Department determines if a taxpayer is an electronic audit candidate, and what electronic auditing techniques the Department uses; D) adopts the Department's discussion of adequate vs. inadequate records (GT400515) for the purpose of determining during a review of a taxpayer's sales and use tax or discretionary sales surtax records if such records are adequate or inadequate; and, E) adopts the General Tax Administration Program's procedures bulletin on assignment of rights (GTAPB

02(A)-001), which addresses how to handle overpayments of sales and use tax or discretionary sales surtax when a purchaser has paid tax to a dealer.

The effect of creating this new rule is to ensure compliance with the requirements of the Administrative Procedure Act and to inform the public about the Department's audit procedures.

**SUBJECT AREA TO BE ADDRESSED:** These rules deal with the adoption of definitions and materials that contain procedures on how the Department conducts audits and explain a method for handling overpayments of sales and use tax or discretionary sales surtax.

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

**LAW IMPLEMENTED:** 95.091(3), 212.12, 212.13, 213.34, 213.345, 213.35 FS.

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

**TIME AND DATE:** 1:00 p.m., May 20, 2002

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFTS IS:** Larry Green, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4830

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT:** Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips at (850)488-0717. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at (800)955-8700 (voice) and (800)955-8771 (TDD).

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

12-3.0012 Definitions.

The following terms apply to the Department's administration of the programs delegated to it by statute. These terms shall have the meaning given to them in this section, except where the context clearly indicates a different meaning.

(1) through (2) No change.

(3) "Adequate records" means sufficient and accurate books and accounts ordinarily maintained by the average prudent businessperson engaged in the same activity that can be used to determine the correct amount of any tax liability or refund, pursuant to Section 213.35, F.S. To be deemed adequate, such records must be sufficient, accurate, comprehensive, authentic, reliable, systematic, usable,

tamperproof, and contemporaneous. In addition, to be deemed adequate, records and documents must be retained for as long as they are legally required pursuant to Section 95.091(3), F.S.

(a) A recordkeeping system kept in an orderly fashion includes a summary of business transactions, such as accounting journals and ledgers, and all returns or reports required to be filed with government or regulatory entities. This system indicates gross income, deductions, and credits, and it contains supporting documentation such as sales slips, paid bills, invoices, receipts, deposit slips, and cancelled checks.

(b) Records must be sufficient to document: gross receipts and revenue from all sources, taxable or not; deductions, exemptions, or credits; and purchases, assets and liabilities; and they must be supported by the original source documents.

(c) Records include schedules or working papers used to prepare tax returns and financial statements. Records also include: resale certificates; agricultural certificates; and other approved certificates received when making sales. The normal books of account include: bills; receipts; contracts; invoices; cash register tapes; cancelled checks; bank statements; or other documents of original entry supporting the entries in the books of account. Additional necessary records may include: bills of lading; contracts; leases; and notes.

(d) Adequate records include:

1. A daily record of all cash and credit sales, including information as to financing or installment plans, and tax collected;

2. A record of the amount of all merchandise and services purchased, including all bills of lading, invoices, and purchase orders;

3. A record of all deductions and exemptions claimed in filing sales or use tax returns, including exemption and resale certificates;

4. A record of all tangible and intangible purchases used or consumed in the conduct of the business; and,

5. An accurate annual inventory of stock on hand and its cost.

(e) It is not essential that the records be totally complete in order for the records to be deemed adequate. Business considerations, materiality, third-party confirmations, and other corroborating evidence that includes related supporting documentation, may be used to establish that the taxpayer has adequate records.

(f) Section 212.12(6)(b), F.S., does not allow the Department to use a sample to project an overpayment when the records are inadequate.

(4) "Voluminous records" means adequate records maintained by the taxpayer pursuant to Section 213.35, F.S., that are so numerous and extensive that their production by the taxpayer and review by the Department would be most

effectively and expeditiously accomplished by using a sampling methodology to determine what records must be produced for review and will be included in the review.

Specific Authority 213.06(1) FS. Law Implemented 95.091(3), 212.12(6), 213.345, 213.35 FS. History-New 4-2-00, Amended \_\_\_\_\_.

12-3.0017 Adoption of Materials That Contain Departmental Procedures.

(1) The following subsections of this rule describe materials and publications which contain procedures used by the Department in performing its statutory responsibilities, and these materials and publications are hereby incorporated by reference in this rule. A copy of these materials and publications may be obtained by one or more of the following methods:

(a) Writing the Florida Department of Revenue, Forms Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304; or,

(b) Faxing the Forms Distribution Center at (850)922-2208; or,

(c) Using a fax machine telephone handset to call the Department's automated Fax On Demand system at (850)922-3676; or,

(d) Visiting any local Department of Revenue Service Center to personally obtain a copy; or,

(e) Calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or,

(f) Downloading selected forms from the Department's Internet site at the address shown inside the parentheses (<http://www.myflorida.com/dor/>). Persons with hearing or speech impairments may call the Department's TDD at 1(800)367-8331.

(2) GT400514, Basic Electronic Auditing Manual (e-Auditing) (n. 3/02), which instructs the Department's auditors on electronic audit techniques.

(3) GT400116, Stratified Statistical Sampling Manual (n. 3/02), which instructs the Department's auditors on how to perform a stratified statistical sample of a taxpayer's books and records.

(4) GT300034, Auditing in an Electronic Environment (e-Auditing) and Stratified Statistical Sampling (n. 3/02), which explains to audit candidates (taxpayers) the benefits of electronic auditing and what techniques the Department can use.

(5) GT400515, Adequate vs. Inadequate Records; Sales and Use Tax; Discretionary Sales Surtaxes (n. 3/02), which explains how the Department will determine if a taxpayer's records are adequate or inadequate for review purposes.

(6) GTA Procedure Bulletin 02(A)-001 (n. 3/02), which addresses how to handle overpayments of sales and use tax or discretionary sales surtax when a purchaser has paid tax to a dealer.

Specific Authority 213.06(1) FS. Law Implemented 212.12, 212.13, 213.35 FS. History-New \_\_\_\_\_.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE:    RULE CHAPTER NO.:

Qualification, Selection and Performance Evaluation Requirements for Professional Consultants to Perform Work for DOT    14-75

RULE TITLES:    RULE NOS.:  
Consultant Qualification Process    14-75.0022  
Minimum Technical Qualification Standards by Type of Work    14-75.003  
Consultant Competitive Selection Process    14-75.004  
Revocation, Denial, or Suspension of Qualification    14-75.0051  
Professional Consultant Work Performance Evaluation System    14-75.0052

PURPOSE AND EFFECT: Rule Chapter 14-75 is being amended to include amendments to allow self-certification of technical qualifications by consultants and to update and clarify the language in the rule chapter.

SUBJECT AREA TO BE ADDRESSED: Rule Chapter 14-75, F.A.C., is being amended.

SPECIFIC AUTHORITY: 287.055, 334.044(2), 337.105 FS.

LAW IMPLEMENTED: 287.055, 337.107, 337.1075, 337.167 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-75.0022 Consultant Qualification Process.

(1) This rule chapter establishes minimum qualification standards by type of work for consultants, the consultant competitive selection process, and the work performance evaluation system for professional consultants who seek to provide professional services to the Department pursuant to Sections 287.055, 337.107, and 337.1075, Florida Statutes.

(2) The provisions of Rule 28-106.103, F.A.C., will be used in computing any period of time prescribed by this rule chapter.

(3) Application for Qualification.

(a) A Professional Consultant who desires to qualify with the Department shall submit a Request for Qualification Package for Professional Consultants, Form No. 375-030-01, Rev. 06/02 05/01, which may be obtained from the Procurement Office, MS 20, Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida 32399-0450, or from the Department's web page at www11.myflorida.com/procurement/www.dot.state.fl.us.

(b) Professional Consultants who are not qualified at the time of advertisement for a consultant project must file with the Department a completed Request for Qualification Package for Professional Consultants on or before the project's advertised letter of response date. The Department is not obligated to delay any part of the consultant selection process or the execution of a contract, for a consultant who has not been qualified.

(c) The Request for Qualification Package for Professional Consultants will include the following items:

1. An audit report prepared by an independent Certified Public Accountant or governmental agency. The audit report will be no more than twelve months old on the date of submission and will include the following:

a. A statement indicating the existence of an adequate accounting system that meets the Department's audit requirements, as evidenced by certification by an independent Certified Public Accountant or governmental agency. The system must be adequate to support all billings made to the Department and other clients.

b. An overhead statement and overhead rate for the most recently completed fiscal year.

c. A statement that the consultant's method of estimating costs for proposals is consistent with the accounting system.

d. A statement that the audit was performed in accordance generally accepted governmental auditing standards, the Department's *Overhead Audit Guidelines*, 2002, and the *Government Auditing Standards*, Rev. August 1999, published by the U.S. Government Printing Office, which are hereby incorporated by reference.

2. Consultants who have been operating for less than one complete fiscal year, consultants who have reorganized to the extent that the most recent overhead audit does not reflect a currently valid overhead rate, and consultants who have established and operated an accounting system in accordance with the minimum standards provided in the Department's *Overhead Audit Guidelines*, 2002, for a period of less than one year, will prepare a projected overhead rate which will be supported by estimated revenues and expenditures for the first fiscal year's operations since organization, reorganization, or implementation of the acceptable accounting system. The Department's Office of Inspector General shall review the estimate and establish a provisional combined overhead rate, which may be used in Department contracts until the consultant has completed its first fiscal year of operation, at

which time the consultant shall submit an annual overhead audit performed by an independent Certified Public Accountant or governmental agency.

3. Consultants requesting qualification for minor projects only, with contract fees under \$250,000, or consultants qualifying solely as certified public accountants, may submit a self-certified overhead report and statement describing their accounting system, certified by a principal, in lieu of an audit report and accounting system certification prepared by an independent Certified Public Accountant or governmental agency. Such report will be in the format specified in the Department's *Overhead Audit Guidelines*, 2002.

4. Proof of professional liability insurance by one of the following methods:

a. Submittal of a current certificate of professional liability insurance from a company or companies authorized to do business in Florida; or an unequivocal commitment letter from such an insurance company stating that professional liability insurance would be provided to the applicant; or

b. Submittal of a commitment letter from a financial institution meeting the requirements of Section 337.106, Florida Statutes, stating that a nonassignable and nontransferable irrevocable letter of credit, established pursuant to Chapter 675 and Section 337.106, Florida Statutes, and Rule Chapter 14-116, F.A.C., can be provided to the applicant in a minimum amount of \$250,000.

5. Consultants may elect to request qualification without submitting an overhead audit report, a self-certified report, or proof of liability insurance. Such consultants will be restricted to a sub-consultant role on Department contracts with contract fee less than \$250,000.

(4) Procedure.

(a) Within 30 days after receipt of a completed Request for Qualification Package for Professional Consultants, the Department shall examine the application and notify the applicant in writing of any apparent errors or omissions, and request any additional information required by the Department to properly evaluate the application. The applicant shall submit any requested information to the Department within 30 days of receipt of the Department's request for such information. The Department shall process the application within 30 days after receipt of the requested additional information or correction of apparent errors or omissions. If the information is not provided within 30 days after receipt of the request, the application shall be processed with the information provided.

(b) Upon receipt of a complete application, the Department shall make such inquiries and investigations as deemed necessary to verify and evaluate the applicant's statements and determine competency for qualification.

(c) Information which the Department shall consider in determining whether a consultant is qualified to perform the types of work shall include:

1. Current license or registration as regulated by the State of Florida or national organizations, as appropriate.;
2. Personnel with appropriate experience and training as detailed in the type of work qualifications.;
3. Registration with the Florida Department Secretary of State, if the applicant is a corporation or limited partnership.;
4. History of suspension for failure to maintain adequate type of work performance grades with the Department in specified types of work.;
5. Integrity and responsibility, which shall include history of debarment or suspension from consideration for work with any other governmental entity.
6. History of conviction for contract crime pursuant to Section 337.165, Florida Statutes, and Rule 14-75.0071, F.A.C., by the applicant or its affiliate, including reapplication or reinstatement.
7. Employment of, or otherwise providing compensation to, any employee or officer of the Department.
8. Willfully offering an employee or officer of the Department any pecuniary or other benefit with the intent to influence the employee or officer's official action or judgment.
9. The acceptability of the supporting overhead, accounting system, and insurance information. An audit report prepared by an independent Certified Public Accountant or governmental agency. The audit report will be no more than six months old and will include the following:
  - a. ~~A statement indicating the existence of an adequate accounting system that meets the Department's audit requirements, as evidenced by certification by an independent Certified Public Accountant or governmental agency. The system must be adequate to support all billings made to the Department and other clients.~~
  - b. ~~An overhead statement and overhead rate for the most recently completed fiscal year.~~
  - c. ~~A statement that the consultant's method of estimating costs for proposals is consistent with the accounting system.~~
  - d. ~~A statement that the audit was performed in accordance with the criteria required by the Department and applicable generally accepted governmental auditing standards. Criteria will include compliance with the Department's *Overhead Audit Guidelines*, 2000, and the *Government Auditing Standards*, Rev. August 1999, published by the U.S. Government Printing Office, which are hereby incorporated by reference.~~
10. ~~Consultants who have been in business for less than one complete fiscal year, consultants who have reorganized to the extent that the most recent overhead audit does not reflect a currently valid overhead rate, and consultants who have established and operated an accounting system in accordance with the minimum standards provided in the Department's *Overhead Audit Guidelines*, 2000, for a period of less than one year, will prepare a projected overhead rate which will be supported by estimated revenues and expenditures for the first fiscal year's operations since organization, reorganization, or~~

~~implementation of the acceptable accounting system. The Department's Office of Inspector General shall review the estimate and establish a provisional combined overhead rate, which may be used in Department contracts until the firm has completed its first fiscal year of operation, at which time the firm shall submit an annual overhead audit performed by an independent Certified Public Accountant or governmental agency.~~

~~11. Consultants requesting qualification for minor projects only, with contract fees under \$250,000, or consultants qualifying solely as certified public accountants, may submit a self-certified overhead report and statement describing their accounting system, certified by a principal, in lieu of an audit report and accounting system certification prepared by an independent CPA or governmental agency. Such report will be in the format specified in the Department's *Overhead Audit Guidelines*, 2000. The requirements for an overhead audit and accounting system report will be waived for consultants requesting qualification for projects with contract fees under \$250,000 only, and who are individuals or sole proprietorships without employees.~~

~~12. Proof of professional liability insurance by one of the following methods:~~

~~a. Submittal of a current certificate of professional liability insurance from a company or companies authorized to do business in Florida; or an unequivocal commitment letter from such an insurance company stating that professional liability insurance would be provided to the applicant; or~~

~~b. Submittal of a commitment letter from a financial institution meeting the requirements of Section 337.106, Florida Statutes, stating that a nonassignable and nontransferable irrevocable letter of credit, established pursuant to Chapter 675 and Section 337.106, Florida Statutes, and Rule Chapter 14-116, F.A.C., can be provided to the applicant in a minimum amount of \$250,000.~~

~~(d) If the Department intends to deny the application, or deny qualification for any type of work, the Department shall state in writing and with particularity the grounds or reasons for the denial, and shall inform the applicant of the right to a hearing pursuant to Section 120.57, Florida Statutes. Delivery of the Notice of Intent to Deny shall be made by certified mail or express delivery, return receipt, to the address listed in the applicant's application for qualification.~~

~~(5) Period of Validity of Qualification. Should the applicant be found to possess the prescribed qualification, the consultant will be randomly assigned a qualification an expiration date, by which qualification must be renewed annually.~~

~~(6) Changes in Qualification Status.~~

~~(a) A consultant shall submit a revised application in the event a change in the status of its firm occurs.;~~ including a change of ownership, a change in the form of the business entity under which the firm operates, a substantial change in

manpower which affects the firm's qualifications to perform any type of work, or any other change which affects an element the Department considers under Rule 14-75.0022, F.A.C., when initially qualifying consultants. A revised application may be the basis for notice of agency action under Rule 14-75.0051, F.A.C.

(b) A consultant need not submit a revised application solely because of any change in the officers or the name of a corporation, but such information shall be certified to the Department within ten days of its occurrence.

(7) A consultant may apply for qualification up to three months prior to the expiration of an existing qualification.

Specific Authority 287.055, 334.044(2), 337.105 FS. Law Implemented 287.055, 337.107, 337.1075, 337.167 FS. History—New 3-29-89, Amended 1-2-91, 9-29-92, 2-22-94, 8-5-96, 1-17-99, 8-2-01, \_\_\_\_\_.

#### 14-75.003 Minimum Technical Qualification Standards by Type of Work.

In the Request for Qualification Package, the consultant will certify the standard types of work for which the consultant meets the minimum qualification requirements as stated in this section. The Department will periodically audit a sampling of qualified consultants to ensure compliance with the qualification requirements, and consultants found to misrepresent their qualifications will be subject to suspension of qualifications with the Department in accordance with Rule 14-75.0051, F.A.C. The following criteria apply to the qualification of professional consultants:

(1) No professional or key personnel may be listed as employees of more than one consultant currently qualified with the Department. If a newly listed employee has been employed by a consultant currently qualified with the Department, within the 12 months immediately preceding the application, the application must so indicate and provide the date that such employee was hired by the consultant. The employee shall be deleted from the personnel list of the previous employer's firm, and if such deletion affects the qualification status of the previous employer, notice shall be given to said previous employer pursuant to Rule 14-75.0051, F.A.C.

(2) The Department shall not recognize joint ventures for purposes of qualifying consultants to work for the Department. Each individual or firm will be annually qualified based upon individual or firm capability.

(3) Appropriate type of work codes will be included in each public notice regarding needed professional services. Persons or firms responding to such notices must be qualified with the Department in the advertised types of work, unless otherwise specified in the notice. Subconsultants qualified with the Department may be used to meet the above these requirements, where appropriate, so long as the responding consultant is also qualified with the Department in some standard type of work.

(4) All personnel listed by the consultant in order to qualify for any type of work or sub-category must be bona fide employees of the firm, or under exclusive contract to the firm, must be actively engaged in the type of work for which they are listed, and must have work experience demonstrating an ability to perform the activities normally associated with the particular type of work or sub-category for which qualification is sought. The Department must be notified within 10 days of the departure from the firm of personnel used to prequalify the firm in any type of work.

~~(5) A determination of qualification will be based on information submitted with the application, including résumés; verification of professional registration, certification, and degree requirements where appropriate; and a check of references as needed.~~ Qualification may be sought in any of the following categories or sub-categories:

(a) Group 2. Project Development and Environmental (PD&E) Studies.

1. Type of Work. This work group involves the study and evaluation of the social, economic, and environmental effects on the human and natural environment by transportation systems and alternate transportation modes in meeting identified community transportation and growth needs. Such work also includes the evaluation of alternate transportation corridors, and location/design alternatives within viable corridors. The work involves preparing engineering studies to address economic and engineering feasibility of alternatives, level of service, traffic capacity, geometrics, soils, structures, intersection and interchange improvements, etc., to accommodate travel demand at an acceptable level of service. Additionally, the work entails the detailed study and preparation of environmental reports and documents which evaluate the physical, natural, social, cultural, economic, and human impacts of the alternatives under consideration upon the adjacent community. Public involvement and interagency coordination are integral parts of the assessment process. Potential mitigations that are identified in ~~based on~~ the studies and public involvement are evaluated and incorporated into the alternatives as appropriate.

2. Qualification Requirements. Group 2: ~~Project Development and Environmental~~ (PD&E) Studies. This work group requires a professional engineer, a natural scientist, and a social scientist. The professional engineer must be registered with the Florida State Board of Professional Engineers and must have managed and completed at least one PD&E study or similar study, having a background or experience in civil engineering, including roadway design and proficiency in environmental engineering. This and experience must include conducting in environmental studies for impact assessment of transportation projects, involving highway projects and including experience with public involvement issues. The; a natural scientist must have with a four-year university or college degree and experience in a natural science such as

ecology, biology, environmental science, or wildlife management and have completed at least one PD&E study or similar study in a natural science area such as defined above. ~~The; and a social scientist must have with~~ a four-year university or college degree and experience in a social science such as psychology, sociology, statistics, political science, geography, urban planning demographics, archeology, or economics and have completed at least one PD&E study or similar study in a social science area such as defined above.

(b) Group 3. Highway Design – Roadway. This work group involves the production and/or review of highway plans, related design studies, creative utilization of roadsides, and the accommodation of utilities and utility crossings (where appropriate), which conform with acceptable design standards and which meet the specific requirements of the Department or the Federal Highway Administration.

1. This group includes the following sub-categories of qualification:

a. Type of Work 3.1: Minor Highway Design. This type of work includes roadway design for ~~small and/or rural~~ RRR and minor widening and projects; repair, resurfacing, and rehabilitation projects which do not involve major reconstruction, new curb and gutter, or substantial capacity improvements, ~~and associated activities, such as drainage, utility relocation, minor traffic operations improvements, miscellaneous minor design services, etc.~~ This work type also includes interstate projects involving resurfacing only. Projects of this type generally involve minor drainage, utility relocation, traffic operations improvements, miscellaneous design services, etc.

b. Type of Work 3.2: Major Highway Design. This type of work includes roadway design for all urban ~~arterial~~ highways with new curb and gutter and new or major reconstruction rural projects with substantial capacity improvements such as adding two or more lanes, including the design of enclosed drainage systems. ~~Projects of this~~ This type generally of work may include utility relocation plans, drainage design and permitting stormwater permits, maintenance of traffic plans, traffic engineering applications, intersection details, etc.

c. Type of Work 3.3: Controlled Access Complex Highway Design. This type of work includes design of new and complex reconstruction projects on controlled access facilities including interstates, interchanges, and expressways ~~is applicable to expressways, limited access facilities, interchanges, and interstate highways. Projects of this~~ This type generally include of work includes all types of new roadway and reconstruction work on complex projects, including the use of complex geometrics, substantial drainage evaluation and design features, permitting, traffic engineering applications, utility relocation plans, maintenance of traffic plans, interchange design, etc.

2. Qualification Requirements.

a. Type of Work 3.1: Minor Highway Design. This type of work requires at least one professional engineer, registered with the Florida State Board of Professional Engineers, having proficiency in civil engineering and at least one year of post-registration experience in the design and preparation of plans for highways demonstrated plans, production, and design experience in the activities normally associated with this category.

b. Types of Work 3.2 and 3.3: Major Highway Design and Controlled Access Complex Highway Design. These types of work require at least two professional engineers, registered with the Florida State Board of Professional Engineers, having proficiency in civil engineering and at least two years of post registration experience in the design and preparation of plans for highways, one year of which must be in the category for which qualification is sought demonstrated plans, production, and design experience in the activities normally associated with the category.

(c) Group 4. Highway Design – Bridges. This work group involves the production and/or review of competently engineered bridge plans which conform with acceptable design standards and which meet the specific requirements of the Department or the Federal Highway Administration.

1. This group includes the following sub-categories of qualification:

a. Type of Work 4.1: Minor Bridge Design. This type of work includes the design of conventional, non-complex bridges and the structural design of other highway-related structures such as non-standard concrete box culverts and retaining walls. Generally, this group is limited to designs utilizing conventional foundation types, simple geometry, and having total estimated bridge(s) plan area(s) no greater than 100,000 square feet (sum of the areas of multiple bridges). Typically, this includes design for the construction, rehabilitation, widening, or lengthening of box culverts, retaining walls, cast-in-place or precast prestressed short span slab type bridges, simple span prestressed concrete beam bridges, and simple span I-beam bridges.

b. Type of Work 4.2: Major Bridge Design. This type of work includes the design of structures that cannot be included in Type of Work 4.1 because of deck area or complex geometry (curvature, skew, or variable width), complexity of design (including bridges with statically indeterminate superstructure components) spans estimated to be less than 300 feet, non-conventional substructures, substructures requiring ship impact design, and railroad bridges. Typically, this includes design for the construction, rehabilitation, widening, or lengthening of bridges over navigable waters, bridges carrying rail traffic, steel box girders, structurally-continuous superstructures, longitudinally post-tensioned concrete bridges, and curved girder bridges.



c. Type of Work 4.3: Complex Bridge Design. This type of work includes the design of unique, specialized, and uncommon types of designs as determined by the Department. Typically, this includes design for the construction, rehabilitation, widening, or lengthening of bridges with estimated span(s) longer than 300 feet, tunnels, cable-stayed bridges, suspension bridges, steel truss spans, concrete arch bridges, and bridges requiring unique analytical methods or other design features not commonly addressed in AASHTO publications.

d. Type of Work 4.4: Movable Span Bridge Design. This type of work includes the design of bascule bridges and other movable bridges. The work includes all structural, electrical, and mechanical requirements. Typically, this includes design for the construction, rehabilitation, widening, or lengthening of bascule bridges, swing bridges, and vertical lift bridges.

## 2. Qualification Requirements.

a. Type of Work 4.1: Minor Bridge Design. This type of work requires at least one professional engineer, registered with the Florida State Board of Professional Engineers, having a minimum of five years structural bridge design experience; and two structural design engineers/technicians having a minimum of three years each of bridge design experience. The professional engineer shall be responsible for quality assurance of all the design services.

b. Type of Work 4.2: Major Bridge Design. This type of work requires at least two professional engineers, registered with the Florida State Board of Professional Engineers, having a minimum of five years each of structural bridge design experience in continuous span bridges (steel plate girder and box girder), post-tensioned continuous concrete spans, and foundations subject to significant lateral loads; and three or more structural design engineers/technicians having a minimum of three years each of bridge design experience. The professional engineers shall be responsible for the quality assurance of all the design services.

c. Type of Work 4.3: Complex Bridge Design. This type of work requires at least three professional engineers, registered with the Florida State Board of Professional Engineers, having a minimum of five years each of structural bridge design experience in categories as listed in Major Bridge Design, as well as spans estimated to be greater than 300 feet consisting of steel truss or arch, or steel or concrete cable-stayed and suspension type structures; and four or more structural design engineers/technicians having a minimum of three years each of bridge design experience. The professional engineers shall be responsible for the quality assurance of all design services.

d. Type of Work 4.4: Movable Span Bridge Design. This type of work requires qualification in type of work 4.2, and also requires an electrical engineer and a mechanical engineer both registered with the Florida State Board of Professional Engineers at least two professional engineers, registered with the Florida State Board of Professional Engineers, having a

minimum of five years each of movable span bridge structural design experience; and one or more professional engineers, registered with the Florida State Board of Professional Engineers, having appropriate experience in electrical power distribution; controls systems; hydraulic drive and control systems; and mechanical gearing, mechanism, and machinery. In addition to the experience requirements for type of work 4.2, the professional engineers will have at least five years of movable bridge structural design experience and the three engineers/technicians shall have a minimum of three years of movable bridge design experience. At least one of the professional engineers or engineer/technicians will have experience in the design of at least three movable bridge electrical control systems within the last 10 years and one will have experience in the design of at least three movable bridge drive systems within the last 10 years. The electrical engineer will have experience in the design of at least three movable bridge electrical control systems within the last 10 years and experience with the commonly used bridge leaf motion control techniques used within the last 30 years. The mechanical engineer will have experience in the design at least three movable bridge drive systems within the last 10 years and experience with the commonly used bridge drive systems used within the last 30 years.

(d) Group 5. Bridge Inspection. This work group is defined as the on-site inspection, load rating, and preparation of bridge inspection reports in accordance with approved federal and state statutes, policies, guidelines, and standards. Availability of required equipment will also be considered, along with level of experience in evaluating qualification.

1. This group includes the following sub-categories of qualification:

a. Type of Work 5.1: Conventional Bridge Inspection. This type of work includes inspection and load rating of all types of bridges except movable bridges, box girders, bulb-tees, suspension, cable stayed, post-tensioned segmental concrete, large steel trusses, high-rise structures, and other complex bridge structures.

b. Type of Work 5.2: Movable Bridge Inspection. This type of work includes inspection and load rating of all types of movable structures (vertical lift, swing span, and bascule), utilizing specialty skills in inspection, load rating, and design of mechanical and electrical equipment.

c. Type of Work 5.3: Complex Bridge Inspection. This type of work includes inspection and load rating of all complex bridges except movable bridges. Typical types of structures will include box girders, bulb-tees, suspension, cable stayed, post-tensioned segmental concrete, high-rise structures, and large steel trusses.

d. Type of Work 5.4: Bridge Load Rating. This type of work involves the process of determining the live load capacity of a structure.

2. Qualification Requirements. Types of ~~w~~Work 5.1, 5.2, 5.3, and 5.4: Bridge Inspection. This type of work requires at least one professional engineer registered with the Florida State Board of Professional Engineers, having experience appropriate to the sub-category requested. For types of work 5.1, 5.2, and 5.3, the engineer must have participated in field inspections meeting the requirements of the National Bridge Inspection Standards for the structure types in the sub-category for which qualification is requested. For type of work 5.4, the engineer must have performed a load rating of a bridge.

(e) Group 6. Traffic Engineering and Operations Studies. This work group includes the performance of studies of existing traffic problems within an urban area; and the determination of the most effective way to improve traffic flow and safety through the application of traffic engineering techniques and other corrective measures. It includes street and signal inventories; intersection and crossing diagrams; highway lighting information at nighttime high accident locations; and analysis of accident reports, traffic counts, travel times, parking practices, and laws and ordinances affecting transportation. This work group is limited to generalized description and schematic layouts of the proposed improvements, including right of way requirements, and generally does not include the preparation of construction plans and the writing of specifications for traffic system projects.

1. This group includes the following sub-categories of qualification:

a. Type of Work 6.1: Traffic Engineering Studies. This type of work is defined as the study of operational problems and the determination of traffic operational improvements for efficiency and safety. This work group includes studies for the following: signing, marking, and signal inventories; traffic counts; intersection and collision diagrams; signal warrant and intersection analysis; and travel time and delay studies. Many of the traffic engineering studies require knowledge and experience with traffic engineering computer programs such as SOAP, PASSER, and TRANSYT. This type of work requires the consultant to make specific recommendations to improve the operational efficiency at a particular location.

b. Type of Work 6.2: Traffic Signal Timing. This type of work is defined as the timing of traffic signals to improve traffic flow and safety. Department approved traffic engineering computerized timing programs shall be used. This type of work includes data collection, intersection analysis and documentation, section analysis and documentation, timing implementation and fine tuning, and timing evaluation.

c. Type of Work 6.3: Intelligent Transportation Systems Analysis, Design, and Implementation. This type of work is defined as the use of electrical engineering, electronics engineering, computer science, and traffic engineering to analyze, design, and implement real-time intelligent transportation systems. This includes system performance and

cost analysis, system hardware and software design, development of management plans, system installation and operation, system testing and debugging, system documentation, and the training of operations personnel.

2. Qualification Requirements.

a. Type of Work 6.1: Traffic Engineering Studies. This type of work requires a professional engineer, registered with the Florida State Board of Professional Engineers, having at least two years of post-registration demonstrated traffic studies experience.

b. Type of Work 6.2: Traffic Signal Timing. This type of work requires a professional engineer, registered with the Florida State Board of Professional Engineers, having demonstrated traffic signal timing experience in the application and interpretation of traffic flow and signal timing models.

c. Type of Work 6.3: Intelligent Transportation Systems Analysis, Design, and Implementation. This type of work requires a professional engineer, registered with the Florida State Board of Professional Engineers, having at least three years of post-registration demonstrated experience in the technical skill area for which qualification is requested ~~activities associated with intelligent transportation systems. These Restrictions to the type of intelligent transportation systems work may apply depending on the consultant's demonstrated proficiency or documented experience in one or more of the following defined~~ technical skill areas are as follows:

(I) Intelligent Transportation Systems Analysis and Design. This type of work requires experience involving ~~in~~ the production of competently engineered design, and preparation of construction plans and specifications for traffic control systems, freeway operations systems, dynamic message sign systems, closed circuit television camera systems, detection systems, and automatic vehicle identification systems. ~~The consultant must also demonstrate~~ must also involve ~~with~~ traffic engineering software applications, freeway control software, and computerized timing programs.

(II) Intelligent Transportation Systems Implementation. This type of work requires ~~documented~~ experience involving ~~with~~ realtime traffic control systems, system installation and testing, and knowledge of Construction Engineering Inspection (CEI) requirements for intelligent transportation construction projects.

(III) Intelligent Transportation Traffic Engineering Systems Communications. This type of work requires documented experience involving ~~in~~ electronic engineering of system hardware, digital system design, specifications, and utilization. ~~The applicant must show~~ must involve ~~in~~ electrical engineering of power and communications, including power distribution, standby power supply, lightning protection, hardware interconnect, fiber optic networks,

wireless communications networks, local area networks, wide area networks, Internet communications, data recording, data transmission, modulating, and multiplexing techniques.

(IV) Intelligent Transportation Systems Software Development. This type of work requires documented experience in software development, specifically with intelligent transportation systems applications, and computer science (realtime process control software systems, including realtime executive Input/Output (I/O) processing and priority interrupt based processing). ~~The applicant must also show experience must also involve with~~ system software testing and debugging, data base software, graphical user interfaces, system documentation, and training of operations personnel.

(f) Group 7. Traffic Operations Design. This work group is defined as the production of competently engineered designs, and preparation of construction plans and specifications for a variety of traffic operations type work.

1. This group includes the following sub-categories of qualification:

a. Type of Work 7.1: Signing, Pavement Marking, and Channelization. This type of work includes designing, preparing construction plans, and writing specifications for signing, pavement marking, and channelization. Such work involves structural support and foundation calculations, and requires a basic knowledge of traffic engineering studies.

b. Type of Work 7.2: Lighting. This type of work includes designing, preparing construction plans, and writing specifications for roadway lighting improvements. Such work involves lighting calculations, pole location, foundation design, electrical circuit calculations, and power supply and distribution design, and requires a basic knowledge of traffic engineering studies.

c. Type of Work 7.3: Signalization. This type of work includes designing, preparing construction plans, and writing specifications for traffic signalization. Such work involves capacity calculations, signal operating plan development, timing calculations, equipment location, pole and foundation designs, etc., and requires a basic knowledge of traffic engineering studies and traffic signal retiming.

2. Qualification Requirements. Qualification for this work group requires a professional engineer, registered with the Florida State Board of Professional Engineers, who has served in responsible charge of at least one project in the type of work, as defined above, for which qualification is requested.

~~a. Type of Work 7.1: Signing, Pavement Marking, and Channelization. This type of work requires a professional engineer, registered with the Florida State Board of Professional Engineers, having demonstrated experience in this category of work.~~

~~b. Type of Work 7.2: Lighting. This type of work requires the consultant to demonstrate experience in the areas of illumination and electrical engineering, as well as to employ a~~

~~professional engineer, registered with the Florida State Board of Professional Engineers, having demonstrated lighting plans design and production experience.~~

~~e. Type of Work 7.3: Signalization. This type of work requires the consultant to demonstrate experience in the area of electrical engineering, as well as to employ a professional engineer, registered with the Florida State Board of Professional Engineers, having demonstrated experience in the design and production of traffic signalization plans.~~

(g) Group 8. Surveying and Mapping. This work group includes surveying and mapping, as defined in Rule Chapter 61G17-6, F.A.C., required for the land acquisition, design, and construction of transportation projects.

1. This group includes the following sub-categories of qualification:

a. Type of Work 8.1: Control Surveying. This type of work provides horizontal and/or vertical control data to a specified standard for ~~all~~ Department projects.

b. Type of Work 8.2: Design, Right of Way, and Construction Surveying. This type of work includes boundary surveys, right of way surveys, as-built surveys, construction layout surveys, topographic surveys, hydrographic surveys, quantity surveys, record surveys, mean high water line surveys, and special purpose surveys.

c. Type of Work 8.3: Photogrammetric Mapping. This type of work includes surveys and the preparation of maps using photogrammetric methods.

d. Type of Work 8.4: Right of Way Mapping. This type of work includes the production of right of way related maps, as well as the preparation of legal descriptions and sketches of legal descriptions based on information supported by the applicable surveys or maps defined in the preceding types of work, title searches, and other documents.

2. Qualification Requirements: To qualify to perform surveying and mapping services as defined above, the consultant must employ at least one professional surveyor and mapper, registered with the Florida Board of Professional Surveyors and Mappers, having at least one year of documented post registration experience in the specific type of work for which qualification is requested. The consultant must also employ at least two additional technical personnel, each having at least one year of documented experience in the specific type of work for which qualification is requested. In addition, the consultant must submit a written statement of intent to use equipment and software meeting the accuracy, formatting, and other requirements defined in Department policies, procedures, manuals, or handbooks, related to the type(s) of work for which qualification is sought.

(h) Group 9. Soil Exploration, Material Testing, and Foundations.

1. This group includes the following sub-categories of qualification:

a. Type of Work 9.1: Soil Exploration. This type of work includes acquisition and reporting of subsurface material, hydrological, and environmental information to be used for the planning, design, construction, and performance of transportation facilities. The methodology involved includes on-site investigations by performing borings, Standard Penetration tests, Cone Penetration tests, and rock coring; the use of specialized test equipment, such as the field vane, pressuremeter, or dilatometer; and the use of geophysical methods. Also included is the field classification of materials and acquisition of soil and rock samples.

b. Type of Work 9.2: Geotechnical Classification Lab Testing. This type of work includes conducting tests on soil and rock according to Department approved specifications for the purpose of classifying materials. The methodology involved includes testing moisture content, grain size, Atterberg limits, compaction, and Limerock Bearing Ratio (LBR) tests.

c. Type of Work 9.3: Highway Materials Testing. This type of work includes sampling and testing various materials and reporting results and recommendations. Work will be performed at mines, quarries, mills, refineries, processors, producers, fabricators, constructors, laboratories, and project construction sites; some of which will be outside the State of Florida. Materials to be tested include aggregates; concrete products; cements and additives, including water, epoxies, and curing compounds; bituminous materials, mixtures, additives, and joint fillers; metals; galvanizing, rubber, paints, and other coatings; and soils and limerock.

d. Type of Work 9.4: Foundation Studies. This type of work includes producing reports which include selection of the type (footings, piles, drilled shafts, etc.) and depth of foundation for bridges and other structures; bearing capacity and the predicted settlement of the selected foundation; slope stability; surcharge or stage construction time schedules for construction over soft ground; pile load tests; soil treatment; stabilization; and direction of field instrumentation installation, including the interpretation of data obtained and other foundation studies using the applicable Department Standard Specifications for Road and Bridge Construction, and Federal Highway Administration guidelines and checklist.

e. Type of Work 9.5: Geotechnical Specialty Lab Testing. This type of work includes conducting tests on soil and rock according to Department approved specifications for the purpose of identifying their physical properties. The methodology involved includes testing permeability, consolidation, unconfined compression, direct shear, splitting tensile, and triaxial.

2. Qualification Requirements. For all sub-categories this work requires at least one professional engineer, registered with the Florida State Board of Professional Engineers, having

a minimum of five years of demonstrated experience in the activities normally associated with the category(ies) under consideration.

a. Type of Work 9.1: Soil Exploration. The consultant must ~~have document the availability of~~ equipment (in-house or subcontracted) necessary to perform the work. ~~Documentation of availability includes equipment listings for exploration subcontractors who will be used on Department projects.~~ It should be noted that the qualified consultant shall be solely responsible for any and all explorations work, whether performed by the consultant or its subcontractor.

b. Type of Work 9.2: Geotechnical Classification Lab Testing. The consultant must have at least one technician with a minimum of two years of experience in geotechnical testing and LBR Technician qualification under the Department's Construction Training Qualification Program. In addition, the consultant must have in-house the following equipment: oven, balance, stirring apparatus, hydrometer bulb, hydrometer bath, thermometer, sieves, sieve shaker, liquid limit device, grooving tool, pycnometer, molds, compaction hammer, straightedge, and LBR loading device with penetration piston.

c. Type of Work 9.3: Highway Materials Testing. Among the consultant's personnel, at least one individual must possess LBR Technician qualification, one individual must possess Asphalt Plant Level I qualification, one individual must possess Concrete Field testing Technician Level I qualification under the Department's Construction Training Qualification Program, and one individual must possess nuclear gauge operator certification as provided by a gauge manufacturer. In addition, the consultant must have (in-house) at least the following test equipment: oven, balances, sieves, mechanical shaker, colorimetric kit, compression testing machine, moisture curing room or tanks, slump cone, air meters, gravity apparatus, thermometers, pycnometer, pulverizing apparatus, jaw crusher apparatus, splitter or quartering device, Los Angeles machine, flowmeter, water bath, ~~vacuum extractor,~~ muffle furnace, compaction hammer, molds LBR loading devices with penetration piston, soak tanks, ~~superpave gyratory apparatus,~~ and ignition furnace.

d. Type of Work 9.5: Geotechnical Specialty Lab Testing. The consultant must have at least one staff member with at least four years of experience performing the tests, or an equivalent bachelor's degree. In addition, the consultant must have (in-house) at least the following test equipment: oven, balances, permeameter, consolidation load device, load frame, direct shear machine, triaxial panel, and a triaxial cell.

(i) Group 10. Construction Engineering Inspection. This work group involves the monitoring and inspection of the work required under various construction contracts. This type of work includes coordinating with other public agencies, utilities, and affected property owners.

a. Type of Work 10.1: Roadway Construction Engineering Inspection. This type of work includes the administration and inspection of single or multiple construction contracts on rural, municipal, urban, and interstate facilities; including necessary minor bridges as defined in Type of Work 3.1.

b. Type of Work 10.2: Major Bridge Construction Engineering Inspection. This type of work includes the administration and inspection of single or multiple construction contracts involving the construction of major bridges as defined in Types of Work 4.2, 4.3, and 4.4.

c. Type of Work 10.3: Construction Materials Inspection. This type of work includes conducting inspections and investigations of various highway materials or products, together with the proper recording, analysis, and reporting of results and recommendations. The work will be performed at mines, quarries, mills, refineries, processors, producers, fabricators, constructors, and project construction sites; some of which will be outside the State of Florida.

## 2. Qualification Requirements.

a. Type of Work 10.1: Roadway Construction Engineering Inspection. This type of work requires at least one professional engineer, registered with the Florida State Board of Professional Engineers, having at least two years of responsible charge experience as a project engineer on a roadway construction inspection project.

b. Type of Work 10.2: Major Bridge Construction Engineering Inspection. This type of work requires a minimum of three professional engineers, registered with the Florida State Board of Professional Engineers. One of these engineers must have at least five years of demonstrated major bridge construction inspection experience.

c. Type of Work 10.3: Construction Materials Inspection. This type of work requires a minimum of one professional engineer, registered with the Florida State Board of Professional Engineers, having at least three years of responsible experience in bridge or roadway construction inspection.

(j) Group 11. Engineering Contract Administration and Management.

1. Type of Work: Engineering Contract Administration and Management. This type of work is defined as the administration and management of engineering activities. Consultants applying for qualification in this type of work must be determined qualified in a number of categories under this rule chapter. Examples of assignments made to a consultant qualified for this type of work are:

a. Engineering analysis of transportation facility deficiencies; and the preparation of an engineering scope of services and staff hour ~~manhour~~ estimate to correct those deficiencies.

b. Project schedule development for planning, environmental, design, and construction engineering inspection activities.

c. Review and analysis of professional engineering issues contained in statements of qualification and technical proposals submitted by consultants competing for professional contracts.

d. Conduct Scope of Service meetings with professional consultants.

e. Preparation of contractual agreements for professional services in accordance with Department policies and procedures.

f. Supervision and management of engineering consultants on individual projects, responding to their technical questions, and reviewing their work in progress and completed work.

g. Representing the Department during professional service negotiations with consultants, utilities, and other entities.

h. Other professional engineering activities associated with the acquisition and management of professional consulting services.

2. Qualification Requirements. Engineering Contract Administration and Management. To be determined qualified for this type of work, a consultant must be qualified by the Department in the following Groups and Types of Work under this rule chapter: Group 3, Types of Work 4.1, 4.2, and 6.1, Group 7, and Type of Work 10.1. Firms deemed qualified in these groups and requesting qualification for Group 11 will be deemed qualified without a requirement to submit additional qualification documentation or materials.

(k) Group 13. Planning. This work group involves the determination of future actions necessary to address the need for transportation facilities and services. The work effort may involve planning both short range (up to 10 years) and long range (more than 10 years) time periods, and may involve any or all typical activities of planning, including development and refinement of processes and procedures; development and analysis of policies, goals, and objectives; data collection and analysis; issue analysis; development and use of forecasting and other models; analysis of transportation/land use relationships; assessing the impact that planning transportation improvements may have on private property; establishment of standards and performance criteria; forecasts of transportation and transportation related data; determination and analysis of alternatives; multimodal/intermodal tradeoff analysis; analysis of alternatives; multimodal/intermodal tradeoff analysis; development of recommended plans and courses of action; financial feasibility; assessment of the impacts of growth management requirements on transportation; and public participation and coordination with other planning processes and plans.

1. This group includes the following subcategories of qualification:

a. Type of Work 13.1: Reserved.

b. Type of Work 13.2: Reserved.

c. Type of Work 13.3: Policy Planning. This type of work involves transportation and transportation related planning activities in the broadest or most general way. Planning in this sub-category usually occurs at levels where difficult trade-offs in the use and allocation of resources must be made and where many people will be affected in important but often subtle ways. Hence, the ability to use judgement, both political and technical/professional, is very important, as is the ability to effectively communicate using a variety of media. Included in this sub-category are development and refinement of statewide transportation plans or plan components, and activities involving the determination of the impacts and implications of policies, legislative issues, processes, and standards on a wide variety of subjects, including: transportation facilities and services; land use; the environment; the private sector; and the public. Planning in this sub-category usually occurs at levels where difficult trade-offs in the use and allocation of resources must be made and where many people will be affected in important but often subtle ways. Hence, the ability to use judgement, both political and technical/professional, is very important, as is the ability to effectively communicate using a variety of media.

d. Type of Work 13.4: Systems Planning. This type of work deals with planning for entire systems (one or several modes) of transportation covering an entire geographic area such as the development of long range transportation plans for an MPO, county, or region; or the development of an ITS Strategic Plan for a region. Included in this sub-category are activities involving the systematic analysis of future demand for transportation facilities and services, leading to recommendations for addressing that demand. Typical activities include: data collection and analysis, including analysis of transportation/land use relationships; estimation, forecasting, and assignment of travel demand, including modeling the characteristics and use of transportation systems; mode split and multimodal tradeoff analysis; development of ITS strategies; impact analysis; evaluation and decision making; cost analysis and financial feasibility; and modal coordination and management. Although recommendations as to the type, number, and approximate location of transportation facilities are to be made, this sub-category does not include determination of the precise location or design of facilities or systems.

e. Type of Work 13.5: Subarea/Corridor Planning. This type of work deals with planning for entire systems or portions of systems (one or several modes) of transportation covering a smaller portion of a geographic area than Systems Planning or for a specific transportation corridor. Included in this sub-category are activities involving the systematic analysis of future demand for transportation facilities and services, leading to recommendations for addressing that demand. Typical activities, usually performed at a more detailed level than with systems planning, include data collection and analysis, as well as: analysis of transportation/land use relationships; estimation,

forecasting, and assignment of travel demand, including modeling the characteristics and use of transportation systems; mode split and multimodal tradeoff analysis; development of ITS strategies to maximize the operation of the corridor; impact analysis; evaluation and decision making; cost analysis; and financial feasibility; and modal coordination and management. Although recommendations as to the type, number, and approximate location of transportation facilities are to be made, this sub-category does not include determination of the precise location or design of facilities or systems.

f. Type of Work 13.6: Land Planning/Engineering. This type of work involves planning and engineering in support of assessing the impacts that proposed transportation improvements may have on private property. Included in this sub-category are activities involving site analysis for compliance with comprehensive plans, local ordinances, and appraisers' cost to cure; reviewing and providing engineering opinions of site plans for feasibility and conformance with applicable codes and regulations; assessing the impact to drainage and environment; and preparing site plan and studies which may encompass parking layout, vehicle use areas, and general site consideration in conformance with applicable codes, laws, and regulations.

g. Type of Work 13.7: Transportation Statistics. This type of work involves data collection, analysis, editing, processing, and reporting to support planning, design, and maintenance of the transportation network. This type of work also involves the construction, replacement, or repair of traffic monitoring equipment including sensors (either installed in, or along the roadway) and associated equipment and appurtenances. The construction of traffic monitoring sites may include design, preparing construction plans, writing specifications, and construction engineering supervision. Special traffic counts may also be performed under this activity to support production and development activities and special needs.

## 2. Qualification Requirements

a. Type of Work 13.1: Reserved.

b. Type of Work 13.2: Reserved.

c. Type of Work 13.3: Policy Planning. This type of work requires at least one professional engineer, registered with the Florida State Board of Professional Engineers, having at least five years training and experience in areas directly related to policy planning; or at least one professional engineer, registered with the Florida State Board of Professional Engineers, with at least one employed planner having training and experience in areas directly related to policy planning; or at least one planner, certified with the American Institute of Certified Planners, having training and experience in areas directly related to policy planning.

d. Type of Work 13.4: Systems Planning. This type of work requires at least one professional engineer, registered with the Florida State Board of Professional Engineers, having

at least five years training and experience in areas directly related to systems planning; or at least one professional engineer, registered with the Florida State Board of Professional Engineers with at least one employed planner having at least five years training and experience in areas directly related to systems planning; or at least one planner, certified with the American Institute of Certified Planners, having at least five years training and experience in areas directly related to systems planning.

e. Type of Work 13.5: Subarea/Corridor Planning. This type of work requires at least one professional engineer, registered with the Florida State Board of Professional Engineers, having at least one year of post-registration training and experience in areas directly related to subarea/corridor planning; or at least one professional engineer, registered with the Florida State Board of Professional Engineers, with at least one employed planner having at least one year of training and experience in areas directly related to subarea/corridor planning; or at least one planner, certified with the American Institute of Certified Planners, having at least one year of training and experience in areas directly related to subarea/corridor planning.

f. Type of Work 13.6: Land Planning/Engineering. This type of work requires at least one professional engineer, registered with the Florida State Board of Professional Engineers, having a minimum of three years of training and experience in comprehensive planning or areas directly related to assessing impacts to private property; or at least one professional engineer, registered with the Florida State Board of Professional Engineers, with at least one employed planner having a minimum of three years of training and experience in comprehensive planning or areas directly related to assessing impacts to private property; or at least one planner, certified with the American Institute of Certified Planners, a minimum of three years of having training and experience in comprehensive planning or areas directly related to assessing impacts to private property.

g. Type of Work 13.7: Transportation Statistics. This type of work requires at least one professional engineer registered with the Florida State Board of Professional Engineers, having at least one year of post-registration demonstrated experience in activities associated with the collection of traffic data of a statistical nature that can be used in the Department's databases data bases such as the Rail-Highway Crossing Inventory (RHCI), Traffic Characteristics Inventory (TCI), and Roadway Characteristics Inventory (RCI), or used to support other Department activities such as highway design. In addition, either the same engineer, or an additional professional engineer registered with the State Board of Professional Engineers with at least one year of post-registration demonstrated experience in the construction, replacement, or repair of traffic monitoring

equipment, including sensors (either installed in, on, or alongside the roadway) and associated equipment and appurtenances, and maintenance of traffic is required.

(l) Group 14. Architect.

1. Type of Work. This type of work is defined as the rendering of services in connection with the design and construction of a structure or group of structures which have as their principal purpose human habitation or use, and the utilization of space within and surrounding such structures. These services include planning; providing preliminary study designs, drawings, and specifications; architectural supervision; job-site inspection; and administration of construction contracts.

2. Qualification Requirements. This type of work requires at least one architect, registered with the Florida State Board of Architecture and Interior Design, with a minimum of documentation indicating five years of post-registration experience in commercial design and favorable references.

(m) Group 15: Landscape Architect.

1. Type of Work. This type of work is defined as the rendering of services in connection with the design and construction of landscape projects. These services include planning; site planning; providing preliminary study designs, drawings, and specifications; landscape architectural supervision; job-site inspection; and administration of construction contracts.

2. Qualification Requirements. This type of work requires at least one landscape architect, registered with the Florida State Board of Landscape Architecture, with at least five years of post-registration experience in landscape architecture projects documentation of past projects and favorable references.

(p) Group 20. Appraisal Services.

1. This type of work is defined as the services provided by an appraiser to the State of Florida Department of Transportation. Appraisal Services include: "Appraisal Assignment" in which denoting an engagement for which a person is employed or retained to act, or could be perceived by third parties or the public as acting, as an agent or a disinterested third party in rendering objective and an unbiased analyses analysis, opinions, reviews, or conclusions relating to the nature, quality, value, or utility of specified interests in, or aspects of, identified real property; "Analysis Assignment" denoting limited appraisal services that relate to the Department's specifically identified needs such as estimates of project or parcel costs, specialized studies of project effects or influences, market activity, market conditions, trends and adjustments, financing, and feasibility as well as analyses, opinions and conclusions relating to such activities. Such appraisal services must be in compliance with Appraisal services require a written statement, independently and impartially prepared, which meets the Uniform Standards of Professional Appraisal Practice (USPAP), as incorporated by

reference in Section 475.628, Florida Statutes. ~~Due to the nature of this work, the Department has developed the following sub-categories. Consultants may be restricted to certain of these sub-categories based on the level of their experience and availability of personnel; and "Appraisal Review" denoting the act or process of critically studying an appraisal report prepared by others.~~

1. ~~Group 20.1 Appraisal~~

2. ~~Group 20.2 Appraisal Review~~

~~2.3. Qualification Requirements.~~ These types of work requires a minimum of one person licensed as a State Certified General Real Estate Appraiser issued by the Florida Department of Business and Professional Regulation, with a minimum of three years experience in appraising for eminent domain purposes. For Group 20.2, the certifying appraiser shall, in addition to the required three years experience in appraising for eminent domain purposes, have a minimum of three years experience in appraisal review for eminent domain purposes.

(o) Group 21. Acquisition, Negotiation, Closing, and Order of Taking.

1. Type of Work. This work involves notifying all affected parties of their rights pursuant to Section ~~73.015~~ ~~337.271~~, Florida Statutes; reviewing and verifying all title work; reviewing right of way maps and construction plans and verifying that all legal descriptions, right of way maps, and appraisals correspond; conducting ~~surveys to identify all businesses operating on property being acquired~~ ~~interviews with business owners to determine eligibility for potential business damage claims~~ and obtaining appropriate documentation; preparing real property/personal property inventories; making purchase offers including the approved market value estimate and, when applicable, approved business damages, and conducting negotiations in accordance with state policies and procedures and all applicable laws; ~~when applicable, making business damage counteroffers and conducting negotiations to settle business damage claims in accordance with state policies and procedures~~; participating in the non-binding pre-litigation mediation process; preparing recommendations for administrative settlements; preparing and processing invoices for requesting warrants for settlements, and order of taking deposits; conducting all necessary closings as well as preparation, styling, and filing of lawsuit packages under the direction of the Department's attorney; providing assistance to the Department's attorneys in obtaining Orders of Taking, including providing testimony and responding to interrogatories; and maintaining complete written documentation of all contacts with property owners or property owners' representatives.

2. Qualification Requirements. This type of work requires registration of the consultant with the Florida Real Estate Commission and, at a minimum, one real estate broker and one real estate salesperson licensed by the State of Florida

Department of Business and Professional Regulation. These employees each must have at least three years of demonstrated experience in transportation acquisition projects.

(p) Group 22. Acquisition Business Damage Estimating and Estimate Review.

1. Type of Work. This work is defined as the preparation of business damage estimate reports describing the impact of a right of way acquisition on the income, expenses, and profits of a particular business, in accordance with the standards established in Rule Chapter 14-102, F.A.C., and all other recognized accounting and performance standards; and the critical and analytical review and evaluation of business damage estimate reports, exhibits, and other documentation submitted to the Department by the business damage estimator on behalf of the Department or business owners.

2. Qualification Requirements. This type of work requires a minimum of one employee, registered as a Certified Public Accountant in the State of Florida, with a minimum of three years of demonstrated professional accounting work, after registration. This type of work also requires the Certified Public Accountant CPA to demonstrate previous experience in the preparation of accepted business damage estimate reports for the Department within the last three years immediately preceding application for qualification; or have served ~~service~~ as an expert witness in the State of Florida in eminent domain cases or other legal cases regarding business valuation or damages within the last three years immediately preceding application for qualification; or a minimum of ~~48~~ ~~24~~ hours of completed course work ~~since January 1, 1981~~, directly related to business valuation. Verification of course work shall be by copies of course certificates of completion issued by the course provider which will indicate the number of hours that may be counted for continuing professional education credits.

(q) Group 24. Acquisition Relocation Assistance.

1. Type of Work. This type of work is defined as relocation planning at the conceptual stage of a transportation project and the preparation of the Relocation Needs Assessment Survey, identifying displaced persons and likely business damage candidates pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act and 49 C.F.R., Part 24. Advisory services, including personal interviews and coordination with displaced persons, must be provided to ~~ensure~~ ~~insure~~ the timely relocation to replacement properties. Relocation assistance also involves the delivery of all required notices and offers to owners and tenants, the location and offering of comparable decent, safe, and sanitary replacement dwellings available for sale or rent, the computation of replacement housing payments, the determination of appropriate move cost payments, the monitoring of moves, the preparation of claim packages, invoicing of payment amounts, and delivery of warrants. The work also entails obtaining all information pertinent to evictions and relocation appeals, and includes providing testimony.



2. Qualification Requirements. This type of work requires a minimum of one full time employee with a minimum of three years of demonstrated current experience in administering and providing relocation assistance for transportation projects under the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act and 49 C.F.R., Part 24.

(r) Group 25. Right of Way Clearing and Leasing.

1. Type of Work: This work involves preparing real property/personal property inventories and inventory updates up to and including final disposition of the property; performing property inspections on an ongoing basis to determine the need for rodent control, maintenance, and security; conducting negotiations for short-term leases and preparing leasing documents for real and personal property prior to construction of a project; preparing, obtaining, managing, and reviewing contracts for consultant services to perform asbestos surveys, preparing asbestos operation and maintenance plans, preparing asbestos abatement specifications, and performing air and asbestos project monitoring; preparing, obtaining, and managing departmental contracts for asbestos abatement services; preparing, obtaining, and managing departmental contracts for demolition and removal services; inspecting demolition sites and documenting demolition activities; and preparing, obtaining, and managing ~~Department~~ departmental contracts for removal of pollutant storage tanks.

2. Qualification Requirements. This type of work requires registration of the consultant with the Florida Real Estate Commission and, at a minimum, one real estate broker and one real estate salesperson licensed by the Florida State Department of Business and Professional Regulation. These employees each must have at least three years of demonstrated experience in managing properties acquired for transportation purposes and managing contracts for demolition activities. Additionally, at least one employee must be certified as an Asbestos Inspector; and as an Asbestos Management Planner, and have a minimum of three years of administrative experience in the asbestos field.

Specific Authority 287.055, 334.044(2) FS. Law Implemented 287.055, 337.105, 337.1075 FS. History—New 6-30-73, Amended 3-24-77, 5-1-77, 8-31-77, 11-13-77, 9-20-83, 10-21-85, Formerly 14-75.03, Amended 3-29-89, 1-2-91, 9-29-92, 2-22-94, 8-5-96, 6-30-98, 8-2-01,\_\_\_\_\_.

#### 14-75.004 Consultant Competitive Selection Process.

Selection of professional consultants by the Department shall be in accordance with the provisions enumerated below.

(1) Notice.

(a) Except when there is a public emergency certified by the Secretary of Transportation, the Department shall provide notice whenever it requires professional services for a project, the basic construction cost of which is estimated by the Department to be more than the threshold amount in Section 287.017, Florida Statutes, for category five, or when the fee for professional services for a fixed capital outlay study or

planning activity exceeds the threshold amount provided in Section 287.017, Florida Statutes, for category two. The Department will provide the foregoing notice at its Internet address ([www11.myflorida.com/procurement/](http://www11.myflorida.com/procurement/) ~~http://www.dot.state.fl.us/~~). A project may include the following:

1. Professional services associated with a specifically identified project.

2. A grouping of professional service assignments for substantially similar activities where the grouping of assignments provides advantage to the Department because of the geographic proximity of the existing or proposed transportation facilities involved, or use of shared resources for multiple projects, or to allow multiple use of a single design concept.

3. Miscellaneous minor professional services, performed on a task assignment basis. The total contract fee may not exceed \$1,500,000 and individual assignments may not exceed \$300,000. However, these limits may be exceeded due to ~~with~~ unplanned cost increases.

4. Professional services of a general consultant, which include the administration, support, and management of engineering, architectural, surveying, planning, or right of way acquisition and appraisal activities. These activities may involve a number of different projects in the work program. The contract time shall not exceed five years although the Department may extend the contract time for an additional five years in one year increments contingent upon satisfactory performance, ~~unless extended to complete assignments previously authorized.~~

(b) The notice shall contain time frames for submittal of a letter of response, a general description of the project, including where a detailed description may be obtained, the Department district and county where the project is located, a list of the major types of work, an indication as to whether the project is considered a minor project for qualification purposes, and a description of the means by which interested consultants can apply for consideration. Projects that do not conform to the prequalified types of work shall be advertised requesting any interested consultant to submit a Letter of Qualification. Consultants responding to advertisements for such non-standard types of work do not need to possess previous qualification.

(2) Response to Advertisement and Selection.

(a) Professional consultants who desire work with the Department shall timely submit a maximum of a two page letter of response, or a letter of qualification, to the Department whenever they feel qualified to perform projects for which notice has been provided in accordance with subsection (1)(a). To be considered for selection, the letter of response or letter of qualification must be received in the format and by the date specified in the advertisement and will include a list of all

affiliates as defined in Section 337.165(1)(a), Florida Statutes. Only one letter of response/qualification will be considered from any consultant firm.

(b) After receipt of a letter of response, or letter of qualification, the Department shall review the submittal and verify that the consultant possesses current qualification with the Department to perform the major type(s) of work specified in the advertisement. In order to be considered for selection, any consultant which does not possess current qualification to perform the major type(s) of work specified in the advertisement shall submit a completed Request for Qualification Package, including the required overhead audit (if applicable), on or before the date letters of response are due. A qualified consultant may use a qualified sub-consultant ~~another consultant~~ to meet the requirements of the major type(s) of work for which it is not currently qualified when responding to advertisements. ~~However, the qualification status of the consultant will be valid for that project only. The consultant will be required to resubmit the necessary application for qualification for subsequent projects in that type of work.~~ The Department will not be obligated to delay any part of the consultant selection process or the execution of a contract for a consultant who has not been qualified for the major types of work or who cannot provide the required documentation prior to the process of selection.

(c) If fewer than three consultants respond to the advertisement, the Department shall review its list of firms prequalified for the major type(s) of work advertised, and select no fewer than ten prequalified firms (or all prequalified firms if fewer than 10 are prequalified) deemed to be the most highly qualified, based on the criteria in Section 287.055(4)(b), Florida Statutes. The Department shall then contact each of the listed consultants and conduct similar discussions concerning the project, until it has at least three consultants interested in the project.

(d) When the fee for professional services is less than the threshold amount provided in Section 287.017, Florida Statutes, for category two, or when the Department's estimated basic construction cost is less than the threshold amount provided by Section 287.017, Florida Statutes, for category five, the Department may request, review, and approve the technical qualifications of the selected consultant if the consultant is not currently qualified in the requested type of work.

(e) Selection of consultants will be in accordance with Section 287.055, Florida Statutes.

Specific Authority 334.044(2) FS. Law Implemented 287.055, 337.105 FS. History—New 6-30-73, Amended 3-24-77, 6-30-83, 10-21-85, Formerly 14-75.04, Amended 3-29-89, 1-2-91, 9-29-92, 2-22-94, 8-5-96, 2-12-98, 8-2-01,\_\_\_\_\_.

14-75.0051 Revocation, Denial, or Suspension of Qualification.

(1) The Department will, for good cause, deny or suspend the qualification of any professional consultant, or other provider of service, to render services to the Department. A denial or suspension for good cause pursuant to this rule shall remove the person or firm from consideration for award of professional service contracts for a particular type of work for a period not to exceed three years. Such good cause shall include paragraphs (a) through (e) below:

(a) One of the circumstances specified under Section 337.105(1)(a) through (i), Florida Statutes.

(b) The consultant defaulted on any Department contract, or the contract of any other governmental entity.

(c) The consultant failed to timely furnish all contract documents required by the contract specifications, or special provisions, to be provided after the Department's offer of final payment.

(d) The consultant has an unsatisfactory work performance grade average. A consultant must maintain a final grade of 70 to remain qualified with the Department to provide services in each type of work. A composite final average grade between 60 and 69 for schedule, management, and each quality grade will result in the consultant being suspended from the qualified list for three months for each type of work graded within this range. A composite final average grade below 60 for schedule, management, and each quality grade will result in the consultant being suspended from the qualified list for six months for each type of work graded within this range.

(e) Any other substantial reason established by the factual circumstances.

(2) For any of the reasons provided in Section 14-75.0051(1), other than receipt of an unsatisfactory work performance grade, the Department will deny or suspend a consultant's qualification for a period of time based upon the seriousness of the deficiency. Factors to be considered in determining the length of the suspension or denial include, but shall not be limited to, the following:

(a) Impact on project design or construction schedules;

(b) Frequency or number of occurrences;

(c) Impact on the Department, financial or otherwise;

(d) Potential for repetition;

(e) Length of bar or suspension from consideration of work by another governmental entity; and

(f) Severity or length of noncompliance with the requirements for qualification, found in Rule Chapter 14-75.

(3) The Department shall deny or revoke the qualification to bid of any consultant, and its affiliates, for a period of 36 months, pursuant to Section 337.165, Florida Statutes, when it is determined that the consultant has, subsequent to January 1, 1978, been convicted of a contract crime within the jurisdiction of any state or federal court.

(4) Any decision by the Department to suspend, revoke, or deny a consultant's qualification will be provided to the consultant in accordance with Rule 28-106.111, F.A.C. The Department action will become final, unless a petition for a hearing is filed in accordance with Rules 28-106.104, 28-106.201, and 28-106.301, F.A.C., within 21 days after receipt of the Department's notice. Where a consultant's qualification has been denied or revoked for conviction of a contract crime, a hearing shall be held within 30 days of the receipt of the request for hearing if the request for hearing is filed within 10 days of the Department's notice of intent. All requests for hearing shall be in writing and shall be filed with the Clerk of Agency Proceedings, 605 Suwannee Street, MS 58, Haydon Burns Building, Tallahassee, Florida 32399-0458. A request for hearing is filed when it is delivered to, and received by, the Clerk of Agency Proceedings at the above address, and accordingly is not timely filed unless it is received by the Clerk of Agency Proceedings within the appropriate time period.

(a) Reapplication or Reinstatement. A consultant whose qualification has been denied or revoked for conviction of a contract crime may petition for reapplication or reinstatement at any time after denial or revocation in accordance with Section 337.165(2)(d), Florida Statutes.

1. The petition for reapplication or reinstatement shall be in writing and shall be filed with the Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, MS 58, Haydon Burns Building, Tallahassee, Florida 32399-0458, and shall include:

- a. The name and address of the party making the request;
- b. A statement of the specific grounds upon which the petition is based and the proposed terms and conditions upon which reapplication or reinstatement is sought;
- c. A list of all witnesses and exhibits to be presented; and
- d. A statement whether the consultant requests that the hearing be held by the Division of Administrative Hearings.

2. Upon the filing of a petition for reapplication or reinstatement, the Department shall:

- a. Conduct a hearing within 30 days after receipt of the petition, unless otherwise stipulated by the parties; or
- b. Notify the Division of Administrative Hearings within five days after receipt of the petition for scheduling of the hearing in accordance with Sections 337.165(2)(d) and 120.57, Florida Statutes.

3. If the petition for reapplication or reinstatement is denied, the consultant may not petition for a subsequent hearing for a period of nine months following the date of the order of denial or revocation.

4. If the petition for reinstatement is granted, the consultant shall file a current Request for Qualification with the Procurement Office, 605 Suwannee Street, MS 20, Haydon Burns Building, Tallahassee, Florida 32399-0450, before the reinstatement shall become effective.

(b) Notification of Contract Crime. A consultant who is qualified with the Department, or who has a letter of response or qualification, or who has a request for qualification pending before the Department pursuant to this Rule Chapter, shall notify the Department within 30 days after conviction of a contract crime applicable to it or to any of its affiliates or to any officers, directors, executives, shareholders active in management, or employees or agents of it or any of its affiliates. The notification shall be forwarded to the Department of Transportation, Procurement Office, 605 Suwannee Street, MS 20, Haydon Burns Building, Tallahassee, Florida 32399-0450.

Specific Authority 334.044(2), 337.105 FS. Law Implemented 287.055(3), (6), 337.105, 337.165 FS. History—New 3-29-89, Amended 1-2-91, 9-29-92, 2-22-94, 1-17-99, 8-2-01,\_\_\_\_\_.

14-75.0052 Professional Consultant Work Performance Evaluation System.

(1) The consultant's work performance on each professional service contract must be evaluated by the Department's project manager. A minimum of one interim evaluation shall be conducted for all contracts with a duration of 18 months or more. A final evaluation shall be conducted for all contracts within 30 days of approval of the final invoice for basic services. A work performance grade for each major type of work shall be based on an evaluation of Schedule, Management, and Quality. The project manager shall assign the Quality Grade to any qualified consultant named in the agreement for each major type of work performed. The Department's contracted consultant shall also receive a Schedule, Management, and Quality Grade in the same type of work as any technically qualified consultant.

(2) Each interim grade shall be based upon an evaluation of the consultant's work performance for the period of time since a previous interim evaluation was made. The Final Grade shall reflect the overall contract performance for the entire contract period. Interim grades shall be entered into the Department's Professional Services Information System until replaced by the final grade.

(3) Each professional service contract evaluation shall be based on an evaluation of contract performance using a grading system for Schedule, Management, and Quality, except for Groups 10.1 and 10.2, which will be scored one composite grade. The scoring system for all work groups will be as follows:

- Excellent – 100 points
- Good – 90 points
- Average – 80 points
- Marginal – 70 points
- Unsatisfactory – 0-60 points

(a) The Schedule Grade. The schedule grade shall provide an indication of the consultant's compliance with the contract schedule.

(b) The Management Grade. The management grade shall provide an indication of the consultant's managerial knowledge and ability to manage all necessary resources to deliver a high quality product.

(c) The Quality Grade. The quality grade shall provide an indication of the consultant's attention and concern to the established quality control plan and a quality product. A quality grade is prepared, at a minimum, for each major type of work as advertised. The quality grade for each type of work shall consider a minimum of four quality tests with a standard score range assigned to each test. The maximum grade for the summation of all quality tests for an individual quality grade is 100%.

(4) For all professional service contracts that result in the preparation of construction plans, a construction plan quality evaluation will be performed ~~made~~ by the Department's Resident Engineer within 30 days after final acceptance of the construction project. The resulting ~~This~~ Constructability Grade shall provide an indication of the design consultant's ability to develop practical, accurate, complete, and cost effective construction plans. The Department's CEI project manager or resident engineer shall assign a grade on the design consultant's plan quality.

(5) Additional interim consultant work performance evaluations can be submitted by the Department's project manager as needed. Items to be considered for submitting additional interim evaluations are:

- (a) Examples of extremely outstanding performance;
- (b) Examples of extremely poor performance;
- (c) Completion of critical phases of work, such as preliminary design, submittal of draft environmental documents and reports, initial and final ~~30%, 60%, and 90%~~ submittals, etc.; and
- (d) Requests from the consultant based on possible improved performance when its most recent grade was low.

(6) Evaluation Processing. The Department's project manager will prepare ~~submit~~ the completed consultant performance grade, interim or final, ~~to the Professional Services Administrator/Contractual Services Office~~ for entry into the Professional Services Information System. All final grades will be retained in the system for five years, and may be referred to by the Department for use in future qualification selection matters. Each interim grade shall be replaced by the succeeding interim grade and eventually by the final grade for each contract. A performance grade is established for each major type of work by averaging the schedule, management, and quality grade. An average grade of 70 or more for each type of work is considered satisfactory.

(7) Within 10 days after the Procurement Office receives the completed grades, a copy of the performance grades with a cover letter shall be provided to the consultant's project

manager and officer who executed the agreement, as well as to any other consultant who was named in the agreement and was assigned a Quality Grade for work it performed.

Specific Authority 287.055, 334.044(2) FS. Law Implemented 287.055, 337.105 FS. History--New 3-29-89, Amended 1-2-91, 9-29-92, 2-22-94, 8-5-96, 8-2-01,\_\_\_\_\_.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE: Highway Traffic Safety Program  
 RULE CHAPTER NO.: 14-98  
 RULE TITLES: Application and Award Procedures Forms  
 RULE NOS.: 14-98.005 14-98.008

PURPOSE AND EFFECT: Rules 14-98.005 and 14-98.008 are being amended to adopt a revised version of the Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01, which was incorporated by reference in the April 16, 2002, amendment to Rule Chapter 14-98. The language had been proposed to be deleted from Paragraphs 38 and 39 of the Conditions of Agreement, but the version of the form showing that deletion had not been provided to the Joint Administrative Procedures Committee.

SUBJECT AREA TO BE ADDRESSED: Rule Sections 14-98.005(7), 14-98.005(10), and 14-98.008(6) are amended to show the adoption of a revised version of Form 500-065-01.

SPECIFIC AUTHORITY: 334.044(2),(25) FS.

LAW IMPLEMENTED: 334.044(25) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-98.005 Application and Award Procedures.

(1) through (6) No change.

(7) Two copies of the application form, Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01, Rev. 05/02 ~~04/02~~, will be sent to those applicants whose concept papers are selected for funding. Applicants whose concept papers were not selected for funding will be notified by the Office.

(8) through (9) No change.

(10) The Office shall review all applications and will reject any applications not meeting the requirements of these rules and applicable Federal and State laws, within ten working

days of receipt of said applications. In the event that an applicant submits a Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01, Rev. 05/02 ~~04/02~~, for an activity that is not included in the Highway Safety Plan, the application shall be rejected. Failure to reject any application within ten days shall not result in the automatic award of a subgrant. All subgrants are subject to funds availability.

(11) No change.

Specific Authority 334.044(2) FS. Law Implemented 334.044(25) FS. History—New 12-30-84, Amended 6-10-85, Formerly 9B-32.05, 9B-32.005, 11-19-89, Formerly 9G-15.005, Amended 12-7-93, 11-29-94, 1-17-99, 4-16-02,\_\_\_\_\_.

14-98.008 Forms.

The following forms used in the Highway Traffic Safety Program are hereby incorporated by reference:

(1) through (5) No change.

(6) Subgrant Application for Highway Safety Funds – FDOT Form 500-065-01, Rev. 05/02 ~~04/02~~.

(7) through (8) No change.

Copies of these forms may be obtained by writing or calling the Florida Department of Transportation, State Safety Office, 605 Suwannee Street, MS-17, Tallahassee, Florida 32399-0450; Telephone (850)488-5455.

Specific Authority 334.044(2),(25) FS. Law Implemented 334.044(25) FS. History—New 6-10-85, Formerly 9B-32.08, 9B-32.008, Amended 11-19-89, Formerly 9G-15.008, Amended 12-7-93, 6-14-94, 11-29-94, 4-16-02,\_\_\_\_\_.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE: Toll Enforcement RULE CHAPTER NO.: 14-100

RULE TITLE: Prosecution of Unpaid Toll Violations RULE NO.: 14-100.002

PURPOSE AND EFFECT: Form SP050-A-003 Affidavit is being revised. Under the incorporation by reference provisions of the Administrative Procedure Act, the revised version of the form has to be incorporated by reference in the same manner as the previously adopted version of that form. In addition to the specific references to the specific form, which are being amended to include a new revision date, the Forms Section is corrected from “(6)” to “(5)” as the numbering in the Florida Administrative Code goes from (4) to (6) without a Section (5).

SUBJECT AREA TO BE ADDRESSED: The Affidavit form is being updated and the numbering of the Forms Section number is corrected.

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

LAW IMPLEMENTED: 316.1001, 334.044(28), 338.155, 338.165, 338.231 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-100.002 Prosecution of Unpaid Toll Violations.

(1) through (3) No change.

(4) Response to a UTC.

(4)(a) No change.

(b) Upon receipt of a UTC, the registered owner of the motor vehicle involved in the violation is responsible for payment of the amount provided for in Section 318.18(7), Florida Statutes, in addition to any amount that is imposed as a result of pleading guilty or which may be otherwise imposed by the court, unless the owner can establish the motor vehicle was, at the time of violation, in the care, custody, or control of another person. In order to establish such facts, the registered owner of the motor vehicle is required to appear before the court and complete a sworn affidavit.

1. The Department will make the affidavit, Form SP050-A-003, Rev. 04/02 ~~11/99~~, available to the court. Should the court choose not to use the affidavit, Form SP050-A-003, Rev. 04/02 ~~11/99~~, the court will provide an appropriate affidavit form.

2. Should the court accept the affidavit, the UTC will be dismissed against the owner and the Department shall issue a UTC to the individual named in the affidavit as having been in care, custody, or control of the vehicle.

(5)(6) Forms. The following forms are incorporated by reference and made a part of this rule:

Form Number	Date	Title
SP050-A-002	11/99	Uniform Traffic Citation
SP050-A-003	<u>04/02</u> <del>11/99</del>	Affidavit
SP050-A-004	11/99	Toll Enforcement Officer Observed Violation Form
SP050-A-005	11/99	Toll Transaction Report

Copies of these forms may be obtained from the Florida Department of Transportation, Toll Violation Enforcement, Post Office Box 880069, Boca Raton, Florida 33488-0069.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 316.1001, 334.044(28), 338.155, 338.165, 338.231 FS. History—New 8-13-00, Amended\_\_\_\_\_.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

DOCKET NO.: 01-43R  
 RULE CHAPTER TITLE: State Buffer Preserves  
 RULE CHAPTER NO.: 18-23  
 RULE TITLES: Intent  
 RULE NOS.: 18-23.002  
 Limitations on Activities 18-23.007  
 Determination and Applicability of Fines 18-23.010  
 PURPOSE AND EFFECT: To clarify language in this chapter, especially within the prohibitions section; to remove obsolete language from this chapter, such as references to the Division of Marine Resources; to change the title of the chapter to address other lands managed by the Office of Coastal and Aquatic Managed Areas (CAMA); to add a section to the chapter specifying fines for violations of the chapter on lands managed by CAMA, including buffer preserves; to include in the chapter all uplands managed by CAMA, adding uplands leased to it by the Board of Trustees, spoil islands and natural state-owned islands in aquatic preserves to buffer preserves; to add and specify amounts of fines for violations of this chapter; and to make any other changes to this chapter that will assist in implementing Section 253.86, Florida Statutes, enacted in 2001.

SUBJECT AREA TO BE ADDRESSED: What CAMA-managed uplands consist of; and activities on and specific fines up to \$500 for violations on CAMA-managed uplands. Any area in any of this chapter may be addressed in furtherance of the purpose of this rulemaking.

SPECIFIC AUTHORITY: 253.86(1) FS.

LAW IMPLEMENTED: 253.86(1),(2) 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. NOTE: Workshops for this chapter have already been scheduled for May 6-8, 2002, as noticed in the Florida Administrative Weekly and the Department of Environmental Protection's website at [www.dep.state.fl.us/](http://www.dep.state.fl.us/) on April 19, 2002.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alex M. Cordero, Office of Coastal and Aquatic Managed Areas, 3900 Commonwealth Blvd., M.S. 235, Tallahassee, Florida 32399-3000. Phone: (850)488-3456 or SC 278-3456. Fax: (850)488-3896 or SC 278-3896. E-mail: [alex.cordero@dep.state.fl.us](mailto:alex.cordero@dep.state.fl.us).

THIS NOTICE AMENDS AND SUPERSEDES THE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED March 15, 2002.

**PUBLIC SERVICE COMMISSION**

DOCKET NO: UNDOCKETED  
 RULE TITLE: Design and Construction of Plant  
 RULE NO.: 25-4.036  
 PURPOSE AND EFFECT: To incorporate the most recent editions of the National Electrical Safety Code and the National Electrical Code into the rule.  
 SUBJECT AREA TO BE ADDRESSED: Design and Construction of telecommunications facilities.  
 SPECIFIC AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 364.01(4), 364.03 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 WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Samantha Cibula, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ray Kennedy, Division of Competitive Markets & Enforcement, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862

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

**PUBLIC SERVICE COMMISSION**

DOCKET NO: UNDOCKETED  
 RULE TITLES: Pay Telephone Service  
 RULE NOS.: 25-24.515  
 Rules Incorporated 25-24.585

PURPOSE AND EFFECT: To incorporate the most recent editions of the National Electrical Safety Code and the National Electrical Code into the rules.

SUBJECT AREA TO BE ADDRESSED: Design and Construction of telecommunications facilities.

SPECIFIC AUTHORITY: 350.127(2), 427.704(8) FS.

LAW IMPLEMENTED: 350.113, 364.016, 364.17, 364.18, 364.183, 364.185, 364.03, 364.035, 364.063, 364.337, 364.3375, 364.339, 364.345 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 WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Samantha Cibula, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ray Kennedy, Division of Competitive Markets & Enforcement, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862

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

**DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

**Division of Workers' Compensation**

RULE TITLE: Florida Workers' Compensation Health Care Provider Fee For Service Reimbursement Manual  
 RULE NO.: 38F-7.020

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt by reference the Florida Workers' Compensation Health Care Provider Fee for Service Reimbursement Manual, 2002 Edition, which contains reimbursement policies and maximum reimbursement allowances for physician services, non-physician services, pharmaceutical and medical supplies, as determined by the Three-Member Panel on April 23, 2002. The manual also provides basic instructions and information for providers and carriers in the preparation and reimbursement of bills for medical services. The Current Procedural Terminology (CPT®), 4th Edition, copyright 2001, American Medical Association; the Current Dental Terminology (CDT-3), 3rd Edition, copyright 1999, American Dental Association; and the 2002 HCPCS Level II Professional (HCPCS), 13th Edition, copyright 2001, Ingenix, are adopted as part of this rule.

SUBJECT AREA TO BE ADDRESSED: The reimbursement allowances for health care providers in the treatment of injured employees covered by the workers' compensation statute.

SPECIFIC AUTHORITY: 440.13(7),(8),(11)-(14), 440.591 FS.

LAW IMPLEMENTED: 440.13(6)-(8), (11)-(14) 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 IS: Nancy M. Rice, Registered Nurse Consultant, Suite 101, Forrest Building, 2728 Centerview Drive, Tallahassee, FL 32399-0668, (850)410-1093

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE CHAPTER TITLE: Individual Environmental  
 RULE CHAPTER NO.: 40D-4

Resource Permits  
 RULE TITLE: Permits Required  
 RULE NO.: 40D-4.041

PURPOSE AND EFFECT: The proposed amendment will delete subsection (3) of Rule 40D-4.041, F.A.C. This provision refers to old exemptions that were determined to be invalid and subsequently repealed.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment addresses the rule provisions that describe the activities for which Environmental Resource Permits are required.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.413, 373.416, 373.426, 373.427 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: Jack Pepper, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-4.041 Permits Required.

(1) through (2) No change.

~~(3) A permit may be required for surface water management systems exempt under subsections 40D-4.051(3) or (6), F.A.C., if the master drainage plan is altered so as to have an adverse impact on the off site water resources in the District.~~

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

Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented 373.413, 373.416, 373.426, 373.427 FS. History-Readopted 10-5-74, Amended 12-31-74, 9-4-77, 6-7-78, Formerly 16J-4.04, 16J-4.10(1), (2), (4), Amended 10-1-84, 3-1-88, 10-3-95, 7-23-96, 10-16-96, 4-17-97, 10-11-01,\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE CHAPTER TITLE: Standard General Environmental  
 RULE CHAPTER NO.: 40D-40

Resource Permits  
 RULE TITLE: Conditions for Issuance of Standard  
 RULE NO.: 40D-40.302

General Permits

**PURPOSE AND EFFECT:** The proposed amendments to Rule 40D-40.302, F.A.C., will exclude ditches constructed in uplands and wholly owned isolated wetlands and other surface waters, that are less than one half acre in size and for which no mitigation is required, for purposes of determining whether a proposed activity qualifies for a Standard General Environmental Resource Permit.

**SUBJECT AREA TO BE ADDRESSED:** The proposed amendments address the conditions for issuance of standard general environmental resource permits.

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

**LAW IMPLEMENTED:** 373.413, 373.414, 373.416, 373.419 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:** Jack Pepper, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

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

40D-40.302 Conditions for Issuance of Standard General Permits.

In order to qualify for a standard general permit for construction and operation under this chapter, the applicant must give reasonable assurances that the surface water management system meets all conditions of subsection 40D-40.302(1), F.A.C., ~~and~~ all thresholds in subsection 40D-40.302(2), F.A.C., and conditions of at least one other subsection. To obtain a standard general site conditions assessment permit under this chapter, the applicant must provide reasonable assurances that all conditions of subsection 40D-40.302(5), F.A.C., are met.

(1) ~~General~~ Conditions.

(a) The surface water management system must meet the conditions specified in Rules 40D-4.301 and 40D-4.302, F.A.C.

(b) The permittee must have obtained a Works of the District permit or other approval from the District if the permittee proposes to connect to, place structures in or across, or otherwise make use of works owned by the District.

(2) Thresholds.

(a) No change.

(b) Construction or alteration of a system, including dredging or filling to occur in, on or over a total of one acre or less of wetlands and other surface waters. For this purpose, calculation of the one acre area shall not include:

1. Ditches that were originally constructed in uplands.

2. Any wholly owned, isolated wetland or other surface water less than one-half acre in size and for which mitigation is not required.

(c) No change.

(3) through (4) No change.

(5) Conditions for a Standard General Site Conditions Assessment Permit.

(a) through (b) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History—New 10-1-84, Amended 3-1-88, 5-10-88, 9-13-88, 10-3-95, 7-23-96,\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE CHAPTER TITLE: Miscellaneous Provisions

RULE CHAPTER NO.: 40E-7

RULE TITLE: Scope and Applicability

RULE NO.: 40E-7.520

**PURPOSE AND EFFECT:** This rule development concerns proposed revisions to the document entitled, "Public Use Guide for Designated Land Management Areas" (PUG). This document is incorporated by reference in Rule 40E-7.520, F.A.C. The proposed revisions provide that lands acquired by the District under the Save Our Rivers and Preservation 2000 programs are made available to the public for recreational use and enjoyment, while protecting natural resources and ecosystems. Regulations concerning the use of certain existing management areas are to be amended and new management areas are to be added, and others may be deleted.

**SUBJECT AREA TO BE ADDRESSED:** Changes to the rule and PUG may be considered based upon the Rule Development process, including public input and additional staff analysis.

**SPECIFIC AUTHORITY:** 259.101, 373.044, 373.113, 373.171 FS.

**LAW IMPLEMENTED:** 259.101, 373.016, 373.056, 373.103, 373.1391, 373.1395, 373.1401, 373.59 FS.

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

**TIME AND DATE:** 7:00 p.m., May 17, 2002

**PLACE:** South Florida Water Management District, Okeechobee Service Center, 205 North Parrott Avenue, Suite 201, Okeechobee, FL 34973-2033

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS:** Fred Davis, South Florida Water Management District, Post Office Box 24680, Mail Stop Code 5720, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6636, or (561)682-6636 (*internet: fdavis@sfwmd.gov*)

Although Governing Board meetings, hearings, and workshop are normally recorded, affected person 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 any appeal is to be based. Person with disabilities who need assistance may contact the District Clerk, at (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLE: Probable Cause Panel  
 RULE NO.: 61H1-19.007  
 PURPOSE AND EFFECT: This rule is being amended pursuant to section 455.225(4), F.A.C., to set forth the Board's authority to appoint more than one probable cause panel and the criteria for same.

SUBJECT AREA TO BE ADDRESSED: Probable Cause Panels.

SPECIFIC AUTHORITY: 120.53, 455.225, 455.225(4), 473.304 FS.

LAW IMPLEMENTED: 455.013, 455.225, 455.225(4) 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: Martha Willis, Executive Director, Board of Accountancy, 240 N. W. 76 Drive, Suite #1, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-19.007 Probable Cause Panel.

(1) through (4) No change.

(5) The Chairman, at his discretion, shall, as needed, appoint multiple probable cause panels which panels shall be constituted as set forth in subsection (2) above.

Specific Authority 120.53, 455.225, 455.225(4), 473.304 FS. Law Implemented 455.013, 455.225, 455.225(4) FS. History—New 12-4-79, Formerly 21A-19.07, Amended 12-2-92, Formerly 21A-19.007, Amended

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE TITLE: Continuing Education for Licensure Renewal  
 RULE NO.: 64B10-15.001

PURPOSE AND EFFECT: To update CE course requirements to include a course on medication errors as required by chapter 456.033, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements.

SPECIFIC AUTHORITY: 456.033, 468.1685(1), 468.1715, 468.1725 FS.

LAW IMPLEMENTED: 456.013(6), 456.033, 468.1715(3), 468.1725 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Taylor, Executive Director, Board of Nursing Home Administrators, 4052 Cypress Way, Bin C04, Tallahassee, Florida 32399-1753

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health And Statewide Programs**

RULE CHAPTER TITLE: Clean Indoor Air Act  
 RULE CHAPTER NO.: 64E-25  
 RULE TITLES: Procedures to be Followed by DOH

Personnel When Investigating Florida Clean Indoor Air Act Complaints and Notifying Alleged Violators	64E-25.001
On-Site Investigations of Public Places	64E-25.002
DOH Procedures for Responding to Complaints and Complaint Referrals Involving Public Places	64E-25.003

PURPOSE AND EFFECT: The Bureau of Facility Programs of the Division of Environmental Health announces its intent to amend Rules 64E-25.001, .002 and .003, F.A.C. This rule amendment will inform the public how to make a complaint regarding noncompliance of the Florida Clean Indoor Air Act. Will make more coherent uniform procedures to be followed by DOH personnel in investigating complaints, and notifying alleged violators.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments will address how the public can make a complaint regarding violations of the Florida Clean Indoor Air Act. The amendments will also specify uniform procedures to be followed by DOH personnel when conducting on-site investigations regarding noncompliance of the law.

SPECIFIC AUTHORITY: 386.207 FS.

LAW IMPLEMENTED: 381.0012, 386.205, 386.206 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Donna Arnold, Bureau of Facility Programs, Department of Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1710, (800)337-3742

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

## Section II Proposed Rules

### DEPARTMENT OF STATE

#### Division of Historical Resources

RULE TITLES:	RULE NOS.:
Grant Funding	1A-35.005
Application Requirements	1A-35.007

**PURPOSE AND EFFECT:** The proposed revisions amend the applications incorporated into this rule to remove obsolete sections of the application, to and obtain more information for each application to streamline application review procedures. To revise the grant award agreements incorporated into this rule. To change references to the Historic Preservation Advisory Council to be in conformance with amendments to Section 267.0612, F.S., provide for a waiver of financial match requirements on Division grant programs for rural communities.

**SUMMARY:** Proposed amendments will incorporate revised Grant Award Agreements and grant application forms, replaces references to the to the former Historic Preservation Advisory Council with the Florida Historical Commission and Grant Review Panels in conformance with Section 267.0612, F.S., updates references to the National Register Programs Guidelines, NPS 49, 1995, to the current Historic Preservation Fund Grants Manual, 1997, specifies statewide preservation priorities, and provides for a waiver of financial match requirements on Division grant programs for rural communities.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** The proposed revisions do not incur any regulatory costs.

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:** 267.031(1) FS.

**LAW IMPLEMENTED:** 267.0617(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FLORIDA ADMINISTRATIVE WEEKLY ON JUNE 7, 2002.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Robert C. Taylor, Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6333

THE FULL TEXT OF THE PROPOSED RULES IS:

1A-35.005 Grant Funding.

(1) Source of Grant Funds.

(a) No change.

(b) Federal funds for historic preservation grants-in-aid are apportioned to the State of Florida by the U.S. Department of the Interior, pursuant to the National Historic Preservation Act, and are deposited in the Historical Resources Operating ~~Historic Preservation~~ Trust Fund pursuant to Section 267.0617, Florida Statutes.

(c) The use of federal funds provided by the U.S. Department of the Interior for historic preservation grants-in-aid is subject to the policies, procedures, and guidelines set forth by that agency in the 1997 ~~1995~~ edition of the Historic Preservation Fund Grants Manual National Register Programs Guideline, NPS 49, incorporated by reference. A copy of the manual guideline may be obtained by writing or calling the Bureau of Historic Preservation and paying the cost of copying.

(d) State funds consist of funds in the Historical Resources Operating ~~Historic Preservation~~ Trust Fund which have been appropriated by the Florida Legislature, made available from dedicated sources, donated pursuant to Section 550.0351(2), F.S., or contributed from any other public or private source, except those federal funds for grants-in-aid received from the U.S. Department of the Interior, pursuant to the National Historic Preservation Act.

(e) An entity funded by the Florida Legislature outside the review of the Grant Review Panel, Florida Historical Commission, or Secretary of State shall not be eligible to receive historic preservation grant assistance from the Division for the same project within the same fiscal year in which the legislative funding is made available.

(2) Funding Categories.

(a) No change.

1. Acquisition and Development activities include acquisition, preservation, protection, restoration, rehabilitation, stabilization and construction of historical and archaeological sites and properties, and the excavation of archaeological sites, as well as the taking of photographs and the preparation of measured drawings and such other records as are necessary to record historical and archaeological sites and properties threatened with damage or destruction, and planning for any eligible Acquisition and Development activities. Eligible Acquisition and Development activities involving religious structures are limited to exterior activities and only those interior activities that are essential to the preservation of basic

structural integrity. No Acquisition and Development projects for religious properties may be funded with Federal funds as described in (1)(b) above.

2. No change.

(b) Federal grant monies apportioned to the State by the U.S. Department of the Interior, pursuant to the National Historic Preservation Act, are authorized for up to 60% ~~50%~~ of the cost of all eligible activities ~~Acquisition and Development projects and up to 70% of the cost of all eligible Survey and Planning projects.~~

1. No change.

2. In addition, to be eligible for federal Acquisition and Development, or Survey and Planning assistance, projects must conform to the policies, procedures, and guidelines contained in the 1997 ~~1995~~ edition of the Historic Preservation Fund Grants Manual National Register Programs Guideline, NPS-49 and to any special conditions required by the U.S. Department of the Interior in apportioning monies to the State of Florida from which such projects will be funded. Examples of special conditions include ending dates by which all costs charged against a federal grant must be incurred and any prohibitions against the use of federal grant funds for lobbying activities.

(c) No change.

(d) At least 80% of each donation to the Historical Resources Operating ~~Historic Preservation~~ Trust Fund pursuant to Section 550.0351(2), F.S., shall be available for allocation to eligible projects within a 50-mile radius of the racetrack or fronton which held the Charity Day from which the donation is derived. The remaining 20% of each donation may be used for eligible projects in other areas of the state.

(e) The Division will waive the financial matching requirements on state funds awarded from the Historical Resources Operating Trust Fund for an applicant that has been designated as a rural community in accordance with ss. 288.0656 and 288.06561, F.S. A request for waiver of matching requirements must be submitted with the grant application.

Specific Authority 267.031(1) FS. Law Implemented 267.0617(2) FS. History—New 10-18-83, Formerly 1A-35.05, Amended 9-4-96,\_\_\_\_\_.

1A-35.007 Application Requirements.

(1) Application Procedures.

(a) Applications for grants-in-aid from the Historical Resources Operating ~~Historic Preservation~~ Trust Fund shall be signed by the person or persons with legal authority to obligate the applicant and shall be made on a Historical Resources Grants-in-Aid Application Form HR3E21R0402 ~~HR3E210695~~, effective April 2002 ~~July 1996~~, which is incorporated by reference, and a copy of which may be obtained from the Bureau of Historic Preservation.

(b) through (c) No change.

(d) Applicants may submit more than one application for grant assistance from the Historical Resources Operating ~~Historic Preservation~~ Trust Fund. An application for a Special Category grant project must be limited to a single site, or group of sites in which all the properties have the same owner(s).

(e) No change.

(f) Applications shall be submitted to the Division to the attention of the Bureau of Historic Preservation and shall include the original and the number of copies as specified in the grant solicitation letter ~~thirteen complete copies.~~

(g) Deadlines. There are two ~~three~~ funding cycles annually; one for Special Category grant funds, and one ~~two~~ for state and federal matching grant funds. Applicants must submit separate applications for each cycle.

1. through 4. No change.

(2) Application Review.

(a) No change.

(b) The Division shall send copies of the applications to each member of the Grant Review Panel or the Florida Historical Commission ~~Historic Preservation Advisory Council~~ in sufficient time for members to review all applications prior to the Panel or Commission ~~Council~~ convening in a public meeting for the purpose of considering the applications for funding.

(c) The Division shall also provide the following information to the Grant Review Panel or the Florida Historical Commission ~~Council~~:

1. through 2. No change.

(d) The Grant Review Panel or the Florida Historical Commission ~~Advisory Council~~ shall convene in a public meeting to review and evaluate all applications for historic preservation grants-in-aid. The Grant Review Panel or the Florida Historical Commission ~~Council~~ shall annually hold separate meetings to consider applications for federal, state and Special Category grant assistance. Applications for Special Category grant assistance shall be reviewed by the members of the Florida Historical Commission. Applications for state and federal matching grant assistance shall be reviewed by a Grant Review Panel appointed by the Secretary of State.

1. The Grant Review Panel or the Florida Historical Commission ~~Council~~ shall meet to consider applications for grant assistance within 150 days of the relevant application deadline.

2. The Division shall publish a notification of the time and place of the meeting and where a copy of the agenda may be obtained in the Florida Administrative Weekly at least 30 days prior to the Grant Review Panel or the Florida Historical Commission ~~Council~~ meeting.

3. No change.

(e) The Grant Review Panel or the Florida Historical Commission ~~Council~~ shall evaluate each application based on the criteria relating to the site involved, the prospective grantee, and the anticipated public benefit, as follows:

1. through 2. No change.

3. Criteria related to public benefit:

a. Compatibility with statewide historic preservation priorities, including equitable geographic and demographic distribution of available grant funds. The statewide preservation priorities are:

(I) Survey Priorities.

(A) Surveys of broad areas where no previous surveys have been undertaken.

(B) Surveys located in areas subject to intensive development pressure.

(C) Surveys to identify, evaluate and document historic properties and archaeological sites associated with Florida's minority heritage.

(D) Surveys designed to complete comprehensive coverage of areas in which partial surveys have been made.

(E) Surveys that address historic themes not covered or under-represented in previous surveys.

(II) Registration (National Register) Priorities.

(A) Registration of historical resources identified by previous survey activity.

(B) Registration of properties of national significance.

(C) Registration of properties of statewide or local significance.

(III) Planning Priorities.

(A) Development of historic preservation elements (or historic preservation components of coastal management, future land use or housing elements) of Local Government Comprehensive Plans.

(B) Development of plans for informing the public as to the economic and other benefits of preserving historical resources.

(C) Development of protection tools, such as local ordinances.

(D) Implementation of automated information systems to facilitate the recording of site data or information on other historic preservation subjects.

(IV) Community Education Priorities.

(A) General publications about preservation.

(B) Historic preservation education programs for school children.

(C) Projects having to do with minority historic preservation.

(D) Self-guided tours of historic areas.

(V) Acquisition and Development Priorities.

(A) Assistance for stabilization or other appropriate preservation treatments for properties which are in imminent danger of being lost due to physical deterioration or planned development.

(B) Assistance in the development of plans for the restoration or rehabilitation of properties, particularly those which will be placed in public use.

(C) Assistance in the restoration and rehabilitation of properties for which appropriate preservation planning is complete or well underway, particularly those which will be placed in public use.

(D) Assistance for restoration or rehabilitation projects which will yield technical innovations which will have application in other projects.

b. through d. No change.

(f) The Grant Review Panel or the Florida Historical Commission Council shall develop a priority listing of all project applications by ranking each project relative to the others and shall recommend funding levels and any appropriate special conditions for each individual project. An example of a special condition is a requirement that the grantee must execute restrictive covenants prior to receiving grant funds for restoration or rehabilitation projects receiving grant funds of \$50,000 or more dollars in order to protect the investment of public funds in the restoration or rehabilitation of the historic property, or where grant funds are used to purchase a historic property. The Grant Review Panels Council shall establish sub-categories of the Acquisition and Development and the Survey and Planning categories of grant assistance for the purpose of establishing priority listings and recommending funding levels. The Grant Review Panels Council shall further recommend that overall sub-categories be funded to specific levels and then rank individual projects within each sub-category, also recommending funding levels for each individual project.

(g) The recommendations of the Grant Review Panel or the Florida Historical Commission Council shall be submitted by the Division to the Secretary of State (Secretary) for review and approval. At a minimum, the written recommendations shall include a ranking of all proposed projects, however categorized, and the recommended funding level for each proposed project.

(h) through (i) No change.

(j) If additional grant funds become available during the grant year for either federal or state grants-in-aid, the Director shall increase the grant award or award a new grant for applications reviewed by the Grant Review Panel or the Florida Historical Commission Council during the normal review process or establish a special process for awarding such additional funds.

(3) Grant Award Agreement.

(a) All grant awards which have been approved in accordance with subsection 1A-35.007(2), FAC., of this chapter shall be formalized through grant award agreements, which have been ~~is~~ incorporated by reference: Operating Trust Fund Agreement, Form Number HR3E0290402, effective April 2002, and General Revenue Fund, Form Number HR3E0300402, effective April 2002.

(b) through (c) No change.

(d) Funds remaining in any grant allocation as a result of early termination or from completion of the project at less than anticipated cost shall revert to the Historical Resources Operating Historic Preservation Trust Fund or be distributed in accordance with the procedures set forth in paragraph 1A-35.007(2)(j), F.A.C.

Specific Authority 267.031(1) FS. Law Implemented 267.0617(2) FS. History—New 10-18-83, Amended 10-3-84, Formerly 1A-35.07, Amended 7-21-86, 11-24-87, 12-26-91, 8-11-93, 9-4-96, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Robert C. Taylor, Historic Preservationist Supervisor, Grants and Education Section, Bureau of Historic Preservation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Janet Snyder Matthews, Ph.D., Director, Division of Historical Resources and Katherine Harris, Secretary of State

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 19, 2002

DATE NOTICES OF PROPOSED RULE DEVELOPMENTS PUBLISHED IN FAW: July 27, 2001 and October 26, 2001

**DEPARTMENT OF STATE**

**Division of Cultural Affairs**

RULE TITLE: Division of Cultural Affairs

RULE NO.: IT-1.001

PURPOSE AND EFFECT: The purpose of this amendment is to detail the eligibility, evaluation, and scoring criteria, and the administrative requirements and procedures for the grants programs of the Division of Cultural Affairs.

SUMMARY: The proposed rule details the criteria for eligibility for Division grant programs, and also details the evaluation and scoring procedures for these programs; it details the programs' administrative procedures and incorporates by reference the required forms for those programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: There are no regulatory costs associated with this proposed rule.

Any person who wishes to provide information regarding the statement of 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: 255.043(5), 265.284(5)(d), 265.285(1)(c), 265.286(1),(4),(6), 265.2861(2)(b), 265.2865(6), 265.51, 265.605(1), 265.608, 265.609(1),(4),(6), 265.701(4) FS.

LAW IMPLEMENTED: 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.51-.56, 265.601-.607, 265.608, 265.609, 265.701, 286.011, 286.012, 286.25 FS.

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

TIME AND DATE: 9:00 a.m., June 3, 2002

PLACE: Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting Linda Downey (850)487-2980. If you are hearing or speech impaired, please contact the agency by calling 850/488-5779 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Linda Downey, Chief, Bureau of Grant Services, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

IT-1.001 Division of Cultural Affairs.

The purpose of the rule is to establish administrative procedures for all Division of Cultural Affairs (Division) activities.

(1) Florida Arts Council. This section provides guidelines for the organization, duties, and meetings of the Florida Arts Council (Council).

(a) The Chairperson, Vice Chairperson, and Secretary of the Council shall be elected annually by the Council membership and may be re-elected for subsequent terms. In the event of the resignation or term-expiration of an officer, interim elections may be held selected during the first meeting of each fiscal year, and shall serve a term of one year.

(b) through (c) No change.

(2) State Cultural Programs. This section provides procedures for state cultural programs administered by the Division.

(a) No change.

(b) Florida Artists Hall of Fame and Florida Arts Recognition Awards. This section provides nomination or application and selection procedures for the Florida Artists Hall of Fame and the Florida Arts Recognition Awards. Nominations or applications to these awards programs shall meet the eligibility and application requirements as set forth in the Florida Artists Hall of Fame Nomination Form CA1E021, eff. 6/02 ~~6/97~~, and the Florida Arts Recognition Awards Nomination Form CA1E015, eff. 6/02 ~~4/98~~.

(c) No change.

(d) Florida Arts License Plate Program. This section provides guidelines for revenue distributions from the sales of Florida Arts License Plates. The Florida Arts License Plate Program Guidelines (Form CA1E006, eff. 6/02 ~~2/96~~) outline procedures for the administration and distribution of license plate revenues to counties in Florida.

(3) Grant Application Procedures. The Division shall be responsible for the administration of all grant applications, procedures and awards, as recommended by the Council.

Applicants shall meet all program deadlines as published in the Division's newsletter and posted on the Division's website: the posted deadlines will appear at least 90 days in advance of the deadline. Deadline dates are also available by calling the Division. Grant Review panel and committee meetings shall be noticed in the Florida Administrative Weekly and on the Division's website. Review panel meetings shall be ~~and~~ conducted in accordance with procedures outlined in ~~the Grant Panelist Handbook and this rule~~ and in Sections 112.313, 112.3143, 120.525, 286.012, and 265.285, Florida Statutes. All grant awards shall be subject to final approval by the Secretary of State.

(4) Guidelines publications shall contain information on eligibility requirements, application review procedures, evaluation criteria, funding methods and grant administration procedures, if applicable, and application forms. Applicants for grants shall meet the eligibility and application requirements as set forth in the following guidelines publications for each grant program descriptions.

(a) ~~Florida Guide to Cultural Programs for Organizations, eff. 10/25/98, which contains grant program instructions and application form #CA2E009, as well as Florida Artist Residency Directory guidelines and application form #CA2E050;~~

(b) ~~Cultural Facilities Program Guidelines and Application, eff. 1/98, which contains instructions, application form #CA2E020, and panelist evaluation form #CA2E056;~~

(c) ~~Florida Guide to Programs for Individual Artists, eff. 10/25/98, which contains Fellowship program instructions and application form #CA2E012;~~

(d) ~~State Touring Program Brochure, eff. 7/97, which contains instructions for touring presenters and application form #CA2E014, and State Touring Program Guidelines, eff. 8/99, which contains instructions for touring roster applicants and application form #CA2E013;~~

(e) ~~Cultural Endowment Program Guidelines and Applications, eff. 7/97, which contain instructions and application form #CA2E037;~~

(f) ~~Grant Panelist Handbook, eff. 10/25/98, which contains instructions and forms used by the Division, Council and panels in the grant application review process. Guidelines publications and forms in this section are herein incorporated by reference and may be obtained from the Division.~~

(g) ~~1999-2000 Cultural Institutions Program Guidelines and Application, eff. 7/98, which contains instructions and application form #CA2E062, On-Site Evaluation Report #CA2E091, and Panel Evaluation Form #CA2E092.~~

(5) Basic Eligibility. This section applies to all grant programs that reference subsection (5) in their eligibility section. Some Division programs require additional eligibility criteria that are detailed in this rule under the program description. To be eligible to apply to the Division for grant funding, an applicant organization must: All grant awards

~~except those under the Cultural Facilities and Cultural Endowment Programs shall be made through a grant award agreement and shall be administered in accordance with the Grants Management Handbook, eff. 8/99, which contains forms and instructions for the management of grant awards.~~

(a) Be a public entity governed by a county, municipality, school district, community college, college, university, or an agency of state government; or

(b) Be a not-for-profit, tax-exempt Florida corporation as a result of being incorporated or authorized as a not-for-profit corporation, in good standing, pursuant to Chapter 617, Florida Statutes, and designated as a tax-exempt organization as defined in section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1954, as amended;

(c) Submit a completed and signed application form (CA2E009, eff. 7/01) for each program to which application is made, including the required number of application copies, on or before the announced postmark deadline for that program;

(d) Have satisfied the administrative requirements of previous grants received from the Division;

(e) Agree and be able to match, at least dollar for dollar, the grant amount requested from the Division.

1. The documented fair market value of donated goods and services may contribute up to 50% of the required local match share, not to exceed 25% of the total project costs.

2. The Division of Cultural Affairs will waive the financial matching requirements on Division grants, except those noted in section 3, for an applicant that has been designated as REDI qualified in accordance with Sections 288.0656 and 288.0651, Florida Statutes. A written request for waiver of matching requirements must be submitted with each grant application.

3. Grants awarded in the Challenge Grant Program, the Underserved Arts Communities Assistance Program, and the State Touring Program have match requirements specific to those programs.

(f) Agree to comply with all requirements as set forth in the grant program guidelines; and

(g) Have been incorporated or operational for at least one year at the time of application, with the exception of applicants to the Quarterly Assistance or Underserved Arts Communities Assistance Programs.

(h) A person or entity funded by the Legislature outside the review of the Council or Secretary of State shall not be eligible to receive grant support for its activities from the Division within the same fiscal year in which legislative funding is made available.

(6) Grant Review Panels. The Secretary shall appoint panels to review and recommend grant applications for funding to the Council whenever it is determined that grant review panels are necessary to the process. Grant awards through the Cultural Facilities Program shall be made through Grant Award Agreement Form #CA2E038, eff. 8/99, and use Grant Amendment Form #CA2E047 and Report Form #CA2E048,

both eff. 8/99. Grant awards through the Cultural Endowment Program shall be made through Grant Award Agreement Form #CA2E039, eff. 8/99. Grant award agreements shall specify the grants management requirements.

(a) Panelists will be appointed for 1-year terms, but may be reappointed for up to three successive years, including the original 1-year term.

(b) The Division shall seek nominations for panelists on an annual basis. Panelists shall be practicing artists, arts-related professionals, and educators, or other persons with current or prior active involvement in specific artistic disciplines that include, but are not limited to, dance, theatre, visual arts, music, folk arts, literature, media arts, and sponsor/presenter. In appointing panel members, the Secretary shall give due consideration to professional acumen, geographical representation, minority representation, and diverse aesthetic, institutional, and cultural viewpoints.

(c) Panelists shall not receive compensation, but shall be reimbursed for travel and per diem expenses when attending panel meetings pursuant to the provisions of Section 112.061(2)(e), Florida Statutes.

(d) Panels shall meet at the call of the Division.

(e) Panels shall be chaired by a Council member who shall be appointed by the Council Chair, but shall not vote on applications being reviewed by the panels. In the absence of a panel chair, a Division staff member will serve as the non-voting chair of the panel.

(f) Scoring of applications by panelists in any program area is subject to the following limits: Individual panelist ratings will be declared in whole integers and not include partial points, and panel averages will be rounded to one decimal place, rounding up in favor of the applicant when the second decimal is a 5, such as 93.35, would be rounded up to 93.4. Scores of "0" on any individual criterion are not acceptable.

(g) Each panel's chairperson shall report the panel's application rating recommendations to the Florida Arts Council. The Council will then review the recommendations and is authorized to amend such recommendations based on new information not made available to panels. Examples of new information are: a panelist's conflict of interest not disclosed at the meeting; misinformation presented at the panel meeting by someone other than a designated applicant representative; Division staff error discovered after the panel meeting; concerns raised as a result of a compliance review; bankruptcy or other fiscal concerns; or changes in the applicant's staff that would impair implementation of the proposed grant activity. After all panel reports have been made and amended, if applicable, the Council shall vote on each panel recommendation. The recommendations of the Council will then be submitted to the Secretary of State for approval.

(h) All members of panels shall comply with the Standards of Conduct for Public Officers and Employees of Agencies as set forth in Section 112.313, Florida Statutes, and voting conflict of interest laws as set forth in Sections 112.3143 and 286.012, Florida Statutes.

(7) Cultural Support Grants. The purpose of the Cultural Support Grant program is to foster excellence and diversity in art and culture for all the people in Florida. This program area includes the programs formerly known as Discipline-Based Arts Grants, Science/Youth and Children's Museums Grants, and Cultural Institutions Program. Two primary types of funding are offered: General Program Support and Specific Project. General Program Support applications are grouped in three funding categories referred to as Levels. There will be an annual application cycle for submission of Specific Project proposals and a multi-year application cycle General Program Support funding with Levels 1 and 2 on a two-year cycle and Level 3 institutions being evaluated on a four-year cycle.

(a) Specific funding eligibility and maximum requests.

1. General Program Support Funding. In addition to the basic eligibility requirements detailed in subsection (5), applicants for General Program Support must have received at least one non-capital program grant from the Division of Cultural Affairs, and must be a cultural organization or a recurring cultural program conducting programs on a regular basis that meet the intent of one of the disciplinary review categories as detailed in the guidelines. These categories include but are not limited to dance, folk arts, interdisciplinary, literature, media arts, multidisciplinary, museums, music, sponsor/presenter, theatre, visual arts, and discipline service. For the purpose of this program area, a recurring cultural program is one that is part of a multipurpose or state-supported institution. It must function as a discrete unit within its parent institution and present or produce a full season of programming on a yearly basis. The cultural program must have at least one paid full-time staff member, whose responsibilities are solely for the organization's services and operations; have an advisory board which governs the activities of the program, and be able to separately and distinctly fulfill all eligibility and application requirements. Entire departments or schools within a university, college, or other multipurpose institution do not qualify as recurring cultural programs.

a. Level 1. Revenues from the organization's last completed fiscal year must be greater than or equal to \$15,000. Organizations may request up to 10% of their last completed fiscal year revenue, not to exceed \$50,000. Youth and Children's Museums may request up to 20% of their last completed fiscal year revenue, not to exceed \$50,000.

b. Level 2. Revenues from the organization's last completed fiscal year must be greater than or equal to \$500,000. Organizations must also have no less than three

years of continuous programming history. Eligible applications may request up to 10% of their last completed fiscal year revenue, not to exceed \$100,000.

c. Level 3. The average Total Fund Revenue from the organization's last four completed and audited fiscal years must be at least \$750,000. Disciplines requiring higher minimum budgets are: \$1,000,000 for ballet companies and theatres; \$1,250,000 for museums; at least \$1,250,000 dedicated to producing/presenting within overall minimum budgets of \$3,500,000 for sponsor/presenters; \$2,500,000 for symphonies, operas, and pop orchestras; and \$1,500,000 for other music institutions. Organizations must also have no less than five years of continuous programming history and established endowments with minimum required values of at least \$75,000 at the time of application. Disciplines requiring higher minimum endowments are: \$100,000 for ballet companies and theatres; \$600,000 for museums and sponsor/presenters; and \$1,000,000 for music institutions. Eligible applicants may request up to 10% of their eligible 3-year average total fund revenue, not to exceed \$350,000. Eligible fund revenue is defined as all revenue received and recognized in the applicant's audits, excluding all state funds. All applicants to a Museum discipline must document by the application deadline that they have received accreditation by the American Association of Museums or the American Zoological Association.

d. The next application cycle for General Program Support will be for the fiscal year 2004-2005 funding for Levels 1 and 2. Actual deadlines will be announced not less than three months in advance and may be staggered by discipline group over the prior fiscal year.

2. Specific Project applications may be submitted annually by any organization meeting the requirements of subsection (5). The proposal activity must meet the intent of the discipline category to which the application is submitted.

a. Organizations may request up to \$25,000 for each Special Project application submitted. More than one Specific Project application may be submitted, but no more than \$25,000 will be awarded in a single year. Organizations may submit only one application to each discipline category.

b. Organizations receiving General Program Support from the Division of Cultural Affairs or the Division of Historical Resources are not eligible to receive funding for a Specific Project through this program.

c. The annual application deadline for Specific Project applications will be the first Monday of October.

(b) Review criteria, scoring, and funding. Complete grant applications shall be evaluated by discipline based review panels according to the following criteria: Program Excellence, up to 50 points; Public Impact, up to 30 points; and Program Management, up to 20 points.

1. Organizations conducting 50% or more of their proposed cultural project or programming in a financially underserved county, or REDI qualified community, will be awarded three (3) additional points to their Public Impact criterion. A financially underserved county is one that has received an average of less than \$10,000 in state cultural grant program funding in the last two state fiscal years preceding the deadline. REDI qualified means those counties or communities designated pursuant to Sections 288.0656 and 288.0651, Florida Statutes.

2. An average panel score of at least 75 points out of a maximum possible 100 points must be earned to receive funding. Award amounts recommended to the Council will be determined through the use of an iteration funding formula. The formula considers the relative average application scores within a category and distributes funds available to each eligible applicant in a manner that rewards higher quality proposals with a higher percentage of requested funding. All applications earning a panel average of 75.0 or higher will receive funding under the formula of not less than \$1,500.

3. For this program, a complete application is one that has a fully completed Organization Grant Application Form (CA2E009, eff. 7/02, incorporated by reference and available from the Division); support documentation in the form of financial statements or audits, investment account statements, and program materials as appropriate to substantiate specific program eligibility; and a response to at least one of the application narrative questions.

(8) Local Arts Agency Program. The purpose of this program is to assist in the development of local arts agencies and to strengthen and stabilize their statewide network to further local and statewide cultural goals and objectives. A local arts agency is defined as an umbrella agency that serves its county or counties' arts and cultural constituencies. This includes county arts councils established pursuant to Section 265.32, Florida Statutes. In addition to the basic eligibility requirements, as detailed in subsection (5), the applicant must be officially recognized by one or more county commissions as the local arts agency, commission alliance, or division of a county or city government.

(a) New applications will be reviewed for all eligible agencies on a three-year application cycle. New applications will be accepted annually from any agency not funded in this program in the current cycle, or an agency that qualifies mid-cycle to move up a higher funding category.

(b) Funding categories. The following four categories will be used to determine funding eligibility:

1. Pre-Level I has no minimum budget requirement. Organizations may only receive funding in this category once. The minimum grant request is \$1,500 and the maximum request is \$5,000.



2. Level I has no minimum budget requirement, but there must be at least one full-time or part-time paid staff member in the organization. The applicant may request up to 25% of their last completed fiscal year operating revenue, or \$25,000, whichever is less.

3. Level II is open to organizations whose last completed fiscal year operating revenue is at least \$100,000, has been in operation for at least three years at the time of application, and has at least one full-time paid staff member. The applicant may request up to 15% of their last completed fiscal year operating revenue, or \$40,000, whichever is less.

4. Level III is open to organizations whose last completed fiscal year operating revenue is at least \$1,000,000, has been in operation for at least five years at the time of application, and has more than one full-time paid staff member. The applicant may request up to 10% of their last completed fiscal year operating revenue, or \$60,000, whichever is less.

(c) Review Criteria and Scoring. New applications will be evaluated by a review panel consisting of Florida Arts Council members and other cultural professionals knowledgeable about local arts agencies. The panel will evaluate each new proposal according to how well the local arts agency demonstrates that its activities are community-based and mission-driven through the following criteria:

1. The agency's method for determining the needs of its community (Up to 20 points).

2. The agency's goals and objectives and the general methods for meeting community needs as referred to in 1. (Up to 20 points).

3. Activities such as services, programs, projects, or initiatives planned for the application cycle achieve the agency's goals and objectives (Up to 40 points).

4. Agency's method for managing and evaluating specific activities described in criteria 1 and 2. Management areas addressed may include the roles of staff and board members; professional development opportunities; and areas of evaluation such as "customer surveys" and quantitative or qualitative performance measurements (Up to 20 points).

(d) Funding Recommendations. All applications that receive an average score of at least 75 out of 100 possible points will be recommended for funding. Applications that score less than 75 will not be recommended for funding by the panel. Award levels will be determined by the amount of the applicants' grant requests and prorated according to funding allocated to the Local Arts Agency Program. Second and third year recommended funding amounts will be determined on a prorata basis according to the availability of funding for the program and the number of eligible local arts agencies.

(9) Quarterly Assistance Program. The purpose of this program is to provide funding to promote professional development for arts organizations. There are five funding categories in this program. In addition to the basic eligibility requirements detailed in subsection (5), the applicant must

meet the category-specific eligibility criteria as stated below. For the purpose of this program, an arts organization is defined as a non-profit organization whose primary mission, or more than 50% of its operating budget, is dedicated to activity in the arts.

(a) Funding Categories:

1. Mini-Grant. This category is open only to arts organizations whose last completed fiscal year's total cash operating budget is \$150,000 or less. Applicants may request up to \$1,500. Evaluation is based on three criteria: Artistic Excellence, Public Impact, and Program Management.

2. Staff Exchange. This category is open only to arts organizations. Applicants may request up to \$1,000. Evaluation is based on how well the organization demonstrates the need for the exchange and how the organization will benefit.

3. Consultant Grant. This category is open only to arts organizations. Applicants may request up to \$1,000. Evaluation is based on the organization's demonstrated need for the consultant and how the organization proposes to utilize the knowledge gained from the consultant.

4. In-Service Training Grant. This category is open only to arts organizations. Applicants may request up to \$1,000. Evaluation is based on the organization's demonstrated need for the training and how the training will benefit the organization and its professional development.

5. Special Project. This category is open to both arts and non-arts organizations with requests greater than \$1,500. Applications to this category must have prior approval from the Division. Evaluation is based on three criteria: Cultural Excellence, Public Impact, and Program Management.

(b) Review panel, scoring, and funding recommendations. A committee of the Florida Arts Council will serve as the review panel for this program. The total maximum points that can be earned for any of the application categories is 20. Applicants must achieve a minimum of 10 to be considered for funding. Funding recommendations will be made by the panel in consideration of the funds available and the relative merits of each proposal. The panel is not required to fund all proposals that achieve the minimum score.

(10) Underserved Arts Communities Assistance Program. The purpose of this program is to foster the development of underserved arts organizations. In addition to the basic eligibility requirements detailed in subsection (5), the applicant must also meet the following program-specific conditions. Funding is open only to arts organizations which are located within counties whose population is 100,000 or less or whose population density is less than 250 people per square mile, or are REDI qualified, or are a minority organization, or are otherwise able to demonstrate a lack of resources. REDI qualified means those counties or communities designated pursuant to Sections 288.0656 and 288.0651, Florida Statutes.

(a) There are four funding categories as outlined below.

1. Salary Assistance/Basic Level. This is a three-year program open to organizations with a last completed fiscal year cash operating budget of between \$10,000 and \$150,000. The first year award is \$10,000 with no match required; the second year is \$7,500 with \$2,500 match required; the third year is \$5,000 with \$5,000 required. The first year award may be less than \$10,000, depending on availability of funding, with the second and third years reduced accordingly.

a. Evaluation criteria for first year applications are: Artistic promise of the Organization (up to 30 points), Administrative Promise of the Organization (up to 30 points), Plan for Sustaining the Salaried Position (up to 20 points), and Organization's Potential for Sustainability (up to 20 points).

b. Evaluation criteria for second and third year applications are: First (or First and Second) Year Accomplishment due to the Salary Assistance Grant (up to 40 points), Job Description and Key Goals (up to 30 points), and Organization's Sustainability Plan for Position (up to 30 points).

2. Salary Assistance/Advanced Level. This \$7,500 one-year grant with \$1:\$1 match is designed for Local Arts Agencies, State Service Organizations, educational institutions, and other not-for-profit 501(c)(3) organizations to provide staff and services to underserved arts organizations. Evaluation criteria are: Consulting Plan (up to 50 points), Strength and Ability of the Organization (up to 30 points), and Impact of the Consulting Plan (up to 20 points).

3. Organizational Development. Grants of up to \$2,000 will be available to organizations with a last completed fiscal year cash operating budget of between \$10,000 and \$150,000 on a \$1:\$1 matching basis. Evaluation criteria are: How the Proposal will Directly Affect and Benefit the Organization, Artistic Excellence (up to 40 points), Program Management (up to 30 points), and Public Impact (up to 30 points).

4. Consultancy. Grants of up to \$1,500 are available to emerging organizations with no match required for the first time the grant is awarded; thereafter, the match required is \$1:\$1. Emerging organizations are those that have at least one year's programming at the time of application and whose last completed fiscal year's cash operating budget was not over \$10,000. These grants are also available to organizations with a last completed fiscal year cash operating budget of between \$10,000 and \$150,000, and applicants can apply for up to \$2,500 on a \$1:\$1 matching basis. Evaluation criteria are: Demonstrated Need for the Consultancy, Strength of the Consultancy, and the Ability of the Organization to Implement the Information Provided by the Consultancy.

(b) Review panel, scoring, and funding recommendations. A committee of the Florida Arts Council will serve as the review panel for this program. The total maximum points that can be earned for any of the funding categories is 100 points. Applications must achieve a minimum average score of 75 to be considered for funding. Funding recommendations will be

made by the panel in consideration of the anticipated funds available and the relative merits of each proposal. The panel is not required to fund all proposals that achieve the minimum average score.

(11) State Touring Program. This program is designed to provide performances, activities, and exhibitions, all by Florida artists, to as many communities as possible. This program has two components, the artist roster and the presenter application.

(a) Eligibility of appointment to the roster. Companies and individual artists, who are not established as for-profit, are eligible to apply for inclusion on the State Touring Program roster. The applicant must satisfy the following eligibility requirements to be considered for inclusion on the roster: be a public entity governed by a county, municipality, school district, community college, college, university, or an agency of state government; or be a not-for-profit, tax-exempt Florida corporation as a result of being incorporated or authorized as a not-for-profit corporation, in good standing, pursuant to Chapter 617, Florida Statutes, and designated as a tax-exempt organization as defined in section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1954, as amended; or, if an individual artist or group of artists, the applicant must certify that they have not formed a for-profit corporation and that the property offered for touring is not associated with a for-profit corporation; if a company, the applicant must be a professional company operating with full-time paid artistic/program staff and compensate all artistic, program, curatorial, technical, and managerial staff; the applicant must be a single disciplinary entity responsible for its own programming, administration, production, or exhibition; and the applicant must be able to substantiate past touring experience.

1. Applicants must submit a completed State Touring Program application form (CA3E013, eff. 7/02, incorporated by reference and available from the Division) with all required attachments and samples of work as described in the program guidelines, on or before the announced postmark deadline for the roster appointment program component:

2. Review criteria and scoring. Applications will be reviewed by a review panel according to the following criteria: Cultural or Curatorial Excellence (up to 50 points), Public Impact (up to 30 points), and Program Management (up to 20 points) for a maximum of 100 points possible. To be eligible for appointment to the roster an applicant must achieve an average panel score of at least 75.

3. Recommendations for appointment to the roster. The panel will make specific recommendations of companies and individual artists to the Florida Arts Council for appointment to the roster based on the review criteria and with consideration of the variety of programming available within the roster recommendations and the geographic orientation of the recommended appointees.

(b) Eligibility for presenter fee support applications. Organizations who wish to apply to present one of the companies or individual artists featured in the State Touring Program roster must meet the basic eligibility criteria described in subsection (5), and must submit a completed State Touring Program presenter application form (CA2E014, eff. 7/02, incorporated by reference and available from the Division), and documentation of roster company or artist intent to contract, on or before the announced postmark deadline for the presenter fee support program component. Private schools may qualify under Chapter 623, Florida Statutes.

1. Applicants are eligible to request up to one-third of the company or artist fee as stated on the company or artist contract. For performances that occur in underpopulated counties, presenters are eligible to apply for up to two-thirds of the fee. Underpopulated counties are those that have populations of 75,000 or less, or those counties that are REDI qualified. REDI qualified means those counties or communities designated pursuant to Sections 288.0656 and 288.0651, Florida Statutes. Funding priority consideration will be given to underpopulated county applications.

2. No presenting organization can receive more than five support grants or support fees totaling more than \$20,000, whichever is less, during a single grant year.

(12) Arts in Education Program. The purpose of the Arts in Education Program is to cultivate the learning and artistic development of students and teachers in pre K-12 and to support activities that promote that arts as an integral part of education and life-long learning to Florida's citizens and visitors. In addition, the program supports initiatives and proposals that help artists, educators, schools, colleges/universities, and community, social, and cultural organizations carry out individual or cooperative programs.

(a) Eligibility and funding requests. All applicants must meet the basic eligibility requirements detailed in subsection (5). Eligible organizations may submit no more than one application to each funding category. Organizations receiving more than \$100,000 in General Program Support (Cultural Support Program) may submit only one application to the Arts in Education Program. There are three funding categories in this program: Artist Residency, Arts Education Partnerships, and School-Based Arts Education.

1. Artist Residency has two levels. Level I is a Short-term Residency where an organization may request from \$1,500 to \$5,000 for a residency of one to four weeks; Level II is a Long-Term Residency where an organization may request up to \$10,000 for a residency of five weeks or longer.

2. Arts Education Partnerships has two levels. Level I is a mini-grant for planning and design funding requests from \$3,000 to \$5,000. Level II is an in-depth development and project implementation grant of up to \$15,000.

3. School Based Arts Education proposals may request up to \$10,000.

(b) Review criteria, scoring, and funding recommendations. Complete applications will be evaluated by a multidisciplinary review panel according to the following program criteria: Educational Excellence, up to 50 points; Project Impact, up to 30 points, and Program Management, up to 20 points.

1. Applicant organizations conducting 50% or more of their proposed project in a REDI qualified community, or a rural or underserved county, will receive 5 bonus points added to the average panel score. For the purposes of this program, a rural county is one whose population is less than 100,000 or whose population density is less than 250 people per square mile, and an underserved county is one with no designated local arts agency or other means of acquiring arts education programming. REDI qualified means those counties or communities designated pursuant to Sections 288.0656 and 288.0651, Florida Statutes.

2. An average panel score of at least 80 points out of a maximum possible 100 points must be earned to be considered for funding in this program. Award amounts recommended to the Council will be determined by the review panel. Funding recommendations will be made in consideration of the overall group of applications, the relative merits of each proposal, and the anticipated funds available for the program. The panel is not required to fund all proposals that achieve the minimum average score of 80. For those applications recommended for funding, no award shall be less than \$1,500, except Level 1 Arts Education Partnerships mini-grants which shall not be recommended for less than \$2,500.

3. For this program, a complete application will be considered as all required pages of the Organization Grant Application form, incorporated by reference in subsection (5), and responses to all criteria-based narrative questions identified as required in the program guidelines. Incomplete applications will not be forwarded to the panel for review.

(13) Florida's Artist Residency Directory. The directory includes biographical and programmatic information about professional visual and performing artists from Florida and other states. These individuals are experienced educators and are available for employment as artists-in-residence. The directory is intended to be used by organizations and schools interested in conducting residency programs.

An artist residency is defined as those projects that place practicing, professional artists in Florida schools at K-12 or community college/university levels to teach all aspects of their art form, to create or perform works of art so that participants may observe the creative process, and, where appropriate, relate their art forms to curriculum areas.

(a) Individual artists and not-for-profit arts organizations with a commitment to arts education may apply for inclusion in the directory.

(b) Applicant artists are approved for the Directory by a peer review panel, and may be appointed for up to four consecutive years, after which they must reapply for subsequent appointment terms.

(c) Directory artists are expected to be highly qualified practicing artists. They may not be students pursuing a degree.

(d) There are two application categories: K-12 level Artist Residencies and Community Artist Residencies.

(e) Applicants must submit a completed and signed application, using form CA2E050, eff. 7/02, incorporated by reference and available from the Division, including the required number of copies, on or before the announced postmark deadline.

(f) Review scoring and criteria: The required minimum average score for a single-level application is 50 of the 65 total points possible. A dual category application requires 80 of 100 total points. The panel will evaluate the application materials according to the following general criteria:

1. Background Information: Artistic abilities and applicability to a residency program (up to 10 points); educational background, experience as a professional artist, and experience as a residency artist (up to 10 points);

2. Proposed Residency: Quality of residency program, quality of lecture/demonstrations, workshops, or master classes (up to 10 points);

a. For K-12 Residencies: Applicability of program to a K-12 curriculum. Ability of artist to work with teachers in integrating proposal into curriculum; quality of pre- and post-residency materials; holistic information on the art form presented; integration of the arts with non-arts subjects; linkage to Sunshine State Standards (up to 15 points); Ability to communicate with children for target grade levels (up to 10 points); Appropriateness of residency length, grade level, and skills that students and teachers are expected to achieve (up to 10 points);

b. For Community Artist Residencies: Understanding of community arts programs; applicability of proposal to an adult learning curriculum or special needs of the community (up to 15 points); Experience as a community artist, working with all age levels (up to 10 points); Evaluation of short-term and long-term residencies (up to 10 points).

(14) International Cultural Exchange Program. The purpose of this program is to support international cultural exchange projects of outstanding artistic and cultural merit. Projects may be developed and originate in Florida for travel outside of the United States, or may be developed or originate in another country and be brought to the state by a Florida sponsor. The program aims to provide support for international cultural exchange projects of arts organizations, including museums, theatres, dance companies, sister city organizations, art centers, and others. Projects are expected to demonstrate the ability to build on the international reputation of Florida artists and organizations.

(a) In addition to the basic eligibility requirements detailed in subsection (5), the following proposal conditions are applicable: the application submitted is to fund a specific project, not international elements of existing programs; multiple applications from different organizations for the same general project at the same venue or facility are not appropriate; and the maximum amount requested cannot exceed \$25,000.

(b) Application review, scoring, and funding recommendations.

Applications will be evaluated by a multidisciplinary review panel according to the following criteria: Artistic and Cultural Merit (up to 50 points); Public Impact (up to 30 points); and Program Management (up to 20 points). The maximum total score is 100 and a minimum average score of 75 must be achieved to be considered for funding. Funding recommendations will be made by the panel in consideration of the overall group of applications, the relative merits of each proposal, and the anticipated funds available for the program. The panel is not required to fund all proposals that achieve the minimum average score of 75.

(15) Challenge Grant Program. This program provides funding support to arts and cultural organizations for projects that are designed as new initiatives or unique in nature to the organization's regular programming. The category does not support general program operations or other ongoing programming. In addition to the basic eligibility requirements detailed in subsection (5), the applicant organization must also demonstrate in the application the impact of its general programs on at least a local basis, defined herein to encompass at least the county of the residence. There are four funding categories for the program: a community capital challenge and three levels of cultural project support with each level requiring greater scope, impact, and local match. Cultural projects must be of an artistic nature or be consistent with the general mission of a museum. For the purposes of this program, regional is defined as at least the county of residence and all counties with a 100 mile radius of the applicant's primary venue; and statewide is defined as at least 50% of the state's population, or 34 or more Florida counties.

(a) Specific eligibility and funding requests.

1. Level 1, the Local Challenge is for projects that carry significant and demonstrated local impact implemented by organizations that lack the financial resources to commit more than \$1:\$1 match. For this level only, up to 50% of the local match share may be in-kind contributions in the form of donated goods and services. Applicants to this category may request from \$10,000 up to \$50,000.

2. Level 2, the Regional Challenge is for projects of regional impact and require local cash match of \$2 for every \$1 of grant funding. Applicants may request from \$10,000 up to \$100,000.

3. Level 3, the Statewide Challenge is for projects of statewide impact and require cash match of \$3 for every \$1 of grant funding. Applicants may request from \$10,000 up to \$250,000.

4. Community Capital Challenge Projects also require \$3 of local cash match for every \$1 of grant funding. These projects are intended to support local endowment campaigns or other fiscal stabilization based capital fundraising projects significant to the applicant cultural organization or local cultural community. Such projects may involve partnerships with local community foundations. Applicants may request from \$10,000 up to \$100,000. This state award or any local funds raised as match for this award are not eligible to be included in match required to receive a State Matching Share through the Cultural Endowment Program, nor shall those funds be eligible as match for this award.

(b) Review criteria, scoring, and funding recommendations.

1. Applications will be evaluated by a multidisciplinary review panel according to the following criteria: Organizational Impact, up to 20 points; Proposed Challenge Grant Project, up to 50 points; and Impact of Challenge Grant Funds, up to 30 points. Applications must earn a minimum average panel score of 75 out of the 100 maximum points possible to be considered for funding.

2. Funding recommendations will be made by the panel in consideration of the overall group of applications, the relative merits of each proposal, and the anticipated funds available for the program. The panel is not required to fund all proposals that achieve the minimum average score of 75. In addition to providing specific funding recommendations, the panel will establish a priority ranking of all applications recommended for funding and forward such priority list to the Florida Arts Council for review and approval. Upon approval by the Secretary of State, the ranked list will be submitted to the next session of the Legislature for funding consideration. Should additional funds become available through partial or complete return of grants, the Secretary may increase current awards not funded to the full request, or award new grants to projects on the approved list but not able to be funded as a result of limited appropriation.

(16) Cultural Endowment Program. The purpose of this program is to create an endowment matching funds program that will provide operating resources to participating cultural organizations. There are two components to the program, application for Cultural Sponsoring Organization Designation and State Matching Share application, receipt, and management.

(a) Cultural Sponsoring Organization Designation.

1. Administrative and Legal Eligibility. The applicant must:

a. Be a qualified corporation as defined in Section 265.603(5), Florida Statutes.

b. Have satisfied the administrative requirements of previous grants received from the Division.

2. Program Eligibility. An eligible application shall consist of the following documents and information:

a. A completed and signed Cultural Endowment Application Form (#CA2E037, eff. 7/02, incorporated by reference and available from the Division).

b. A letter from the chairman of the board or president of the sponsoring organization formally requesting designation as a Cultural Sponsoring Organization.

c. A copy of the organization's determination letter from the Internal Revenue Service confirming tax exempt status, pursuant to Section 501(c)(3) or (4) of the Internal Revenue Code of 1954.

d. A copy of documentation of eligibility to receive contributions pursuant to the provisions of Section 170 of the Internal Revenue Code of 1954.

e. The description and documentation of a program that qualifies the organization as a sponsoring organization. The description and documentation shall include printed performance or printed exhibition material such as brochures, programs, or catalogues.

3. The Division shall submit the names of all eligible applicants to the Florida Arts Council for review and recommendation.

4. The Florida Arts Council shall review the names of the eligible applicants and submit the recommendations to the Secretary of State.

5. The Secretary of State shall review the recommendations of the Florida Arts Council and designate the eligible applicants as Cultural Sponsoring Organizations.

6. The Division shall notify each applicant in writing of the Secretary of State's designation.

(b) State Matching Share.

1. Administrative and Legal Eligibility for receipt of a State Matching Share. The applicant for a State Matching Share must:

a. Satisfy the requirements for Cultural Sponsoring Organization Designation in paragraph (a) above, and

b. Have not been awarded a State Matching Share within the 23-month period preceding this application. The 23-month period commences on the day following the date the previous State Matching Share was awarded. For the purposes of this program, a State Matching Share is considered to have been awarded as of July 1 of the fiscal year for which the Florida Legislature appropriates sufficient funds for the Department to enter into a Trust Agreement with an eligible organization.

2. Program Eligibility. An eligible application shall consist of the following documents and information:

a. A completed and signed Cultural Endowment Application Form (#CA2E037, eff. 7/02, incorporated by reference and available from the Division), and submitted on or before the annual June 1 deadline.

b. A list of the applicant's current board members, including each member's full name, occupation, address, phone number, and position held with the applicant organization.

c. A copy of the organization's independent certified audit for the last completed fiscal year.

d. Documentation establishing that the organization has deposited, prior to the application deadline, new contributions having a market value of at least \$360,000 for each individual endowment.

e. Documentation of Cultural Sponsoring Organization designation or an application for designation.

f. A statement from the chairman of the board or president of the applicant certifying that all documentation is true and correct, and that the Department shall have access to the applicant's records for endowment program purposes.

3. Funding Request. The Division shall not accept two or more applications for a \$240,000 State Matching Share from the same organization under a single application deadline.

#### 4. Matching Funds.

a. At the time of application, eligible applicants shall have on deposit in an applicant-owned cultural endowment program fund new contributions of at least \$360,000 cash, or cash equivalents with a market value of at least \$360,000.

b. Before the State Matching Share is transferred to the Cultural Sponsoring Organization, the Organization must provide documentation to the Division that the Organization has made prudent arrangements for the trusteeship of the entire endowment.

5. Compliance Date. The Compliance Date is the latest date of the following dates:

a. The date the applicant was designated a Cultural Sponsoring Organization; or

b. The date the applicant deposited new contributions having a total capital or assessed value of at least \$360,000 into the organization's cultural endowment program fund.

6. Priority List. The Division shall submit to the Secretary of State a list of all eligible Cultural Sponsoring Organizations in the order of their compliance date for each application deadline with the earliest date first. In the event that two or more Cultural Sponsoring Organizations have the same compliance date, the organizations will be ranked on the Priority List in the order of earliest-to-latest match deposit date. Once a State Matching Share is awarded by the Legislature, the organization is removed from the list.

7. Reporting Requirements. Each and every year, the Cultural Sponsoring Organization shall submit an annual report to the Division within 45 days after the expiration of the organization's fiscal year. The report shall detail:

a. How endowment fund interest was used.

b. The benefits of the endowment program to the organization.

c. How the \$600,000 endowment corpus is invested.

#### 8. Audit.

a. An annual audit of the organization's financial accounts shall be conducted by an independent certified public accountant and submitted to the auditor general and the Division for review within nine months after the expiration of the organization's fiscal year.

b. The audit must specifically recognize the \$600,000 endowment corpus (State Matching Share: \$240,000 and local match: \$360,000) as an asset of the Cultural Sponsoring Organization.

9. Priority List Retention. If sufficient funds are not appropriated by the Legislature for distribution to the Cultural Sponsoring Organization, the Department shall maintain the organization on the Priority List for the subsequent release of one State Matching Share to the organization, pending appropriation. It is the obligation of the organization to maintain eligibility for a State Matching Share while on the Priority List. If the organization chooses to expend part or all of the \$360,000 match, the organization will be removed from the Priority List and the organization will be required to submit a new application.

10. Each organization shall enter into a trust agreement with the State of Florida for the management of the endowment fund. The trust agreement shall include:

a. An investment plan as detailed in 11. below.

b. Other provisions as agreed to by both the organization and the state.

11. Investment Plan. Each organization shall submit an investment plan that shall direct the Trustee to preserve the principal amount of each endowment while maximizing current income through the use of investment-quality financial instruments. For the purposes of this program:

a. Investment quality means instruments rated in one of the four highest classifications as established by a nationally recognized rating service.

b. Financial instruments means bonds, notes, or other obligations of the United States or those guaranteed by the United States or for which the credit of the United States is pledged for the payment of the principal and interest or dividends thereof; state bonds pledging the full faith and credit of the State of Florida and revenue bonds additionally secured by the full faith and credit of the state; bonds of the several counties or districts in the State of Florida containing a pledge of the full faith and credit of the county or district involved; savings accounts in, or certificates of deposit of, any bank, savings bank, or savings and loan association incorporated under the laws of this state or organized under the laws of the United States doing business and situated in this state, the accounts of which are insured by the Federal Government or an

agency thereof; commercial paper of prime quality of the highest letter and numerical rating as provided for by at least one nationally recognized rating service; common stock, preferred stock, and interest-bearing obligations of a corporation having an option to convert into common stock provided the corporation is organized under the laws of the United States, any state or organized territory of the United States, or the District of Columbia; or the corporation is listed on any one or more of the recognized national stock exchanges in the United States and conforms with the periodic reporting requirements under the Securities Exchange Act of 1934.

12. For Cultural Sponsoring Organizations that use the services of an investment manager or other fiduciary entity for the investment of any portion of the endowment corpus, the Cultural Sponsoring Organization must maintain ownership of the assets and have the authority to terminate the investment services agreement.

(17) Cultural Facilities Program. The purpose of this program is to coordinate and guide the State of Florida's support and funding of renovation, construction, or acquisition of cultural facilities. It is not intended to fund project planning, such as feasibility studies and architectural drawings, or operational support.

(a) Administrative and Legal Eligibility. The applicant for a cultural facilities grant must:

1. Be a public entity governed by either a municipality, county, or qualified corporation as defined in Section 265.701(2), Florida Statutes.

2. Have ownership or undisturbed use of the land and building. In the cases where either the land or building is leased and not owned, fee simple, by the applicant, all underlying owners must also meet the above criteria. Exception: Land or building owned by the State of Florida and leased to an eligible applicant. For the purposes of this program, the applicant must be autonomous and independent of the property owner.

3. Retain ownership of all improvements made under the grant (exception: land or building owned by the State of Florida and leased to an eligible applicant).

4. Have satisfied the administrative requirements of previous grants received from the Division.

(b) Program Eligibility. All eligible applications shall consist of the following documents and information:

1. A completed and signed Cultural Facilities Program Application Form (#CA2E020, eff. 7/02, incorporated by reference and available from the Division), including the number of required application copies, submitted to the Division on or before the announced postmark deadline.

2. A description of the Project Scope of Work which shall include a project narrative, current phases, and prior phases.

3. Project Budgets including a summary and detail, a matching funds statement, and match summary chart.

4. A description of the Need for the Project including an operating forecast detail, a list of the organization staff, and a statement on the fiscal stability of the organization.

5. A description of the project's impact on the city, county, or multi-county region.

6. Documentation of unrestricted ownership of the site and facility, or documentation of undisturbed use of a site and facility for the following specific period of time as measured from the application deadline:

a. For equipment or capital fixtures: minimum lease 10 years.

b. For building renovation, improvements: minimum lease 20 years.

c. For building renovation, increase of square footage: minimum lease 30 years.

d. For building construction where the land is leased: minimum lease 40 years.

7. An independent certified audit of the applicant's financial records according to the following provisions:

a. Not-for-Profit, tax-exempt Florida corporations must submit copies of the applicant organization's independent, certified audit or review for the last completed fiscal year.

b. Municipal or county governments shall submit either the audit for the last completed fiscal year, or an internally prepared financial statement of revenue and expenses.

8. An 8 1/2" x 11" reduction of current architectural plans.

9. Letters of Support: Submit letters or list of local officials lending support to this project.

(c) Funding Request.

1. The applicant shall not request more than \$500,000 in a single application. There is no minimum amount.

2. An applicant from the same organization shall not submit 2 or more applications under a single application deadline for the same facility, project, site, or phase.

(d) Time Limits and Funding Cap. No project shall receive more than \$1.5 million during 5 consecutive state fiscal years. "Receive" means measured from July 1 of the fiscal year in which grant funds were awarded.

(e) Matching Funds.

1. Eligible matching funds provided by the grantee or third parties shall be on at least a two-to-one match of the amount requested, except for eligible Rural Economic Development Initiative (REDI) applicants. REDI qualified means those counties or communities designated pursuant to Sections 288.0656 and 288.06561, Florida Statutes.

2. Eligible matching funds provided by eligible REDI applicants shall be at least a one-to-one match of the amount requested.

3. At least 50% of the required match must be in cash. For the purposes of this program, cash shall include cash-on-hand, and cash expenditures made on the project within the five year period prior to the application deadline.

4. At least 50% of the cash match must be cash-on-hand and dedicated to the project.

5. No more than 50% of the match may be irrevocable pledges or in-kind contributions. Irrevocable pledges and in-kind contributions must be documented in the application.

6. Municipalities and counties must submit a copy of the approved resolution or minutes from the commission meeting, with the original application, which includes the dollar amount dedicated and available to the project if the grant is awarded and the date the funds will be available. Resolutions that have not been approved by the application deadline can not be used as match documentation. Local funding, as indicated by the resolution, must be made available within 90 days of state award notification.

(f) Application Review Panel.

1. The application review panel shall review each eligible application based on the following criteria: Scope of Work, up to 15 points; Project Budget and Matching Funds, up to 25 points; Need for Program and Operating Forecast, up to 30 points; and Project Impact, up to 30 points.

2. All applications that receive an average score of at least of 75 out of 100 possible points will be recommended for funding.

3. The panel shall develop a priority list based on the average score for each application.

4. The panel shall submit the priority list to the Florida Arts Council for review and recommendation.

(g) Florida Arts Council shall review the priority list and submit the recommendations to the Secretary of State.

(h) The Secretary of State shall review the recommendations of the Council and provide the Legislature with an approved priority list with funding recommendations.

(i) Retaining Projects on the next grant cycle priority list.

1. Projects that are approved and recommended by the Secretary but are not funded by the Legislature shall be retained on the priority list for the next grant cycle only.

2. All projects that are retained shall be required by the Division to submit the information in subparagraphs (b)1.-3. above in order to reflect the most current status of the project.

3. The deadline for the receipt of updated information shall be the same annual deadline as for new applications.

4. Rollover updates will not be re-scored, but rather merged with the new applications using the original scores and recommended funding.

5. Rollover updates that are determined by the Division to be incomplete or ineligible, changed in scope or venue, or increased the funding request shall be removed from the priority list.

(j) No changes in project scope or venue will be permitted.

(k) Grant Award Agreement. The Grant Award Agreement is the document by which the organization enters into a contract with the State of Florida for the management of the grant funds which shall include:

1. An update of the application project narrative and budget.

2. A completed Assurance of Compliance and Signature Authorization Form (CA2E059, eff. 6/00, incorporated by reference and available from the Division).

(l) Reporting Requirements.

1. Interim Reports shall be submitted at six-month intervals until the project is complete. For the purpose of this program, a project is considered complete when all grant and match funds have been expended. The first Interim Report is due on January 31 of the fiscal year in which the grant was awarded.

2. Final Report. A Final Report shall be submitted 45 days after the completion of the project.

3. All reports shall include the following information:

a. A description of the work completed.

b. A financial statement showing the expenditure of grant and match.

c. A state grant expenditure log that includes check number, amount of check, date of check, name of payee, and a description of the expenditure.

(18) Fellowship Program. This program is designed to recognize the creation of new artworks by individuals of exceptional talent and demonstrated ability. Fellowship awards support the general artistic and career advancement of the individual artist.

(a) To be eligible for a fellowship, an applicant must:

1. Be a legal resident of Florida, as defined by Section 196.015, Florida Statutes, or Section 22.17, Florida Statutes, and agree to maintain Florida residency for the duration of the fellowship period;

2. Be at least 18 years of age;

3. Not be enrolled in any undergraduate or graduate degree-seeking program during the fellowship period;

4. Have not received a fellowship award during the five-year period preceding the new award period;

5. Not serve as a grant review panelist if he/she has an application before the same discipline panel.

(b) Eligible applicants must submit a completed Fellowship application form (CA2E012, eff 7/02, incorporated by reference and available from the Division) with all required samples of work in the discipline appropriate formats described in the program guidelines, on or before the announced postmark deadline. Samples of work must be original and authentic representations of the applicant's work.

(c) The panel reviews for the disciplines of dance, interdisciplinary, media arts, and folk arts are based on a combined rating of the following criteria: the quality and



consistency in the body of work, as evidenced by each applicant's submission samples, professional achievements, reputation, and peer support and respect as evidenced through the application form and support materials. Folk arts applicants are also evaluated on the traditionality of the art form.

(d) Samples of work submitted by applicants in the visual arts and crafts, music, literature, and theatre categories are initially evaluated through a blind review process, which means that examples of the applicant's work are presented to the panelists without revealing the applicant's identity.

(e) During the first phase of all panel reviews the applications are rated on a scale of 1 to 10. Only applications ranked 8 or higher are eligible to be considered for fellowship awards or honorable mention during the second phase of the review.

(f) Fellowship awards of \$5,000 each are made based on the panel's recommendations. Funds are available through a grant agreement on a non-matching basis.

(19) Grant Awards to Organizations. The Division shall be responsible for the administration of all grant awards as recommended by the Council with the approval of the Secretary, pursuant to Section 265.286, Florida Statutes. The annual grant period shall be July 1 through June 30, or any grant activity start and end date within that time frame as stated in the award documents, or an approved amendment.

(a) All grant awards, except Cultural Facilities Program Grants, which have been approved in accordance with Chapter IT-1, F.A.C., shall be made through a grant award agreement, as described in (b).

(b) The grant award agreement shall consist of a grant award letter, an Addendum describing grant requirements as set forth in this rule, the summary of matching and reporting requirements, and an Assurance of Compliance and Signature Authorization Form #CA2E059, eff. 6/00, incorporated by reference and available from the Division. The agreement shall contain all requirements and other conditions governing the grant award. Any amendment to the agreement shall be governed by the provisions of paragraph (e).

(c) No payment will be released unless all financial and program reports are filed in accordance with paragraph (m). The payment request will not be processed by the Division until the organization is in compliance with Department rules.

(d) Accounting Requirements. The Grantee shall maintain an accounting system which provides for a complete record of the use of all grant and match funds connected with the grant.

(e) Revisions to grant. The Division shall consider Grant Amendment Requests on the basis of adherence to the goals of the funded application. The Grantee shall be required to request prior written approval from the Division for the following changes to the grant:

1. Any substantial deviation from the proposal as outlined in the grant. Examples of substantial deviations are: major reductions in the program activities, or number of proposed

events; revision in scope, goals, or objectives; reduction in key personnel; changes in specific artists or proposed exhibitions and productions that are not artistically equivalent to the original proposal; the inability to complete the project; or budget changes resulting from such deviations.

2. Introduction of an expense line item where none existed in the approved budget.

3. Travel or equipment costs exceed the figure in the approved budget by more than 25%.

4. Introduction of a subcontractor or subgrantee relationship where none existed in the grant.

5. Charging admission or fees when the proposed activity was "free to the public."

6. Project start and end dates outside the established grant period.

(f) Administrative Change Notice. Change in the organization's name, address, phone number, authorizing officials, or contact person requires a written notice of change. This may be done by filing an administrative change notice form or a letter on grantee letterhead. The Division will not change the organization's name without documentation from both the Division of Corporations and the IRS that reflects the organization name change.

(g) The grantee shall return all grant funds expended on disallowed activity or grant funds not matched as a result of disallowed expenditures for failure to comply with the provisions of (e). However, the Department shall allow an exception in the event the grantee can clearly demonstrate extenuating circumstances. Extenuating circumstances encompass situations beyond the control of the grantee which prevent the timely notification of the request. These instances include but are not limited to natural disaster, death or serious illness of the individual responsible for the request, or mail service failure. Extenuating circumstances do not include failure to read or understand grant administrative requirements, the absence of a required form or inability to obtain an authorized signature, or other similar circumstances.

(h) Allowable costs. All necessary and routine costs shall be allowed for the purposes of a grant provided that:

1. They occur or are obligated within the grant period, provided, however, that no cost incurred prior to the execution of the grant by both parties shall be reimbursed.

2. They are solely for the purposes of the grant and can be easily identified as such.

3. For the Challenge Grant Program only, otherwise eligible matching funds may have been obligated or expended prior to the beginning of the grant year. The period may not exceed two years before the start of the grant year for the Challenge Grant Program.

(i) Non-allowable costs. Project costs shall not include the following:

1. Expenses incurred or obligated prior to or after the grant period.

2. Lobbying or attempting to influence federal, state or local legislation, the judicial branch or any state agency.

3. Building, renovation, or remodeling of facilities.

4. Bad debts, contingencies, fines and penalties, interest and other financial costs.

5. Private entertainment, food, beverages, plaques, awards, or scholarships.

6. Capital expenditures, including acquisitions.

7. Projects which are restricted to private or exclusive participation, which shall include restricting access to programs on the basis of sex, race, creed, national origin, disability, age, or marital status.

8. Regranting.

9. Contributions and donations.

(j) School systems may use paid in-classroom teacher time and release time, including substitute salaries, as a part of the cash match for Arts in Education grant projects.

(k) Grant and matching funds may be used for the following with prior approval by the Director or when specifically contained and approved in the grant application.

1. Travel outside the continental United States.

2. Equipment purchases that cost in excess of \$5,000 and have a life of more than one year.

3. Approval for inclusion of the above cost items will be based on the proposed costs being reasonable and the applicant's ability to demonstrate that travel or equipment is essential to achieving the goals of the proposal. Prior approval by the Director for inclusion of these cost items in a funded grant shall also require the grantee to demonstrate why these cost items could not have been included in the original proposal.

(l) It shall be understood that all funds, regardless of source, connected with the grant shall be required to comply with this section.

(m) Reporting. For all programs, unless otherwise specified, the grantee shall file a final report no more than 30 days following the project ending date. Interim reports will be required for grants with ending dates after June 30. These interim reports shall contain program financial and statistical results as of June and must be submitted no later than July 30. A final report will also be required 30 days after the project ending date. Requests for report due date extensions must be submitted in writing prior to the original due date. Interim and final reports shall be completed and submitted on the Grant Report Form (CA2E004, eff. 7/02, incorporated by reference and available from the Division).

(n) Sponsorship statement. All publications, media productions, and exhibit graphics associated with activity described in the grant award agreement shall include the following statement: "Sponsored in part by the State of

Florida, Department of State, Division of Cultural Affairs and the Florida Arts Council" according to Section 286.25, Florida Statutes.

(o) Expenditures from grant funds shall in no circumstances exceed 50% of the project costs unless otherwise provided in this rule or as part of the stipulations in the grant award agreement.

(p) The Division shall notify grantees, in writing, specifying administrative deficiencies with each type of grant award document, request, or report.

1. Grantee has 30 days in which to respond to the Division concerning the written notice of deficiencies.

2. If there is no response from the grantee, within 30 days from the date of the letter, the document, request, or report will be rejected.

(q) The Grant Award is subject to rescission if the Award Letter and the Assurance of Compliance and Signature Authorization Form are not properly signed and, therefore, not accepted by the grantee.

(r) Failure to obtain prior approval on a Grant Amendment Request may result in full or partial refund to the state if expenditures of state or matching funds do not meet program requirements. See paragraph (e).

(s) Failure to respond to report deficiencies will place the grantee in a non-compliance status, and payment on current grants shall be withheld until the deficiencies are resolved.

(t) Any new applications will be declared ineligible if an organization is in non-compliance for failure to submit a final report of any Division application deadline.

Specific Authority 255.043(5), 265.284(5)(d), 265.285(1)(c), 265.286(1),(4),(6), 265.2861(2)(b), 265.2865(6), 265.51, 265.605(1), 265.608, 265.609(1),(4),(6), 265.701(4) FS. Law Implemented 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.51-56, 265.601-.607, 265.608, 265.609, 265.701, 286.011, 286.012, 286.25 FS. History—New 11-23-82, Formerly 1T-1.01, Amended 10-1-96, 10-31-96, 2-2-97, 6-2-97, 7-17-97, 9-10-97, 1-4-98, 7-26-98, 8-2-98, 10-5-98, 10-25-98, 8-17-99,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Linda B. Downey, Chief, Bureau of Grant Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Katherine Harris, Secretary of State and JuDee Pettijohn, Director, Division of Cultural Affairs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 24, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 29, 2002

**DEPARTMENT OF INSURANCE**

Annual Audited Financial Reports 4-137.002

PURPOSE AND EFFECT: The rule adopts the form which is required by statute for insurers to claim exemptions and meet reporting requirements.

**SUMMARY:** The rule adopts Form DI4-1431 “Audited Financial Statements Exemption Affidavit,” to be completed by insurers wishing to claim exemption from filing audited financial statements as permitted by Section 624.424(8)(e), Florida Statutes.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** None.

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

**SPECIFIC AUTHORITY:** 624.308(1), 624.424(8)(e) FS.

**LAW IMPLEMENTED:** 624.307(1), 624.324, 624.424(8) FS.

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

**TIME AND DATE:** 10:00 a.m., June 3, 2002

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Lee Roddenberry, Bureau Chief of P & C Insurer Solvency, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0329, phone (850)413-5200 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White at (850)413-4214.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

4-137.002 Annual Audited Financial Reports.

(1) through (13) No change.

(14) Exemptions and Effective Dates.

(a) through (b) No change.

(c) Form DI4-1431, (rev. 7/01), “Audited Financial Statements Exemption Affidavit”, is hereby incorporated by reference to be the form specified in Section 624.424(8)(b), F.S., for exemptions from compliance with the filing of an annual audited financial statement.

(15) No change.

Specific Authority 624.308(1), 624.424(8)(e) FS. Law Implemented 624.307(1), 624.324, 624.424(8) FS. History—New 3-31-92, Amended 3-14-94, 8-17-98, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Lee Roddenberry, Bureau Chief of P & C Insurer Solvency, Division of Insurer Services, Department of Insurance

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** January 25, 2002

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** March 22, 2002

**DEPARTMENT OF INSURANCE**

**Division of State Fire Marshal**

**RULE CHAPTER TITLE:** Firefighter Employment Standard

**RULE CHAPTER NO.:** 4A-62

**RULE TITLE:** Exemption from 29 Code of Federal Regulations, Section 1910.134(g)(4)

**RULE NO.:** 4A-62.005

**PURPOSE AND EFFECT:** To provide procedures for fire departments which have certified to the Department of Insurance that they cannot implement 29 Code of Federal Regulations, Section 1910.134(g)(4) referred to as the “two in, two out rule,” without expending significant additional funds or hiring additional employees, and have taken the six-month exemption provided for in Rule 4A-62.003, Florida Administrative Code, to come into compliance with the Regulation or to gain a continuance of the exemption.

**SUMMARY:** Provides procedures for the Division of State Fire Marshal, the Firefighters Health and Safety Task Force and the Fire Standards and Training Council, to form a “special exemption subcommittee” to investigate the fire departments which have certified to the Department of Insurance that they cannot implement 29 Code of Federal Regulations, Section 1910.134(g)(4). The Division shall review annually each fire department continued on the exempt list until compliance.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** No Statement of Regulatory Costs was prepared.

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

**SPECIFIC AUTHORITY:** 633.01(1) FS.

**LAW IMPLEMENTED:** 633.45(1)(a) FS.

**IF REQUESTED A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW. IF A HEARING IS NOT REQUESTED, NO HEARING WILL BE HELD.**

**DATE AND TIME:** 9:00 a.m., May 28, 2002

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340. Phone: (850)413-3604; Fax: (850)922-1235

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 Millicent King, (850)922-3171.

THE FULL TEXT OF THE PROPOSED RULE IS:

4A-62.005 Exemption from 29 Code of Federal Regulations, Section 1910.134(g)(4).

(1) This section is applicable to all fire departments which have notified the Division of State Fire Marshal that they are exempt from the applicability of 29 Code of Federal Regulations, Section 1910.134(g)(4) for six months beginning April 1, 2002.

(2) The Division shall provide the Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate, with the names of all fire departments which are exempt.

(3) Pursuant to paragraph 4A-62.003(3)(c), Florida Administrative Code, the Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate, shall assign one or more of its members as a "special exemption subcommittee" to investigate the circumstances surrounding the reason why such fire department or local government is not able to implement 29 Code of Federal Regulations, Section 1910.134(g)(4) without adding additional firefighters to its staff or expending significant additional funds. In such investigation, the special exemption subcommittee shall, assisted by a member of the staff of the Division, investigate and take into consideration the following factors:

(a) Whether the fire department or local government submitting the letter or certification has made any attempt to enter into any interlocal agreement with any surrounding fire department or local government or to take any other measures which would assist it in implementing 29 Code of Federal Regulations, Section 1910.134(g)(4) without adding additional firefighters to its staff or expending significant additional funds;

(b) If no attempt, or an insufficient attempt, has been made to enter into an interlocal agreement with a surrounding fire department or local government or to take any other measures, the special exemption subcommittee shall investigate the feasibility and capability of the fire department or local government entering into such an agreement with one or more surrounding fire departments or local governments so that the fire department or local government seeking the exemption would be able to implement 29 Code of Federal Regulations, Section 1910.134(g)(4) without adding additional firefighters or expending significant additional funds.

(c) The special exemption subcommittee may also consider any other factor or take any other action the special exemption subcommittee deems reasonably necessary to complete its charge from the Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate.

(d) The special exemption subcommittee, assisted by a member of the staff of the Division, shall prepare and submit a report of its investigations to the Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate. The report need not be in any particular form but shall contain:

1. The action taken by the special exemption subcommittee in performing its investigation;

2. The results of the investigation; and

3. The recommendation or recommendations of the special exemption subcommittee.

(4) The Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate, shall consider the actions taken by the special exemption subcommittee together with the results and any recommendation or recommendations by the special exemption subcommittee. The Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate, shall take one of the following three actions:

(a) Adopt any recommendation or recommendations made by the special exemption subcommittee in full as its recommendation or recommendations to the State Fire Marshal; or

(b) Adopt any recommendation or recommendations made by the special exemption subcommittee with any changes, additions, or deletions the Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate, makes as its recommendation or recommendations to the State Fire Marshal; or

(c) Request that the special exemption subcommittee revisit the fire department or local government which alleges that it cannot comply with 29 Code of Federal Regulations, Section 1910.134(g)(4) without adding additional firefighters to its staff or expending significant additional funds, and take any further reasonable steps in its investigation. If the Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate, takes the action provided for in this subparagraph, it shall provide specific guidance to the special exemption subcommittee as to the factors and actions it is directing the special exemption subcommittee to consider and take.

(5)(a) Upon receipt of any recommendation or recommendations of the Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate, the Division shall notify the subject fire department or local government of the recommendation or recommendations of the Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate, and shall, if it approves of the recommendation or recommendations of the Firefighters Health and Safety Task Force or the Firefighters Employment,

Standards, and Training Council, as appropriate, request the fire department or local government to comply with such recommendation or recommendations.

(b) If the Division does not approve the recommendation of the Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate, it shall return the recommendation to the Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate, with specific directions to consider any other reasonable factors or take any other reasonable action.

(6) If the subject fire department or local government complies in full with the recommendation or recommendations within a reasonable time and determines that it is able to implement 29 Code of Federal Regulations, Section 1910.134(g)(4) without adding additional firefighters to its staff or expending significant additional funds, it shall be removed from the list of exempt fire departments or local governments.

(7) If the subject fire department or local government has cooperated fully with the Division and the Firefighters Health and Safety Task Force or Firefighters Employment, Standards and Training Council, as appropriate, and has complied in full with the recommendation or recommendations within a reasonable time but finds that it still is unable to implement 29 Code of Federal Regulations, Section 1910.134(g)(4) without adding additional firefighters to its staff or expending significant additional funds, it shall be continued on the exempt list for an additional year. The Division shall review the circumstances of each fire department continued on the exempt list after October 1, 2002, each year thereafter until compliance can be achieved.

(8) If the subject fire department or local government fails or refuses to comply with the recommendation or recommendations within a reasonable time, the Division shall take such action that is permitted and that may be appropriate under Chapter 633, F.S.

(9) If a special exemption subcommittee of the Firefighters Health and Safety Task Force or the Firefighters Employment, Standards, and Training Council, as appropriate, is unable to complete an investigation of any fire department or local government which alleges that it is unable to comply with 29 Code of Federal Regulations, Section 1910.134(g)(4) without adding additional firefighters to its staff or expending significant additional funds prior to the expiration of the six-month automatic exemption period from April 1, 2002, to October 1, 2002, such fire department or local government shall continue on the exempt list until a disposition is made in accordance with this section.

(10) Each year after the year 2002, the Division shall review the list of exempt fire departments or local governments and shall take the same action as set forth in this section with respect to those fire departments and local governments which remain on the list.

Specific Authority 633.01 FS. Law Implemented 633.45(1)(a) FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Randall A. Napoli, Director, Division of State Fire Marshal, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 15, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 22, 2002

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Emergency Management**

RULE CHAPTER TITLE: Comprehensive Emergency Management Plan

RULE CHAPTER NO.: 9G-2

RULE TITLE: State Comprehensive Emergency Management Plan Adopted

RULE NO.: 9G-2.002

PURPOSE, EFFECT AND SUMMARY: To add three new Annexes to the State Comprehensive Emergency Management Plan. These are Repatriation, Wildfires and Terrorism.

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: 252.35(2)(u) FS.

LAW IMPLEMENTED: 252.35(2)(a) 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. – 12:00 noon, May 27, 2002

PLACE: Room 310M, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Charlie Worthen, Planner IV, Bureau of Preparedness and Response, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 (850)413-9973, SUNCOM 293-9973 at least seven days before the date of the hearing. 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) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Charlie Worthen, Planner IV, Bureau of Preparedness and Response, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 (850)413-9973, SUNCOM 293-9973

THE FULL TEXT OF THE PROPOSED RULE IS:

9G-2.002 State Comprehensive Emergency Management Plan Adopted.

(1) The Department hereby adopts and incorporates by reference into this Chapter the State Comprehensive Emergency Management Plan (\_\_\_\_\_ February 1, 2000 Edition).

(2) No change.

Specific Authority 252.35(2)(u) FS. Law Implemented 252.35(2)(a) FS. History--New 1-4-01, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Charlie Worthen, Planner IV, Bureau of Preparedness and Response, Division of Emergency Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Craig Fugate, Director, Division of Emergency Management, Department of Community Affairs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 12, 2002

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Incorporation by Reference
RULE CHAPTER NO.: 14-15
RULE TITLE: Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways
RULE NO.: 14-15.002

PURPOSE AND EFFECT: The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, commonly referred to as "the Green Book," is being revised.

SUMMARY: The rule adopts the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, commonly referred to as "the Green Book." Because the manual has been revised, that revised edition has to be incorporated by reference.

SPECIFIC AUTHORITY: 334.044(2), 336.045(1) FS.

LAW IMPLEMENTED: 336.045 FS.

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

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

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

TIME AND DATE: 2:00 p.m., June 3, 2002

PLACE: Suwannee Room, Second Floor, Room 250, 605 Suwannee Street, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULES IS:

14-15.002 Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways.

The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, May - 2002, 2001 edition, is hereby incorporated by this rule and made a part of the rules of the Department of Transportation. Copies of this Department manual and any amendments thereto are available from the Department of Transportation, Maps and Publications Sales, 605 Suwannee Street, Mail Station 12, Tallahassee, Florida 32399-0450, at no more than cost.

Specific Authority 334.044(2), 336.045(1) FS. Law Implemented 336.045 FS. History--New 1-22-76, Amended 7-13-81, 6-24-84, Formerly 14-15.02, Amended 8-25-86, 11-29-89, 11-1-94, 5-15-01, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rob Quigley

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas F. Barry, Jr., P.E., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 15, 2002, Page 1540-1541, as corrected.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Rules of Conduct
RULE NO.: 33-208.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise the requirements and process for staff to report arrests or criminal charges.

SUMMARY: The proposed rule increases the minimum fine or bond forfeiture which requires a written report and clarifies how charges or arrests are to be reported.

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: 20.215, 944.09 FS.

LAW IMPLEMENTED: 944.09, 944.14, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47 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:

33-208.002 Rules of Conduct.

The Department of Corrections requires all employees to familiarize themselves with all rules and regulations pertaining to their positions and duties, and that employees abide by these rules and regulations. The following rules of conduct and performance standards are applicable both on and off the job to all Department of Corrections employees. Some of these rules of conduct are found again in abbreviated form in the next section titled "Range of Disciplinary Actions," however, all rules of conduct are enforceable by appropriate disciplinary action regardless of whether they are listed in the range of disciplinary actions.

(1) through (2) No change.

(3) Each employee shall make a full written report within 3 calendar days ~~to the secretary, warden, regional director, circuit administrator or officer in charge,~~ of any criminal charge filed against him or any arrest for any violation of any law or ordinance except minor traffic violations for which the fine or bond forfeiture is \$200 ~~\$100.00~~ or less. In field locations this report shall be submitted to the warden, regional director, circuit administrator or officer in charge; in central office this report shall be submitted to the employee's bureau chief or director.

(4) through (27) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09, 944.14, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47 FS. History--New 10-8-76, Amended 10-11-77, 4-19-79, 6-18-83, Formerly 33-4.02, Amended 8-15-89, 10-20-90, 1-31-91, 3-20-91, 1-30-96, 3-24-97, 4-19-98, Formerly 33-4.002, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Peggy Ball

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 22, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 29, 2002

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Home and Community-Based Services Waivers

RULE NO.: 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 2002, 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.

SUMMARY: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Developmental Services Waiver Services Coverage and Limitations Handbook, June 2002, 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.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

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

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

TIME AND DATE: 10:00 a.m. – 1:00 p.m., May 28, 2002

PLACE: 2727 Mahan Dr., AHCA Building #3, Conference Rm. D, Tallahassee, FL

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

## THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) through (11) No change.

(12) Developmental Services Waiver – General. This rule 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 2002, 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 Rule 59G-5.020, F.A.C. 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 can 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 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.~~

~~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 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 be 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.

~~(e) 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 Rule 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.

~~(e) Program Operations.~~ The HCB services program under this waiver shall comply with the standards established in Chapter 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, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kathryn Stephens

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rhonda M. Medows, MD, FAAFP, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 23, 2002

DATE NOTICES OF PROPOSED RULE DEVELOPMENTS PUBLISHED IN FAW: Dec. 28, 2001, Jan. 25, 2002, and Feb. 8, 2002

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Landscape Architecture**

RULE TITLE: RULE NO.:

Continuing Education Credit Requirements 61G10-18.001

PURPOSE AND EFFECT: The Board has determined that it is necessary to reword the text to this rule to clarify the continuing education credit requirements.

SUMMARY: The Board is substantially rewording this rule to clarify the requirements for continuing education.

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

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

SPECIFIC AUTHORITY: 455.2124, 481.306, 481.313 FS.

LAW IMPLEMENTED: 481.313, 553.841 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Leon Biegalski, Executive Director, Florida Board of Landscape Architecture, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 61G15-15.003 follows. See Florida Administrative Code for present text.)

61G10-18.001 Continuing Education Credit Requirements for Biennial Renewal.

Every person licensed pursuant to Chapter 481, Part II, Florida Statutes, must obtain at least sixteen (16) continuing education credits per biennium. There shall be no carryover of hours permitted from one licensure renewal biennium to the next.

(1) Licensees whose license period ends during the biennium ending November 30, 2003 must complete the following continuing education requirements:

(a) Four (4) of the required sixteen credits must be obtained by either completing the four (4) hour core curriculum course on the Uniform Building Code or passing the equivalency test of the Building Code Training Program prescribed by Sections 553.841 and 481.313(5), Florida Statutes; and

(b) Two (2) of the required sixteen credits must be obtained by completing a course on Florida's laws and rules affecting the practice of landscape architecture according to Chapter 481, Florida Statutes per biennium; and

(c) A minimum of six (6) of the remaining hours of continuing education credits must be obtained from the following:

1. The completion of courses in landscape architecture subjects at universities and colleges shall be accredited by an accrediting agency that is recognized by the United States Office or Department of Education, including accredited junior and community college programs. No more than six (6) continuing education credits may be obtained for each

semester hour or quarter hour equivalent thereof. A fifty minute instructional class shall equal one academic hour and each 15 academic semester or quarter hours or an equivalent shall equal one hour of continuing education credit. A "course in a landscape architecture subject" is a course that is defined in subsection 61G10-18.006(4), F.A.C.:

i. Any continuing education credit from an academic institution must be submitted to the Department ninety (90) days prior to the licensees renewal on November 30th of odd-numbered years.

ii. A certified copy of the transcript from the registrar of the academic institution shall be evidence of the continuing education credit for the academic institution.

2. The completion of courses approved by the Board and offered by continuing education providers approved by the Board for the provision of continuing education credit hours. The number of hours of credit shall be consistent with Rule 61G10-18.003, F.A.C.

(2) Upon renewal after a licensee has completed the core curriculum course on the Uniform Building Code or passed the equivalency test of the Building Code Training Program, the licensee shall take the following continuing education courses per biennium:

(a) A minimum of four (4) of the sixteen (16) required credits must be obtained by completing an approved provider's advanced or specialized course on the Uniform Building Code approved by the Florida Commission; and

(b) Two (2) of the required sixteen (16) credits must be obtained by completing a course on Florida's laws and rules affecting the practice of landscape architecture according to Chapter 481, Florida Statutes; and

(c) A minimum of six (6) of the remaining hours of continuing education credits must be obtained from the following:

1. The completion of courses in landscape architecture subjects at universities and colleges shall be accredited by an accrediting agency that is recognized by the United States Office or Department of Education, including accredited junior and community college programs. No more than six (6) continuing education credits may be obtained for each semester hour or quarter hour equivalent thereof. A fifty (50) minute instructional class shall equal one academic hour and each fifteen (15) academic semester or quarter hours or an equivalent shall equal one hour of continuing education credit. A "course in a landscape architecture subject" is a course that is defined in subsection 61G10-18.006(4), F.A.C.:

i. Any continuing education credit from an academic institution must be submitted to the Department ninety (90) days prior to the licensees' renewal on November 30th of odd-numbered years.

ii. A certified copy of the transcript from the registrar of the academic institution shall be evidence of the continuing education credit for the academic institution.

2. The completion of courses approved by the Board and offered by continuing education providers approved by the Board for the provision of continuing education credit hours. The number of hours of credit shall be consistent with Rule 61G10-18.003, F.A.C.; and

(3) A first time Florida license; licensed 12 or more months prior to the end of a biennial period, shall take the core curriculum courses or pass the equivalency test of the Building Code Training Program established by Section 553.841, Florida Statutes, within two (2) years of initial licensure and shall complete the following eight (8) hours of continuing education as a condition of renewal.

(a) Two (2) of the required eight (8) credits must be obtained by completing a course on Florida’s laws and rules affecting the practice of landscape architecture according to Chapter 481, Florida Statutes per biennium.

(b) Hours spent taking the core curriculum Building Code Training Program shall count toward hours of continuing education for license renewal.

(c) The remaining hours of continuing education credits must be obtained from the following:

1. The completion of courses in landscape architecture subjects at universities and colleges shall be accredited by an accrediting agency that is recognized by the United States Office or Department of Education, including accredited junior and community college programs. No more than six (6) continuing education credits may be obtained for each semester hour or quarter hour equivalent thereof. A fifty (50) minute instructional class shall equal one academic hour and each fifteen (15) academic semester or quarter hours or an equivalent shall equal one (1) hour of continuing education credit. A “course in a landscape architecture subject” is a course that is defined in subsection 61G10-18.006(4), F.A.C.:

i. Any continuing education credit from an academic institution must be submitted to the Department ninety (90) days prior to the licensee’s renewal on November 30th of odd-numbered years.

ii. A certified copy of the transcript from the registrar of the academic institution shall be evidence of the continuing education credit for the academic institution.

2. The completion of courses approved b the Board and offered by continuing education providers approved by the Board for the provision of continuing education credit hours. The number of hours of credit shall be consistent with Rule 61G10-18.003, F.A.C.

(4) A person initially licensed for less than twelve (12) months prior to the end of a biennial period need not complete any continuing education as a condition of renewal.

(5) Non-Qualifying Activities For Continuing Education Hours Activities that do not qualify as continuing education hours include but are not limited to the following:

(a) Self-generated courses, that being courses generated and presented by the licensee to himself or herself for continuing credit.

(b) Personal self-improvement courses.

(c) Equipment demonstrations or trade show displays.

(d) Enrollment without attendance.

(e) Repetitive attendance or teaching of the same course within the applicable biennium.

(f) Tours of buildings, structures, schools, museums and such unless there is a clear objective to maintain and strengthen competency in a technical field.

(g) Regular employment.

(6) Demonstrating Compliance.

In order to demonstrate compliance, licensees must execute a signed statement accompanying their renewal form and return it to the Board office with their renewal. For each qualifying activity listed, the following information must be included:

(a) Title of activity and a description.

(b) The date, location and provider of the activity.

(c) The area of practice to which the activity applies.

(d) The number of continuing education credits claimed for each activity.

Specific Authority 455.2124, 481.306, 481.313 FS. Law Implemented 481.313, 553.841 FS. History–New 9-19-01, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Landscape Architecture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 19, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 8, 2002

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 01-57R

RULE CHAPTER TITLE: Permits  
RULE CHAPTER NO.: 62-4

RULE TITLE: Regulatory Program and Surveillance  
RULE NO.: 62-4.052

Fees for Wastewater Facilities or Activities Discharging to Surface Waters

The Department of Environmental Protection has proposed language amending Rule 62-4.052, F.A.C., to increase annual fees paid by Phase I Municipal Separate Storm Sewer System (MS4) facilities and to include individually permitted Phase II MS4 facilities within the fee structure.

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.is/> under the link or button entitled “Official Notices.” The person to be contacted regarding the proposed rule is: Fred Noble, P.E., NPDES Stormwater

Section, Florida Department of Environmental Protection, Mail Station 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE TITLE: Processing Fee  
 RULE NO.: 64B2-12.017

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

SUMMARY: The Board clarifies that the \$350 processing fee is for the physician and the assistant's fee is \$55, which does not exceed the biennial renewal fee.

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: 456.036 FS.

LAW IMPLEMENTED: 456.036 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 FAW.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-12.017 Processing Fee.

A licensee shall pay a processing fee of ~~\$350.00 three hundred fifty dollars (\$350.00)~~ when the licensee applies for a change in licensure status at any time other than during licensure renewal, except a certified chiropractic physician assistant shall pay \$55. The renewal period shall begin ~~90 ninety (90)~~ days prior to the end of the biennium and shall end on the last day of the biennium.

Specific Authority 456.036 FS. Law Implemented 456.036 FS. History--New 2-20-95, Formerly 59N-12.017, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 22, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE TITLE: Continuing Education  
 RULE NO.: 64B2-13.004

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

SUMMARY: The Board proposes to allow course instructors, text examiners, and former Board members serving on probable cause panels to obtain continuing chiropractic education credits for these activities.

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: 460.408(3) FS.

LAW IMPLEMENTED: 456.013(6), 456.036(10), 460.408 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 FAW.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-13.004 Continuing Education.

(1) through 10) No change.

(11) In addition to the continuing chiropractic education credits authorized above, a course instructor, for one presentation only per biennium, will receive credit for a continuing education program sponsored by a provider approved by the Board, except that credit will be limited to the number of credits for which the instructor was personally responsible and shall not exceed the credit allowed for attending the program.

(12) In addition to the continuing chiropractic education credits authorized above, test examiners who have passed their trainee period and were used by the Department during the biennium will receive eight hours of credit for the biennium.

(13) In addition to the continuing chiropractic education credits authorized above, former Board members will receive eight hours of credit per biennium for annual service on a Probable Cause Panel.

Specific Authority 460.408(3) FS. Law Implemented 456.013(6), 456.036(10), 460.408 FS. History--New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98, 8-4-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Chiropractic Medicine  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Board of Chiropractic Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: March 22, 2002  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: April 26, 2002

**DEPARTMENT OF HEALTH**  
**Board of Chiropractic Medicine**

RULE TITLE: Inactive Status License  
RULE NO.: 64B2-13.0049

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

SUMMARY: The Board proposes to remove a prohibition on inactive licensees returning to active status at times other than the 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: 456.036 FS.

LAW IMPLEMENTED: 456.036 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 FAW.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-13.0049 Inactive Status License.

(1) through (2) No change.

~~(3) Any inactive licensee who elects active status is not eligible to elect to return to inactive status until the next licensure renewal period.~~

Specific Authority 456.036 FS. Law Implemented 456.036 FS. History--New 2-20-95, Formerly 59N-13.0049, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Chiropractic Medicine  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Board of Chiropractic Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: March 22, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: April 26, 2002

**DEPARTMENT OF HEALTH**  
**Board of Chiropractic Medicine**

RULE TITLE: Citations  
RULE NO.: 64B2-16.0075

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

SUMMARY: The Board proposes to add citations for failure to review and correct any factual inaccuracies in the practitioner profile within 30 days and to remove citations for deceptive advertising.

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: 456.077, 460.405 FS.

LAW IMPLEMENTED: 456.035, 456.072(3), 456.073 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 FAW.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-16.0075 Citations.

(1) through (2) No change.

(3) The Board designates the following as citation violations, which shall result in a penalty of five hundred dollars (\$500.00) if the citation is accepted by the licensee:

(a) through (b) No change.

(c) Failure to review and correct any factual inaccuracies in the practitioner profile within 30 days of when furnished Sections 460.413(1)(i), 456.041(7), 456.042, F.S. False, deceptive or misleading advertising, s. 460.413(1)(d), F.S.

(d) through (g) No change.

(4) through (9) No change.

Specific Authority 456.077, 460.405 FS. Law Implemented 456.035, 456.072(3), 456.073 FS. History--New 1-19-92, Amended 4-26-93, Formerly 21D-16.0075, 61F2-16.0075, Amended 7-18-95, Formerly 59N-16.0075, Amended 2-11-9, 5-31-00, \_\_\_\_\_.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 22, 2002  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

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

RULE TITLE: Definitions  
PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

RULE NO.: 64B6-8.001

SUMMARY: The Board proposes to clarify the meaning of the rule by specifying that the work is "dispensing" hearing aids, that the sponsor must be licensed, and that there is an approval process for the sponsor.

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: 484.0445(1), 484.044 FS.

LAW IMPLEMENTED: 484.041, 484.0445, 484.045 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 FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialist, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-8.001 Definitions.

(1) through (2) No change.

(3) Direct Supervision: A relationship in which the sponsor is responsible for all work being done and gives final approval to all hearing aid dispensing work performed by the trainee. The sponsor or hearing aid specialist designated by the sponsor must be physically present in the same room at the time a hearing aid is delivered to the client, and the receipt required by Section 484.051, Florida Statutes, must have the signature and license number of the sponsor or hearing aid specialist designated by the sponsor.

(4) Designated hearing aid specialist: An active Florida licensed hearing aid specialist designated by the sponsor of a trainee and approved by the Board, or its designee to assist in the training of a trainee pursuant to Section 484.0445, Florida Statutes, and this chapter ~~and who meets the qualifications established by this chapter.~~

Specific Authority 484.0445(1), 484.044 FS. Law Implemented 484.041, 484.0445, 484.045 FS. History—New 2-12-84, Amended 4-18-85, Formerly 21JJ-8.01, Amended 8-12-87, 9-13-90, Formerly 21JJ-8.001, 61G9-8.001, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Hearing Aid Specialists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

**DEPARTMENT OF HEALTH  
Board of Massage Therapy**

RULE TITLE: Requirements for Board Approval of Continuing Education Programs  
PURPOSE AND EFFECT: The Board proposes to update the existing rule.

RULE NO.: 64B7-28.010

SUMMARY: The Board proposes to update Requirements for Board Approval of Continuing Education Programs.

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: 456.013(8), 456.025(7), 480.035(7), 480.0415 FS.

LAW IMPLEMENTED: 456.013(8), 456.025(7), 480.0415 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 FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Eaton, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-28.010 Requirements for Board Approval of Continuing Education Programs.

(1) No change.

(a) Submit a completed Massage Continuing Education Provider Application, BMT5, and Approved Provider Supplemental Program/Instructor Information, BMT6, incorporated herein by reference, and a non-refundable ~~an~~ application fee of \$250 ~~400~~. The forms will be effective 2-18-98, copies of which may be obtained from the Board

office at: 4052 Bald Cypress Way, BIN #C06, Tallahassee, FL 32399-3256 2020 Capital Circle, SE, Bin C09, Tallahassee, Florida 32399-3259.

(b) No change.

(2) Each program presented by a Board ~~an~~ approved provider shall:

(a) Meet the standards of Rule 64B7-28.009(2), ~~(3)~~(a), (b), or (c);

(b) through (5) No change.

(6) A Board approved provider must submit a completed Form C, a part of the Massage Continuing Education Provider Application, BMT5, list of titles and brief descriptions of any new courses to the Board office prior to offering such courses for credit. The submitted information must also identify any new continuing education instructor and show that such instructor meets the criteria set forth in the rule. Whenever an instructor and his/her course has obtained approval by the Board, the instructor may teach the course at any time, in whole or in part, so long as the materials being taught do not deviate from course materials originally approved, there is no change of instructor, and the documentation of attendance clearly indicates the original course approval number and the hours of credit given for this version of the course. Therefore, the number of continuing education hours awarded for the course may be the original number of hours approved, or less. An increase of the number of continuing education hours awarded will require submission of forms for approval of a course.

(7) A Board approved provider must revise and up-date all course materials that are affected by changes occurring during the biennial renewal period. The Board may rescind approval of any provider or course that is found to be obsolete, erroneous, and/or outside the scope of practice or for other causes as determined by the Board. The revised course materials must be submitted with the biennial renewal form and renewal fee.

~~(8)~~(7) Provider numbers must be renewed biennially on or before ~~August~~ ~~January~~ 31 of the biennial renewal year. The provider must return the renewal form provided by the department together with a renewal fee of ~~\$250~~ ~~50~~. If the renewal form and renewal fee are not received by the department on or before ~~August~~ ~~January~~ 31 of the biennial year, the provider must submit a new application and, if approved, receive a new provider number.

Specific Authority 456.013(8), ~~456.025(7)~~, 480.035(7), 480.0415, ~~480.0425~~ FS. Law Implemented 456.013(8), ~~456.025(7)~~, 480.0415, ~~480.0425~~ FS. History—New 4-21-86, Amended 9-14-87, 8-29-88, 2-8-89, 3-12-90, 1-3-91, Formerly 21L-28.010, Amended 9-30-93, 8-16-94, 6-12-95, 2-12-97, Formerly 61G11-28.010, Amended 2-18-98, 10-26-98, 9-20-99, 11-4-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Massage Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 24-25, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE CHAPTER TITLE: Eligibility and Fee Assessment for Services Offered by County Public Health Units

RULE CHAPTER NO.: 64F-16

RULE TITLE: Sliding Fee Scale

RULE NO.: 64F-16.006

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate changes required by the U.S. Department of Health and Human Services program guidelines for family planning services provided under Title X of the Public Health Services Act. These guidelines require that family planning services are offered at a discounted rate for people whose income is between 100% and 250% of poverty.

SUMMARY: Chapter 64F-16, F.A.C., outlines eligibility and fee assessment for services provided at county health departments. Rule 64F-16.006, F.A.C., covers sliding fee scales. The proposed amendment to Rule 64F-16.006, F.A.C., provides a sliding fee rate for family planning services only for people whose income is between 200% and 250% of poverty, while the sliding fee scales for people between 100% to 200% of poverty remain the same for all services, including family planning.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There are no regulatory costs.

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: 154.011(5) FS.

LAW IMPLEMENTED: 154.011 FS.

IF REQUESTED WITHIN 21 DAYS 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., May 29, 2002

PLACE: Department of Health, 4025 Esplanade Way, Room 125-N, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bob Peck, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723. Telephone: (850)245-4444, ext. 2965

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-16.006 Sliding Fee Scale.

(1) Persons with net family incomes between 100 and 200 percent of the Federal Office of Management and Budget poverty guidelines shall be charged a fee on a sliding scale based on the following increments. For family planning services only, persons with incomes between 200 and 250 percent of poverty shall be charged on a sliding fee scale as described in paragraph 64F-16.006(3)(h),F.A.C., below:

- (a) through (g) No change.
- (2) No change.

(3) This sliding fee scale applies to recipients of integrated family health and communicable disease control services, with the following exceptions:

- (a) through (g) No change.

(h) For family planning services only, persons with net family incomes between 100 and 200 percent of the Federal Office of Management and Budget poverty guidelines shall be charged a sliding fee scale as outlined in (1)(a)-(g) above, and persons with net family incomes between 200 and 250 percent shall be charged a fee on a sliding scale based on the following increments:

- 1. Persons with incomes at 200 to 224 percent of the OMB poverty guidelines shall pay 90 percent of the full fee for family planning services.
- 2. Persons with incomes at 225 to 249 percent of the OMB poverty guidelines shall pay 95 percent of the full fee for family planning services.
- 3. Persons with incomes at or above 250 percent of the OMB poverty guidelines shall pay the full fee for family planning services.

(4) Persons with net family incomes above 200 percent of the OMB poverty guidelines shall be charged the full fee promulgated by the department or the relevant board of county commissioners, with the exception of those groups listed in (a) through (h)(g) above.

Specific Authority 154.011(5) FS. Law Implemented 154.011 FS. History—New 10-14-93, Amended 8-2-94, 4-29-96, Formerly 10D-121.007, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bob Peck, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723. Telephone: (850)245-4444, ext. 2965

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Annette Phelps, Acting Director, Family Health Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 5, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 5, 2002

Section III  
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Elections

RULE NO.:	RULE TITLE:
1S-1.003	Florida Administrative Weekly (FAW)

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 March 1, 2002, Vol. 28, No. 9, issue of the Florida Administrative Weekly.

Paragraph (2)(e) is changed as follows:

1S-1.003 Florida Administrative Weekly (FAW).

(2)(e) All documents submitted shall use “underscore” and “overstrike” character attributes to denote inserted and deleted text, respectively. Documents shall not contain “redlining” or other revision markers, or automatic numbering.

DEPARTMENT OF INSURANCE

RULE NO.:	RULE TITLE:
4-191.037	Mandatory Coverage of Diabetes Treatment

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. 36, October 2, 2001, of the Florida Administrative Weekly. These changes are being made to address concerns expressed:

The rule is changed to read:

4-191.037 Mandatory Coverage of Diabetes Treatment.

(1) Paragraph 641.31(26)(a), Florida Statutes, prohibits the application of monetary limitations to limit coverage of medically appropriate and necessary equipment, supplies, and services used to treat diabetes, if the patient’s primary care physician or physician specializing in diabetes to whom the patient has been referred certifies that the equipment, supplies, or services are necessary.

(2) The term “appropriate” as used in this rule excludes unproven technology, such as experimental treatment or non-FDA approved treatment.

(3) Coverage for equipment meeting the standard in Paragraph 641.31(26)(a), Florida Statutes, shall not be limited by monetary limitations for durable medical equipment or other limitations in a health maintenance organization or prepaid health plan contract.



(4) Paragraph 641.31(26)(a), Florida Statutes, does not prohibit the application of deductibles or copayments to equipment, supplies, and services meeting the criteria in that paragraph.

(5) Payments for equipment meeting the standard in paragraph 641.31(26)(a), Florida Statutes, can be used by an HMO to apply toward limits for durable medical equipment which does not meet that standard.

(6) Nothing in this rule shall prohibit a health maintenance organization or prepaid health plan from utilizing contract providers for equipment, supplies, and services certified as necessary by the patient's primary care physician or the physician to whom the patient has been referred who specializes in treating diabetes, if such equipment, supplies and services are available from the contract provider.

Specific Authority 641.36, 624.308 FS. Law Implemented 624.307(1), 641.31(26)(a) FS. History—New

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
59A-27	Health Care Services Pools
RULE NOS.:	RULE TITLES:
59A-27.001	Definitions
59A-27.002	Registration and Change in Registration Information
59A-27.003	Inspections
59A-27.004	Penalties and Enforcement Procedures
59A-27.005	Pool Administration
59A-27.006	Procedures and Records
59A-27.009	Financial Responsibility Coverage Amounts

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made in the above-cited rule as published in Vol. 28, No. 10, Florida Administrative Weekly, March 8, 2002, Purchase Order Number J00693. In response to comments received from JAPC and the Agency for Health Care Administration (General Counsel's Office), the following changes have been made.

- In 59A-27.001(7), "Department or" is deleted.
- In 59A-27.002(3), "department" is deleted and replaced with "AHCA".
- In 59A-27.002(5), "department" is deleted and replaced with "AHCA".
- In 59A-27.004(6), "department" is deleted and replaced with "AHCA".
- In 59A-27.005(7), "department" is deleted and replaced with "AHCA".
- In 59A-27.006(1), "department" is deleted and replaced with "AHCA".

In 59A-27.001 History Note, "Specific Authority 402.48 FS. Law Implemented 402.48 FS." is deleted and replaced with "Specific Authority 400.980 FS. Law Implemented 400.980 FS."

59A-27.002 incorporates by reference AHCA 3110-0110, January 2002. The sworn statement in this document has been eliminated.

In 59A-27.002(2), " , incorporated herein by reference" is eliminated.

In 59A-27.002 History Note, "Specific Authority 400.980 FS., Formerly 402.48 FS. Law Implemented 402.48 FS." is deleted and replaced with "Specific Authority 400.980 FS. Law Implemented 400.980 FS."

In 59A-27.003 History Note, "Specific Authority 400.980 FS., 402.48 FS. Law Implemented 402.48 FS." is deleted and replaced with "Specific Authority 400.980 FS. Law Implemented 400.980 FS."

In 59A-27.004(6), the phrase "all relevant information including, but not limited to:" is deleted and replaced with "the following information:"

In 59A-27.004 History Note, "Specific Authority 400.980 FS., Formerly 402.48 FS. Law Implemented 402.48 FS." is deleted and replaced with "Specific Authority 400.980 FS. Law Implemented 400.980 FS."

In 59A.27.005(8), the phrase "with positive tuberculosis test results" is deleted.

In 59A.27.005(8), "Positive test reactors shall submit a statement from a health care professional licensed under Chapter 458, F.S., or Chapter 459, F.S., that the pool employee or contractor does not constitute a risk of communicating tuberculosis. Upon the specific written request of an individual staff member, copies of the most recent tuberculosis test result and the above mentioned health statement may be released by one employer or pool and provided to another employer or pool within two years of the initial date of the test result and statement." is deleted.

In 59A-27.005(11), is added to read as follows; "The failure to comply with the financial responsibility law, Section 400.980(12), F.S. and these rules, the furnishing of false or misleading information, the failure to timely notify the AHCA of a change in status, or the failure to document compliance with the financial responsibility law upon request by the AHCA shall be grounds for disciplinary action, including fines or registration revocation, or both."

In 59A-27.005 History Note, "Specific Authority 400.980 FS., Formerly 402.48 FS. Law Implemented 402.48 FS." is deleted and replaced with "Specific Authority 400.980 FS. Law Implemented 400.980 FS."

In 59A-27.006(1), " , to the extent applicable," is deleted.

In 59A-27.006(1)(a), "applicable" is deleted and replaced with "organized as a corporate entity. If organized as a different type of company, then the corresponding organizational documents suitable for that type of business entity are required;"

In 59A-27.006(2), the last four subsections are re-lettered from (d), (e), (f), (g) to (f), (g), (h), (i).

In 59A-27.006(2)(h), reference to Rule "64B22-1.005" is deleted and replaced with "59A-27.005".

In 59A-27.006(3)(c), "Documentation of all other required personnel information." is deleted and replaced with "Documentation of personnel information ensuring compliance with 400.980(11), FS."

In 59A-27.006(3)(f), "64B22-1.005" is deleted and replaced with "59A-27.005".

In 59A-27.006(3)(a), "(1)" is deleted and replaced with "1".

In 59A-27.006(3)(a), "(2)" is deleted and replaced with "2".

In 59A-27.006(3)(a)2., the sentence "The cost of processing the criminal records background check shall be borne by the petitioning party." is altered to read "The cost of processing the criminal records background check shall be borne by the petitioning party pursuant to Section 435.08, F.S."

In 59A-27.006(3)(b), "(1)" is deleted and replaced with "1".

In 59A-27.006(3)(b), "(2)" is deleted and replaced with "2".

In 59A-27.006(3)(b), "(3)" is deleted and replaced with "3".

In 59A-27.006(3)(b), "(4)" is deleted and replaced with "4".

In 59A-27.006(4), the sentence "The cost of processing the criminal background check shall be borne by the petitioning party." is altered to read "The cost of processing the criminal records background check shall be borne by the petitioning party pursuant to Section 435.08, F.S."

In 59A-27.006 History Note, "Specific Authority 400.980 FS., Formerly 402.48 FS. Law Implemented 402.48 FS." is deleted and replaced with "Specific Authority 400.980 FS. Law Implemented 400.980 FS."

In 59A-27.009 History Note, "Specific Authority 400.980 FS., Formerly 402.48 FS. Law Implemented 402.48 FS." is deleted and replaced with "Specific Authority 400.980 FS. Law Implemented 400.980 FS."

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Funeral Directors and Embalmers**

RULE NOS.:	RULE TITLES:
61G8-33.003	Centralized Embalming Facilities
61G8-33.004	Cinerator Facilities
61G8-33.005	Removal Services
61G8-33.006	Refrigeration Facilities

**NOTICE OF CHANGE**

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 28, No. 13, March 29, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the staff at the Joint Administrative Procedures Committee.

Rule 61G8-33.003, F.A.C., shall now read:

The requirements for handling and storing of human remains by Centralized Embalming Facilities are set forth in Rule 61G8-24.0425, F.A.C. and s. 470.0301(2) and 470.0315, F.S.

Rule 61G8-33.004 shall now read:

The requirements for handling and storing of human remains by Cinerator Facilities are set forth in Rule 61G8-22.004(1), F.A.C. and s. 470.025, 470.0255, 470.0315 and 470.0355, F.S.

Rule 61G8-33.005, F.A.C., shall now read:

The requirements for handling and storing of human remains by Removal Services are set forth in Rule 61G8-24.024, F.A.C. and s. 470.0315 and 470.0355, F.S.

Rule 61G8-33.006, F.A.C, shall now read:

The requirements for handling and storing of human remains by Refrigeration Facilities are set forth in Rule 61G8-24.034, F.A.C. and s. 470.0315, F.S.

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

**Section IV  
Emergency Rules**

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Retailer Compensation  
 RULE NO.: 53ER02-23

SUMMARY OF THE RULE: This emergency rule replaces 53ER01-67, Florida Administrative Code, and sets forth the manner of compensation to retailers.

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:

53ER02-23 Retailer Compensation.

(1) Sales Commission.

(a) On-line tickets. Retailers shall be paid a sales commission of five percent of the purchase price of each on-line ticket sold by them or issued as a prize in accordance with these rules and Chapter 24, Florida Statutes.

(b) Instant tickets. Retailers shall be paid a sales commission of five percent on the purchase price of each instant ticket sold by them or issued as a prize in accordance with these rules and Chapter 24, Florida Statutes. The number of tickets sold or issued as prizes will be determined by full or partial book settlements.

(2) Cashing Bonus. Retailers shall be paid a one percent cashing bonus on the value of each lottery ticket cashed by them. The cashing bonus applies to instant and on-line tickets

with a prize value less than \$600. As used herein, "cashing" shall mean a transaction wherein a retailer validates a ticket and pays a prize either by cash, check, money order, or by issuance of a free ticket, and the Lottery processes the paid ticket for credit to the retailer. Free tickets shall be valued at their retail sales price.

(3) Sales commissions and cashing bonuses earned by a retailer will be reflected on the retailer's weekly Settlement Report.

(4) Sales commissions, including bonus commissions, paid to retailers for instant ticket sales shall be subject to recoupment by the Florida Lottery through an account adjustment for instant lottery tickets that are settled by a retailer and which are subsequently unsettled.

(5) Sales commissions and cashing bonuses will be considered compensation to the retailer for Internal Revenue Service purposes.

(6) No retailer or employee of a retailer shall request or accept compensation for the performance of duties authorized pursuant to the retailer's contract, other than the compensation provided for in the retailer's contract and these rules. This prohibition includes, but is not limited to, the redemption of winning tickets. A retailer shall not charge a fee for payment of a prize by money order when that is the only method of prize payment made available by the retailer.

(7) The Lottery is authorized to conduct retailer incentive promotions in which additional compensation is provided to retailers.

(8) This emergency rule replaces Emergency Rule 53ER01-67, Florida Administrative Code.

Specific Authority 24.105(10)(i), 24.109(1), 24.112(1) FS. Law Implemented 24.105(10)(i), 24.112(1) FS. History--New 4-19-02, Replaces 53ER01-67, F.A.C.

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

EFFECTIVE DATE: April 19, 2002

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Play FLA USA™ Retailer Bonus Commission Promotion

RULE NO.: 53ER02-24

SUMMARY OF THE RULE: The Play FLA USA Retailer Bonus Commission Promotion will commence on May 1, 2002, and continue through June 30, 2002. In addition to the 10% sales commission set forth in Emergency Rule 53ER02-4, *Play FLA USA™ Retailer Double Commission Promotion*, a retailer will receive a 5% bonus commission on the purchase price of each Play FLA USA lottery ticket (Instant Game Number 423) sold by them during the promotion period, as determined by full or partial book settlements.

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:

53ER02-24 Play FLA USA™ Retailer Bonus Commission Promotion.

(1) Commencing May 1, 2002, through June 30, 2002, the Florida Lottery will conduct a Play FLA USA Retailer Bonus Commission Promotion for all retailers. In addition to the 10% sales commission set forth in Rule 53ER02-4, Florida Administrative Code, *Play FLA USA™ Retailer Double Commission Promotion*, retailers will receive a 5% bonus commission on the purchase price of each Play FLA USA lottery ticket (Instant Game Number 423) sold by them during the promotion period, as determined by full or partial book settlements. Free instant tickets issued as a prize shall be counted as tickets sold.

(2) Bonus commissions will be reflected on the retailer's weekly Settlement Report.

(3) Bonus commissions shall be subject to recoupment by the Florida Lottery as provided in Rule 53ER02-23(4), Florida Administrative Code, *Retailer Compensation*.

(4) Bonus commissions are subject to availability of funds appropriated for retailer incentives.

(5) Bonus commissions will be considered compensation to the retailer for Internal Revenue Service purposes.

Specific Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History--New 4-19-02.

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

EFFECTIVE DATE: April 19, 2002

**Section V**

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

**DEPARTMENT OF LAW ENFORCEMENT**

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Thomas Brabant, on April 17, 2002, a petition for Waiver of paragraph 11B-35.004(3)(b), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department accept his training for cross-over to law enforcement from correctional. Petitioner's training academy failed to submit the documentation to FDLE showing that Petitioner had completed cross-over training.

Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel Grace A. Jaye.

A copy of the Petition may be obtained by contacting Assistant General Counsel Grace A. Jaye at the above address, or by calling (850)410-7676.

**WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on April 9, 2002, South Florida Water Management District (District) received a petition for waiver from the Seminole Tribe of Florida, for utilization of Works or Lands of the District known as the L-28I Canal, Hendry County. The petition seeks relief from subsections 40E-6.011(4),(5) and (6), 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, which governs the placement of permanent and semi-permanent above-ground facilities within forty feet of the top of canal bank within Works or Lands of the District, for placement of a guardrail within the east right of way. A copy of the petition may be obtained from Jan Sluth at (561)682-6299 or e-mail at jsluth@sfwmd.gov. The District 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.

**DEPARTMENT OF THE LOTTERY**

NOTICE IS HEREBY GIVEN THAT the Department of the Lottery has received a Petition for Waiver of Rule 53ER02-12(5), F.A.C., Procedures for Awarding Prizes, from the following petitioner:

Petitioner	Date Filed
Georgina J. Runyon, Fort Pierce, Florida Emergency Rule 53ER02-12, F.A.C., sets forth the provisions for payment of prizes to players.	April 22, 2002

A copy of the Petition can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

NOTICE IS GIVEN that the Agency for Health Care Administration has received a request for waiver from Lee Memorial Health System. The Request was filed April 8, 2002. Lee Memorial Health System seeks a waiver of Florida Building Code Chapters 419.4.56.2.2.2 (formerly subparagraph 59A-3.081(55)(b)2. F.A.C.), to allow a permanent variance from the elevation requirements for the expansion and renovation of HealthPark to accommodate an additional one hundred twenty-two (122) acute care hospital beds and ancillary facilities.

A copy of the variance may be obtained by writing to: Virginia Daire, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308. Please refer all comments to: Michael Mathis, General Councils Office, Agency for Health Care Administration, 2727 Mahan Drive, Fort Knox Building 3, Mail Stop 3, Tallahassee, Florida 32308.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

On October 3, 2001, DEP received a petition from Elsie Bayless requesting a waiver pursuant to Section 120.542, F.S., of the \$500 ATRP deductible required under paragraph 62-769.800(4)(c), 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."

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on April 5, 2002, a petition from Cedar Key Water and Sewer District, seeking a variance under Section 120.542, F.S., from the requirement that under subsection 62-610.469(3), F.A.C., that prohibits the presence of hose bibbs on public access sites unless the hose bibbs are located in locked vaults, service boxes or compartments. Petitioner wants the individual hose bibbs be allowed at this site under the following conditions: The CKWSD would post the required reclaimed water advisory signs at points of entry to the cemetery, color code the hose bibbs in purple, attach individual advisory signs at each hose bib as well as the standard international symbol, provide initial notification of reclaimed water usage through newspaper notification, and provide quarterly notifications to the customers in the service area about reclaimed water usage. The petition has been assigned File No.: 02-0528.

Copies may be received from, and written comments submitted to: Department of Environmental Protection, Betsy Hewitt, Mail Station 35, 3900 Commonwealth Blvd., Tallahassee,

Florida 32399-3000, Attn.: Betsy Hewitt. Comments must be received no later than 14 days from the date of publication of this notice.

The full text of this notice is also 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."

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## DEPARTMENT OF HEALTH

The Board of Psychology hereby gives notice that it has received a petition filed on behalf of Amy E. Boyers, Ph.D., on March 28, 2002, seeking a waiver from Rule 64B19-11.007, F.A.C., with regard to the requirements for timely sitting for the licensure examination. Comments on the petition should be filed with Board of Psychology, MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, Board of Psychology, at above address.

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

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

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

DATE AND TIME: May 21, 2002, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

PURPOSE: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to

Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Information Resource Commission will take action on matters duly presented on its agenda, which may include administrative procedures matters, adoption of rules, approval of agency plans for the use of information technology resources, adoption of policies for the use of such resources, and other matters under the commission's authority pursuant to law.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact

under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation And Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

**CABINET AIDES BRIEFING:** On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

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## DEPARTMENT OF STATE

The **Division of Historical Resources** announces a public meeting to which all persons are invited:

**DATE AND TIME:** Monday, May 13, 2002, 6:30 p.m. – 8:30 p.m.

**PLACE:** Sheraton Biscayne Bay, 495 Brickell Avenue, Miami, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public forum for the Miami Circle Planning Group, which will consider public access, interpretation, protection and long and short term management of the Miami Circle/Brickell Point archaeological site.

People with disabilities wishing to attend this meeting should contact the Division, (850)245-6300, at least 48 hours prior to the meeting in order to request special assistance.

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The **Division of Historical Resources** announces a public meeting to which all persons are invited:

**DATE AND TIME:** Tuesday, May 14, 2002, 9:00 a.m. – 11:00 a.m.

**PLACE:** Historical Museum of Southern Florida, 101 West Flagler Street, Miami, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the Miami Circle Planning Group, which will consider public access, interpretation, protection and long and short term management of the Miami Circle/Brickell Point archaeological site.

People with disabilities wishing to attend this meeting should contact the Division, (850)245-6300, at least 48 hours prior to the meeting in order to request special assistance.

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The **Florida Historical Commission** announces a public meeting to which all persons are invited.

**DATES AND TIME:** Tuesday, June 4, 2002; Wednesday, June 5, 2002, 8:30 a.m.

**PLACE:** Hyatt Hotel, Meeting Room, 1000 Boulevard of the Arts, Sarasota, Florida 34236

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the Florida Historical Commission to conduct a town meeting and receive public input and review of National Register Nomination Proposals.

A copy of the agenda may be obtained by writing: Mr. Robert Taylor, Historic Preservationist Supervisor, of Historic Preservation, Department of State, R. A. Gray Building, 500 South Bronough, Tallahassee, Florida 32399-0250 or calling (850)245-6333.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance. Please contact the Bureau of Historic Preservation, (850)245-6333 or by Fax (850)245-6437.

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The **Department of State, Division of Cultural Affairs** announces the following public meeting to which all persons are invited:

COMMITTEE: Art Selection Committee

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

PLACE: Conference Room, 1140 Pratt Boulevard, LaBelle, FL 32521, (850)435-1609

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Proposal Review Meeting to revise and discuss final proposals for Art in State Buildings Project No. DOH 9730/9910, Hendry County Health Department, Clewiston, Hendry 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 a 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.

The **Department of State, Division of Cultural Affairs**, Florida Arts Council announces public meetings to which all persons are invited:

DATE AND TIME: Wednesday, May 29, 2002, 1:00 p.m.

PLACE: Renaissance Vinoy Hotel, 501 Fifth Avenue, N. E., St. Petersburg, Florida

DATE AND TIME: Thursday, May 30, 2002, 10:00 a.m.

PLACE: Gulf Coast Museum of Art, 12211 Walsingham Road, Largo, Florida

DATE AND TIME: Friday, May 31, 2002, 10:30 a.m.

PLACE: Museum of Fine Arts of St. Petersburg, 255 Beach Drive, Northeast, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee and General Session meetings of the Council.

A copy of the agenda may be obtained by writing: Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301 or by calling Dianne Alborn, Administrative Assistant, (850)487-2980.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Division of Cultural Affairs will not record these meetings.

Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division Office, by May 24, 2002, if you need an accommodation.

Please contact Dianne Alborn, Administrative Assistant, Division of Cultural Affairs, (850)487-2980 or (850)488-5779 (TDD) or by Fax (850)922-5259.

#### DEPARTMENT OF LEGAL AFFAIRS

The Executive Committee of the Florida **Commission on the Status of Women** will hold a telephone conference on:

DATE AND TIME: Thursday, May 16, 2002, 10:00 a.m.

PLACE: Please 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 AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces a meeting of the Tropical Fruit Advisory Council.

DATE AND TIME: May 16, 2002, 12:00 Noon

PLACE: Dade County Cooperative Extension Center, 18710 Southwest 288th Street, Homestead, FL 33030, (305)248-3311

GENERAL SUBJECT MATTER TO BE CONSIDERED: Welcome Guests; Secretary's Report; Recommend members and alternates for 2002; New Business: Goals and Objectives.

A copy of the agenda can be obtained by contacting: George Demetree, Room 423, Mayo Building, 427 South Calhoun Street, Tallahassee, FL 32399-0800, (850)488-4131.

If special accommodations are needed to attend this meeting, because of a disability, please contact George Demetree as soon as possible.

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Aquaculture Review Council.

DATE AND TIME: May 28, 2002, 10:00 a.m.

PLACE: Don CeSar Hotel, Buena Vista Conference Room, 3400 Gulf Boulevard, St. Petersburg Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the growth of aquaculture in Florida.

A copy of the agenda can be obtained by contacting: Karen Metcalf, 1203 Governor's Square Boulevard, Tallahassee, FL 32301, (850)488-4033.

If special accommodations are needed to attend this meeting because of disability, please contact Karen Metcalf as soon as possible.

**DEPARTMENT OF EDUCATION**

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

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

PLACE: Cabinet Meeting Room LL-03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of Management Objectives to address the Board's Strategic Imperatives, Reorganization of the Department of Education, Accountability Workgroup, Higher Education Funding Workgroup, Consideration of Community College Proposals (Chipola, Edison, Miami-Dade) to offer select Baccalaureate Degrees, Report of 2002 Legislative Session, Consideration of tenure requests from the universities, Delivery System Action Items, and other matters pertaining to the Florida Board of Education.

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

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

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited:

DATE AND TIME: Monday, May 13, 2002, 10:00 a.m.

PLACE: SeaTech Campus, 101 North Beach Road, Dania Beach, Florida 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board meeting.

PUBLIC COMMENT: A public comment segment is scheduled immediately following the board meeting. Public comment will be taken on items on the board agenda. Presenters will be required to complete a public comment request card prior the public hearing. Comment cards will be available at the meeting.

A copy of the agenda may be obtained by contacting: Dr. Anthony Lombardo, Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431, (561)297-3032.

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 Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD via TDD (561)297-2130.

The Florida **Higher Educational Facilities Financing Authority** will hold a telephone conference on:

DATE AND TIME: Tuesday, May 14, 2002, 10:00 a.m. – 12:00 Noon

PLACE: Please Call: (850)681-3188 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to consider the Warner Southern College bond project, Series 2002, and to conduct regular board business.

For more information or to obtain a copy of the agenda, please contact: Jennifer Mock, Independent Colleges and Universities of Florida, 111 South Monroe St., Ste. 2000A, Tallahassee, Florida 32301, (850)681-3188.

Any person requiring special accommodations due to a disability should contact the agency at least five days prior to the meeting in order to request any special assistance by calling Jennifer Mock, (850)681-3188.

The Florida Community College Distance Learning Consortium of the **State Board of Community Colleges** announces the following public meeting to which all persons are invited to participate:

**MEETINGS**

DATES AND TIMES: Thursday, May 9, 2002, 1:00 p.m. – 5:00 p.m.; Friday, May 10, 2002, 8:30 a.m. – 2:30 p.m.

PLACE: St. Petersburg College, Digitorium, Seminole Campus, 9200 113th Street, North, Seminole, FL 33772-2800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Business Meeting.

NOTE: If you need additional information or special services to participate in the meeting, please contact: Florida Community College Distance Learning Consortium, University Center, Suite C-1100, Building C, Tallahassee, FL 32306-2732, (850)645-4826.

**DEPARTMENT OF COMMUNITY AFFAIRS**

The **Florida Building Commission** announces the following meetings to which all persons are invited. The meetings will be held at:

PLACE: Trade Winds Sirata Beach Resort Hotel, 5300 Gulf Boulevard, St. Petersburg Beach, Florida, (727)562-1240

DATE AND TIME: May 13, 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 code requirements: Mater Academy East, 450 S. W. 4th Street, Miami, FL 33130; Crazy Conch Cafe, 763 Monte Cristo Boulevard, Tierra Verde, FL 33715; Marion County Baseline Linefill Solid Waste Transfer Station, 5601 S. E. 66th Street, Ocala, FL 34480; Marco Island Marriott, Marco Island, FL; Colony Theater Restoration and Stage House Improvements, 1040 Lincoln Road, Miami, FL 33139; Southwood Head Start, 6225 Brookgreen Avenue, Orlando, FL 32809; General Hauling Services, Inc., 1451 N. W. 20th Street, Miami, FL; Lunaire Environmental Chamber; 14255 49th Street North,



Clearwater, FL 33762; Girls School Building Camp Tracey Children's Home, 10050 Camp Tracey Road, Glen St. Mary, FL 32040.

DATE AND TIME: May 13, 2002, 8:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Mechanical Technical Advisory Committee which will include consideration of requests for Declaratory Statements on the Florida Building Code.

DATE AND TIME: May 13, 2002, 8:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Structural TAC which will include consideration of requests for Declaratory Statements on the Florida Building Code.

DATE AND TIME: May 13, 2002, 8:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Roofing Subcommittee of the Structural TAC.

DATE AND TIME: May 13, 2002, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the U of F Building Code Training Program Quality Management Task Force.

DATE AND TIME: May 13, 2002, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint Meeting of the Plumbing TAC and Swimming Pool/Spa Subcommittee which will include consideration of requests for Declaratory Statements on the Florida Building Code.

DATE AND TIME: May 13, 2002, 11:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Education Program Oversight Committee.

DATE AND TIME: May 13, 2002, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee.

DATE AND TIME: May 13, 2002, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Code Administration TAC (Commercial Rehab and Residential Rehab Subcommittees).

DATE AND TIME: May 13, 2002, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Building Code Training Program Workshop.

DATE AND TIME: May 13, 2002, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint Meeting of the Plumbing TAC and Swimming Pool/Spa Subcommittee which will include consideration of requests for Declaratory Statements on the Florida Building Code.

DATE AND TIME: May 13, 2002, 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Plumbing Technical Advisory Committee.

DATE AND TIME: May 13, 2002, 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Accessibility Technical Advisory Committee and Hotel, Parking, Education and Accessibility Code Commentary Sub-committees.

DATE AND TIME: May 13, 2002, 4:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Electrical Technical Advisory Committee.

DATE AND TIME: May 14, 2002, 8:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Plenary Session of the Florida Building Commission. Consideration of requests for waiver from accessibility code requirements: Mater Academy East, 450 Southwest 4th Street, Miami, FL 33130; Crazy Conch Cafe, 763 Monte Cristo Boulevard, Tierra Verde, FL 33715; Marion County Baseline Linefill Solid Waste Transfer Station, 5601 Southeast 66th Street, Ocala, FL 34480; Marco Island Marriott, Marco Island, FL; Colony Theater Restoration and Stage House Improvements, 1040 Lincoln Road, Miami, FL 33139; Southwood Head Start, 6225 Brookgreen Avenue, Orlando, FL 32809; General Hauling Services, Inc., 1451 Northwest 20th Street, Miami, FL; Lunaire Environmental Chamber; 14255 49th Street North, Clearwater, FL 33762; Girls School Building Camp Tracey Children's Home, 10050 Camp Tracey Road, Glen St. Mary, FL 32040. Consideration of Committee Reports and Recommendations: Electrical TAC Report; Special Occupancy TAC Report (from April 24, 2002 meeting); Accessibility TAC Report; Code Administration TAC Report; Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee Report; Education Program Oversight Committee Report; Building/Structural TAC Report; Plumbing TAC Report; Mechanical TAC Report.

DATE AND TIME: May 14, 2002, 11:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legal staff report including requests for Declaratory Statements. Second Hearing: DCA01DEC239 by Fabian Construction on dryer vents; DCA01DEC248 by Par-Kut International on kiosks; DCA01DEC252 by Par-Kut International on kiosk certification; DCA02DEC002 by Interplan on number of water closets; DCA02DEC007 by Roll-a-way on storm and security shutters; DCA02DEC022 by FMC Corporation on a termite baiting system; DCA02DEC023 by Kenneth R. Pfeiffer on existing fences as pool barriers; DCA02DEC024 by the City of Gainesville, Florida on ventilation of toilet rooms; DCA02DEC040 by Miami-Dade Permitting and Inspection Center on pool barriers; DCA02DEC046 by Lake County on pool alarms; DCA02DEC047 by Lake County on pool covers; DCA02DEC050 by Lake County on pool perimeters; DCA02DEC051 by Lake County on pool screen enclosures; DCA02DEC052 by Indian River County on wind speed line; DCA02-DEC-060 by Triodyne Safety Systems on suction inlets/outlets; DCA02DEC064 by Door and Access Systems

Manufacturers Association on locking a garage door in a closed position; DCA02DEC074 by Walker Parking Consultants on stand alone parking garage; DCA02DEC075 by Go Bolt on corrosion resistance of hardware;

First Hearing: DCA02DEC036 by VAK-PAK on pools; DCA02DEC048 by Lake County on pool drains; DCA02DEC049 by Lake County on suction inlet covers; DCA02DEC062 by Airtemp on balanced return air; DCA02DEC063 by Door and Access Systems Manufacturers Association on garage door wind load guide; DCA02DEC070 by Philip J. Childs on a skimmer as a pool inlet; DCA02DEC071 by Leisure Bay on pool skimmers; DCA02DEC073 by Mermaid Pools on pool drains; DCA02DEC077 by Vac-Alert on vacuum relief; DCA02DEC078 by Josam Company on grease recovery devices; DCA02DEC087 by Sioux Chief Manufacturing Inc. on water hammer arresters; DCA02DEC092 by H & H Mechanical Inc. on water closet fixtures; DCA02DEC114 by Florida Extruders International on design pressure on windows; DCA02DEC115 by Florida Extruders International on design pressure on windows and sliding glass doors; DCA02DEC125 by Florida Home Builders Association on emergency escape and rescue openings; DCA02DEC127 by Mike Morello on clothes dryer exhaust; DCA02DEC130 by Dr. Jack Reinhardt Inc. on termiticides; DCA02DEC131 by Pinellas County on water heaters installed in garages; DCA02DEC132 by Icynene Inc. on interior foam plastic; DCA02DEC133 by Affordable Fence & Screen Inc. on screen doors and pool gates.

DATE AND TIME: May 14, 2002, 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney/Client Closed Door Session on an Administrative Challenge of Pool Alarm Requirements.

DATE AND TIME: May 14, 2002, 12:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continue Plenary Session: Workshop on Development of Policy for a Relationship of the Florida Building Code to the International Codes. Receive Public Comment.

DATE AND TIME: May 14, 2002, 1:30 p.m., Adjourn Plenary Session

DATE AND TIME: May 15, 2002, 8:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Joint Fire Technical Advisory Committee and the Fire Code Advisory Council.

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](http://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).

NOTICE IS HEREBY GIVEN that the **Florida Building Commission** shall meet in private with its legal counsel pursuant to Section 286.011, Florida Statutes (1999).

DATE AND TIME: Tuesday, May 14, 2002, 12:00 Noon

PLACE: Sirata Hotel, 5300 Gulf Boulevard, St. Petersburg Beach, Florida

The names of persons attending the meeting are as follows: Raul L. Rodriguez, AIA, Chairman; Nick D'Andrea, Karl S. Thorne, Dale Greiner, Leonard N. Lipka, Daniel C. Shaw, Richard S. Browdy, Paul D. Kidwell, Dr. Diana B. Richardson, John Robert Calpini, Hamid R. Bahadori, Peggy P. Patterson, Do Y. Kim, Suzanne A. Marshall, George J. Wiggins, Joseph E. Carson, Stephen H. Corn, Bob R. Leonard, Craig Parrino, Christ T. Sanidas, Francisco J. Quintana, Michael C. McCombs, Commissioners; Richard Dixon, Alfred O. Bragg, Jim Richmond, Attorneys for the Commission.

#### DEPARTMENT OF REVENUE

The **Department of Revenue, Child Support Enforcement Program** announces a public meeting to which all interested parties are invited:

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

PLACE: Southwood Government Complex, Room 301, 4040 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of proposed concepts for the rule for undistributable collections.

A copy of the agenda and draft proposed concepts may be obtained by contacting: Lynn D. Chang, Department of Revenue, Child Support Enforcement, 4070 Esplanade Way, Tallahassee, FL 32399-3150, (850)922-9573.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact the individual listed above no later than five working days prior to the meeting.

**DEPARTMENT OF TRANSPORTATION**

The **Florida Transportation Commission** announces public meetings to which all persons are invited:

DATE AND TIME: May 13, 2002, 1:00 p.m. – 5:00 p.m.

PLACE: District 6, Department of Transportation, Executive Conference Room, 2nd Floor, 1000 N. W. 111th Avenue, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Briefing of the Florida Transportation Commission.

DATE AND TIME: May 14, 2002, 8:00 a.m. – 2:00 p.m.

PLACE: District 6, Department of Transportation, Executive Conference Room, 2nd Floor, 1000 N. W. 111th Avenue, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Transportation Commission.

Information may be obtained by contacting: Florida Transportation Commission, Room 176, MS #9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings are asked to advise the Commission at least 48 hours before the meetings by contacting Cathy Goodman, (850)414-4105.

The Florida **Department of Transportation**, Florida **Department of Community Affairs** and Monroe County announces a meeting of the Habitat Conservation Plan (HCP) Coordinating Committee to which all persons are invited.

DATE AND TIME: May 23, 2002, 9:00 a.m.

PLACE: National Key Deer Refuge Office, Big Pine Key, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation, Florida Department of Community Affairs and Monroe County are jointly funding the development of a Habitat Conservation Plan for the Key deer and other protected species on Big Pine and No Name Keys. Representatives of these three agencies, the U.S. Fish and Wildlife Service, the Florida Fish and Wildlife Conservation Commission and local citizen representatives serve on an HCP Coordinating Committee. The Committee meets regularly to review and provide input on the HCP consultant's progress and findings.

A copy of the agenda may be obtained by calling: Catherine B. Owen, Florida Department of Transportation, (305)470-5399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Jeff Dodge, (305)470-5349. If you are hearing or speech impaired, please contact the agency by calling 1(800)648-6084.

The **Department of Transportation**, District Five announces a public hearing to which all persons are invited.

DATE AND TIME: May 30, 2002, 7:00 p.m.

PLACE: West Orange 9th Grade Center, 12301 Warrior Road, Winter Garden, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID Numbers 238429-1-22-01, 238429-2-22-01, 239535-1-22-01 and Federal-Aid Project Numbers 3002-018-P and 3003-047-P, otherwise known as State Road 50, in Lake and Orange Counties. The limits of the State Road 50 Project Development and Environment Study are from west of US 27 in Lake County to Pine Hills Road in Orange County. The project consists of widening State Road 50 from four lanes to six lanes through the project limits. The proposed improvements include adding bicycle lanes and sidewalks along both sides of the roadway. In addition, US 27/State Road 50 interchange alternatives will be presented for review and comment.

Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990 should contact: Mr. Tom Percival, Florida Department of Transportation, Environmental Management Office, 719 S. Woodland Boulevard, DeLand, Florida 32720, (386)943-5404. 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 also be obtained by writing to Mr. Percival, at the above address.

**STATE BOARD OF ADMINISTRATION**

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a public meeting of the Advisory Council to the Florida Hurricane Catastrophe Fund to which all persons are invited.

DATE AND TIME: Tuesday, May 14, 2002, 1:00 p.m. – 4:00 p.m. (EST)

PLACE: The Hermitage Centre, Hermitage Conference Room 116, 1801 Hermitage Blvd., Tallahassee, Florida. Persons who wish to participate by telephone may call (850)922-2998 or Suncom 292-2998 on the date and at the time indicated for access to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss the May bonding estimates and to seek Council approval for the Florida Hurricane Catastrophe Fund to file Rule 19-8.028, F.A.C. (Premium Formula) for adoption. In addition, other general business of the Council will be addressed.

Anyone wishing a copy of the agenda should contact: Patti Elsbernd, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300.

In compliance with the Americans with Disabilities Act, any persons needing special accommodation to attend or participate in the meeting are requested to contact Patti Elsbernd by mail, at the address given immediately above or by telephone, (850)413-1346, five days prior to the meeting so that appropriate arrangements can be made.

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#### DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Citrus Harvesting Research Advisory Council to which all persons are invited.

DATE AND TIME: Tuesday, May 14, 2002, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will have its monthly meeting to update scorecard issues, abscission registration chemicals, harvesting labor, recommend research development plans and budget for 2002-2003, and other business that might come before the council for consideration.

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.

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The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATES AND TIME: May 14-15, 2002, 1:00 p.m. The Commission will convene for the purposes of standing committee meetings and for the regular monthly meeting of the Florida Citrus Commission. It is anticipated that the regular monthly meeting will convene no sooner than 9:00 a.m., May 15, 2002.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues pertaining to the remedy response the Commission must prepare for Judge Dennis Maloney in the Equalization Tax case (Tampa Juice, et al v. FDOC), budget items and revisions, contracts, advertising programs, balance scorecards, licensing, rulemaking, modifying the Department's symbol program 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.

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#### PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: \*May 20, 2002, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Room 140, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission through the Florida Relay Service by using the following numbers 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

\* In the event of a scheduling conflict, this meeting may be moved to May 21, 2002, immediately following the Commission Conference, in Room 140.

\*\*THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.\*\*

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The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: May 21, 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 consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy. (\$1.00 per copy, Rule 25-22.002, F.A.C.), by contacting the

Division of the Commission Clerk and Administrative Services, (850)413-6770, or writing to the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

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#### EXECUTIVE OFFICE OF THE GOVERNOR

The Governor's **Office of Tourism, Trade and Economic Development** announces a public meeting to which all persons are invited.

MEETING: The Governor's Council of Economic Advisors

DATE AND TIME: Friday, May 17, 2002, 12:00 Noon – 3:00 p.m.

PLACE: Offices of Enterprise Florida, Inc., Suite 700, 2801 Ponce de Leon Boulevard, Coral Gables, Florida, (305)569-2650

GENERAL SUBJECT MATTER TO BE DISCUSSED: The impact of local, national and global economic forces influencing the state.

For further information and to obtain a copy of the agenda contact: Katherine Morrison or Jan Russo, Office of Tourism, Trade, and Economic Development, Suite 2001, The Capitol, Tallahassee, FL 32399-0001, (850)487-2568.

Any person requiring a special accommodation at this meeting because of a disability should contact Katherine Morrison, (850)487-2568, no later than 48 hours prior to the meeting. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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#### REGIONAL PLANNING COUNCILS

The **North Central Florida Local Emergency Planning Committee** (LEPC), District 3 announces a meeting to which all persons are invited.

DATE AND TIME: May 17, 2002, 9:30 a.m.

PLACE: Progress Corporate Park, 13709 Progress Boulevard, Alachua, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Local Emergency Planning Committee.

Any persons deciding to appeal any decision of the Committee with respect to any matter considered at the meeting, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, Suite A, 2009 N. W. 67th Place, Gainesville, FL 32653-1603.

Persons with disabilities who need assistance may contact us, (352)955-2200, at least two business days in advance to make appropriate arrangements.

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The **Northeast Florida Regional Planning Council**, Local Emergency Preparedness Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: May 15, 2002, 10:00 a.m.

PLACE: Camp Blanding Training Site, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting.

To attend this meeting, you must call Kathryn Boer, (904)279-0880, to add your name to the attendance list.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter or other meeting information, call Ginny Montgomery, (904)279-0880, Ext. 146, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

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The **Northeast Florida Regional Planning Council**, Economic Development Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, May 16, 2002, 10:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter or other meeting information, call Ginny Montgomery, (904)279-0880, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The District 5, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

COMMITTEE NAME: Training Subcommittee

DATE AND TIME: Monday, May 13, 2002, 9:00 a.m.

COMMITTEE NAME: Local Emergency Planning Committee

DATE AND TIME: Monday, May 13, 2002, 10:30 a.m.

PLACE: Citrus County Fire Training Center, 1300 S. Lecanto Hwy., Lecanto, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chairman report, Committee updates, and other organizational matters regarding the committees.

If a person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you have any questions regarding the meeting you may contact: Charlotte Neupauer, (352)732-1315.

The **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, May 16, 2002, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 Southwest 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, May 13, 2002, 8:30 a.m.

PLACE: Marriott Westshore, 100 N. Westshore Blvd., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

MEETING: Tampa Bay Regional Planning Council

DATE AND TIME: Monday, May 13, 2002, 10:00 a.m.

PLACE: Marriott Westshore, 100 N. Westshore Blvd., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: Agency On Bay Management

DATE AND TIME: Thursday, May 9, 2002, 9:00 a.m.

PLACE: 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee

DATE AND TIME: Monday, May 20, 2002, 9:30 a.m.

PLACE: Suite 219, 9455 Koger Blvd., St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the 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 **Southwest Florida Regional Planning Council** announces a public meeting of the Executive Director's Selection Committee to which all persons are invited.

DATE AND TIME: Monday, May 13, 2002, 11:00 a.m. – 1:30 p.m.

PLACE: Southwest Florida Regional Planning Council Offices, 4th Floor, 4980 Bayline Drive, North Fort Myers, Florida 33917

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review submittals for the position of Executive Director for the Southwest Florida Regional Planning Council and to prepare a shortlist of applicants for future interviews.

For more information, please contact: Mr. David Y. Burr, Southwest Florida Regional Planning Council, 4th Floor, 4980 Bayline Drive, North Fort Myers, Florida 33917, (239)656-7720.

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: May 16, 2002, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, Conference Room, 4th Floor, 4980 Bayline Drive, North Fort Myers, FL 33917

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Regional Planning Council.

All Council Subcommittee meetings will immediately follow the Council meeting.

A copy of the proposed agenda may be obtained by writing: Mr. David Burr, Interim Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. David Burr, (239)656-7720, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Burr using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Region IX, **Local Emergency Planning Committee** (LEPC) announces a public meeting to which all persons are invited:

DATE AND TIME: May 30, 2002, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 4th Floor, 4980 Bayline Drive, North Fort Myers, FL 33917

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and implement provisions of the Emergency Planning and Community Right to Know Act.

A copy of the agenda may be obtained by contacting: Acting Director, David Burr, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: May 17, 2002, 9:30 a.m.

PLACE: The Ramada Inn, 1200 S. Federal Highway, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Council.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, Suite 300, 301 E. Ocean Boulevard, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

The Florida District X, **Local Emergency Planning Committee** announces the following meeting to which all persons are invited.

DATE AND TIME: June 27, 2002, 10:00 a.m.

PLACE: Treasure Coast Regional Planning Council, Suite 300, 301 E. Ocean Boulevard, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida District X, Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, Suite 300, 301 E. Ocean Boulevard, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

## DEPARTMENT OF CORRECTIONS

The **Florida Corrections Commission** announces the following public meeting to which all interested persons are invited:

DATE AND TIME: Thursday, May 16, 2002, 10:00 a.m. – 3:00 p.m.

PLACE: The Department of Juvenile Justice Service Center, 8500 Laurel Hill Drive, Orlando, Florida 32818 and The Orange County Juvenile Assessment Center, 823 West Central Boulevard, Orlando, Florida 32805

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will hold a meeting at The Department of Juvenile Justice to discuss issues to be included in the 2002 Annual Report.

A copy of the agenda may be obtained by writing: Mr. John Fuller, Executive Director, Florida Corrections Commission, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500 or call (850)413-9330.

Pursuant to Section 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.

**METROPOLITAN PLANNING ORGANIZATIONS**

The **Metropolitan Planning Organization for the Orlando Urban Area** announces the following public meetings of its Governing Board and Executive Committee to which all persons are invited:

DATE AND TIMES: Wednesday, May 8, 2002, 9:00 a.m. and 11:00 a.m., respectively

PLACE: Metroplan Orlando, Suite 355, 315 East Robinson Street, Orlando, FL 32801

Purpose: Regularly Scheduled Meetings.

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Call to Order.
2. Chairman’s Announcements.
3. Executive Director’s Announcements.
4. Consent Items.
5. Action Items.
6. Other Business.
7. Executive Director’s Report.
8. Board Workshop.

A detailed copy of the agenda may also be obtained by contacting: Ms Lewis-Whittington, (407)481-5672, Ext. 314 or by written request to Metroplan Orlando, Suite 355, 315 East Robinson Street, Orlando, FL 32801.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Metroplan Orlando, (407)481-5672, at least 48 hours before the meeting.

**WATER MANAGEMENT DISTRICTS**

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings:

MANASOTA BASIN BOARD MEETING

DATE AND TIME: Wednesday, May 15, 2002, 9:00 a.m.

PLACE: SWFWMD, Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

PEACE RIVER BASIN BOARD MEETING

DATE AND TIME: Friday, May 17, 2002, 9:30 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

A tour of Lake Hancock in Polk County will be offered to the Board members following the meeting.

GOVERNING BOARD FINANCE AND ADMINISTRATION COMMITTEE WORKSHOP

DATE AND TIME: Wednesday, May 29, 2002, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of draft FY 2003 budget.

GOVERNING BOARD MEETING, PUBLIC HEARING AND COMMITTEE MEETINGS

DATE AND TIME: Tuesday, May 28, 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, May 29, 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.



A copy of the agenda for the above meeting(s) may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899 or by calling the SWFWMD, (352)796-7211 or 1(800)423-1476, Suncom 628-4150.

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 **South Florida Water Management District** and the Broward County Board of County Commissioners 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: Tuesday, May 7, 2002, 12:30 p.m.

PLACE: Room 430, 115 South Andrews Avenue, Ft. Lauderdale, FL 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop to Discuss Water-Related Issues and Concerns.

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 please contact: Bobbie Sewell, Suite 406, 115 South Andrews Avenue, Ft. Lauderdale, FL 33301, (954)357-6213.

The **South Florida Water Management District** announces a public meeting of the Lake Belt Mitigation Committee, which will be conducted by means of or in conjunction with communications technology, specifically by telephonic conference, to which all interested parties are invited:

DATE AND TIME: May 10, 2002, 9:00 a.m.

PLACE: South Florida Water Management District, Headquarters, Conference Room 3B, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Lake Belt Mitigation Committee, created pursuant to Section 373.41492, Florida Statutes, to discuss committee activities for 2002 and other related committee business.

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 Lake Belt Mitigation Committee decision require a record of the proceedings. Affected persons are advised 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, District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

For more information, contact the Project Manager, Jim Jackson, (561)682-6334.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference, to which all interested parties are invited:

DATE AND TIME: May 15, 2002, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District, Headquarters, Building B-1, 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:

DATE AND TIME: Monday, May 20, 2002, 2:00 p.m.

PLACE: Northern Palm Beach County Improvement District, Auditorium, 357 Hiatt Drive, Palm Beach Gardens, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Loxahatchee River Management Coordinating Council.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 4770, 210 Atlanta Avenue, Stuart, Florida 34994.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact 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: Kathy LaMartina, Martin/St.Lucie Service Center, 210 Atlanta Avenue, Stuart, FL 34994, (772)223-2600, Ext. 3603.

The **South Florida Water Management District** announces a public hearing required under Section 373.59 and 373.139, Florida Statutes, to which all interested persons are invited:

**GOVERNING BOARD MEETING**

DATE AND TIME: June 13, 2002, 8:30 a.m.

PLACE: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: The acquisition of certain lands contained within the Save Our Rivers Land Acquisition and Management Plan which lands are further described as follows:

Part of the CRITICAL CREW (Southern Corkscrew Regional Ecosystem Watershed) project comprised of one hundred twenty-four parcels referred to as SFWMD Tract Nos.

09-003-203,	09-003-205,	09-003-206,	09-003-207,
09-003-418,	09-003-421,	09-003-426,	09-003-442,
09-003-450,	09-003-452,	09-003-453,	09-003-458,
09-003-462,	09-003-468,	09-003-512,	09-003-539,
09-003-553,	09-003-554,	09-003-564,	09-003-565,
09-003-573,	09-003-574,	09-003-576,	09-003-577,
09-003-581,	09-003-586,	09-003-587,	09-003-590,
09-003-595,	09-003-597,	09-003-601,	09-003-604,
09-003-605,	09-003-606,	09-003-608,	09-003-611,
09-003-630,	09-003-631,	09-003-632,	09-003-640,
09-003-649,	09-003-655,	09-003-657,	09-003-662,
09-003-664,	09-003-665,	09-003-667,	09-003-668,
09-003-671,	09-003-672,	09-003-673,	09-003-674,
09-003-675,	09-003-676,	09-003-677,	09-003-685,
09-003-691,	09-003-693,	09-003-701,	09-003-702,
09-003-705,	09-003-706,	09-003-709,	09-003-711,
09-003-712,	09-003-713,	09-003-715,	09-003-717,
09-003-720,	09-003-724,	09-003-736,	09-003-743,
09-003-744,	09-003-751,	09-003-753,	09-003-754,
09-003-775,	09-003-778,	09-003-786,	09-005-002,
09-005-005,	09-005-012,	09-005-014,	09-005-017,
09-005-018,	09-005-020,	09-005-023,	09-005-028,

09-005-030,	09-005-047,	09-005-049,	09-005-051,
09-005-053,	09-005-054,	09-005-061,	09-005-062,
09-005-204,	09-005-207,	09-005-211,	09-005-221,
09-005-224,	09-005-232,	09-005-233,	09-005-238,
09-005-245,	09-005-247,	09-005-254,	09-005-255,
09-005-256,	09-005-259,	09-005-261,	09-005-262,
09-005-265,	09-005-267,	09-005-268,	09-005-269,
09-005-274,	09-005-277,	09-005-278,	09-005-279,

09-005-280, 09-005-281, 09-005-282 and 09-005-284 consisting of approximately 776.46 acres and lying in Sections 25, 26, 32, 33, 34, 35 and 36, Township 47 South, Range 26 East within Lee County, Florida.

FAW Reference No. 3127

Part of the CRITICAL CREW (Southern Corkscrew Regional Ecosystem Watershed) project comprised of twenty-four parcels referred to as SFWMD Tract Nos.

09-100-005,	09-003-721,	09-003-740,	09-003-767,	09-003-771,
09-003-774,	09-003-777,	09-003-780,	09-003-782,	09-003-783,
09-003-785,	09-005-119,	09-005-126,	09-005-132,	09-005-141,
09-005-147,	09-005-149,	09-005-203,	09-005-230,	09-005-231,
09-005-256,	09-005-269,	09-005-279	09-005-281	

consisting of approximately 566.38 acres and lying in Sections 31, 33, 34 and 35, Township 47 South, Range 26 East within Lee County, Florida.

FAW Reference No. 3128

Part of the Kissimmee River Project comprised of fourteen parcels referred to as SFWMD Tract Nos.

19-103-554,	19-103-555,	19-103-556,	19-103-557,	19-103-558,
19-103-559,	19-103-560,	19-103-561,	19-103-562,	19-103-563,
19-103-564,	19-103-565,	19-103-566	19-103-567	

consisting of approximately 16.55 acres, more or less, and lying in Section 21, Township 36 South, Range 33 East in Okeechobee County, Florida.

FAW Reference No. 3129

Part of the Kissimmee River project comprised of ten parcels referred to as SFWMD Tract Nos.

19-103-645,	19-103-646,	19-103-647,
19-103-648,	19-103-481,	19-103-483,
19-103-485,	19-103-642,	19-103-643,
19-103-644,	19-103-486,	

all consisting of approximately 0.05 acres, 0.21 acres, 0.58 acres, 0.29 acres, 0.23 acres, 0.07 acres, 0.04 acres, 0.03 acres, and 1.83 acres, all in Sections 8 and 17, Township 36 South, Range 33 East in Highlands County, Florida.

FAW Reference No. 3130

Surplus of part of the Kissimmee River project comprised of one parcel referred to as SFWMD Tract No. 19-103-649, consisting of approximately 0.30 acres, in Section 8, Township 36 South, Range 33 East in Highlands County, Florida.

## FAW Reference No. 3131

Part of the Atlantic Ridge Ecosystem project comprised of one parcel referred to as SFWMD Tract No. X1-100-003 consisting of approximately 40 acres plus access easement and lying in Section 24, Township 39 South, Range 41 East in Martin County, Florida.

## FAW Reference No. 3132

Part of the Kissimmee Chain of Lakes project comprised of three parcels referred to as SFWMD Tract No. 18-121-001 consisting of approximately 2,000 acres lying in Sections 33, 34, and 35, Township 28 South, Range 29 East and Sections 2, 3, 4, 9 and 10, Township 29 South, Range 29 East in Polk County, Florida, SFWMD Tract No. 18-021-002 consisting of approximately 10.1 acres, lying in Sections 2 and 11, Township 29 South, Range 29 East in Polk County, Florida, and SFWMD Tract No. 18-021-003 consisting of approximately 5.5 acres, lying in Section 11, Township 29 South, Range 29 East in Polk County, Florida.

## FAW Reference No. 3133

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract No. 19-103-427 consisting of approximately 15 acres and Tract No. 19-103-456 consisting of approximately 0.27 acres, both lying in Section 17, Township 36 South, Range 33 East and in Highlands County, Florida.

## FAW Reference No. 3134

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract No. 19-102-137 consisting of approximately 9.6 acres and Tract No. 19-102-138 consisting of approximately 7.5 acres, both lying in Section 13, Township 37 South, Range 31 East and in Highlands County, Florida.

## FAW Reference No. 3135

Part of the Water Conservation Areas comprised of three parcels referred to as SFWMD Tract Nos. 27-100-050, 27-100-051 and 27-100-052, consisting of approximately 250 acres and lying in Sections 01, 03 and 32, Townships 52 and 53 South, Ranges 35 and 37 East in Miami-Dade County, Florida.

## FAW Reference No. 3136

Part of the East Coast Buffer and Critical C-4 Emergency Detention Basin Project comprised of sixteen parcels referred to as SFWMD Tract Nos. W9-311-940, W9-311-948, W9-311-952, W9-311-955, W9-311-957, W9-311-958, W9-311-960, W9-311-961, W9-311-962, W9-311-963, W9-311-971, W9-311-976, W9-311-977, W9-311-979, W9-311-993 and W9-311-999 consisting of approximately 361 acres and lying in Section 04 and Gov. Lot 4, Township 54 South, Range 39 East in Miami-Dade County, Florida.

## FAW Reference No. 3137

Part of the East Coast Buffer, CERP C-9 Stormwater Treatment/Impoundment, and CERP WCA 3A/3B Seepage Management Project Areas comprised of twelve parcels referred to as SFWMD Tract Nos. W9-200-917, W9-200-921, W9-200-931, 12-101-032, 12-101-036, 12-101-037, 12-101-067, 12-101-092, 12-102-012, 12-102-013,

12-102-036 and 12-103-019 consisting of approximately 76.82 acres and lying in Sections 03, 15, 27 and 34, Townships 50, 51, 52 and 53 South, Range 39 East in Broward and Miami-Dade Counties, Florida.

## FAW Reference No. 3138

Part of the East Coast Buffer, CERP WCA 3A/3B Seepage Management Project Area comprised of twenty-two parcels referred to as SFWMD Tract Nos. W9-311-942, W9-311-943, W9-311-944, W9-311-945, W9-311-953, W9-312-001, W9-312-002, W9-312-003, W9-312-005, W9-312-009, W9-312-011, W9-312-014, W9-312-015, W9-312-017, W9-312-020, W9-312-025, W9-311-068, W9-311-071, W9-311-078, W9-311-079, W9-311-080 and W9-311-081 consisting of approximately 155 acres and lying in Sections 03, 09 and 10, Township 52 South, Range 39 East in Miami-Dade County, Florida.

## FAW Reference No. 3139

Part of the East Coast Buffer, C-4 Emergency Detention Basin Project Area comprised of one parcel referred to as SFWMD Tract No. W9-311-948 consisting of approximately 10.00 acres and lying in Section 04, Township 54 South, Range 39 East in Miami-Dade County, Florida.

## FAW Reference No. 3140

Additional information concerning specific parcels or interests can be obtained from: Blair R. LittleJohn, III, South Florida Water Management District, Post Office Box 24680, West Palm Beach, Florida 33416-4680, (561)686-8800.

Appeals from any South Florida Water Management District Board decision requires 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 Paula Moree, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

For additional information, please contact Mr. Blair R. LittleJohn, III, Deputy Department Director, Land Acquisition, Real Estate Department, (561)686-8800.

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**The South Florida Water Management District** announces a public meeting(s) to which all interested parties are invited:

DATE AND TIME: June 6, 2002, 8:30 a.m.

PLACE: Westin Inn, Conference Room Salon CD, 97000 South Overseas Highway, Key Largo, FL 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting.

TENTATIVE MEETING DATES FOR JUNE – If at the June 6, 2002, meeting, the Water Resources Advisory Commission decides to hold additional meetings and/or Issue Workshops,

the following dates are being scheduled and noticed. If you're planning to attend any of the followings meetings please call the staff identified in this notice to ensure that a meeting has not been cancelled:

Monday June 3, 2002, 10:30 a.m.; Monday June 10, 2002, 10:30 a.m.; Monday June 17, 2002, 10:30 a.m.; Thursday, June 20, 2002, 8:30 a.m.; Monday, June 24, 2002, 10:30 a.m.

These meetings are scheduled to be held in the SFWMD Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406.

A copy of the agenda(s) may be obtained at the District Website seven (7) days prior to the meeting at <http://www.sfwmd.gov/gover/wrac/agendas.html> or by writing: South Florida Water Management District, Mail Stop 6115, 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 Water Resources Advisory Commission (WRAC) meetings and workshops 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, District Deputy Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact Julio Fanjul, (561)682-2769 or Paula Moree, (561)682-6447, Governing Board Operations Department, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406.

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The **South Florida Regional Planning Council**, Revolving Loan Fund Loan Administration Board announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 16, 2002, 3:00 p.m.

PLACE: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Revolving Loan Fund Policy and Procedures and review loan applications.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021 or by calling (954)985-4416 in Broward, Suncom 473-4416 or 1(800)985-4416 for area codes 305, 561 and 407.

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The **South Florida Regional Planning Council** announces a public meeting of the State Road 7/US 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, May 23, 2002, 1:00 p.m. – 4:00 p.m.

PLACE: City of Lauderhill, City Hall, Multipurpose Room, 2000 City Hall Drive, Lauderhill, FL 33313

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the State Road 7/ U.S. 441 Collaborative Steering Committee to continue deliberations on future actions.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by The State Road 7/U.S. 441 Collaborative Steering 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.

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#### REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Budget Workshop and Regular Board Meeting to which all persons are invited:

DATE AND TIME: Monday, May 20, 2002, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: FY 2002/2003 Budget Workshop.

DATE AND TIME: Monday, May 20, 2002, 10:30 a.m. or following the 9:00 a.m., Budget Workshop of Directors.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors.

PLACE: Tampa Bay Water, Suite 211-A, 2535 Landmark Drive, Clearwater, Florida 33761

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the regular meeting agenda may be obtained by writing to Tampa Bay Water or can be accessed on the Web at [www.tampabaywater.org](http://www.tampabaywater.org).

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Manning, (727)796-2355, at least 3 business days prior to the meeting.

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The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular May meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, May 15, 2002, 4:30 p.m.  
 PLACE: Citrus County Board Room, Third Floor, Old Masonic Bldg., 111 W. Main Street, Inverness, Florida 34450  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.  
 A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

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#### 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: Wednesday, May 8, 2002, 9:00 a.m. through Thursday, May 9, 2002, 2:00 p.m.

PLACE: Embassy Suites Orlando Airport, 5835 T. G. Lee Boulevard, 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.

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#### DEPARTMENT OF MANAGEMENT SERVICES

The Florida **Department of Management Services** announces a meeting of the Statewide Florida State Employees' Charitable Campaign (FSECC) Steering Committee to which all persons are invited:

DATE AND TIME: May 9, 2002, 10:00 a.m.

PLACE: Governor's Large Conference Room, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the FSECC Steering Committee to review general FSEC Campaign-related issues.

For more information about the meeting, for a copy of the agenda or if special accommodations are needed to attend this meeting because of a disability, please contact: Kathleen Anders, Department of Management Services, Suite 260, 4050 Esplanade Way, Tallahassee, FL 32399-0950, (850)921-5266.

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The Florida **Department of Management Services** announces a meeting of the Statewide Florida State Employees' Charitable Campaign (FSECC) Steering Committee to which all persons are invited:

DATE AND TIME: May 16, 2002, 10:00 a.m.

PLACE: Governor's Large Conference Room, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the FSECC Steering Committee to review general FSEC Campaign-related issues.

For more information about the meeting, for a copy of the agenda or if special accommodations are needed to attend this meeting because of a disability, please contact: Kathleen Anders, Department of Management Services, Suite 260, 4050 Esplanade Way, Tallahassee, FL 32399-0950, (850)921-5266.

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NOTICE OF CHANGE – The **Department of Management Services, State Technology Office**, Wireless 911 Board announces the following meeting schedule information:

Special Note: June 23-26, 2002, Florida Telecommunications Industry Association (FTIA) Annual Convention scheduled to be held in Jacksonville, Ponte Vedra (2 or more Board Members will be in attendance).

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Division of Hotels and Restaurants** announces the following meetings of the Elevator Safety Technical Advisory Committee to which all persons are invited:

DATE AND TIME: Monday, May 13, 2002, 10:00 a.m.

PLACE: Conference Call: Suncom 278-5776 or (850)488-5776, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32300-1012

DATE AND TIME: Monday, May 20, 2002, 10:00 a.m.

PLACE: Conference Call: Suncom 278-5776 or (850)488-5776, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32300-1012

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss the regulation of elevator safety.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting Cathy White, (850)488-9097. Hearing or speech impaired, please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The person to be contacted regarding the meeting is: Cathy White, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, (850)488-9097 or The Johns Building, 725 South Bronough Street, Tallahassee, Florida.

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The Florida **Barbers' Board** announces a Board meeting open to the public and all persons are invited to participate.

DATE AND TIME: Monday, May 13, 2002, 1:00 p.m.

PLACE: Embassy Suites Hotel, Tampa Airport/Westshore, 555 North Westshore Blvd., Tampa, Florida 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Business and Committee Matters.

\*A copy of the agenda may be obtained by writing: Florida Barbers' Board, Suite 60, 1940 North Monroe Street, Tallahassee, Florida 32399-0790.

\*If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official committee and general business meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 14, 2002, 10:00 a.m. or shortly thereafter

PLACE: Sheraton Suites Tampa, 4400 W. Cypress Street, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee and General Business Meetings of 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 the Board Office, (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 the board office at (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: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

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The Florida **Board of Professional Engineers** announces a public telephone conference call which all persons are invited: DATE AND TIME: Monday, May 13, 2002, 2:00 p.m.

PLACE: Conference Call Number: 1(800)659-1088, Florida Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, FL 32303.

If any person decides to appeal and 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.

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The Florida **Building Code Administrators and Inspectors Board** announces the following meetings to which all persons are invited to attend.

DATE AND TIME: May 15, 2002, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss possible Legislative changes and General Board Business.

DATES AND TIME: May 16-17, 2002, 8:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting.

PLACE: Tradewinds Sandpiper Hotel & Suites, 6000 Gulf Boulevard, St. Petersburg Beach, Florida

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.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, (850)922-5012, at least forty-eight (48) hours 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).

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public meeting, to which all interested persons are invited, of the Technical Advisory Committee providing technical assistance to the Department of Environmental Protection during development of proposed revisions to Rule 62-620, Florida Administrative Code (F.A.C.), Wastewater Facilities and Activities Permitting, regarding demineralization concentrate disposal.

DATE AND TIME: May 15, 2002, 9:00 a.m. – 4:00 p.m.

PLACE: Department of Environmental Protection, Room A204, Twin Towers, Lab Complex, 2600 Blair Stone Road, Tallahassee, Florida.

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

A copy of the agenda for the public meeting may be obtained by writing: Department of Environmental Protection, Bureau of Water Facilities Regulation, MS #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or by calling Shirley Shields, (850)4884522.

Further information on the public meeting and rulemaking may be obtained by calling Allen Hubbard, (850)921-9385.

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The **Department of Environmental Protection** announces a public meeting of a Drinking Water Technical Advisory Committee to which all persons are invited:

DATES AND TIMES: Tuesday, May 21, 2002, 10:00 a.m.; Wednesday, May 22, 2002, 9:00 a.m.

PLACE: Orlando Public Library, 101 East Central Boulevard, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will receive comments from a Drinking Water Technical Advisory Committee on draft amendments to Chapter 62-555, Permitting and Construction of Public Water Systems., 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."

To obtain a hard copy of the full text of this notice you may call John Sowerby of the Drinking Water Section, (850)487-1762.

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The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a Advisory Group Meeting to which all persons are invited.

DATE AND TIME: Thursday, May 23, 2002, 9:00 a.m. (EDT)  
PLACE: Rainbow Springs State Park, 19158 S. W. 81st Place Road, Dunnellon FL 34432

GENERAL SUBJECT MATTER TO BE CONSIDERED: To present and review the proposed land management plan for Rainbow Springs State Park with the park Advisory Group.

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

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#### DEPARTMENT OF HEALTH

The Florida **Board of Medicine**, Probable Cause Panel (North) announces a telephone conference call to be held via meet me number.

DATE AND TIME: May 23, 2002, 2:00 p.m.

PLACE: Meet Me Number: (850)487-8540, Suncom 277-8540

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Medical Litigation Section may be contacted at Post Office Box 14229, Tallahassee, Florida 322317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

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The Florida **Board of Medicine**, Credentials Committee announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, May 25, 2002, 8:30 a.m. or soon thereafter

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure

that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Nursing** announces public meetings to which all interested persons are invited.

**LEGISLATIVE COMMITTEE**

DATE AND TIME: Wednesday, June 12, 2002, 6:00 p.m.

PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss legislative issues.

**PRACTICE COMMITTEE**

DATE AND TIME: Wednesday, June 12, 2002, 6:00 p.m.

PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review proposed requests for declaratory statements and practice issues.

**CREDENTIALS COMMITTEE**

DATE AND TIME: Thursday, June 13, 2002, 8:30 a.m.

PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and hold hearings on credential issues.

**ADVANCED REGISTERED NURSE PRACTITIONER'S COMMITTEE MEETING**

DATE AND TIME Thursday, June 13, 2002, 8:30 a.m.

PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications and issues for Advanced Registered Nurse Practitioners.

**CONTINUING EDUCATION COMMITTEE**

DATE AND TIME: Thursday, June 13, 2002, 8:30 a.m.

PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications and review procedures for continuing education.

**EDUCATION COMMITTEE**

DATE AND TIME: Thursday, June 13, 2002, 8:30 a.m.

PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider matters relating to nursing programs.

**FULL BOARD**

DATE AND TIME: Thursday, June 13, 2002, 1:00 p.m.

PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

**FULL BOARD**

DATE AND TIME: Friday, June 14, 2002, 8:30 a.m.

PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

**LEGISLATIVE COMMITTEE**

DATE AND TIME: Wednesday, August 14, 2002, 6:00 p.m.

PLACE: Holiday Inn Select, 316 Tennessee Street, Tallahassee, FL 32301, (850)222-9555

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss legislative issues.

**PRACTICE COMMITTEE**

DATE AND TIME: Wednesday, August 14, 2002, 6:00 p.m.

PLACE: Holiday Inn Select, 316 Tennessee Street, Tallahassee, FL 32301, (850)222-9555

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review proposed requests for declaratory statements and practice issue.

**CREDENTIALS COMMITTEE**

DATE AND TIME: Thursday, August 15, 2002, 8:30 a.m.

PLACE: Holiday Inn Select, 316 Tennessee Street, Tallahassee, FL 32301, (850)222-9555

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and hold hearings on credential issues.

**ADVANCED REGISTERED NURSE PRACTITIONER'S COMMITTEE MEETING**

DATE AND TIME: Thursday, August 15, 2002, 8:30 a.m.

PLACE: Holiday Inn Select, 316 Tennessee Street, Tallahassee, FL 32301, (850)222-9555

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications and issues for Advanced Registered Nurse Practitioners.

**CONTINUING EDUCATION COMMITTEE**

DATE AND TIME: Thursday, August 15, 2002, 8:30 a.m.

PLACE: Holiday Inn Select, 316 Tennessee Street, Tallahassee, FL 32301, (850)222-9555

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications and review procedures for continuing education.



**EDUCATION COMMITTEE**

DATE AND TIME: Thursday, August 15, 2002, 8:30 a.m.  
PLACE: Holiday Inn Select, 316 Tennessee Street, Tallahassee, FL 32301, (850)222-9555  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider matters relating to nursing programs.

**FULL BOARD**

DATE AND TIME: Thursday, August 15, 2002, 1:00 p.m.  
PLACE: Holiday Inn Select, 316 Tennessee Street, Tallahassee, FL 32301, (850)222-9555  
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

**FULL BOARD**

DATE AND TIME: Friday, August 16, 2002, 8:30 a.m.  
PLACE: Holiday Inn Select, 316 Tennessee Street, Tallahassee, FL 32301, (850)222-9555  
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

**LEGISLATIVE COMMITTEE**

DATE AND TIME: Wednesday, October 16, 2002, 6:00 p.m.  
PLACE: Hilton Jacksonville Riverfront, 1201 Riverplace Boulevard, Jacksonville, FL 32207, (904)398-8800  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss legislative issues.

**PRACTICE COMMITTEE**

DATE AND TIME: Wednesday, October 16, 2002, 6:00 p.m.  
PLACE: Hilton Jacksonville Riverfront, 1201 Riverplace Boulevard, Jacksonville, FL 32207, (904)398-8800  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To review proposed requests for declaratory statements and practice issues.

**CREDENTIALS COMMITTEE**

DATE AND TIME: Thursday, October 17, 2002, 8:30 a.m.  
PLACE: Hilton Jacksonville Riverfront, 1201 Riverplace Boulevard, Jacksonville, FL 32207, (904)398-8800  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and hold hearings on credential issues.

**ADVANCED REGISTERED NURSE PRACTITIONER'S COMMITTEE MEETING**

DATE AND TIME: Thursday, October 17, 2002, 8:30 a.m.  
PLACE: Hilton Jacksonville Riverfront, 1201 Riverplace Boulevard, Jacksonville, FL 32207, (904)398-8800  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications and issues for Advanced Registered Nurse Practitioners.

**CONTINUING EDUCATION COMMITTEE**

DATE AND TIME: Thursday, October 17, 2002, 8:30 a.m.  
PLACE: Hilton Jacksonville Riverfront, 1201 Riverplace Boulevard, Jacksonville, FL 32207, (904)398-8800

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications and review procedures for continuing education.

**EDUCATION COMMITTEE**

DATE AND TIME: Thursday, October 17, 2002, 8:30 a.m.  
PLACE: Hilton Jacksonville Riverfront, 1201 Riverplace Boulevard, Jacksonville, FL 32207, (904)398-8800  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider matters relating to nursing programs.

**FULL BOARD**

DATE AND TIME: Thursday, October 17, 2002, 1:00 p.m.  
PLACE: Hilton Jacksonville Riverfront, 1201 Riverplace Boulevard, Jacksonville, FL 32207, (904)398-8800  
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

**FULL BOARD**

DATE AND TIME: Friday, October 18, 2002, 8:30 a.m.  
PLACE: Hilton Jacksonville Riverfront, 1201 Riverplace Boulevard, Jacksonville, FL 32207, (904)398-8800  
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

**LEGISLATIVE COMMITTEE**

DATE AND TIME: Wednesday, December 11, 2002, 6:00 p.m.  
PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss legislative issues.

**PRACTICE COMMITTEE**

DATE AND TIME: Wednesday, December 11, 2002, 6:00 p.m.  
PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To review proposed requests for declaratory statements and practice issues.

**CREDENTIALS COMMITTEE**

DATE AND TIME: Thursday, December 12, 2002, 8:30 a.m.  
PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and hold hearings on credential issues.

**ADVANCED REGISTERED NURSE PRACTITIONER'S COMMITTEE MEETING**

DATE AND TIME: Thursday, December 12, 2002, 8:30 a.m.  
PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications and issues for Advanced Registered Nurse Practitioners.

**CONTINUING EDUCATION COMMITTEE**

DATE AND TIME: Thursday, December 12, 2002, 8:30 a.m.  
 PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications and review procedures for continuing education.

**EDUCATION COMMITTEE**

DATE AND TIME: Thursday, December 12, 2002, 8:30 a.m.  
 PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider matters relating to nursing programs.

**FULL BOARD**

DATE AND TIME: Thursday, December 12, 2002, 1:00 p.m.  
 PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

**FULL BOARD**

DATE AND TIME: Friday, December 13, 2002, 8:30 a.m.  
 PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by writing: Dan Coble, RN, Ph.D. Executive Director, Florida Board of Nursing, 4052 Bald Cypress Way, BIN #C-02, Tallahassee, FL 32399.

**SPECIAL ACCOMMODATION:** Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing Office, (850)245-4125, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Psychology, Credentials Committee** announces a conference call of the committee to which all persons are invited:

DATE AND TIME: May 6, 2002, 8:00 a.m. or soon thereafter  
 PLACE: Nonsuncom (850)487-8540, Suncom 277-8540  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: For the consideration and review of applications for examination and licensure.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by calling the Board Office, (850)245-4373.

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

the department at least 48 hours before the workshop/hearing/meeting by contacting the Board Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Department of Health** announces nine regional public meetings to which all persons are invited.

**Region 1: Taylor, Wakulla, Dixie and Levy Counties**  
 DATE AND TIME: Monday, May 13, 2002, 3:00 p.m. – 5:00 p.m. and 5:30 p.m. – 7:30 p.m.

PLACE: Taylor County Middle School, Auditorium, 601 East Lafayette Street, Perry, FL 32347

**Region 2: Escambia, Santa Rosa and Okaloosa Counties**  
 DATE AND TIME: Wednesday, May 15, 2002, 1:30 p.m. – 3:30 p.m. and 5:30 p.m. – 7:30 p.m.

PLACE: Escambia County Health Department, Conference Room, Main Bldg., 1295 West Fairfield Drive, Pensacola, FL 32501

**Region 3: Bay, Walton, Gulf, and Franklin Counties**  
 DATE AND TIME: Thursday, May 16, 2002, 1:00 p.m. – 3:00 p.m. and 5:30 p.m. – 7:30 p.m.

PLACE: Bay County Health Department, Auditorium, Rooms 205 and 206, 597 West 11th Street, Panama City, FL 32401

**Region 4: Duval, St. Johns, Nassau and Flagler Counties**  
 DATE AND TIME: Thursday, May 23, 2002, 1:30 p.m. – 3:30 p.m. and 5:30 p.m. – 7:30 p.m.

PLACE: Duval County Health Department, Smith Auditorium, 1st Floor, 515 West 6th Street, Jacksonville, FL 32206

**Region 5: Brevard, Volusia, Indian River and St. Lucie Counties**  
 DATE AND TIME: Wednesday, May 29, 2002, 1:30 p.m. – 3:30 p.m. and 5:30 p.m. – 7:30 p.m.

PLACE: Brevard County Government Center, Florida Room, Building C, 2725 Judge Fran Jamieson Way, Viera, FL 32940

**Region 6: Broward, Martin, Palm Beach and Dade Counties**  
 DATE AND TIME: Tuesday, June 4, 2002, 1:30 p.m. – 3:30 p.m. and 5:30 p.m. – 7:30 p.m.

PLACE: Broward County Health Department, Auditorium, 2nd Floor, 2421 S. W. 6th Avenue, Ft. Lauderdale, FL 33321

**Region 7: Monroe County**  
 DATE AND TIME: Wednesday, June 5, 2002, 1:30 p.m. – 3:30 p.m. and 5:30 p.m. – 7:30 p.m.

PLACE: Key Largo Library, Community Room, Tradewinds Shopping Ctr., 101485 Overseas Highway; Key Largo, FL 33037

Region 8: Hillsborough, Pinellas, Manatee, Citrus, Hernando and Pasco Counties

DATE AND TIME: Tuesday, June 18, 2002, 1:30 p.m. – 3:30 p.m. and 5:30 p.m. – 7:30 p.m.

PLACE: Hillsborough County Health Department, Conference Room 200, 1105 East Kennedy Boulevard, Tampa, FL 33602  
Region 9: Lee, Collier, Charlotte and Sarasota Counties

DATE AND TIME: Wednesday, June 19, 2002, 1:30 p.m. – 3:30 p.m. and 5:30 p.m. – 7:30 p.m.

PLACE: Ft. Myers Regional Service Center, Rooms 165C and D, 2295 Victoria Avenue, Ft. Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: The United States Environmental Protection Agency will be providing funds through the federal BEACH program to test the water quality of coastal beaches for bacterial indicators, expanding upon the existing Florida Healthy Beaches Program. As a result, the Department of Health is holding a series of regional meetings to discuss the anticipated program and the list of proposed beaches that will be tested.

A copy of the agenda may be obtained by contacting: Kamie Carney, Department of Health, Bureau of Water Programs, 4052 Bald Cypress Way, BIN #C-22, Tallahassee, Florida 32399-1742, (850)245-4240.

The Florida **Brain and Spinal Cord Injury Advisory Council** announces a Council Meeting.

DATE AND TIME: Friday, May 24, 2002, 8:30 a.m. – 1:30 p.m. (EST)

PLACE: Miami Project, Lois Pope Research Center, University of Miami, 1095 Northwest 14th Terrace, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Planning and organizational meeting to establish a work plan for the goals and objectives of each of the Advisory Council's committees (EMS/Acute Care, Inpatient/Outpatient Rehabilitation, Residential/Community-Based/Long-Term Care, Pediatric and Prevention/Education Research) to enhance and further the mission of the Brain and Spinal Cord Injury Program.

Any persons requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Bureau of Brain and Spinal Cord Injury, (850)245-4045, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Florida Bureau of Brain and Spinal Cord Injury using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For further information, write: Thom DeLilla, 4052 Bald Cypress Way, BIN #C25 (BSCI), Tallahassee, Florida 32399-1744 or call (850)245-4045.

P. O. #G10454

The Florida **Department of Health**, Office of the Secretary, on behalf of the Biomedical Research Advisory Council announces a public meeting.

DATE AND TIME: Wednesday, May 8, 2002, 9:30 a.m. – 11:30 a.m.

PLACE: Conference Room 135-Q, Prather Building, 2585 Merchant's Row Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to discuss future program offerings and finalize recommendations for upcoming grant programs based on the criteria outlined in Section 215.5602, Florida Statutes.

CONTACT: To ensure adequate space, observers are asked to contact Cathy Hughes, (850)245-4444, Ext. 2438, by 5:00 p.m., Monday, May 6, 2002, to confirm attendance or to request accommodations such as assistive listening device, large print, sign language interpretation or other accommodations for persons with disabilities.

The **Correctional Medical Authority** announces a meeting to which all persons are invited:

DATE AND TIME: May 17, 2002, 8:30 a.m. – 12:30 p.m.

PLACE: Department of Health, Conference Room 310A, Prather Building, 2585 Merchant's Row Boulevard, Tallahassee, Florida 32399, (850)245-4044

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, BIN #B-04, Tallahassee, Florida 32399-1732, (850)245-4044.

Pursuant to Section 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.

Pursuant to Section 381, F.S., the Florida **Health Information Systems Council** will hold a meeting and telephone conference call.

DATE AND TIME: May 22, 2002, 2:00 p.m. – 4:00 p.m.

PLACE: Department of Health, 2585 Merchants Row, Secretary's Conference Room 140J, Prather Building, Tallahassee, Florida 32399, Conference Call: (850)921 2548, Suncom 291-2548

GENERAL SUBJECT MATTER TO BE CONSIDERED: To facilitate the identification, collection, standardization, sharing and coordination of health-related data among federal, state, local and private entities.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Northwest Florida Community Based Care Alliance and the **Department of Children and Family Services**, Subdistrict 2A announces a meeting to which all persons are invited. The Alliance encompasses: Bay, Gulf, Washington, Holmes, Calhoun and Jackson counties.

DATE AND TIME: Thursday, May 9, 2002, 2:00 p.m. – 4:00 p.m. (CDST)

PLACE: W. T. Neal Civic Center, 17773 North Pear Street, Blountstown, FL 32424, (850)674-4500

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special meeting of the Northwest Florida Community Based Care Alliance to review guiding principles for inclusion in the Phase II, Invitation to Negotiate for a lead agency for child welfare in Subdistrict 2A.

A copy of the agenda can be obtained by calling: Anissa Pitti, Department of Children and Family Services, (850)488-0569 or Suncom 278-0569.

Anyone requiring a special accommodation to participate in this meeting is requested to advise District Administration (Anissa Pitti), at least 2 working days prior to the meeting, (850)488-0569 or 1(800)226-6223 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

**EXECUTIVE COMMITTEE**

DATE AND TIME: May 10, 2002, 8:00 a.m. – 5:00 p.m.

PLACE: Department of Children and Family Services, Room 327D, 337 North 4th Street, Fort Pierce, FL 34950

For more information, please contact: Betty Robinson, CBC Liaison, Room 327D, 337 North 4th Street, Fort Pierce, Florida 34950, (561)467-4174.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Advocacy Committee**, District 15 announces a public meeting to which all persons are invited.

DATE AND TIME: May 21, 2002, 9:30 a.m.

PLACE: Benton Regional Service Center, Room 335, 337 North 4th Street, Fort Pierce, FL 34950

A copy of the agenda may be obtained by contacting: Ellen Higinbotham, FLAC Liaison, (561)467-4176.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

**ALLIANCE MEETING**

DATE AND TIME: May 24, 2002, 8:00 a.m. – 12:00 Noon

PLACE: Workforce Development Board, 9350 South U.S. 1, Port St. Lucie, FL

For more information, please contact: Betty Robinson, CBC Liaison, Room 327D, 337 North 4th Street, Fort Pierce, Florida 34950, (561)467-4174.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Department of Children and Family Services** announces a meeting of the Hernando County Community Alliance to which all persons are invited.

DATE AND TIME: Wednesday, May 8, 2002, 9:00 a.m.

PLACE: Hernando County School Board Building, 919 N. Broad Street, Brooksville, 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, May 15, 2002, 12:00 Noon

PLACE: Public Safety Complex, Room 302, 12900 Lane Park Cutoff Road, Tavares, 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 Sumter County Community Alliance Steering Committee to which all persons are invited.

DATE AND TIME: Wednesday, May 22, 2002, 9:00 a.m.

PLACE: City Hall, 100 N. Main Street, Wildwood, 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 Citrus County Shared Services Alliance to which all persons are invited.

DATE AND TIME: Thursday, May 23, 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, 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 Family Preservation and Support Coalition Executive Committee, sponsored by the District 12, **Department of Children and Family Services** announces the following public meeting to which all persons are invited.

DATE AND TIME: May 1, 2002, 10:00 a.m.

PLACE: Domestic Abuse Council, 211 N. Ridgewood Avenue, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Business Meeting.

A copy of the agenda may be obtained by writing: Family Preservation and Support, Department of Children and Family Services, 210 North Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn: Lynn Kennedy.

If you need special accommodations (i.e., assistive listening devices, sign language interpreter, etc.) please notify Lynn Kennedy, (386)226-7826 at least 48 hours in advance of the meeting. Hearing impaired please use Florida Relay 1(800)955-8771.

The Family Preservation and Support Coalition Family Support Committee, sponsored by the District 12, **Department of Children and Family Services** announces the following public meeting to which all persons are invited.

DATE AND TIME: May 16, 2002, 9:30 a.m.

PLACE: Flagler County Health Department, 301 S. Lemon Street, Bunnell, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Business Meeting.

A copy of the agenda may be obtained by writing: Family Preservation and Support, Department of Children and Family Services, 210 North Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn: Lynn Kennedy.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Lynn Kennedy, (386)226-7826, at least 48 hours in advance of the meeting. Hearing impaired please use Florida Relay 1(800)955-8771.

The Family Preservation and Support Coalition Prevent Child Abuse Committee, sponsored by the District 12, **Department of Children and Family Services** announces the following public meeting to which all persons are invited.

DATE AND TIME: May 20, 2002, 3:30 p.m.

PLACE: Children's Advocacy Center, 344 South Beach Street, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Business Meeting.

A copy of the agenda may be obtained by writing: Family Preservation and Support, Department of Children and Family Services, 210 North Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn: Lynn Kennedy.

If you need special accommodations (i.e., assistive listening devices, sign language interpreter, etc.) please notify Lynn Kennedy, (386)226-7826 at least 48 hours in advance of the meeting. Hearing impaired please use Florida Relay 1(800)955-8771.

The **Council on Homelessness** announces a series of conference call meetings of its Health Care Committee, to which all persons are invited.

DATES AND TIME: Thursday, May 23, 2002; Thursday, June 27, 2002; Thursday, July 25, 2002; Thursday, August 22, 2002, 9:00 a.m. – 10:30 a.m.

PLACE: Call (850)414-1707 or Suncom 994-1707

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** These conference calls will address the committees' continued development of policy recommendations to accessing supportive services for homeless persons.

A copy of the agenda may be obtained by contacting: Tom Pierce, State Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850, Tom\_Pierce@dcf.state.fl.us.

Pursuant to Section 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.

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

The **Fish and Wildlife Conservation Commission** announces a public meeting of the Artificial Reef Advisory Board to which all interested persons are invited.

**DATE AND TIME:** May 8, 2002, 10:00 a.m. – 3:00 p.m.

**PLACE:** Holiday Inn, 1355 Apalachee Parkway, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this meeting is to focus on the review of a state strategic artificial reef plan framework.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

For further information, contact: Jon Dodrill, Fish and Wildlife Conservation Commission, Suite 201, 2590 Executive Center Circle, East, Tallahassee, Florida 32301, (850)922-4340.

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The **Fish and Wildlife Conservation Commission** announces a public meeting of the Stone Crab Advisory and Appeals Board, to which all interested persons are invited.

**DATES AND TIME:** May 20-21, 2002, 8:00 a.m. – 5:00 p.m., each day

**PLACE:** Crowne Plaza, Tampa at Sabal Park, 10221 Princess Palm Avenue, Tampa, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this meeting of the Stone Crab Advisory and Appeals Board is to hear scheduled appeals of initial stone crab trap certificate allocations.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting

by contacting Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

For further information, contact: Juli Dodson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)922-4340.

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The Florida **Fish and Wildlife Conservation Commission** has scheduled a public meeting to which all interested persons are invited:

**DATES AND TIME:** May 29-31, 2002, 8:30 a.m., each day

**PLACE:** World Golf Village Renaissance Resort, 500 South Legacy Trail, St. Augustine, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review and discuss substantive and procedural issues associated with the Fish and Wildlife Conservation Commission and to take action on proposed rules and policy issues.

A copy of the proposed agenda may be obtained from: Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

If any person decides to challenge any decision with respect to any matter considered at the above meeting, a record of the proceeding will be needed. For this purpose, you may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the challenge is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the workshop or meeting is asked to advise the Commission at least 5 calendar days prior by calling Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

**LEGAL AUTHORITY:** Article IV, Section 9, Florida Constitution.

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### **FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL**

The **Florida Developmental Disabilities Council, Inc.** announces its regularly scheduled business meeting.

**DATES AND TIMES:** Thursday, May 9, 2002, 8:30 a.m. – 6:00 p.m.; Friday, May 10, 2002, 8:00 a.m.

**PLACE:** Radisson Hotel, 415 N. Monroe Street, Tallahassee, FL 32301, (850)224-6000

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Thursday, May 9, 2002, 8:30 a.m. – 11:30 a.m., Public Policy and Advocacy & Program Planning Committee Meeting; 12:45 p.m. – 6:00 p.m., State of the Council Meeting. Friday, May 10, 2002, 8:00 a.m., Full Council Meeting.

To receive a copy of the agenda or request special accommodations for participation in the meeting, please contact: Audrey Roberts or Crystal Kelly, Suite 203, 124 Marriott Drive, Tallahassee, FL 32301-2981 or call toll free 1(800)580-7801, local (850)488-4180 or TDD toll free 1(888)488-8633.

**SUNSHINE STATE ONE CALL OF FLORIDA**

Mark your calendars for **Sunshine State One Call of Florida**, Inc.'s annual meeting and elections, board and committee meetings, bylaw changes and fourth annual golf tournament.

**BOARD AND COMMITTEE MEETINGS**

PLACE: Sunshine State One Call, 11 Plantation Road, DeBary, FL 32713, (386)575-2000 or 1(800)638-4097

**ANNUAL MEETING**

DATE AND TIMES: May 16, 2002, Registration, 8:30 a.m.; Meeting, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Overview of the 2001-2002 fiscal year, vote on proposed bylaw changes and annual elections.

**BOARD OF DIRECTORS MEETING**

DATE AND TIME: Immediately following Annual Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Election of officers and other matters that affect the operation of the call center.

COMMITTEE MEETINGS – The following committees will meet concurrently

DATE AND TIMES: May 16, 2002, 2:45 p.m., Operations, Safety and Compliance, Finance, Associates and Board Development.

**BOARD OF DIRECTORS MEETING**

DATE AND TIMES: May 16, 2002, 2:45 p.m., Immediately following the concurrent committee meetings

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review committee discussion, ratify and vote on motions.

**GOLF TOURNAMENT**

DATE AND TIME: May 17, 2002, 8:30 a.m., start

PLACE: DeBary Golf and Country Club, 300 Plantation Club Drive, DeBary, FL

Registration/sponsorship forms available at [www.callsunshine.com](http://www.callsunshine.com) (Registration fee includes breakfast, lunch, cart and range balls.) Direct questions to: Brad Martin, (850)514-9221

**SSOCOF SEEKS DIRECTOR CANDIDATES**

The SSOCOF Nominating Committee is now accepting nominations for open seats on the Board of Directors. Candidates must meet the following criteria:

- Employed by a primary member (or an associate member if bylaws are amended May 16, 2002).

- Able to dedicate a minimum of two business days every other month to damage prevention and call center business.
- Experienced, knowledgeable and interested in damage prevention and call center activities.
- Provide a letter written by your direct supervisor that states your intention to run and your company's willingness to allow you to meet the necessary time commitments. Email your letter to: [msweet@call.sunshine.com](mailto:msweet@call.sunshine.com) on or before May 15, 2002.
- Those running for a seat on the board need to be present at the annual meeting. Immediately before the elections, candidates will be offered an opportunity to speak in support of their candidacy.

**PROPOSED BYLAW CHANGES** – SSOCOF's board recently approved several bylaw changes that are up for approval at the annual meeting. The membership will vote for or against the bylaws as an entire package. To view the proposed bylaws, visit [www.callsunshine.com](http://www.callsunshine.com).

**ELECTION** – Each member company of SSOCOF is entitled to one vote in the Board of Directors elections and Bylaw approval. Voting will be conducted at the meeting. Mail ballots will not be allowed.

**NOTE:** Any person requiring an accommodation at this meeting because of a physical impairment should call the One-Call Notification Center, (386)575-2000, at least five calendar days prior to the activity. Any person who is hearing or speech impaired should contact the one-call notification center through the Florida Relay Center at 1(800)955-8771.

**FLORIDA LEAGUE OF CITIES**

The **Florida Municipal Pension Trust Fund** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, May 16, 2002, 11:00 a.m.

PLACE: Roney Palace Beach Resort, 2399 Collins Avenue, Miami Beach, Florida, (305)604-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Pension Trust Fund to discuss general business of the Trust.

A joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust will also be held May 16, 2002, 1:00 p.m., at the same location. The purpose of the meeting is to receive reports from investment manager and performance monitor.

A copy of the meeting agenda may be obtained by contacting: Jeannie Hagan, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

The **Florida Municipal Investment Trust (FMIvT)** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, May 16, 2002, 2:00 p.m.

PLACE: Roney Palace Beach Resort, 2399 Collins Avenue, Miami Beach, Florida, (305)604-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Investment Trust (FMIVT) to discuss general business of the Trust.

A joint meeting the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust will also be held May 16, 2002, 1:00 p.m., at the same location. The purpose of this meeting is to receive reports from investment manager and performance monitor.

A copy of the meeting agenda may be obtained by contacting: Jeannie Hagan, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

The **Florida Municipal Loan Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, May 16, 2002, Upon adjournment of FMIVT Meeting

PLACE: Roney Palace Beach Resort, 2399 Collins Avenue, Miami Beach, Florida, (305)604-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting: Jeannie Hagan, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

**FLORIDA TELECOMMUNICATIONS RELAY**

The **Florida Telecommunications Relay**, Inc. announces a regular meeting of the Board of Directors.

DATE AND TIME: Monday, May 20, 2002, 1:30 p.m.

PLACE: Suite 101, 1820 E. Park Avenue, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Mr. James Forstall, Executive Director, Suite 101, 1820 E. Park Avenue, Tallahassee, Florida 32301, (850)656-1414.

The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on April 16, 2002, from Miami-Dade Water and Sewer Department, requesting that the Florida Building Commission declare the Treatment Facilities, Pumping Stations and Wellfield Facilities as Group "F" Occupancies as described in Paragraph 307.1.3. Group "F", Special Purpose, Florida Building Code, 2001. It has been assigned the number DCA02-DEC-124.

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 April 18, 2002, from Mike Morello, Inc., regarding Chapter 5, Exhaust Systems, Section 502 Clothes Dryer Exhaust, 504.3 Cleanout, Florida Building Code, Mechanical Volume (2001). A statement is requested to make clear to the City of Palm Coast that the 1998 International Mechanical Code Commentary pertains to the Florida Building Code (2001). It has been assigned the number DCA02-DEC-127.

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 April 18, 2002, from Richard M. Johnston, regarding clarification of the intent of Section 423(26) Florida Building Code, Building Volume (2001), as it relates to "new" relocatables. It has been assigned the number DCA02-DEC-128.

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 April 19, 2002, from Dr. Jack Reinhardt, Inc., with regards to termite protection pursuant to section 1816.1, of the Florida Building Code, Building Volume, 2001. It has been assigned the number DCA02-DEC-130.



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 April 22, 2002, from the Pinellas County Building Department with regards to water heaters installed in garages pursuant to section 502.2 of the Florida Building Code, Plumbing Code (2001). It has been assigned the number DCA02-DEC-131.

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 April 22, 2002, from Icynene, Inc., proposing amendments to the applicability of Florida Building Code, Building Volume (2001), Section 2309.7 when Icynene® is applied to the underside of the roof deck; clarification of the thermal barrier requirements of Section 2603.5, Florida Building Code, Building Volume (2001); and requesting the words “utilities” and “entry” in Section 2603.5.1.6, Florida Building Code, Building Volume (2001), be defined. It has been assigned the number DCA02-DEC-132.

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 April 22, 2002, from Affordable Fence & Screen, Inc., requesting clarification of 424.2.17.1.8, Florida Building, Building Volume (2001), regarding gates and screen doors on a pool cage. It has been assigned the number DCA02-DEC-133.

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 HEALTH**

NOTICE IS HEREBY GIVEN THAT the Board of Physical Therapy Practice received a copy of a Petition for Declaratory Statement from Pamela Charlton Davidson, on April 15, 2002. With regard to Sections 486.028 and 486.161, Florida Statutes, and Rules 64B17-6.001 and 64B17-6.007, F.A.C. Petitioner requests a statement for the Board with regard to the use of unlicensed personnel during short 4-6 day trips to Florida under Petitioner’s personal supervision.

A copy of the Petition for Declaratory Statement may be obtained by writing: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN THAT the Board of Physical Therapy Practice received a copy of a Petition for Declaratory Statement from Robyn Walpert on April 18, 2002. The Petition seeks the agency’s opinion as to the applicability of Section 486.021, Florida Statutes, and how the statutory provision affects petitioner.

The Petitioner has numerous questions with regard to the requirement that Petitioner provide services under the prescription of a medical doctor.

A copy of the Petition for Declaratory Statement may be obtained by writing: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**REQUEST FOR BID**

The University of Florida, Purchasing Division will receive sealed bids for the following: 02L-137, Housing Project BR131-305, Diamond Village, Building 305 Renovation, estimated budget: \$435,000-\$485,000, to be opened June 4, 2002, 3:00 p.m. (Local Time). Scope of work: The interior spaces are vacant and scheduled for partial demolition followed by the reconstruction with new materials. A complete new mechanical split system is included. Portions of the existing electrical and plumbing systems will be re-used. Specifications and Plans are available in Central Purchasing, Elmore Hall, Radio Road, Gainesville, FL 32611, (352)392-1331. A Mandatory Pre-Bid Meeting will be held May 20, 2002, 10:00 a.m., in the Housing Office, Conference Room, S. W. corner of Museum Road and S. W. 13th Street, 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 Meeting or the 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 Central Florida, on behalf of the State of Florida, Divisions of Colleges and Universities, announces that continuing professional services for minor projects are required in the following discipline(s): Architectural Consultant

The consultant will provide architectural design and evaluating services for educational (University) facilities, design services for small remodeling or maintenance type projects that are typically less than \$1,000,000 and will work with Architects and Engineers on design projects to ensure campus architectural design standards are followed.

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 consultants will be available on an as-needed basis for the upcoming fiscal year, July 1-June 30. The consultant receiving the award may 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.

**INSTRUCTIONS**

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 2/02, completed by the applicant. 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 five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for Florida Board of Education 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 their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Cheryl Colvin, A&I Manager, Physical Plant Building, Orlando, FL 32816-3600, (407)823-2058, Fax (407)823-4499, e-mail ccolvin@mail.ucf.edu or accessing the University of Central Florida, Facilities Planning website at [www.fp.ucf.edu](http://www.fp.ucf.edu).

Submittals must be received in the Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, by 4:00 p.m. (Local Time), May 31, 2002. Facsimile (FAX) submittals are not acceptable and will not be considered.

**NOTICE TO PROFESSIONAL CONSULTANTS**

The University of Central Florida, on behalf of the State of Florida, Divisions of Colleges and Universities, announces that continuing professional services for minor projects are required in the following discipline(s): Civil Consultant

The consultant will provide civil, environmental and structural engineering design and evaluating services for educational (University) facilities, design services for small remodeling or maintenance type projects that are typically less than \$1,000,000 and will work with Architects and Engineers on design projects to ensure campus architectural design standards are followed.

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 consultants will be available on an as-needed basis for the upcoming fiscal year, July 1-June 30. The consultant receiving the award may 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.

**INSTRUCTIONS**

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 2/02, completed by the applicant. 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 five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for Florida Board of Education 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 their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Cheryl Colvin, A&I Manager, Physical Plant Building, Orlando, FL 32816-3600, (407)823-2058, Fax (407)823-4499, e-mail ccolvin@mail.ucf.edu or accessing the University of Central Florida, Facilities Planning website at www.fp.ucf.edu.

Submittals must be received in the Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, by 4:00 p.m. (Local Time), May 31, 2002. Facsimile (FAX) submittals are not acceptable and will not be considered.

**NOTICE TO PROFESSIONAL CONSULTANTS**

The University of Central Florida, on behalf of the State of Florida, Divisions of Colleges and Universities, announces that continuing professional services for minor projects are required in the following discipline(s): Geotechnical Consultant

The consultant will provide Geotechnical, land surveying, threshold inspections and materials testing services for educational (University) facilities, geotechnical design services for small remodeling or maintenance type projects that are typically less than \$1,000,000 and will work with Architects and Engineers on design projects to ensure campus architectural design standards are followed.

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 consultants will be available on an as-needed basis for the upcoming fiscal year, July 1-June 30. The consultant receiving the award may 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.

**INSTRUCTIONS**

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 2/02, completed by the applicant. 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 five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for Florida Board of Education 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 their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Cheryl Colvin, A&I Manager, Physical Plant Building, Orlando, FL 32816-3600, (407)823-2058, Fax (407)823-4499, e-mail: ccolvin@mail.ucf.edu or accessing the University of Central Florida, Facilities Planning website at [www.fp.ucf.edu](http://www.fp.ucf.edu).

Submittals must be received in the Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, by 4:00 p.m. (Local Time), May 31, 2002. Facsimile (FAX) submittals are not acceptable and will not be considered.

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#### NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida, on behalf of the State of Florida, Divisions of Colleges and Universities, announces that continuing professional services for minor projects are required in the following discipline(s): Mechanical/Electrical Consultant

The consultant will provide mechanical and electrical engineering design services for educational (University) facilities, mechanical and electrical design services for small remodeling or maintenance type projects that are typically less than \$1,000,000 and will work with Architects and Engineers on design projects to ensure campus architectural design standards are followed.

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 consultants will be available on an as-needed basis for the upcoming fiscal year, July 1-June 30. The consultant receiving the award may 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.

#### INSTRUCTIONS

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 2/02, completed by the applicant. 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 five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for Florida Board of Education 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 their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Cheryl Colvin, A&I Manager, Physical Plant Building, Orlando, FL 32816-3600, (407)823-2058, Fax (407)823-4499, e-mail: ccolvin@mail.ucf.edu or accessing the University of Central Florida, Facilities Planning website at [www.fp.ucf.edu](http://www.fp.ucf.edu).

Submittals must be received in the Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, by 4:00 p.m. (Local Time), May 31, 2002. Facsimile (FAX) submittals are not acceptable and will not be considered.

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#### NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida, on behalf of the State of Florida, Divisions of Colleges and Universities, announces that continuing professional services for minor projects are required in the following discipline(s): Roofing Consultant

The consultant will provide roofing design services for educational (University) facilities, roofing design services for small remodeling or maintenance type projects that are typically less than \$1,000,000 and will work with Architects and Engineers on design projects to ensure campus architectural design standards are followed.

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 consultants will be available on an as-needed basis for the upcoming fiscal year, July 1-June 30. The consultant receiving the award may 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.

#### INSTRUCTIONS

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 2/02, completed by the applicant. 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 five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for Florida Board of Education 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 their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Cheryl Colvin, A&I Manager, Physical Plant Building, Orlando, FL 32816-3600, (407)823-2058, Fax

(407)823-4499, e-mail: ccolvin@mail.ucf.edu or accessing the University of Central Florida, Facilities Planning website at www.fp.ucf.edu.

Submittals must be received in the Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, by 4:00 p.m. (Local Time), May 31, 2002. Facsimile (FAX) submittals are not acceptable and will not be considered.

#### CALL FOR BIDS

##### PHYSICAL PLANT RENOVATION

Made by the University of North Florida, for and on behalf of the University of North Florida Board of Trustees.

Project: University of North Florida Physical Plant Renovation Phase II-B (BR-957).

For: University of North Florida, Jacksonville, FL

General Scope: 1. Phase II-B

1. Extend 20" CHWS & R and 10" HWS and R mains from Northside of Bldg. 39 West and South to Bldg. 11
2. Install empty communications raceway system adjacent to new chilled water and heating hot water mains.

**QUALIFICATION:** All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

**DATE AND TIME:** Tuesday, June 4, 2002, 2:00 p.m.

**PLACE:** Bldg. 5, Room 1225

**PROPOSAL:** Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the University of North Florida's Physical Facilities Engineering Department, Bldg. 5, Room 1200.

**MINORITY PROGRAM:** Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, Department of Labor and Employment Security.

**PRE-SOLICITATION/PRE-BID MEETING:** The Bidder is encouraged to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

**DATE AND TIME:** Tuesday, May 21, 2002, 2:00 p.m.

**PLACE:** Bldg. 5, Room 1226

**DEPOSIT:** \$50.00 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilation/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders, or plumbing, heating/ventilation/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work,

and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the University of North Florida's Physical Facilities Engineering Department, Bldg. 5, Room 1200. Full sets may be purchased from the offices of Junck & Walker Architects/Planners, Inc., 8111 Old Kings Road, South, Jacksonville, Florida 32217, (904)731-4033.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

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 Fifth (5th) Floor Conference Room 513 D, School Board Building.

June 11, 2002  
2:00 p.m.

DCSB Project No. M-88780 Replacement of Windows at Joseph Stilwell Middle School No. 219 and Brookview Elementary School No. 206

Replace Windows at Joseph Stilwell Middle School No. 219  
Estimated Construction Budget is \$350,000

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on May 21, 2002, 10:00 a.m., Joseph Stillwell Middle School No. 219, 7840 Burma Road, Jacksonville, Florida 32221. 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 \$50 at the office of:

TTV Architects, Inc.  
300-C Warfside Way  
Jacksonville, Florida 32207

DCSB Point of Contact: John Merrill, (904)858-6310

Contract documents for bidding may be examined at:

F. W. Dodge MacGraw Hill Plan Room  
Construction Bulletin  
Construction MarketData, Inc.  
Business Service Center

MBE Participation Goal: Encouragement Plan

The Bid Award Recommendation will be posted on the First Floor, Bulletin Board, Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INVITATION TO BID

BID NO. BDRS 108-01/02

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Buckman Lock

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials to fabricate new steel grate assemblies for the Bagman Lock according to the plans and specifications. The grate assemblies consist of vertical rails that will be bolted to the lock wall and removable grate panels that will slide down into the vertical rails to provide protection to the intake ports of the lock. All steel items are to be galvanized. Prior to installing the new assemblies, the contractor will be required to remove the existing system on the north and south walls at the upstream intake area. On the south wall, the removable grate panels have been sucked into the intake chambers and will require cutting for their removal. Once removed, the new assemblies can be installed.

PARK LOCATION: Buckman Lock Road  
near Palatka, Florida

PROJECT MANAGER: Jim Wolfe  
Office of Greenways and Trails  
Telephone Number (850)488-3701  
Fax Number (850)922-6302

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**

Title: Invitation to Negotiate – Teenage Pregnancy Prevention

Purpose: To identify an agency or agencies that will be able to provide a program or programs that current research and literature support as being successful in reducing the incidence of teen pregnancies in Lee County

Contract Administrator:  
William Mallett  
Assistant Director  
Lee County Health Department  
3920 Michigan Avenue  
Ft. Myers, FL 33916

Notices of Intent to Submit are Due:  
Date: May 17, 2002  
Time: N/A

All Responses to ITN must be received:  
Date: June 12, 2002  
Time: 1:00 p.m.

Responses to ITN will be opened:  
Date: June 12, 2002  
Time: 1:05 pm

Responses to ITN must be submitted to:  
William Mallett  
Assistant Director  
Lee County Health Department  
3920 Michigan Avenue  
Ft. Myers, FL 33916

"Certified Minority Business Enterprises are encouraged to participate in any bidders' conferences, pre-solicitation or pre-bid meetings which are scheduled." The department reserves the right to reject any and all bids or accept minor irregularities in the best interest of the state.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**EXHIBIT 1  
SOLICITATIONS OF PROPOSALS FOR  
COMMUNITY ANTI-DRUG COALITION GRANTS  
TO LEAD AGENCIES FOR COALITION BUILDING**

Pursuant to Public Law 105-20 and the General Appropriations Act Senate Bill 2000 the Department of Children and Family Services, through the Substance Abuse Program Office, hereby solicits proposals for grants of up to \$10,000 to establish a community anti-drug coalition or \$24,500 to expand or enhance an existing community anti-drug coalition.

The purpose of this solicitation is to support coordinated community efforts to reduce substance abuse among youth and adults in order to meet the goals and objectives of the Florida Drug Control Strategy, including activities to: (a) strengthen coalitions in preparation for applying for federal Drug-Free Communities Support Grants under Pub. L. No. 105-20; (b) create a positive local substance abuse prevention environment; and, (c) strengthen collaboration efforts among public and private agencies to reduce substance abuse among youth

**Eligible Respondents**

Proposals will be accepted only from lead agencies. A lead agency is defined as a local community anti-drug coalition with an Internal Revenue Service 501(c)3 status, school district, county government, or other public agency. Lead agencies wishing to apply for such community anti-drug coalition grants should request a proposal package before close of business on May 10, 2002 from:

The Florida Department of Children and Family Services, Substance Abuse Program Office, Room 300, Building 6, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)487-2920.

**INVITATION TO BID**

Competitive sealed bids will be received in the Department of Children and Family Services, Tacachale Purchasing Office, 1621 N. E. Waldo Road, Gainesville, Florida 32609, until 2:00 p.m., May 14, 2002 for the following:

Air Cooled Water Chiller, 130 Ton

Interested bidders may obtain bid forms and specifications by writing or calling the Tacachale Purchasing Office at the above address. Telephone (352)955-5537. The Department reserves the right to reject any or all bids.

DCF 2002-12RN

**DAYTONA BEACH COMMUNITY COLLEGE**

Legal Advertisement

Pursuant to the provisions of Section 287.055, Florida Statutes, the "Consultants' Competitive Negotiations Act", Daytona Beach Community College hereby publicly announces it will consider qualified professional firms, registered to do work in the State of Florida, for a project requiring architectural services. The project is the Hospitality/Tourism Building for the Daytona Beach Campus. The scope of work is the development of educational specifications, floor plans, a model and renderings. The facility will be approximately 40,000 gross square feet. The estimated construction budget is \$9 million. The facility will be for students working towards an AA degree in Hospitality Management or Culinary Arts. Firms or individuals with experience in designing higher education facilities and desiring to qualify for consideration must submit five copies of a proposal to Mr. Steven D. Eckman, Director, Facilities Planning Department, Daytona Beach Community College, Post Office Box 2811, Daytona Beach, Florida 32120-2811 or deliver to 1200 West International Speedway Boulevard, Building 540, Room 112, Daytona Beach, FL 32114, to arrive no later than 12:00 Noon, May 17, 2002. Each proposal must include:

1. A letter of interest.
2. Federal Government Standard Forms 254 and 255 Architect-Engineer Questionnaires, including in Section 8 of Form 255 the name, address, phone and contact person of the primary general contractor or construction manager on the project; and name, address, phone and contact person for the project; and in Section 10 the firm's practice concerning affirmative action.
3. Certificates showing evidence of insurance coverages are in force. Contact the Facilities Planning Department at Daytona Beach Community College for specific insurance requirements (DBCC Procedure 8011 Section III F).
4. Copies of State of Florida licensing board certificates for the firm and members of the firm.
5. A notarized statement of financial status. (The form of the statement is optional and could be in a form such as Dun & Bradstreet, by a certified public accountant, or other.)
6. A Sworn Statement of Public Entity Crime, as required by Section 287.133(3)(a), F.S.
7. An organizational chart listing personnel and consultants proposed for this project.
8. For each team member, list the five (5) most recent projects that are relevant to the proposed project (i.e., size, type, educational, etc.).

**WEST CENTRAL FLORIDA AREA AGENCY ON AGING**

Request for Qualifications

The West Central Florida Area Agency on Aging, Inc. (WCFAAA) announces funding for the 2002 Older Americans Act Title III-E National Family Caregivers Support Program (FCSP) for services in each county of Planning and Service Area (PSA) VI, including Hardee, Highlands, Hillsborough, Manatee and Polk counties. Seed monies are available in an amount not to exceed \$75,000, per project, for a three or six-month period ending on December 31, 2002.

The purpose of the FCSP is to provide support services for family caregivers and grandparents or older individuals who are relative caregivers. All interested parties must submit a letter of intent, via certified mail return receipt requested, by 5:00 p.m. (EDT), May 10, 2002, including the following information: corporate name; corporate status information; address; phone number; fax and/or email; county or counties of interest; proposed services and primary contact person. Interested parties may submit a letter of intent for one service or multiple services. The letter of intent must be signed by an authorized representative.

Applications may be obtained at the West Central Florida Area Agency on Aging, Inc., 5911 Breckenridge Parkway, Suite B, Tampa, FL 33610-4240. They may also be downloaded from our web site at <http://www.wcfaaa.org>. Applications for funding are due no later than 4:00 p.m. (EDT), May 20, 2002, and should be sent to: WCFAAA, 5911 Breckenridge Parkway, Suite B, Tampa, FL 33610-4240. Applications must be submitted by mail via certified mail return receipt requested. Applications that arrive at WCFAAA after the deadline will NOT be reviewed.

The services provided must be in accordance with the Department of Elder Affairs Title III-E National Family Support (FCSP) Guidelines. The Guidelines may be downloaded from our web site at <http://www.wcfaaa.org>.

For further information, please feel free to call Edna Cade, (813)740-3888, Ext. 231 or 1(800)336-2226 (in FL), Ext. 231.

**MANATEE COUNTY PROPERTY APPRAISER**

INVITATION TO BID

NOTICE OF PROPOSED PROPERTY TAXES (TRIM)

The Manatee County Property Appraiser will receive sealed bids from individuals, corporations, partnerships and other legal entities organized under the laws of the State of Florida or authorized to conduct business in the State of Florida for the production of Notices of Proposed Property Taxes and Proposed or Adopted Non-Ad Valorem Assessments. The



vendor must be able to laser print the Notices from data supplied by CD, FTP transfer, or through e-mail transfer that can accommodate attachments over 15MB in size; produce mailing envelopes; and supplemental information sheets. The term for any agreement resulting from the acceptance of any bid shall be for one (1) year with a renewal option for a second (2nd) year at the discretion of the Property Appraiser. An Information Conference is scheduled Friday, May 10, 2002. Bids will be received until 3:00 p.m., Friday, June 7, 2002. All inquiries should be directed to: Finance Department, Manatee County Property Appraiser, Bradenton, FL, (941)748-8208 or manateepao@co.manatee.fl.us.

**Section XII  
Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

DCA Final Order No.: DCA02-OR-126

In re: POLK COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY  
POLK COUNTY ORDINANCE NOS. 02-04,  
02-05, 02-06, 02-07 and 02-13

**FINAL ORDER**

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2001), approving Polk County Ordinance Nos. 02-04, 02-05, 02-06 and 02-07.

**FINDINGS OF FACT**

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Polk County is a local government within the Green Swamp Area.
2. On March 5, 2002, the Department received for review Polk County Ordinance Nos. 02-04, 02-05, 02-06 and 02-07 and on March 20, 2002 received for review Ordinance No. 02-13, all of which were adopted by the Polk County Board of County Commissioners ("Ordinances"). Ordinance No. 02-04 provides for certain changes to the Linear Commercial Corridor provisions of the Polk County Land Development Code ("Code"). Ordinance No. 02-05 revises Section 401.03 of the Code (the North U.S. 27 Selected Area Plan) to modify the permitted and conditional uses allowed within the land use districts of the North U.S. 27 Selected Area Plan, change the densities assigned to certain land uses, and delete some environmental protection requirements. Ordinance 02-06 revises Chapter 5 of the Code (Green Swamp Area of Critical State Concern) to modify certain permitted and conditional uses in the Green Swamp, modify density and dimensional regulations, establish a new density bonus table and other provisions related planned development,

and delete golf courses from the list of items that can be used to meet open space requirements of the Ridge Special Protection Area. Ordinance 02-07 revises Chapter 7 of the Code to address design standards for site ingress and egress, access to substandard roads, and improvement of substandard roadway right-of-way width. Ordinance 02-13 adopts the permitted and conditional uses allowed in the various land use districts of the North Ridge Selected Area Plan and establishes densities and intensities for these uses as well as other land development requirements consistent with the North Ridge Selected Area Plan.

3. The Ordinances are consistent with the County's Comprehensive Plan.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat. (2001).
5. Polk County is a local government within the Green Swamp Area of Critical State Concern. § 380.0551, Fla. Stat. (2001) and Rule Chapter 28-26, Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by the Ordinances are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. § 380.05(6), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. ("Principles").
8. The Ordinances are consistent with the Principles in Rule 28-26.003, Fla. Admin. Code.

WHEREFORE, IT IS ORDERED that Ordinance Nos. 02-04, 02-05, 02-06, 02-07 and 02-13 are found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and are hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR  
Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU 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 RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this \_\_\_ day of April, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:  
Mark Carpanini, Esq.  
Polk County Attorney  
Drawer AT01  
P. O. Box 9005  
Bartow, FL 33831  
Jim Bell, Director  
Community Services Division  
Drawer CS06  
P. O. Box 9005  
Bartow, FL 33831  
Bruce Parker, Chairman

Board of County Commissioners  
 P. O. 9005, Drawer BC01  
 Bartow, FL 33831  
 By Hand Delivery or Interagency Mail:  
 Jim Quinn, Bureau Chief, DCA Tallahassee  
 Richard A. Lotspeich, Assistant General Counsel, DCA Tallahassee

DCA Final Order No.: DCA02-OR-129

In re: A LAND DEVELOPMENT REGULATION  
 ADOPTED BY ISLAMORADA  
 VILLAGE OF ISLANDS, ORDINANCE NO. 02-21

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. On March 4, 2002, the Department received for review Islamorada, Village of Islands Ordinance No. 02-21 which was adopted by the Village Council on February 21, 2002 ("Ord. 02-21"). Ord. 02-21 establishes Article 7 of the Village Code which contains Division 7.1 addressing docks and shoreline uses, Division 7.2 addressing sea turtle nesting protection, Division 7.3 addressing environmental standards, and Division 7.4 addressing wetlands.
2. Ord. 02-21 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

3. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).
4. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
5. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 02-21 are land development regulations.
6. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat.

(2001). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions..

7. Ordinance 02-21 promotes and furthers the following Principles:
  - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
  - (b) To protect shoreline and marine resources including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
  - (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
  - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
  - (e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
  - (f) To enhance natural scenic resources, promote aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
8. Ordinance 02-21 is not inconsistent with the remaining Principles. Ord. 02-21 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-21 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR  
 Division of Community Planning  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR

PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU 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 RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION

SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this \_\_\_ day of April, 2002.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Frank Kulisky, Mayor  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036  
Carol Simpkins, Village Clerk  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036  
John Herin, Esq.  
Weiss, Serota, Helfman, Pastoriza & Guedes, P.A.  
2665 South Bayshore Drive  
Miami, FL 33133

By Hand Delivery or Interagency Mail:

Jim Quinn, Bureau of State Planning, DCA Tallahassee  
Rebecca Jetton, DCA Florida Keys Field Office  
Richard A. Lotspeich, Assistant General Counsel, DCA Tallahassee

## DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

### Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Bajaj USA LLC, intends to allow the establishment of Fortis USA Inc. d/b/a Scooters of Palm Beach and Fortis Auto Mall, as a dealership for the sale of Bajaj motorscooters, at 12550 South Military Trail, Suite 1, Boynton Beach (Palm Beach County), Florida 33436, on or after April 10, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Fortis USA Inc. d/b/a Scooters of Palm Beach and Fortis Auto Mall are dealer operator(s) and principal investor(s): Edson and MaryAnn Teixeira, 4154 Birchwood Dr., Boca Raton, FL 33487.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Albert Kolvites, Managing Member, Bajaj USA LLC, 526 Eccles Avenue, South San Francisco, CA 94080-1905.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

### Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to the requirements of Section 320.642, Florida Statutes, notice is given that DaimlerChrysler Motors Corp. intends to establish T. T. of Sand Lake, Inc. d/b/a Central Florida Chrysler Jeep Dodge as a dealership for the sale of new Dodge motor vehicles in Orange County, Florida. The dealership is to be located initially at 7530 South Orange Blossom Trail, Orlando (Orange County), Florida, during the construction of a facility at the new location, and is thereafter

to be relocated to the new location at the southwest corner of the intersection of John Young Parkway and Sand Lake Road, Orlando (Orange County), Florida, on property the legal description of which is as follows:

From a 4 inch by 4 inch concrete monument with disc stamped "RLS 1585 and RLS 1819" at the point of intersection of the South boundary of the Northeast 1/4 of Section 32, Township 23 South, Range 29 East with the Westerly boundary of Block A, all as shown on the plat of SOUTH PARK UNIT FOUR, as recorded in Plat Book 20, Page 137, Public Records of Orange County, Florida, run North 06 degrees 09 minutes 56 seconds West 989.49 feet along said Westerly boundary to a 4 inch by 4 inch concrete monument with disc stamped "RLS 1585 RLS 1819" at the beginning of a tangent curve concave Southwesterly and having a radius of 450.04 feet; thence run Northwesterly 321.50 feet along the arc of said curve and said Westerly boundary through a central angle of 40 degrees 55 minutes 52 seconds to a 4 inch by 4 inch concrete monument with disc stamped "LB 1" for the POINT OF BEGINNING; thence continue 246.71 feet along the arc of said curve and Westerly boundary through a central angle of 31 degrees 24 minutes 31 seconds to an X cut in concrete; thence leaving said curve and Westerly boundary run North 11 degrees 30 minutes 00 seconds East 50.00 feet to a 4 inch x 4 inch concrete monument with disc stamped "LS 1585 LS 1819 LS 3186" at the beginning of non tangent curve concave Southwesterly and having a radius of 1000.00 feet; thence from a tangent bearing of North 23 degrees 19 minutes 38 seconds East run 410.34 feet along the arc of said curve through a central angle of 23 degrees 30 minutes 39 seconds to a 4 inch by 4 inch concrete monument with disc stamped "LS 1585 LS 1819 LS 3186"; thence run North 78 degrees 57 minutes 53 seconds East 466.65 feet to 4 inch by 4 inch concrete monument with disc stamped "LS 1585 LS 1819 LS 3186" on the Easterly boundary of the aforesaid Block A; thence run South 11 degrees 02 minutes 07 seconds East 513.49 feet along said Easterly boundary to a 4 inch by 4 inch concrete monument with disc stamped "LS 1585 LS 1819 LS 3186"; thence leaving said Easterly boundary run South 78 degrees 57 minutes 53 seconds West 313.70 feet to a 4 inch by 4 inch concrete monument with disc stamped "LS 1585 LS 1819 LS 3186"; thence run South 55 degrees 30 minutes 12 seconds West 149.76 feet to the Point of Beginning.

DaimlerChrysler Motors Corp. intends to engage in business with T. T. of Sand Lake, Inc. d/b/a Central Florida Chrysler Jeep Dodge on or after June 5, 2002 if no protests are filed. The name and address of the dealer operator(s) and principal investor(s) of T. T. of Sand Lake, Inc. d/b/a Central Florida Chrysler Jeep Dodge are dealer operator(s) and principal investor(s): Terry Taylor, 515 East Las Olas Boulevard, Suite 900, Ft. Lauderdale, FL 33301.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: J. J. Browne, Zone Manager, DaimlerChrysler Motors Company, LLC, 10300 Boggy Creek Road, Suite 110, Orlando, FL 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to the requirements of Section 320.642, Florida Statutes, notice is given that DaimlerChrysler Motors Company, LLC intends to establish East Orlando Acquisition, Inc. d/b/a Greenway Chrysler-Jeep as a dealership for the sale of new Chrysler and Jeep motor vehicles at a location on East Colonial Drive, Orlando, Florida, which is 1000 feet east of the northeast corner of the intersection of State Road 417 and East Colonial Drive (State Road 50) as is described in the legal description which is as follows:

A portion of land lying within the Southeast 1/4 of Section 13, Township 22 South, Range 30 East, Orange County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Section 13, Township 22 South, Range 30 East; thence run N. 00° 28' 24" W., along the East line of the Southeast ¼ of said Section 13 for a distance of 128.64 feet to a point on the North right-of-way Line of State Road #50; thence continue N. 00° 28' 24" W., along said East line for a distance of 99.24 feet to the Point of Beginning; thence departing said East line run S. 89° 31' 36" W., for a distance of 20.79 feet; thence run N 08° 00' 36" W., for a distance of 27.54 feet to a point on a curve concave Southeasterly, having: A radius of 325.95 feet, a central angle of 61° 46' 02", a chord bearing of N. 37° 54' 56" W. and a chord length of 334.61 feet; thence run along the arc of said curve, an arc length of 351.38 feet to the end of said curve; thence run N. 68° 46' 23" W., for a distance of 118.49 feet to a point on a curve concave Northeasterly, having: A radius of 279.00 feet, A central angle of 68° 09' 14", a chord bearing of N. 34° 42' 26" W. and a chord length of 312.65 feet; thence run along the arc of said curve, an arc length of 331.87 feet to the end of said curve; thence run N. 00° 40' 05" W., for a distance of 418.13 feet; thence run N. 01° 48' 50" W., for a distance of 300.06 feet; thence run N. 00° 40' 05" W., for a distance of 78.13 feet; thence run N. 89° 25' 29" E., for a distance of 522.52 feet to a point on aforesaid East line of the Southeast 1/4 of Section 13, Township 22 South, Range 30 East; thence run S. 00° 28' 24" E., along said East line of Section 13, for a distance of 1392.43 feet to the Point of Beginning.

DaimlerChrysler Motors Corp. intends to engage in business with East Orlando Acquisition, Inc. d/b/a Greenway Chrysler-Jeep on or after July 1, 2002 if no protests are filed.

The name and address of the dealer operator(s) and principal investor(s) of East Orlando Acquisition, Inc. d/b/a Greenway Chrysler-Jeep are dealer operator(s) and principal investor(s): Frank Rodriguez, 9001 East Colonial Drive, Orlando, FL 32817.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: J. J. Browne, Zone Manager, Daimler Chrysler Motors Company, LLC, 10300 Boggy Creek Road, Suite 110, Orlando, FL 32824.

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.

**LAND AND WATER ADJUDICATORY COMMISSION**

**NOTICE OF RECEIPT OF PETITION**

On February 15, 2002, the Florida Land and Water Adjudicatory Commission (the "Commission") received a petition to adopt an administrative rule amendment to contract the boundaries of the Circle Square Woods Community Development District (the "District") as reflected in Chapter 42S-1 of the Florida Administrative Code (FAC). The Commission will follow the requirements of Rules Chapter 42-1, F.A.C., as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition.

**SUMMARY OF CONTENTS OF PETITION:** The petition was filed by Circle Square Woods Community Development District with offices at 8447 S. W. 99th St., Ocala, Florida 34481. The District requests that the Commission adopt an amendment to Chapter 42S-1, F.A.C., to delete approximately 1,737.03 acres from the existing boundaries of the District. After contraction, the District's boundaries will consist of approximately 718.75 acres within the jurisdictional boundaries of Marion County. The District has written consent to the contraction of 100% of the landowners within the

contraction parcel. The services and facilities currently provided by the District to the contraction parcel consist of water treatment and distribution, wastewater collection, treatment, and residual disposal. The contraction parcel is currently undeveloped land and is projected for development in the future.

**SUMMARY OF ESTIMATED REGULATORY COSTS:** The District has prepared a Statement of Estimated Regulatory Costs (SERC). The complete text of the SERC is contained as Exhibit 7 to the petition to contract the District. The contraction of the District's boundaries will result in no costs to the State or its citizens, other than the administrative costs associated with rule adoption. The deletion of the contraction parcel will not have any impact on state or local revenues. The petition to contract the District will have no impact on a small business and will not have any impact on small counties and cities. Marion County is not a small county as defined. The Secretary of the Commission has summarized the estimate of agency cost for contraction of the District. Administrative costs are expected to be incurred by the Commission, the District, Marion County and the Department of Community Affairs.

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

**DATE AND TIME:** Monday, May 20, 2002, 10:30 a.m.  
**PLACE:** Board of County Commissioners  
 BCC Auditorium  
 601 Southeast 25th Avenue  
 McPherson Building  
 Ocala, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Fred F. Harris, Jr., (850)222-6891, at least 2 business days in advance to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Fred F. Harris, Jr., Greenberg Traurig, Post Office Drawer 1838, Tallahassee, Florida 32302, (850)222-6891 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of

Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**CERTIFICATE OF NEED  
NOTICE OF WITHDRAWAL**

The Agency for Health Care Administration hereby notices withdrawal from review the following Certificate of Need applications:

County: Polk Service District: 6  
 CON #: 9541 Decision Date: 4/18/2002 Decision: W  
 Facility/Project: Cornerstone Health Management Company  
 Applicant: Cornerstone Health Management Company  
 Project Description: Establish up to a new 50 bed long term care hospital through the conversion of up to 50 skilled nursing beds at Mariner Health of Winter Haven

County: Charlotte Service District: 8  
 CON #: 9547 Decision Date: 4/18/2002 Decision: W  
 Facility/Project: Cornerstone Health Management Company  
 Applicant: Cornerstone Health Management Company  
 Project Description: Establish up to a new 50 bed long term care hospital through the conversion of up to 50 skilled nursing beds at Mariner Health of Port Charlotte.

**DEPARTMENT OF MANAGEMENT SERVICES**

**CONVICTED VENDOR LIST**

Section 287.133(3)(d), Florida Statutes, provides that the Department of Management Services shall maintain a list of the names and addresses of those who have been disqualified from participating in the public contracting process under this section.

The list includes:

NAME	PLACED ON LIST
Gary Benkovitz	May 17, 2001
Bay Drum & Steel Company	
P. O. Box 879	
Coleman, Florida 33521-0849	

Mr. & Mrs. Paul Barcia May 17, 2001  
 PAS Consultants, Inc.  
 Rt. 2 Box 8484  
 Fort White, Florida 33308

Mr. Stephan Kasper May 17, 2001  
 Cone Constructors of Miami, Inc.

Mr. Michael L. Cone August 11, 2001  
 Tampa, Florida

Cone Constructors, Inc. September 7, 2001  
 Tampa, Florida

For additional information, call Office of the General Counsel, (850)487-1082.

The Department of Management Services, State Technology Office, Wireless 911 Board announces the following Rural County Grant Awards, awarded April 17, 2002:

COUNTY	AWARD AMOUNT
Baker County	\$13,000.00
Gilchrist County	\$24,200.00
Gulf County	\$26,000.00
Hamilton County	\$11,738.44
Hardee County	\$13,000.00
Hendry County	\$26,000.00
Holmes County	\$13,000.00
Liberty County	\$44,700.00
Madison County	\$33,000.00
Union County	\$28,700.00
Washington County	\$13,000.00

Please direct questions and/or concerns to Mr. Jim Martin, (850)922-7445.

**DEPARTMENT OF HEALTH**

On April 18, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Mayme Alma Athan, R.N. Athan holds license number RN 1188122. Athan's last known address is P. O. Box 49130, Jacksonville, Florida 32226-8135. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections



456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On April 18, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Jeanne Caswell, L.P.N. Caswell holds license number PN 1345321. Caswell's last known address is 1221 Thomasina Dr., Port Orange, Florida 32119. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On April 18, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Cynthia Denise Dillard L.P.N. Dillard holds license number PN 1111321. Dillard's last known address is 8111 Old Stagecoach Road, Milton, Florida 32583. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On April 18, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Tommie Lorraine Murphy L.P.N. Murphy holds license number PN 1143591. Murphy's last known address is P. O. Box 834, Tavares, Florida 32778. This Emergency Order was predicated upon the

Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On April 22, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Carol O'Donnell, L.P.N. O'Donnell holds license number PN 560711. O'Donnell's last known address is 875 Derbyshire Road, #46, Daytona Beach, Florida 32117. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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## **FISH AND WILDLIFE CONSERVATION COMMISSION**

### **NOTICE TO COASTAL LOCAL GOVERNMENTS DERELICT VESSEL REMOVAL GRANT PROGRAM**

The Florida Fish and Wildlife Conservation Commission is administering a grant program to provide funding to coastal local governments for the reimbursement of the removal of derelict vessels from coastal waters of the State. An abandoned vessel becomes a derelict only after all available means to have the rightful owner remove the vessel have failed. An investigation is conducted by the local Florida Fish and Wildlife Conservation office and can involve court orders requiring the removal. In many cases the attempt to identify the owner is unsuccessful, and after proper notice the vessel is declared derelict. Only after this declaration, is the vessel eligible for removal under this grant program.

Applications will be accepted from May 15, 2002, through July 15, 2002. Applications must be postmarked no later than July 15, 2002 or delivered in person by 5:00 p.m., July 15, 2002.

Application packages can be obtained by writing or calling: Ms. Wendy Huszagh, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, FL 32399-1600, (850)488-5600, Ext. 173, email: Wendy.Huszagh@fwc.state.fl.us.

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A copy of the final biological status report on Panama City crayfish will be posted on the Commission website, linked to the agenda for the Commission meeting, on or about May 6, 2002. A copy of the report also may be obtained by contacting Dr. Brad Gruver, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, FL 32399-1600, (850)488-3831 or gruverb@fwc.state.fl.us.

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#### Final Biological Status Report

The Florida Fish and Wildlife Conservation Commission was petitioned to reclassify the Panama City crayfish (*Procambarus* [*Leonticambarus*] *econfina*) from State of Florida species of special concern status to threatened status. A final biological status report on the Panama City crayfish was developed, and recommends that the crayfish be reclassified as petitioned. The Commission will consider the final biological status report at its May 29-31, 2002 meeting, and determine if the reclassification is warranted.

**Section XIII**  
**Index to Rules Filed During Preceding Week**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**RULES FILED BETWEEN April 15, 2002  
 and April 19, 2002**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF EDUCATION**

**State Board of Education**

6A-4.01792	4/17/02	5/7/02	28/6	28/12
6A-4.0323	4/17/02	7/1/03	28/6	28/12
6A-4.03321	4/17/02	7/1/03	28/6	28/12

**Florida State University**

6C2-2.0131	4/19/02	5/9/02	Newspaper	
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**University of South Florida**

6C4-4.0023	4/19/02	5/9/02	Newspaper	
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**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Housing and Community Development**

9B-72.010	4/15/02	5/5/02	27/31	28/9
9B-72.030	4/15/02	5/5/02	27/31	28/9
9B-72.040	4/15/02	5/5/02	27/31	27/44
9B-72.045	4/15/02	5/5/02	28/9	28/9
9B-72.050	4/15/02	5/5/02	27/31	27/44
9B-72.060	4/15/02	5/5/02	27/31	27/44
9B-72.070	4/15/02	5/5/02	27/31	27/44
9B-72.080	4/15/02	5/5/02	27/31	26/44
9B-72.090	4/15/02	5/5/02	27/31	27/44
9B-72.100	4/15/02	5/5/02	27/31	27/44
9B-72.110	4/15/02	5/5/02	27/31	27/44
9B-72.120	4/15/02	5/5/02	27/31	27/44
9B-72.130	4/15/02	5/5/02	27/31	27/44
9B-72.160	4/15/02	5/5/02	27/31	27/44
9B-72.170	4/15/02	5/5/02	27/31	27/44
9B-72.180	4/15/02	5/5/02	27/31	27/44
9B-72.190	4/15/02	5/5/02	27/31	27/44

**DEPARTMENT OF CORRECTIONS**

33-210.102	4/15/02	5/5/02	28/5	
33-210.103	4/15/02	5/5/02	28/5	

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Office of Licensure and Certification**

59A-4.103	4/15/02	5/5/02	27/44	28/7
59A-4.106	4/15/02	5/5/02	27/44	28/7
59A-4.123	4/15/02	5/5/02	27/44	
59A-4.128	4/15/02	5/5/02	27/44	

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Beaches and Shores**

62B-2.001	4/15/02	5/5/02	28/8	
62B-2.002	4/15/02	5/5/02	28/8	
62B-2.004	4/15/02	5/5/02	28/8	
62B-2.005	4/15/02	5/5/02	28/8	
62B-2.006	4/15/02	5/5/02	28/8	
62B-2.007	4/15/02	5/5/02	28/8	
62B-2.008	4/15/02	5/5/02	28/8	
62B-2.011	4/15/02	5/5/02	28/8	
62B-2.013	4/15/02	5/5/02	28/8	
62B-3.001	4/15/02	5/5/02	28/8	
62B-6.015	4/15/02	5/5/02	28/8	
62B-46.001	4/15/02	5/5/02	28/8	
62B-46.002	4/15/02	5/5/02	28/8	
62B-46.003	4/15/02	5/5/02	28/8	
62B-46.004	4/15/02	5/5/02	28/8	

**Division of Resource Management**

62C-22.001	4/15/02	5/5/02	28/3	
62C-22.002	4/15/02	5/5/02	28/3	
62C-22.003	4/15/02	5/5/02	28/3	
62C-22.004	4/15/02	5/5/02	28/3	
62C-22.005	4/15/02	5/5/02	28/3	
62C-22.006	4/15/02	5/5/02	28/3	
62C-22.007	4/15/02	5/5/02	28/3	
62C-22.008	4/15/02	5/5/02	28/3	
62C-22.009	4/15/02	5/5/02	28/3	
62C-22.010	4/15/02	5/5/02	28/3	
62C-22.011	4/15/02	5/5/02	28/3	
62C-22.012	4/15/02	5/5/02	28/3	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
<b>DEPARTMENT OF HEALTH</b>					<b>Board of Respiratory Care</b>				
<b>Board of Chiropractic</b>					64B32-5.001				
64B2-11.0015	4/15/02	5/5/02	28/5		4/15/02	5/5/02	28/9		
64B2-11.003	4/15/02	5/5/02	28/5		<b>Board of Athletic Training</b>				
64B2-12.003	4/15/02	5/5/02	28/5		64B33-2.001	4/19/02	5/9/02	28/12	
64B2-12.012	4/15/02	5/5/02	28/5		64B33-5.002	4/19/02	5/9/02	28/12	
64B2-13.0045	4/15/02	5/5/02	28/5		64B33-5.003	4/19/02	5/9/02	28/12	
<b>Board of Optometry</b>					64B33-5.004	4/19/02	5/9/02	28/12	
64B13-5.001	4/18/02	5/8/02	28/10		<b>DEPARTMENT OF CHILDREN AND FAMILY SERVICES</b>				
64B13-5.002	4/18/02	5/8/02	28/10		<b>Economic Self Sufficiency Program</b>				
64B13-6.001	4/19/02	5/9/02	28/10		65A-1.204	4/19/02	5/9/02	28/2	28/10
<b>Board of Podiatric Medicine</b>									
64B18-12.006	4/17/02	5/7/02	28/10						

Section XIV  
List of Rules Affected

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w – Signifies Withdrawal of Proposed Rule(s)
- c – Rule Challenge Filed
- v – Rule Declared Valid
- x – Rule Declared Invalid
- d – Rule Challenge Dismissed
- dw – Dismissed Upon Withdrawal

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
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STATE

1A-35.005	28/18		
1A-35.007	28/18		
1A-36.001	28/10		
1A-36.002	28/10		
1A-36.003	28/10		
1A-36.004	28/10		
1A-36.005	28/10		
1A-36.006	28/10		
1A-36.007	28/10		
1A-36.008	28/10		
1A-36.009	28/10		
1A-36.010	28/10		
1A-36.011	28/10		
1A-46.001	28/7		
1B-2.011	28/3		28/11
1B-24.002	26/43		
1S-1.001	28/9		
1S-1.002	28/9		
1S-1.003	28/9	28/18	
1S-2.003	28/13		
1S-2.009	28/14		
1S-2.017	28/14		
1S-2.027	27/40	28/4	
		28/15	
		28/16	
1S-2.029	28/7	28/13	
1S-2.030	28/7	28/12	
		28/13	
1S-2.031	27/40	28/4	
		28/15	
1S-2.032	27/50	28/10	
		28/17	
1S-2.033	28/9	28/15	
1S-2.034	28/16		
1S-5.001	27/52	28/15	
IT-1.001	28/18		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
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LEGAL AFFAIRS

2-37	27/15		
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BANKING AND FINANCE

3-1	26/43c		28/11d
	27/2c		28/11d
	27/49c		
3C-1.022	21/25		
3C-110.045	28/4		28/11
3C-560.902	28/3	28/9	28/15
3C-560.903	28/3	28/9	28/15
3C-560.907	28/3	28/9	28/15
3C-560.908	28/3	28/9	28/15
3C-560.909	28/3	28/9	28/15
3C-560.910	28/3	28/9	28/15
3C-560.911	28/3	28/9	28/15
3C-560.912	28/3	28/9	28/15
3D-20.0021	27/33	28/8	28/15
	27/41c		
3D-20.0022	27/33	28/8	28/15
	27/41c		
3D-20.0026	27/33		28/15
3D-20.030	27/33	28/8	28/15
3D-20.030(11)	27/41c		
3D-20.036	27/33		28/15
3D-20.040	27/33		28/15
3D-30.041	28/13		
3E-301.002	28/17		
3E-600.001	28/17		
3E-600.002	28/17		
3E-600.0021	28/17		
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3E-600.0092	28/17		
3E-600.0093	28/17		
3E-600.019	28/17		
3F-5.0016	28/8		
3F-5.002	28/8		
3F-5.0022	28/8		
3F-5.004	28/8		
3F-5.005	28/8		
3F-5.006	28/8		
3F-5.007	28/8		
3F-5.008	28/8		
3F-5.009	28/8		
3F-6.009	28/15		
3F-8.003	28/10		28/13w

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4-1	26/44c		28/11d
	27/16c		
4-5.074	27/15		
4-128.015	27/40c		

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4-128.016	27/40c				27/49	28/12	28/17
4-128.017	27/40c				27/49		28/13
4-128.018	27/40c			4-149.023		22/10	28/14w
4-128.019	27/40c				23/45	26/22	28/14w
4-128.020	27/40c				24/46	26/22	28/14w
4-128.021	27/40c			4-149.024	23/45	26/22	28/14w
4-128.022	27/40c				24/46	26/22	28/14w
4-128.023	27/40c			4-149.030	28/12		
4-128.024	27/40c			4-149.031	28/12		
4-137.002	28/18			4-149.032	28/12		
4-137.003	27/49		28/12	4-149.034	28/12		
4-137.011	27/49		28/12	4-149.035	23/45	26/22	28/14w
4-141.0016	21/2c				24/46	26/22	28/14w
4-144.002	27/35	28/7		4-149.037	28/12		
4-144.005	27/35	28/7		4-149.038	28/12		
4-144.010	27/35	28/7		4-149.039	28/12		
4-144.055(4)(e)	27/43c			4-149.040	28/12		
4-149	24/3c			4-149.041	28/12		
	24/3c			4-149.043	28/12		
4-149.001		20/14	28/14w	4-149.044	28/12		
	23/45	26/22	28/14w	4-149.101	23/45	24/31	28/14w
	24/46	26/22	28/14w			26/12	28/14w
4-149.002		20/14	28/14w			26/22	28/14w
	23/45	26/22	28/14w		24/3c		
	24/46	26/22	28/14w		24/3c		
4-149.003		20/14	28/14w		24/46	26/22	28/14w
	23/45	26/22	28/14w	4-149.102	23/45	24/31	28/14w
	24/46	26/22	28/14w			26/12	28/14w
	27/49	28/8	28/13			26/22	28/14w
4-149.004	23/45	26/22	28/14w		24/3c		
	24/46	26/22	28/14w		24/3c		
4-149.005	23/45	26/22	28/14w		24/46	26/22	28/14w
	24/46	26/22	28/14w	4-149.103	23/45	24/31	28/14w
4-149.006		20/14	28/14w			26/12	28/14w
	23/45	26/22	28/14w			26/22	28/14w
	24/46	26/22	28/14w		24/3c		
4-149.007	23/45	26/22	28/14w		24/3c		
	24/46	26/22	28/14w		24/46	26/22	28/14w
4-149.008	23/45	26/22	28/15w	4-149.104	23/45	24/31	28/14w
	24/46	26/22	28/14w			26/12	28/14w
4-149.009	23/45	26/22	28/14w			26/22	28/14w
	24/46	26/22	28/14w		24/3c		
	28/12				24/3c		
4-149.010	23/45	26/22	28/14w		24/46	26/22	28/14w
	24/46	26/22	28/14w	4-149.105	23/45	24/31	28/14w
4-149.020		22/10	28/14w			26/12	28/14w
	23/45	26/22	28/14w			26/22	28/14w
	24/46	26/22	28/14w		24/3c		
4-149.021		22/10	28/14w		24/3c		
	23/45	26/22	28/14w		24/46	26/22	28/14w
	24/46	26/22	28/14w	4-149.106	23/45	24/31	28/14w
	27/49		28/13			26/12	28/14w
4-149.022		22/10	28/17			26/22	28/14w
	23/45	26/22	28/14w		24/3c		
	24/46	26/22	28/14w		24/3c		

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4-149.107	24/46	26/22	28/14w	4-149.122	24/3c	26/22	28/14w	
	23/45	24/31	28/14w		24/3c			
		26/12	28/14w		24/46			
		26/22	28/14w		23/45			
4-149.108	24/3c	26/22	28/14w	4-149.123	26/12	26/22	28/14w	
	24/3c				24/31			28/14w
	24/46				26/12			28/14w
	23/45				26/22			28/14w
					24/3c			28/14w
					24/3c			28/14w
4-149.109	24/46	26/22	28/14w	4-149.124	24/3c	26/22	28/14w	
	23/45	24/31	28/14w		4-149.125			
		26/12	28/14w		4-149.126			
		26/22	28/14w		4-149.127			
4-149.110	24/3c	26/22	28/14w	4-149.128	24/3c	26/22	28/14w	
	24/3c			4-149.129	24/3c			
	24/46			4-149.130	24/3c			
	23/45			4-149.131	24/3c			
4-149.1105	24/3c	26/22	28/14w	4-149.132	24/3c	26/22	28/14w	
	24/3c			4-149.133	24/3c			
	24/46			4-149.1325	24/20			24/20
4-149.111	23/45	24/31	28/14w	4-149.190	24/3c	26/22	28/14w	
		26/12	28/14w	4-149.204	24/3c			
4-149.112		26/22	28/14w	4-149.205	24/3c	26/22	28/14w	
	24/3c	26/22	28/14w	4-149.206	28/6			
	24/3c			4-149.207	28/6			
	24/46			4-154	27/3			
	23/45			4-154.520	24/3c			
				4-156.006	28/4			
	4-156.007			28/4				
4-149.113	24/3c	26/22	28/14w	4-156.0095	28/4	26/22	28/13	
4-149.114	24/3c			4-167.002	27/14			
4-149.115	24/3c	26/22	28/14w	4-170.135(5)	27/49c	26/22	28/15	
4-149.116	24/3c			4-186.011	28/16			
4-149.117	24/3c	26/22	28/14w	4-191.037	27/36	26/22	28/18	
4-149.118	24/3c			4-193.065	27/45c			
4-149.119	24/3c	26/22	28/14w	4-204.001	26/41	26/22	28/14w	
4-149.120	23/45			4-204.002	27/27			
4-149.121		26/22	28/14w	4-204.004	27/45	26/22	28/12	
	24/3c	26/22	28/14w	4-204.006	27/45			
	24/3c			4-204.010	27/45			
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	23/45			27/45	28/12			
				27/45	28/12			
	27/45			28/12				

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4-204.022	27/45	28/12		5E-14.102	28/7	28/17	
4-204.025	27/45	28/12		5E-14.102(5)	27/37c		
4-211.0031	27/11	27/15		5E-14.105	28/7	28/17	
4-211.029	27/44			5E-14.108	28/7	28/17	
4-211.030	27/44			5E-14.113	28/6		28/17
4-211.031	27/44			5E-14.117	28/6		28/17
4-211.040	27/44			5E-14.123	28/6		28/17
4-211.041	27/44			5E-14.132	28/6		28/17
4-211.042	27/44			5E-14.136	28/6		28/17
4-211.043	28/16	28/16		5E-14.142	28/6		28/17
4-228.055	26/35			5E-14.1421	28/7	28/17	
4-231.010	27/44			5F-1.040	28/1		28/11
4-231.020	27/44			5F-1.050	28/1		28/11
4-231.030	27/44			5F-3.001	28/16		
4-231.080	27/44			5F-3.016	28/16		
4-231.150	27/44			5F-5.001	28/16		
4A-2.024	28/14			5F-7.005	28/16		
4A-3.002	27/12			5M-2.001	28/11		28/14w
4A-60.006	28/17				28/13		
4A-62.003	27/6c			5M-2.002	28/11		28/14w
4A-62.005	28/18				28/13		
4C-6.003	27/50	28/16		5M-2.003	28/11		28/14w
4J-1.001	27/49c				28/13		
4K-1.001	27/8			5M-2.004	28/11		28/14w
4K-1.002	27/8				28/13		
4K-1.003	27/8	27/12		5M-2.005	28/11		28/14w
4K-1.004	27/8				28/13		
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5BER01-1	37/34c		27/43w		28/13		
5B-2.010	27/51		28/13	EDUCATION			
5B-36.001	28/9		28/17	6-1	26/39c		28/11d
5B-36.002	28/9		28/17	6A-1.09432	28/8		28/17
5B-36.0024	28/9		28/17	6A-1.099	28/8	28/15	
5B-36.0028	28/9		28/17	6A-1.0996	25/27	25/34	
5B-36.005	28/9		28/17	6A-4.0021	27/43	28/6	28/12
5B-58.001	27/29			6A-4.00821	27/43	28/6	28/12
	27/42	27/49		6A-4.0151	28/6		28/15
5B-58.001(16)	27/50c			6A-4.01792	28/6	28/12	28/18
5B-59.002	28/14			6A-4.01793	28/6		28/15
5B-60.004	27/51		28/13	6A-4.01795	28/6		28/15
5B-60.010	27/51		28/13	6A-4.01796	28/6		28/15
5B-60.012	27/51		28/13	6A-4.0232	28/6		28/15
5B-61.001	28/4		28/13	6A-4.0243	28/6		28/15
5CER02-1			28/16	6A-4.0281	28/6		28/15
5C-11.015	28/4		28/15	6A-4.0283	28/6		28/15
5C-13.004	28/4	28/15		6A-4.030	28/6		28/15
5C-24.003	28/4		28/15	6A-4.0323	28/6	28/12	28/18
5E-1.014	28/16			6A-4.03321	28/6	28/12	28/18
5E-1.025	28/14			6A-4.060	28/6		28/15
5E-1.026	28/16			6A-6.03019	28/16		
5E-2.028	28/4		28/12	6A-6.080	16/30		
5E-4.013	28/14			6A-20.05281	26/1		
5E-9.033	27/51	28/5	28/11				



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6C2-2.0131	Newspaper		28/18	9B-72.050	27/31	27/44	28/18
6C4-4.0023	Newspaper		28/18			27/51	28/18
6D-1.002	27/45	27/48	28/13			28/9	28/18
6D-1.003	27/45	27/48	28/13	9B-72.060	27/31	27/44	28/18
6D-1.004	27/45	27/48	28/13			27/51	28/18
6D-1.008	27/45	27/48	28/13			28/9	28/18
6D-1.012	27/45	27/48	28/13	9B-72.070	27/31	27/44	28/18
6D-1.013	27/45	27/48	28/13			27/51	28/18
6D-4.002	28/7					28/9	28/18
6D-4.003	28/7			9B-72.080	27/31	26/44	28/18
6D-8.004	28/7					26/51	28/18
6F-16.001	27/22					28/9	28/18
6L-1.001	28/12			9B-72.090	27/31	27/44	28/18
6L-1.002	28/12					27/51	28/18
6L-1.004	28/12					28/9	28/18
6L-1.005	28/12			9B-72.100	27/31	27/44	28/18
6L-1.006	28/12					27/51	28/18
6L-1.007	28/12					28/9	28/18
6L-1.008	28/12			9B-72.110	27/31	27/44	28/18
6L-1.009	28/12					27/51	28/18
6L-1.010	28/12					28/9	28/18
6L-1.011	28/12			9B-72.120	27/31	27/44	28/18
6L-1.012	28/12					27/51	28/18
6L-1.013	28/12					28/9	28/18
6S-16.026	26/2			9B-72.130	27/31	27/44	28/18
						27/51	28/18
						28/9	28/18
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9BER02-1			28/3	9B-72.160	27/31	27/44	28/18
9B-3.047		26/43				27/51	28/18
	26/51c		28/11d			28/9	28/18
		27/41		9B-72.170	27/31	27/44	28/18
9B-43.003		25/18	28/12			27/51	28/18
	27/46	28/6	28/12	9B-72.180	27/31	28/9	28/18
9B-43.004		25/18	28/12			27/44	28/18
	27/46	28/6	28/12			27/51	28/18
9B-43.005	27/46		28/12	9B-72.190	27/31	28/9	28/18
9B-43.006		25/18	28/12			27/44	28/18
	27/46	28/6	28/12			27/51	28/18
9B-43.007	27/46		28/12			28/9	28/18
9B-43.008	27/46		28/12	9B-74.010	27/50		28/17
9B-43.009	27/46	28/6	28/12	9B-74.020	27/50	28/9	28/17
9B-43.010	27/46	28/6	28/12	9B-74.030	27/50		28/17
9B-43.012	27/46	28/6	28/12	9B-74.040	27/50		28/17
9B-43.013	27/46	28/6	28/12	9B-74.050	27/50		28/17
9B-43.014	27/46	28/6	28/12	9C-600.002	26/33		
9B-72.010		27/44	28/18	9G-2.002	28/18		
		27/51	28/18	9I-31.005	16/35		
	27/31	28/9	28/18	9I-35.006	19/31	19/43	
9B-72.030		27/44	28/18	9I-47.035	23/25		
		27/51	28/18	9J-5.0055	18/40		
	27/31	28/9	28/18	9J-8.004	22/39		
9B-72.040	27/31	27/44	28/18	9J-8.006	22/39		
		27/51	28/18	9J-41.003	20/47		
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9K-7.003	28/13			12A-1.056	28/17		
9K-7.004	28/13			12A-1.060	28/17		
9K-7.005	28/13			12A-1.061	28/17		
9K-7.006	28/13			12A-1.066	28/17		
9K-7.007	28/13			12A-1.071	28/17		
9K-7.008	28/13			12A-1.097	28/17		
9K-7.009	28/13				28/17		
9K-7.010	28/13			12A-1.107	28/17		
9K-7.011	28/13			12A-17.001	28/17		
9K-7.012	28/13			12A-17.002	28/17		
9K-7.013	28/13			12A-17.003	28/17		
9K-8.002	28/13			12A-17.004	28/17		
9K-8.003	28/13			12A-17.005	28/17		
9K-8.004	28/13			12BER02-1			28/15
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9K-8.011	28/13			12BER02-3			28/15
				12BER02-4			28/15
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10-5.011(1)(v)	15/46c			12B-8.001	28/17		
10D-6.046(7)(f)2.	20/11c			12B-8.003	28/17		
10M-9.001	22/1			12C-1.0188	28/17		
10M-9.026	22/1			12C-1.051	28/17		
10M-9.045	22/1			12E-1.028	27/47	28/7	28/13
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11B-27.006	27/17			14-15.002	28/13		
11B-30.014	19/40				28/18		
				14-15.003	26/46		
				14-15.0081		22/14	28/12
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				14-22.012		21/6	
12-24.001	27/47		28/17			24/53	
12-24.002	27/47	27/50	28/17		26/44c		28/11d
12-24.003	27/47		28/17	14-40.003		23/49	28/13
12-24.004	27/47		28/17			24/13	28/13
12-24.005	27/47	28/4	28/14			24/17	28/13
12-24.006	27/47		28/17		27/51	28/7	28/13
12-24.007	27/47	28/4	28/17	14-85.004	28/12		
12-24.008	27/47	28/4	28/17	14-98.001	27/51		28/15
12-24.009	27/47	28/4	28/17	14-98.002	27/51		28/15
12-24.010	27/47		28/17	14-98.003	27/51	28/9	28/15
12-24.021	27/47		28/17	14-98.004	27/51		28/15
12-24.022	28/4			14-98.005	27/51	28/9	28/15
12-24.023	27/47	28/4	28/17	14-98.006	27/51		28/15
12-24.024	27/47		28/17	14-98.007	27/51		28/15
12-24.025	27/47	28/4	28/17	14-98.008	27/51	28/9	28/15
12-24.026	27/47		28/17	14-114.001	28/7		
12-24.027	27/47		28/17	14-114.0011	28/7	28/15	
12-24.028	27/47		28/17	14-114.002	28/7		
12-24.029	27/47		28/17	14-114.003	28/7		
12-24.030	27/47	28/4	28/17	14-114.004	28/7		
12A-1.001	28/17			14-114.005	28/7		
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12A-1.037	28/17			14-114.007	28/7		

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14B-1.002	26/3 27/32	26/24		19B-15.001	28/8		
14B-1.003	26/3 27/32	26/24		19B-15.002	28/8		
14B-1.004	26/3 27/32	26/24		19B-15.003	28/8		
14B-1.005	26/3 27/32	26/24		19B-15.004	28/8		
14B-1.006	26/3 27/32	26/24		19B-15.005	28/8		
14B-1.007	26/3 27/32	26/24		19B-15.006	28/8		
				19B-15.007	28/8		
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18-8.002	28/10			21M-50.007	19/6c		
18-8.003	28/10			21M-50.009	19/6c		
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18-8.009	28/10			25-7.072	28/10		
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19-7.011	27/49	28/6	28/12	27E-4.004	20/11		
19-7.012	27/49	28/6	28/12	27E-4.005	20/11		
19-7.013	27/49	28/6	28/12	27E-4.006	20/11		
19-7.014	27/49		28/12	27E-4.007	20/11		
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33-3.0084	25/35	25/43		33-601.725	28/4	28/9	
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33-8.0142	19/43			33-601.729	28/4		
33-22.003	17/12			33-601.730	28/4		
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33-38.009	25/35	25/43		33-602.205	28/12		
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33-208.507	26/16			40B-4.1030	28/2c		
33-208.510	28/5		28/14	40B-4.1040(1)(b),(c)	28/2c		
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60BB-2.027	28/7			61C-5.007	27/52		28/13w
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61J1-4.005	26/45	28/7	28/13		27/18c		
61J1-4.006	27/45				27/18c		
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61J1-4.008	26/45	28/7	28/13		27/18c		
61J1-4.240	27/45				27/18c		
61J2-17.012	28/3	28/17			27/18c		
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				62-303.150	27/12	27/19	
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62-4.050	20/21	21/22		62-303.310	27/12		
62-4.052	28/18			62-303.320	27/12	27/19	
62-4.242	28/4	28/11		62-303.330	27/12	27/19	
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62-303.353	27/12			62-712.300	21/34		
62-303.360	27/12			62-712.400	21/34		
62-303.370	27/12			62-712.410	21/34		
62-303.380	27/12	27/19		62-712.420	21/34		
62-303.400	27/12			62-712.430	21/34		
62-303.410	27/12			62-712.440	21/34		
62-303.420	27/12	27/19		62-712.450	21/34		
62-303.430	27/12	27/19		62-712.460	21/34		
62-303.440	27/12	27/19		62-712.500	21/34		
62-303.450	27/12			62-712.800	21/34		
62-303.460	27/12			62-712.810	21/34		
62-303.470	27/12	27/19		62-712.900	21/34		
62-303.480	27/12	27/19		62-730.050	23/7		
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62-303.600	27/12			62-771.300	21/52		
62-303.700	27/12			62-775.500	21/52	22/15	
62-303.710	27/12			62-788.400	25/5		
62-303.720	27/12			62B-2	28/8		
62-303.810	27/12			62B-2.001	28/8		28/18
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62-330.2001	26/9			62B-2.004	28/8		28/18
62-341.490	28/16			62B-2.005	28/8		28/18
62-341.602	21/22	21/22		62B-2.006	28/8		28/18
62-343.010	21/22			62B-2.007	28/8		28/18
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62-343.040	21/22			62B-2.013	28/8		28/18
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62-343.080	21/22			62B-46.002	28/8		28/18
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62-343.100	21/22			62B-46.004	28/8		28/18
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62-343.140	21/22			62C-22.004	28/3		28/18
62-343.900	21/22			62C-22.005	28/3		28/18
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62-532.200	28/1	28/7	28/12	62C-22.007	28/3		28/18
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62-532.500	28/1	28/7	28/12	62C-22.009	28/3		28/18
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62-620.610	27/51	28/9	28/15	62N-3.002	21/43		
62-621.200	21/52			62N-36.004	21/43		
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64B33-5.002	28/12		28/18		25/21c		
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64C-23.002	27/17			65A-1.721	28/9		
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64E-2.003	28/11			65A-2.036	28/4		
64E-2.008	28/11			65A-4.213	25/32		
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64E-2.010	28/11			65C-21.001	23/20		
64E-2.018	28/11			65C-22.003	27/43	28/3	28/13
64E-2.023	28/11					28/5	28/13
64E-2.024	28/11			65C-22.004	27/43		28/13
64E-2.025	28/11			65E-2.003	26/20	26/28	
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64E-2.036	27/52		28/16	65E-5.2301(1),(3)	28/7c		
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64E-6.003	28/3		28/16	NAVIGATION DISTRICTS			
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64E-6.012	28/3		28/16	66B-1.006	27/52		
64E-6.013	28/3		28/16	66B-1.007	27/52		
64E-6.018	28/3		28/16	66B-1.008	27/52		
64E-6.0181	28/3		28/16	66B-1.009	27/52		
64E-6.019	28/3	28/10	28/16	66B-1.010	27/52		
64E-6.020	28/3		28/16	66B-1.011	27/52		
64E-6.021	28/3		28/16	66B-1.012	27/52		
64E-6.023	28/3	28/10	28/16	66B-2.004	27/52		
64E-6.027	28/3		28/16	66B-2.005	27/52		
64E-6.030	28/3	28/10	28/16	66B-2.006	27/52		
64E-17.006	27/50			66B-2.007	27/52		
64F-5.001	28/16			66B-2.008	27/52		
64F-5.003	28/16			66B-2.009	27/52		
64F-6.007	28/13			66B-2.010	27/52		
64F-6.008	28/13			66B-2.011	27/52		
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64F-8.002	27/35		28/16w	66B-2.014	27/52		
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	27/25c			68D-23.110	27/4		
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