

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE CHAPTER TITLE: Rule Regarding Mortgage Brokerage
 RULE CHAPTER NO.: 3D-40

PURPOSE AND EFFECT: The purpose of the rules will be to implement legislative changes to Chapter 494, Florida Statutes, made by the Florida Fair Lending Act, Chapter 2002-57, Laws of Florida, which will be effective on October 2, 2002, which statutory changes may be found at sections 494.0078 through 494.00797, F.S.

SUBJECT AREA TO BE ADDRESSED: The desirability and language of rules as authorized by section 494.00795(1)(b), F.S.

SPECIFIC AUTHORITY: 494.00795(1)(b) FS.

LAW IMPLEMENTED: 494.0078-.00797 FS.

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

TIME AND DATE: 10:00 a.m. – 1:00 p.m., October 14, 2002
 PLACE: Office of the Comptroller, Rohde Building, Room N-423, 401 N. W. 2nd Avenue, Miami, Florida 33128

TIME AND DATE: 10:00 a.m. – 1:00 p.m., October 17, 2002
 PLACE: Office of the Comptroller, Fletcher, Building, Room 547, 101 East Gaines, Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bob Tedcastle, Financial Administrator, Division of Securities and Finance, 101 East Gaines Street, Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350, (850)410-9500

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

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLES: Books and Records
 RULE NOS.: 3D-40.170

Mortgage Brokerage Files 3D-40.175

PURPOSE AND EFFECT: The purpose of the proposed amendments is to clarify the time frames for when mortgage brokerage books and records will be made available for the Department’s review and to clarify the documents required to be kept in a mortgage brokerage file.

SUBJECT AREA TO BE ADDRESSED: Mortgage brokerage books and records and mortgage brokerage files.

SPECIFIC AUTHORITY: 494.0011(2), 494.0016(4) FS.
 LAW IMPLEMENTED: 120.695, 494.0016, 494.0038, 494.0041, 494.0043 FS.

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

TIME AND DATE: 10:00 a.m., October 16, 2002
 PLACE: Room 547, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bob Tedcastle, Financial Administrator, or Rick Morgan, Financial Control Analyst, Suite 550, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3D-40.170 Books and Records.

(1) Books, accounts, and records that are required to be maintained at the principal place of business shall be made available to the Department for review, upon the Department’s request.

(2)(+)(a) A licensee may maintain required books, accounts, and records at a location other than the principal place of business. The licensee must notify the Department in writing prior to said books, accounts, and records being maintained in any place other than the designated principal place of business. Such notification shall be submitted to the Department of Banking and Finance, Division of Securities and Finance, Attention: Regulatory Support, 101 East Gaines Street, Tallahassee, Florida 32399-0350.

(b) The notification shall include confirmation by the licensee that the proposed storage facilities are in a building of stationary construction wherein the books, accounts, and records will be kept in a secured location under conditions, which will not lead to the damage or destruction of the records.

(3)(2) If the Department is notified by a licensee that it will maintain the books, accounts, and records at a location other than the principal place of business, such books, accounts, and records shall be made available to the Department for review within three (3) business days from the date of a written request by the Department and at a reasonable and convenient location in this State designated by the Department.

(4) The licensee shall maintain at the principal place of business a copy of the confirmation letter from the Department to maintain its records at a location other than the principal place of business.

(5)(3) All books, accounts, and records must be maintained for three (3) years from the date of "original entry". For the purpose of this rule, "original entry" means the date the documentation was originated by the licensee or received by the licensee.

(6)(4)(a) The penalty for maintaining books, accounts, and records at a location other than the principal place of business, without written notification to the Department, shall be the issuance of a "notice of noncompliance" for a first offense. Any subsequent finding of a violation of this rule during an examination or investigation shall be a \$500 fine.

(b) The penalty for refusal to permit an investigation or examination of books, accounts, and records, after a reasonable request by the Department, shall be revocation of the license. This paragraph shall not apply to a proceeding governed by the rules of civil procedure of any state or federal court.

Specific Authority 494.0011(2), 494.0016(4) FS. Law Implemented 120.695, 494.0016, 494.0041(2) FS. History--New 2-16-92, Amended 7-25-96, 12-12-99, _____.

3D-40.175 Mortgage Brokerage Files.

(1) No change.

(2) Each file shall contain at least the following:

(a) Mortgage brokerage agreement pursuant to Section 494.0038, F.S.;

(b) Copy of signed closing statement as required by Section 494.0037(3), F.S., or documentation of denial or cancellation of the loan application; and

(c) A copy of the good faith estimate of costs pursuant to Section 494.0038(2)(c), F.S.

(3) through (7) No change.

(8) All documentation originated, received, or related to the mortgage loan from the application through the final disposition must be maintained for three (3) years from the date of the original entry. "Original entry" means the date the documentation was originated by the mortgage brokerage business or received by the mortgage brokerage business. For each brokerage transaction, files and documentation shall be maintained and remain complete for three (3) years from the date of "original entry" of the last document in the file.

Specific Authority 494.0011(2), 494.0016(4) FS. Law Implemented 120.695, 494.0016, 494.0038, 494.0041, 494.0043 FS. History--New 2-16-92, Amended 7-25-96, 8-7-97, _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Course Requirements – Grades 6-12 Basic and Adult Secondary Programs
RULE NO.: 6A-1.09412

PURPOSE AND EFFECT: The purpose of this rule development is to review the course requirements to be used in grades 6-12, basic and adult secondary programs. The effect

will be to prepare for consideration of the State Board of Education a document that ensures instructional consistency in courses taught in grades 6-12.

SUBJECT AREA TO BE ADDRESSED: Course requirements for grades 6-12, basic and adult secondary programs.

SPECIFIC AUTHORITY: 229.565 FS.

LAW IMPLEMENTED: 229.565, 229.592, 230.23(7), 233.165 FS.

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

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-1.09412 Course Requirements – Grades 6-12 Basic and Adult Secondary Programs.

A course description directs district personnel by providing the essential content and course requirements for each course in grades 6-12 contained in the "Course Code Directory and Instructional Personnel Assignments" adopted by Rule 6A-1.09441, FAC. Course requirements approved by the State Board of Education are contained in the publication "2002-2003 2001-2002 Florida Course Descriptions for Grades 6-12/Adult, Basic Education" which is hereby incorporated by reference and made a part of this rule. District school boards of education are authorized, through local rules, to approve a variance of up to ten (10) percent of the course requirements of each course description. Copies of approved course descriptions may be obtained from the Division of Public Schools and Community Education, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

Specific Authority 229.565 FS. Law Implemented 229.565, 229.592, 230.23(7), 233.165 FS. History--New 2-21-85, Formerly 6A-1.9412, Amended 1-29-86, 1-1-87, 9-6-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 6-6-93, 10-18-94, 8-28-95, 5-14-96, 9-15-97, 10-13-98, 5-3-99, 5-3-01, 10-16-01, _____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Application
RULE NO.: 19B-4.001

PURPOSE AND EFFECT: To update the Florida Prepaid College Application form, rename the form and include changes that will permit the form also to be used to apply for the Florida College Savings Program, to update the Master Covenant to reflect the current year, and to change the effective date of these forms.

SUBJECT AREA TO BE ADDRESSED: The Florida 529 Prepaid College Plan and the Florida 529 College Savings/Investment Plan New Account Application and the Master Covenant for the Florida Prepaid College Program.

SPECIFIC AUTHORITY: 240.551(7)(a), 240.553(6)(a) FS.

LAW IMPLEMENTED: 240.551, 240.553 FS.

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

TIME AND DATE: 2:00 p.m., October 7, 2002

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLES: Payment Options
 RULE NO.: 19B-4.003

PURPOSE AND EFFECT: To revise the payment options that are available for the Florida Prepaid College Program and to specify the types of payment that the Board will not accept.

SUBJECT AREA TO BE ADDRESSED: Methods of Payment for the Florida Prepaid College Program

SPECIFIC AUTHORITY: 240.551(5) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., October 7, 2002

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Maximum Account Balance Limit
 RULE NO.: 19B-4.005

PURPOSE AND EFFECT: To specify the maximum account balance limit that will apply to the Florida Prepaid College Program and the Florida College Savings Program.

SUBJECT AREA TO BE ADDRESSED: The determination of the maximum account balance limit that will apply to the Florida Prepaid College Program and the Florida College Savings Program.

SPECIFIC AUTHORITY: 240.551(7),(8), 240.553 (6),(7) FS.

LAW IMPLEMENTED: 240.551, 240.553 FS.

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

TIME AND DATE: 2:00 p.m., October 7, 2002

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514.

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Contract Purchasers
 RULE NO.: 19B-5.004

PURPOSE AND EFFECT: To specify that purchasers and co-purchasers must be 18 years of age or older and either a United State citizen or a resident alien.

SUBJECT AREA TO BE ADDRESSED: The age requirements and citizenship or residency status of purchasers and co-purchasers.

SPECIFIC AUTHORITY: 240.551(5) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., October 7, 2002

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Fee Schedule RULE NO.: 19B-6.001

PURPOSE AND EFFECT: To revise the fees for the Florida Prepaid College Program and to specify the fees for applications submitted for the Florida Prepaid College Program either jointly with an application for the Florida College Savings Program or after the purchaser has established a Florida College Savings Program account for the same beneficiary.

SUBJECT AREA TO BE ADDRESSED: The fees that apply to the Florida Prepaid College Program.

SPECIFIC AUTHORITY: 240.551(5) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., October 7, 2002

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514.

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Beneficiary Defined RULE NO.: 19B-7.001

PURPOSE AND EFFECT: To specify that a qualified beneficiary must be either a United States citizen or a resident alien.

SUBJECT AREA TO BE ADDRESSED: The citizenship or residency status of qualified beneficiaries.

SPECIFIC AUTHORITY: 240.551(2), (5), (8) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., October 7, 2002

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Application of Rule Chapter; Definitions RULE NO.: 19B-16.001

PURPOSE AND EFFECT: To revise certain definitions applicable to the Florida College Savings Program.

SUBJECT AREA TO BE ADDRESSED: Definitions applicable to the Florida College Savings Program.

SPECIFIC AUTHORITY: 240.553(6)(a), (7), (8) FS.

LAW IMPLEMENTED: 240.553 FS.

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

TIME AND DATE: 2:00 p.m., October 7, 2002

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Maximum Account Balance Limit RULE NO.: 19B-16.005

PURPOSE AND EFFECT: To revise the maximum account balance limit applicable to the Florida College Savings Program and to include within that limit amounts paid for an account in the Florida Prepaid College Program.

SUBJECT AREA TO BE ADDRESSED: The maximum account balance limit applicable to the Florida College Savings Program.

SPECIFIC AUTHORITY: 240.553(6), (7), (8) FS.

LAW IMPLEMENTED: 240.553 FS.

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

TIME AND DATE: 2:00 p.m., October 7, 2002

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514.

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Termination and Withdrawals; Distributions

RULE NO.: 19B-16.010

PURPOSE AND EFFECT: To revise the requirements for making withdrawals from Florida College Savings Program accounts, to revise the requirements for avoiding the involuntary termination of an account in the Program when a contribution has not been made and to specify additional circumstances that will result in the involuntarily termination of an account in the Program.

SUBJECT AREA TO BE ADDRESSED: The maximum account balance limit applicable to the Florida College Savings Program.

SPECIFIC AUTHORITY: 240.553(6), (8), (9) FS.

LAW IMPLEMENTED: 240.553 FS.

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

TIME AND DATE: 2:00 p.m., October 7, 2002

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Fee Schedule

RULE NO.: 19B-16.012

PURPOSE AND EFFECT: To specify the fees that will apply to the Florida College Savings Program.

SUBJECT AREA TO BE ADDRESSED: The fees applicable to the Florida College Savings Program.

SPECIFIC AUTHORITY: 240.553(5), (7) FS.

LAW IMPLEMENTED: 240.553 FS.

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

TIME AND DATE: 2:00 p.m., October 7, 2002

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Employee Grooming, Uniform and Clothing Requirements

RULE NO.: 33-208.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify requirements for the wearing of department identification badges and the wearing and maintenance of uniforms by specified security staff.

SUBJECT AREA TO BE ADDRESSED: Employee uniforms.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.101 Employee Grooming, Uniform and Clothing Requirements.

(1) The following grooming standards shall apply to all Department of Corrections employees:

(a) through (k) No change.

(l) All employees shall wear the department issued ID card in a visible manner that will identify the individual at all times while on duty.

(2) In addition to the standards set forth in (1), all male employees shall comply with the following grooming standards:

(a) through (d) No change.

(e) The only exception to the shaving policy shall be based on medical need. Any employee who cannot adhere to the shaving policy based on a medical diagnosis must provide a statement from a physician stating the medical condition, describing proposed treatment, and stating whether it is a temporary or permanent condition. If the physician indicates that it is a temporary condition and facial hair growth is prescribed, the physician's statement shall be forwarded through the chain of command for review, comment and recommendation to the appropriate director ~~Assistant Secretary~~ or Deputy Secretary. The Deputy Secretary or director ~~Assistant Secretary~~ may grant a temporary exemption to the shaving policy for medical reasons for a three to six month period. At the end of a period of temporary exemption, the employee shall be re-evaluated by his physician or a physician chosen by the department. Further temporary exemption periods of up to 12 months each may be granted under the foregoing criteria and procedures. If the physician states that the medical condition is permanent with no likelihood of improvement, a permanent exemption will be approved by the regional director, director ~~assistant secretary~~, or deputy secretary. Facial hair in cases of exemption shall be neatly trimmed to 1/4 inch.

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

(a) through (c) No change.

(d) Employees are solely responsible for alterations to and the care of uniforms and clothing issued by the department. Instructions for care which are attached to each item of clothing should be followed. Unless specified otherwise, the laundering and cleaning of clothing items issued to employees is the responsibility of the employee. The laundering and cleaning of correctional officer class A, B, C, D, F, and G uniforms is the responsibility of the employee. The department shall be responsible for ~~the cleaning of~~ the class E (battle dress utility) uniforms issued for deployment to correctional emergency response teams and rapid response teams; ~~confrontation control force, shotgun and chemical agent~~

~~teams.~~ This but the cleaning shall not be performed at the institution. The other class E uniform issued for training purposes shall be maintained by the employee. Any items of department issued clothing, including correctional officer uniforms, which have been contaminated by blood or other body fluids shall be left at the institution to be laundered at an outside facility to prevent contamination outside the work area. All contaminated items shall be kept together apart from non-contaminated laundry and shall be clearly marked as contaminated for transmission to a professional laundering service. Contaminated items shall be placed in a water soluble bag and then placed in a yellow plastic bag labeled "Contaminated Linen" and sealed shut. Personnel handling the yellow bag during transport to the commercial laundry shall wear disposable latex gloves and shall inform personnel at the commercial laundry that the items in the bag are contaminated. Employees shall bear the cost of replacements of items lost or damaged due to improper use, care or maintenance of the item. Restitution is to be in the amount equal to the cost of the articles of clothing lost or damaged, or equal to the cost of replacement, whichever is less.

(e) through (l) No change.

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

(a) through (d) No change.

(e) Class E Uniform.

1. The correctional officer class E uniform shall be issued only to C.E.R.T and Rapid Response Team (baton squads; ~~shotgun~~ and munitions squads ~~chemical agent teams~~) members.

2. through 4. No change.

(f) through (g) No change.

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

1. through 13. No change.

14. Emergency Response Team (E.R.T.) Pin.

a. No change.

b. The E.R.T. pin shall be worn evenly spaced between the bottom of the badge and one half inch above the top of the left shirt pocket, ~~and~~ centered on the military crease.

15. No change.

16. American Flag and Certified Public Manager (CPM) pins.

a. A small American flag pin is authorized to be worn with class A, B or C uniforms.

b. Graduates of the CPM course are authorized to wear the pin with class A, B or C uniforms.

c. These pins shall be displayed utilizing the formula outlined in sub-subparagraph (4)(h)13.c. above.

d. No other non-department issued pins are authorized for wear.

16. through 23. renumbered 17. through 24. No change.

(i) through (9) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88, 8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98, Formerly 33-4.007, Amended 10-5-99, 3-21-00, 12-18-00, 4-30-02,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Nursing Home Services
 RULE NO.: 59G-6.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan (the Plan) payment methodology. In compliance with Section 63 of Senate Bill 1202, 2001-02 legislative session, the Agency is amending the Florida Title XIX Long-Term Care Reimbursement Plan to incorporate a revised standard chart of accounts to govern the content and manner of presentation of financial information to be submitted by Medicaid long-term providers in their cost reports and shall implement use of this revised standard chart of accounts effective for cost reports filed for the periods ending on or after December 31, 2002. This revised standard chart of accounts was approved by written consent of the Auditor General of the State of Florida on August 23, 2002.

The effect of the proposed amendment is to incorporate a revised standard chart of accounts to govern the content and manner of presentation of financial information to be submitted by Medicaid long-term providers in their cost reports and shall implement use of this revised standard chart of accounts effective for cost reports filed for the periods ending on or after December 31, 2002.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the revision of the standard chart of accounts to govern the content and manner of presentation of financial information to be submitted by Medicaid long-term providers in their cost reports and shall implement use of this revised standard chart of accounts effective for cost reports filed for the periods ending on or after December 31, 2002.

SPECIFIC AUTHORITY: 409.909 FS.

LAW IMPLEMENTED: 409.908 FS.

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

TIME AND DATE: 10:00 a.m., October 9, 2002

PLACE: The Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James Estes, Medicaid Program Analysis, Agency for Health Care Administration, 2728 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308, (850)414-2756

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: Office of Supplier Diversity
 RULE CHAPTER NO.: 60A-2

PURPOSE AND EFFECT: The Office of Supplier Diversity is considering enacting rules that will implement the Florida Minority Business Loan Mobilization Program created by Section 288.706, Florida Statutes. The goal of rule development is to assure proper administration of the program without placing unnecessary restrictions on those eligible to participate.

SUBJECT AREA TO BE ADDRESSED: The Florida Minority Business Loan Mobilization Program.

SPECIFIC AUTHORITY: 288.706(10) FS.

LAW IMPLEMENTED: 288.706 FS.

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

TIME AND DATE: 2:00 p.m., October 16, 2002

PLACE: Department of Management Services, 4050 Esplanade Way, Room 301, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julia P. Forrester, Assistant General Counsel, Office of the General Counsel, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, FL 32399-0950, (850)414-0240, forresj@dms.state.fl.us

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE TITLE: Completed Application
 RULE NO.: 61A-5.010

PURPOSE AND EFFECT: The Department proposes to amend the rule to clarify the applications, forms and accompanying instructions, if any, which are to be used in its dealings with the public. The Department proposes to clarify the requirements for licensure.

SUBJECT AREA TO BE ADDRESSED: Applications, forms and licensure requirements.

SPECIFIC AUTHORITY: 561.11 FS.
 LAW IMPLEMENTED: 561.08, 561.01(11), 561.15, 561.17, 561.18, 561.19, 561.20, 561.22, 561.24, 561.25, 561.32, 561.331, 561.37, 561.371, 561.42, 561.02(3)(a) 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: Michael Martinez, Assistant General Counsel, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-2202
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE TITLE: Beverage Licenses, New Quota Issue
 RULE NO.: 61A-5.0105
 PURPOSE AND EFFECT: The Department proposes to amend the rule to clarify the process by which a new license is issued after the revocation of a 4-COP license that had been issued pursuant to a Special Act prior to 1981.
 SUBJECT AREA TO BE ADDRESSED: Application and complaint forms.
 SPECIFIC AUTHORITY: 561.19, 561.20 FS.
 LAW IMPLEMENTED: 561.19, 561.20 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: Michael Martinez, Assistant General Counsel, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-2202
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE TITLE: Completed Application for the Grant of a New Quota Liquor License
 RULE NO.: 61A-5.011
 PURPOSE AND EFFECT: The Department proposes to amend the rule to clarify the applications, forms and accompanying instructions, if any, which are to be used in its dealings with the public.

SUBJECT AREA TO BE ADDRESSED: Applications, forms and licensure requirements.
 SPECIFIC AUTHORITY 561.11 FS.
 LAW IMPLEMENTED 561.08, 561.11, 561.15, 561.18, 561.19, 561.20 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: Michael Martinez, Assistant General Counsel, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-2202
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE TITLE: Application for Alcoholic Beverage License
 RULE NO.: 61A-5.700
 PURPOSE AND EFFECT: The Department proposes to amend the rule to clarify the applications, forms and accompanying instructions, if any, which are to be used in its dealings with the public.
 SUBJECT AREA TO BE ADDRESSED: Application and forms.
 SPECIFIC AUTHORITY 561.11 FS.
 LAW IMPLEMENTED 561.08, 561.11, 561.17, 561.181, 561.19, 561.32, 561.33, 561.331 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: Michael Martinez, Assistant General Counsel, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-2202
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE TITLE: Preliminary Application for a New Quota Alcoholic Beverage License
 RULE NO.: 61A-5.747

PURPOSE AND EFFECT: The Department proposes to amend the rule to clarify the applications, forms and accompanying instructions, if any, which are to be used in its dealings with the public.

SUBJECT AREA TO BE ADDRESSED: Application and forms.

SPECIFIC AUTHORITY 561.11 FS.

LAW IMPLEMENTED 561.08, 561.11, 561.17, 561.19, 561.20 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: Michael Martinez, Assistant General Counsel, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-2202

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE TITLE: Definitions RULE NO.: 61B-37.001

PURPOSE AND EFFECT: The proposed rule amendment conforms the rules to statutory changes made during the 2002 Legislative Session relating to prize and gift promotional offers. The statute was amended to increase the number of prizes from 10 to 26 that can be promoted and awarded in connection with the offering or selling of timeshare interests.

SUBJECT AREA TO BE ADDRESSED: The proposed rule change would update the definitions section by amending language relating to the number of prizes that can be promoted and awarded in connection with the offering or selling of timeshare interests.

SPECIFIC AUTHORITY: 721.26(6), 721.11, 721.111 FS.

LAW IMPLEMENTED: 721.111(2) FS.

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

TIME AND DATE: 2:00 p.m., October 16, 2002

PLACE: Conference Room B03, Fuller Warren Building, 201 West Bloxam Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61B-37.001 Definitions.

(1) through (7) No change.

(8) “26 ~~10~~ prizes” means that the sum total of all individual prizes offered plus the quantity of individual prizes offered plus all of the distinguishing features thereof, including types, categories, sizes, and parts, shall not exceed twenty-six ~~ten~~.

(9) through (10) No change.

Specific Authority 721.26(6) FS. Law Implemented 721.075, 721.11, 721.111 FS. History—New 1-1-85, Formerly 7D-37.01, 7D-37.001, Amended 8-24-94, 2-15-00, 12-18-01,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE TITLE: Continuing Education for License Renewal RULE NO.: 61G8-17.0034

PURPOSE AND EFFECT: The Board proposes to review this rule to determine the necessity of amendments.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 455.2226, 470.005(1), 470.015(1), 470.018 FS.

LAW IMPLEMENTED: 455.2124, 455.2226, 470.015, 470.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon Biegalski, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE CHAPTER TITLE: Independence, Integrity, Etc. RULE CHAPTER NO.: 61H1-21

PURPOSE AND EFFECT: The Board proposes to review this chapter completely to possibly update, amend, repeal or enact new rules as necessary.

SUBJECT AREA TO BE ADDRESSED: Independence, Integrity, and conflict of interest, etc.

SPECIFIC AUTHORITY: 473.304, 473.315, 473.319, 473.3205 FS.

LAW IMPLEMENTED: 473.315, 473.3205 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John W. Johnson, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-21R

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Permits	62-4
RULE TITLES:	RULE NOS.:
Definitions	62-4.020

Procedure to Obtain Permits and Other Authorizations; Application 62-4.050

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: Rule 62-4.050, F.A.C., will be amended to reflect a new fee for proposed formal determinations for single family residences of properties five acres or less in the DEP South Florida District under subsection 62-343.040(3), F.A.C. (see FAW Notice of Proposed Rule Development in Vol. 28, No. 6, February 8, 2002, pages 616-617).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jeanese McCree, Bureau of Submerged Lands and Environmental Resources, Tallahassee, (850)921-9901, Facsimile (850)488-6579 or e-mail jeanese.mccree@dep.state.fl.us.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-43R

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Dredge and Fill	62-312

RULE TITLES:	RULE NOS.:
Definitions	62-312.020

General Permit for the Use of Floating Vessel Platforms	62-312.823
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PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendments is to develop a new wetland resource General Permit (GP) for the construction, installation, operation, and maintenance of floating vessel platforms and floating boat lifts that do not qualify for the exemption criteria in paragraph 403.813(2)(s), F.S., and that do not cause significant adverse individual or cumulative impacts. This new GP is required to be adopted by January 1, 2003, in accordance with the provisions of 2002-243 LOF, which was enacted in the 2002 Legislative Session. At this time, it is contemplated this new GP will be adopted as a new Rule 62-312.823, F.A.C. It is possible that other sections of Chapter 62-312, F.A.C., such as 62-312.020, F.A.C., (Definitions), will need to be amended as part of the rulemaking to address issues related to the new GP.

RULE DEVELOPMENT WORKSHOPS ARE PLANNED AND WILL BE NOTICED IN THE DEPARTMENT'S INTERNET NOTICING SITE AT WWW.DEP.STATE.FL.US, UNDER THE LINK TITLED "OFFICIAL NOTICES," AND A SUMMARY OF THE NOTICE WILL BE PUBLISHED IN THE FLORIDA ADMINISTRATIVE WEEKLY ON THE SAME DATE.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jeanese McCree, Bureau of Submerged Lands and Environmental Resources, Tallahassee, (850)921-9901, facsimile (850)488-6579 or e-mail jeanese.mccree@dep.state.fl.us.

The full text of this notice and preliminary text of the proposed rule development are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-44R

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Noticed General Permit	62-341
RULE TITLES:	RULE NOS.:
Definitions	62-341.021
Policy and Purpose	62-341.201

General Conditions for All Noticed General Permits	62-341.215
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Noticed General Permit for Floating Vessel Platforms	62-341.428
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PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendments is to develop a new environmental resource Noticed General

Permit (NGP) for construction, installation, operation, and maintenance of floating vessel platforms and floating boat lifts that do not qualify for the exemption criteria in paragraph 403.813(2)(s), F.S. This new NGP is required to be adopted by January 1, 2003, in accordance with the provisions of 2002-243 LOF, which was enacted in the 2002 Legislative Session. At this time, it is contemplated this new NGP will be adopted as a new Section 62-341.428, F.A.C. It is possible that other sections of chapter 62-341, such as 62-341.021 (Definitions), 62-341.201 (Policy and Purpose) and 62-341.215 (General Conditions) also will need to be amended as part of the rulemaking to address issues related to the new NGP.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jeanese McCree, Bureau of Beaches and Wetland Resources, Tallahassee; telephone (850)921-9901, facsimile (850)488-6579 or e-mail jeanese.mccree@dep.state.fl.us.

The full text of this notice and preliminary text of the proposed rule development are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Nursing Programs
 RULE NO.: 64B9-2
 PURPOSE AND EFFECT: The Board proposes to review this Chapter to determine the necessity of amendments.
 SUBJECT AREA TO BE ADDRESSED: Nursing Programs.
 SPECIFIC AUTHORITY: 464.006, 464.019(2) FS.
 LAW IMPLEMENTED: 464.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dan Coble, Executive Director, Board of Nursing /MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3252

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances
 RULE NO.: 64B9-8.006
 PURPOSE AND EFFECT: The Board proposes to review this rule to determine the necessity of amendments.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.072, 456.079 FS.

LAW IMPLEMENTED: 456.072, 456.079, 464.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dan Coble, Executive Director, Board of Nursing /MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3252

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

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE TITLES:	RULE NOS.:
Fees; Application	64B11-2.003
Fees; Initial License	64B11-2.008
Fees; Renewal of License	64B11-2.009

PURPOSE AND EFFECT: The Board proposes to conduct a rules workshop to review and discuss the existing language in these rules to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Fees, application, initial license, renewal of license.

SPECIFIC AUTHORITY: 456.013(2), 456.025, 468.204, 468.221 FS.

LAW IMPLEMENTED: 456.013(2), 456.025, 468.209(1), 468.221 FS.

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

TIME AND DATE: 10:00 a.m., Friday, October 4, 2002

PLACE: Telephone Conference Call at Meet-me Number (850)488-5776, Physical location for public attendance – 4052 Bald Cypress Way, Room 345N, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board's Executive Director at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the department with respect to any matter considered at this meeting, they will need a record of proceedings, and for such purposes, they may need

to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE TITLES:	RULE NOS.:
Fees; Application	64B11-3.001
Fees; Initial License	64B11-3.006
Fees; Renewal of License	64B11-3.007

PURPOSE AND EFFECT: The Board proposes to conduct a rules workshop to review and discuss the existing language in these rules to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Fees, application, initial license, renewal of license.

SPECIFIC AUTHORITY: 456.013(2), 456.025, 468.204, 468.221 FS.

LAW IMPLEMENTED: 456.013(2), 456.025, 468.209(1), 468.221 FS.

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

TIME AND DATE: 10:00 a.m., Friday, October 4, 2002

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Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the department with respect to any matter considered at this meeting, they will need a record of proceedings, and for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye

Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE:	RULE NO.:
Automation	64B16-28.1075

PURPOSE AND EFFECT: The Board proposes to promulgate a new rule to address the standards for the use of automated dispensing systems and automation equipment in the practice of pharmacy.

SUBJECT AREA TO BE ADDRESSED: Automated dispensing systems in the practice of pharmacy.

SPECIFIC AUTHORITY: 465.005, 465.0155 FS.

LAW IMPLEMENTED: 465.0155 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED FOR ONE OF THE BOARD'S NEXT MEETINGS TO BE HELD ON OCTOBER 8, 2002 IN TALLAHASSEE, FLORIDA OR ON DECEMBER 3, 2002 IN MIAMI, FLORIDA.

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 Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE:	RULE NO.:
Centralized Prescription Filling	64B16-28.450

PURPOSE AND EFFECT: The board proposes to promulgate a new rule to implement Section 465.003(16) and Section 465.0265, Florida Statutes, both enacted by Chapter 2002-182, Laws of Florida, on centralized prescription filling.

SUBJECT AREA TO BE ADDRESSED: Standards to address centralized prescription filling.

SPECIFIC AUTHORITY: 465.005, 465.003, 465.0265 FS.

LAW IMPLEMENTED: 465.003(16), 465.0265 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED FOR ONE OF THE BOARD'S NEXT MEETINGS TO BE HELD ON OCTOBER 8, 2002 IN TALLAHASSEE, FLORIDA OR ON DECEMBER 3, 2002 IN MIAMI, FLORIDA.

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 Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Citations
 RULE NO.: 64B16-30.003

PURPOSE AND EFFECT: The Board proposes to amend rule text to address the penalty for violations that may be disposed of by citation.

SUBJECT AREA TO BE ADDRESSED: Penalties for violations that may be disposed of by citation.

SPECIFIC AUTHORITY: 456.077, 456.073, 465.005 FS.

LAW IMPLEMENTED: 456.077 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AT THE BOARD'S NEXT MEETING TO BE HELD ON OCTOBER 8, 2002 IN TALLAHASSEE, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-30.003 Citations.

(1) through (2) No change.

(3) The following violations with accompanying fines may be disposed of by citation:

(a) through (g) No change.

(h) Using in the compounding of a prescription, or furnishing upon prescription, an ingredient or article different in any manner from the ingredient or article prescribed, except as authorized in §465.019(6) or §465.025, F.S.; or dispensing a medication with dosage instructions different in any way than prescribed, provided that:

1. No allegation of harm or ill effects is present;
2. The licensee has no prior disciplinary history; and
3. The event did not result in or pose a significant threat to the health and safety of the patient or the public.

The penalty shall be a letter of concern, payment of costs, fine of \$500 and completion of an approved continuing education course in the prevention of medication dispensing errors, of no less than eight (8) hours.

(4) through (5) No change.

Specific Authority 456.077, 456.073, 465.005 FS. Law Implemented 456.077 FS. History--New 12-22-91, Formerly 21S-30.003, 61F10-30.003, 59X-30.003, Amended 4-3-00, 1-2-02, 8-26-02.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

RULE TITLE: Amount and Duration of Cash Payment
 RULE NO.: 65A-4.220

PURPOSE AND EFFECT: This rule amendment makes technical changes in terminology, eliminates a coverage group and simplifies references to eligibility standards.

SUBJECT AREA TO BE ADDRESSED: This rule amendment changes "WAGES" to "temporary cash assistance", etc., and makes reference to the eligibility and consolidated need standards simply as a percentage of federal poverty levels. Additionally, the unemployed parent coverage group is no longer necessary and is being removed. The eligibility factor of deprivation of parental support and care is no longer affected by unemployment in a two-parent household.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.095 FS.

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

TIME AND DATE: 10:00 a.m., October 7, 2002

PLACE: 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, Florida 32399-0700

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

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

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-21.002
Application and Selection Process for Loans	67-21.003
Applicant Administrative Appeal Procedures	67-21.0035
Federal Set-Aside	67-21.004
Public Policy Criteria Requirements and Qualified Resident Programs	67-21.0041
Determination of Method of Bond Sale	67-21.0045
Selection of Qualified Lending Institutions as Credit Underwriters, Originators and Servicers	67-21.005
Development Requirements	67-21.006
Fees	67-21.007

Terms and Conditions of Loans 67-21.008
 Interest Rate on Mortgage Loans 67-21.009
 Issuance of Revenue Bonds 67-21.010
 No Discrimination 67-21.011
 Advertisements 67-21.012
 Private Placements of Multifamily
 Mortgage Revenue Bonds 67-21.013
 Credit Underwriting Procedures 67-21.014
 Use of Bonds with Other Affordable
 Housing Finance Programs 67-21.015
 Compliance Procedures 67-21.016
 Transfer of Ownership 67-21.017
 Refundings and Troubled Development Review 67-21.018
 Issuance of Bonds for 501(c)(3) Entities 67-21.019

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 42 of the Code and Section 420.509, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2003 application and program requirements for the MMRB Program, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.).

SPECIFIC AUTHORITY: 420.507, 420.508 FS.

LAW IMPLEMENTED: 420.502, 420.503, 420.507, 420.508, 420.509 FS.

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

TIME AND DATE: Following the Board Meeting at a time to be announced at the conclusion of the Board Meeting, October 10, 2002

PLACE: Tallahassee City Hall, Commission Chambers, 891 South Adams Street, Tallahassee, Florida 32301

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact Laurie Camp, (850)488-4197. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Wayne Conner, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON FLORIDA HOUSING'S WEB SITE WWW.FLORIDAHOUSING.ORG.

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Purpose and Intent	67-48.001
Definitions	67-48.002
Application and Selection Procedures for Developments	67-48.004
Applicant Administrative Appeal Procedures	67-48.005
Compliance and Reporting Requirements	67-48.006
Fees	67-48.007
SAIL General Program Procedures and Restrictions	67-48.009
Additional SAIL Application Ranking and Selection Procedures	67-48.0095
Terms and Conditions of SAIL Loans	67-48.010
Sale, Refinancing or Transfer of a SAIL Development	67-48.0105
SAIL Credit Underwriting and Loan Procedures	67-48.012
SAIL Construction Disbursements and Permanent Loan Servicing	67-48.013
HOME General Program Procedures and Restrictions	67-48.014
Match Contribution Requirement for HOME Allocation	67-48.015
Eligible HOME Activities	67-48.017
Eligible HOME Applicants	67-48.018
Eligible and Ineligible HOME Development Costs	67-48.019
Terms and Conditions of Loans for HOME Rental Developments	67-48.020
Sale or Transfer of a HOME Development	67-48.0205
HOME Credit Underwriting and Loan Procedures	67-48.021
HOME Disbursements Procedures and Loan Servicing	67-48.022
Housing Credits General Program Procedures and Requirements	67-48.023
Qualified Allocation Plan	67-48.025
Housing Credit Underwriting Procedures	67-48.026
Tax-Exempt Bond-Financed Developments	67-48.027
Carryover Allocation Provisions	67-48.028
Extended Use Agreement	67-48.029
Sale or Transfer of a Housing Credit Development	67-48.030
Termination of Extended Use Agreement and Disposition of Housing Credit Developments	67-48.031

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by

Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2003 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation’s 2002 Qualified Allocation Plan (QAP).

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.

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

TIME AND DATE: Following the Board Meeting at a time to be announced at the conclusion of the Board Meeting, October 10, 2002

PLACE: Tallahassee City Hall, Commission Chambers, 891 South Adams Street, Tallahassee, Florida 32301

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact Laurie Camp, (850)488-4197. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kerey Carpenter, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON FLORIDA HOUSING’S WEB SITE WWW.FLORIDAHOUSING.ORG.

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Law Enforcement

RULE TITLE: Lee County Boating Restricted Areas

RULE NO.: 68D-24.136

PURPOSE AND EFFECT: After discussions with the Division of Law Enforcement, Office of Boating Safety and Waterway Management, Lee County has requested the Office to create a “Slow Speed Minimum Wake In Channel, Weekends and Holidays 9:00 a.m. – 7:00 p.m.; 25 MPH All Other Times” boating safety zone. This portion of the Atlantic Intracoastal Waterway (Caloosahatchee River), has traffic originating along the Caloosahatchee River as well as cross-state traffic bound for the Gulf of Mexico eventually is funneled through a narrow channel at Shell Point between markers 93 and 99. This

channel is subject to shoaling conditions, limited visibility, and intense vessel traffic and congestion, particularly during peak boating times. All areas outside the channel are regulated as slow speed for manatee protection, which forces all vessels desiring to traverse the area into the same channel regardless of size. The creation of this zone should reduce the potential for boating accidents in this narrow portion of the Intracoastal Waterway.

The local office of the Florida Fish and Wildlife Conservation Commission concurs with this action. This action is being coordinated with the United States Army Corps of Engineers and the United States Coast Guard.

SUBJECT AREA TO BE ADDRESSED: Marker 93-99 – A "Slow Speed Minimum Wake In Channel, Weekends and Holidays 9:00 a.m. – 7:00 p.m.; 25 MPH All Other Times" from Shell Point (26°31.5"/81°59.9") generally northeasterly for approximately 1,050 feet to green daymark 93 (26°31.6"/81°59.7") continuing generally southwesterly for approximately 6,000 feet to green daymark 99 (26°31.0"/82°00.9")

Lee County will be authorized to install and maintain appropriate regulatory markers as directed by the Division of Law Enforcement within the boating restricted area.

SPECIFIC AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

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

PLACE: Lee County Administration Building, Administration Building 1st Floor Conference Room, 2115 Second Street, Ft. Myers, Florida

TIME AND DATE: 7:00 p.m. – 9:00 p.m. (EASTERN STANDARD TIME), October 9, 2002

Persons with special requirements should contact (239)479-8109, 48 hours before meeting time.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ms. Tara Alford, Division of Law Enforcement, Office of Boating Safety and Waterway Management, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0656, Extension 169

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68D-24.136 Lee County Boating Restricted Areas.

(1) For the purpose of regulating the speed and operation of vessel traffic on and adjacent to the Florida Intracoastal Waterway within Lee County, the following Boating Restricted Areas are established:

(a) Caloosahatchee River at the Alva Bridge – All waters of the Florida Intracoastal Waterway, shoreline to shoreline, west from the centerline of the Alva Bridge (S.R. 78) to 300 feet west of the most western boundary of the fuel facility

property (26 42'50.9"/81 36'42.1") and an informational marker will be located 300 feet west (26 42'46.2"/81 36'43.8") of the regulatory marker and east from the centerline of the Alva Bridge (S.R. 78) to 300 feet east (26 42'49"/81 36'17") of the most eastern boundary of the Alva Public Boat Ramp and an informational marker will be located 2450 feet east (26 42'50"/81 35'53.3") of the most eastern boundary of the Alva Boat Ramp, as depicted in drawing A.

(b) Marker 93-99 – A "Slow Speed Minimum Wake In Channel, Weekends and Holidays 9:00 A.M. – 7:00 P.M.: 25 MPH All Other Times" from Shell Point (26°31.5"/81°59.9") generally northeasterly for approximately 1,050 feet to green daymark 93 (26°31.6"/81°59.7") continuing generally southwesterly for approximately 6,000 feet to green daymark 99 (26°31.0"/82°00.9")

(2) Lee County is authorized to install and maintain appropriate regulatory markers as directed by the Division of Law Enforcement within such the boating restricted areas ~~and shall install and maintain "Idle Speed No Wake" and "Resume Normal Safe Operation" markers at the east and western boundaries of the boating restricted area.~~

(3) The boating restricted areas ~~is~~ are depicted in the following drawings:

DRAWINGS NOT AVAILABLE AT THIS TIME

Specific Authority 327.04 FS. Law Implemented 327.46 FS. History–New 11-25-96, Amended.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Standards
PURPOSE AND EFFECT: The purpose of Rule 5F-10.001, F.A.C., is to adopt the most recent version of the chemical and physical standards set forth in the American Society for Testing and Materials for antifreeze (engine coolant). The effect of each adoption is to maintain nationally recognized standards. There is also a change in the text to remove the word "ethylene." This reflects the consolidation of standards for these products.

SUMMARY: Proposed Rule 5F-10.001, F.A.C., will adopt the most recent versions of the American Society for Testing and Materials' standards and specifications for antifreeze products in accordance with 501.921, Florida Statutes. The Department will use these standards and specifications when evaluating antifreeze products offered for registration with the Department or offered for sale to the public.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

RULE NO.:
5F-10.001

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: 570.07(23), 501.921 FS.

LAWS IMPLEMENTED: 501.913, 501.917, 501.921 FS.

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

TIME AND DATE: 10:00 a.m., Monday, October 14, 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 IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-10.001 Standards.

(1) The performance specifications and standards for ~~ethylene~~ glycol base antifreeze are hereby incorporated by reference: ASTM D 3306-~~0100a~~, "Standard Specification for Glycol Base Engine Coolant for Automobile and Light Duty Service," (approved April 10, 2001).

(2) The performance specifications and standards for recycled ~~prediluted aqueous~~ glycol base antifreeze are hereby incorporated by reference: ASTM D 6471-99, "Standard Specification for Recycled Prediluted Aqueous Glycol Base Engine Coolant (50 Volume % Minimum) for Automobile and Light Duty Service," (approved November 10, 1999) and ASTM D 6472-00, "Standard Specification for Recycled Glycol Base Engine Coolant Concentrate for Automobile and Light Duty Service," (approved January 10, 2000).

(3) No change.

Specific Authority 570.07(23), 501.921 FS. Laws Implemented 501.913, 501.917, 501.921 FS. History–New 10-6-93, Amended 7-5-95, 12-9-98, 6-25-00, 10-22-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Eric Hamilton

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 9, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE:
Pupil Attendance Records

RULE NO.:
6A-1.044

PURPOSE AND EFFECT: The purpose of this amendment is to revise existing requirements of the statewide attendance recordkeeping system to establish standards for electronic attendance recordkeeping systems so that individual school districts will no longer be required to obtain prior approval for alternate systems on a case by case basis. The effect is to maintain standards for auditable attendance records while allowing for advances in technology where appropriate and without placing undue burden on school districts.

SUMMARY: A rule to establish attendance recordkeeping procedures for any student enrolled in public schools who is earning high school credit as provided in Section 232.2462, Florida Statutes, who is funded as provided in Chapter 236, Florida Statutes, and the Appropriations Act, or who is required to be in attendance by the compulsory attendance requirements as provided in Chapter 232, Florida Statutes.

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 the notice.

SPECIFIC AUTHORITY: 120.53(1)(b), 229.053(1), 229.555(3) FS.

LAW IMPLEMENTED: 232.021, 232.022, 232.023 FS.

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

TIME AND DATE: 9:00 a.m., October 22, 2002

PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Haynes, Education Information Services, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)487-2280

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.044 Pupil Attendance Records.

(1) Pupil attendance records shall be maintained for any student enrolled in public schools who is earning high school credit as provided in Section 232.2462, Florida Statutes, who is funded as provided in Chapter 236, Florida Statutes, and the Appropriations Act, or who is required to be in attendance by the compulsory attendance requirements as provided in Chapter 232, Florida Statutes.

(2) ~~Beginning in the fiscal year 1988-89,~~ The automated student attendance recordkeeping system as provided for in Rule 6A-1.0014, FAC., shall be the attendance system as used in this rule.

(3) The presence, absence, or tardiness of each student shall be checked once each day at a time or times prescribed by the school board and all absent and tardy pupils shall be recorded daily in the Automated Student Attendance Recordkeeping System as described in the Department of

Education Comprehensive Management Information Automated System Attendance Recordkeeping Handbook ~~or daily by such alternate system of recording attendance as has been specifically approved by the Deputy Commissioner for Administration and Technology. In approving alternate systems, the Deputy Commissioner for Administration and Technology shall use the following criteria:~~ The attendance recordkeeping system shall provide complete and accurate attendance data and shall make provision for maintaining auditable records for three (3) years or until applicable audits are completed. ~~Any alternate system shall be approved prior to implementation only upon specific application from the district.~~ The attendance records shall also show the dates of a student's enrollment, withdrawal or re-entry in the school for the applicable year. Data shall not be recorded in temporary records, and then transferred at a later date to attendance records, except for the first ten (10) days of each school year.

(4) Attendance of all pupils must be maintained during the one hundred eighty (180) day school year or the equivalent and summer school when applicable as provided by law and rules of the State Board shall be required, except for absence due to illness, or as otherwise provided by law.

(5) For the purpose of compliance with this rule, a pupil shall be deemed to be in attendance if actually present at school, or away from school on a school day and engaged in an educational activity which constitutes a part of the school-approved instructional program for that pupil. Any such attendance must be in accordance with the minimum time requirements specified by Section 228.041(13), Florida Statutes.

(6) For the purpose of recording attendance, attendance of pupils shall be reported as follows:

(a) Each pupil who is scheduled at a school center for the minimum required school day, and who is recorded as being present or tardy, shall be reported as present one (1) day.

(b) Each pupil who is scheduled at a school center for instructional purposes for a partial day, and at an area vocational-technical center, a vocational school, a community college, a university, or another school center for a partial day shall be reported as present or absent for the appropriate portion of the day at each center.

(c) The attendance of a pupil who is assigned to an on-the-job instructional program which does not require his or her presence at a school center for on-the-job instructional purposes shall be reported as being in attendance when documented through the use of a time card to report actual days in attendance and a time card or work schedule to report instructional or work hours. Both the time card and schedule should be signed by the employer or instructional supervisor.

(d) The attendance of a pupil who is assigned to an instructional program which does not require his or her regular presence at a school center for instructional purposes shall be reported as present or absent at an assigned school center.

(7) The Automated Student Attendance Recordkeeping System, ~~or the approved alternate record~~, shall be retained at the school or district level as directed by the superintendent of schools.

(8) The district school board is authorized to destroy the records contained in or produced from the Automated Student Attendance Recordkeeping System after three (3) years or the completion of an audit by the state audit agency, whichever period is longer, provided that the district shall comply with the legislative intent of Chapter 257, Florida Statutes, as expressed in Section 257.37, Florida Statutes, and shall permanently preserve attendance information for each pupil as required by Rule 6A-1.0955, FAC. Attendance information must be permanently preserved for pupils not covered by Rule 6A-1.0955, FAC.

(9) The principal shall be responsible for the administration of attendance policies and procedures and for the accurate reporting of attendance in the school under his or her direction. The principal shall assure that all teachers and clerks are instructed in the proper recording of attendance, and it shall be his or her duty to see that such instructions are followed. The principal or designee shall inspect and determine the completeness and accuracy of the records contained in the Automated Student Attendance Recordkeeping System for each of the required full-time equivalent student membership periods. ~~If an approved alternate system is used, the principal or designee shall inspect for completeness and accuracy the automated record which replaces the Automated Student Attendance Recordkeeping System and therefore is the record of attendance.~~ At the end of each school year the principal or designee shall certify the completeness and accuracy of the automated attendance records indicating that all attendance records have been kept as prescribed by law and rules of the State Board. The method used to certify the records is based on internal district procedures. The automated student attendance records shall be readily accessible in a form prescribed in subsection (12) of this rule for state auditing and monitoring purposes. An attendance record containing any material inaccuracies, resulting from willful or intentional falsification of data by or for the principal, shall be considered a false report for which the principal shall be subject to penalties as provided by law.

(10) For FTE auditing purposes, ~~beginning with the 1983-84 fiscal year~~, if the principal or designee failed to sign an attendance record or report, a signed and dated certified statement from the principal or designee identifying that the record was the record used to report attendance for a particular school year, that the record has not been changed since that time, and that attendance was reported as prescribed by law and rules of the State Board may be substituted for the lack of an original signature. If neither the principal nor designee is an employee of the school district when the absence of a signature on an attendance record is discovered, the superintendent or

designee may sign the certified statement. If attendance records are incomplete as to verification of full-time equivalent student membership for funding purposes prior to July 1, ~~2001~~ 1988, other records maintained by the school district may be used to verify membership provided a signed and dated certified statement is appropriately attached as provided in this subsection.

(11) The Automated Student Attendance Recordkeeping System ~~or other approved alternate system~~ shall be prima facie evidence of the facts which it is required to show.

(12) Forms ESE 950 Automated Individual Student Attendance Record, Grades PK-12; ~~ESE 951 Automated 20 Day Adult Student Attendance Register; ESE 952 Automated 20 Day Student Attendance Register, Grades PK-12;~~ ESE 953 Automated Individual Student Attendance By Period Record, Grades 9-12; ~~and ESE 954 Automated Individual Student Attendance by Period Summary, Grades 9-12~~ and ESE 981 Automated Student Attendance by Period Summary, Grades 9-12; are hereby incorporated by reference and made a part of this rule to become effective for the fiscal year 1987-88. Forms ESE 955, Automated Multi-Day Student Attendance Register, Grades PK-12; ESE 956, Automated Multi-Day Student Attendance by Period, Grades 9-12; and ESE 957, Automated Multi-Day Adult Student Attendance Register; are hereby incorporated by reference and made a part of this rule to become effective July, 1989. Forms ESE 981 Automated Student Attendance by Period Summary, Grades 9-12; ESE 958 Adult Student Attendance Register; and ESE 982 Adult Student Attendance Roster are hereby incorporated by reference and made a part of this rule to become effective November 2002 October, 1994. These forms may be obtained from Education Information and Accountability Services, Division of Technology, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399-0400.

Specific Authority 229.053(1), 232.02, 232.021, 232.022 FS. Law Implemented 232.021, 232.022, 232.023 FS. History—New 2-20-71, Amended 9-17-71, 10-18-71, Revised 8-19-72, Amended 11-18-72, Repromulgated 12-5-74, Formerly 6A-1.44, Amended 9-16-87, 1-11-88, 7-5-89, 10-3-91, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Martha Haynes, Education Information Services, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charlie Crist, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 9, 2002

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES:	RULE NOS.:
Specialization Requirements for Certification in Primary Education (Grades K-3) – Academic Class	6A-4.014
Specialization Requirements for Certification in Elementary Education (Grades 1-6) – Academic Class	6A-4.015
Specialization Requirements for Certification in the Area of Emotionally Handicapped (Grades K-12) – Academic Class	6A-4.0171
Specialization Requirements for Certification in the Area of Mentally Handicapped (Grades K-12) – Academic Class	6A-4.0173
Specialization Requirements for Certification in the Area of Physically Impaired (Grades K-12) – Academic Class	6A-4.0174
Specialization Requirements for Certification in the Area of Specific Learning Disabilities (Grades K-12) – Academic Class	6A-4.0175
Specialization Requirements for Certification in the Area of Varying Exceptionalities (Grades K-12) – Academic Class	6A-4.0177

PURPOSE AND EFFECT: The above listed rules were superseded July 1, 2002, by Rules 6A-4.0151 and 6A-4.01795, FAC. Therefore, these rules are recommended for repeal.

SUMMARY: The implementation of a streamlined certification structure includes the repeal of rules for the subject areas that were incorporated under a broader subject coverage as part of the new subject structure.

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 the notice.

SPECIFIC AUTHORITY: 229.053, 231.15(1), 231.17(6)(b) FS.

LAW IMPLEMENTED: 229.053, 231.15(1), 231.17(6)(b) FS.

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

TIME AND DATE: 9:00 a.m., October 22, 2002

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: David Ashburn, Director, Division of Professional Educators, 325 West Gaines Street, Room 203, Tallahassee, Florida 32399-0400, (850)487-3663

THE FULL TEXT OF THE PROPOSED RULES IS:

6A-4.014 Specialization Requirements for Certification in Primary Education (Grades K-3) – Academic Class.

Specific Authority 229.053(1), 231.15(1), 231.17(1) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History–New 4-20-64, Amended 7-7-68, 9-17-73, Revised 8-17-74, Repromulgated 12-5-74, Formerly 6A-4.14, Amended 10-10-89, 5-30-94, Repealed.

6A-4.015 Specialization Requirements for Certification in Elementary Education (Grades 1-6) – Academic Class.

Specific Authority 229.053(1), 231.15(1), 231.17(1) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History–New 4-20-64, Amended 7-7-68, 9-17-73, Revised 8-17-74, Repromulgated 12-5-74, Formerly 6A-4.15, Amended 10-10-89, Repealed.

6A-4.0171 Specialization Requirements for Certification in the Area of Emotionally Handicapped (Grades K-12) – Academic Class.

Specific Authority 229.053(1), 231.15(1), 231.17(3) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History–New 7-1-92, Amended 11-10-92, 7-17-00, Repealed.

6A-4.0173 Specialization Requirements for Certification in the Area of Mentally Handicapped (Grades K-12) – Academic Class.

Specific Authority 229.053(1), 231.15(1), 231.17(3) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History–New 7-1-92, Amended 11-10-92, 7-17-00, Repealed.

6A-4.0174 Specialization Requirements for Certification in the Area of Physically Impaired (Grades K-12) – Academic Class.

Specific Authority 229.053(1), 231.15(1), 231.17(3) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History–New 7-1-92, Amended 7-17-00, Repealed.

6A-4.0175 Specialization Requirements for Certification in the Area of Specific Learning Disabilities (Grades K-12) – Academic Class.

Specific Authority 229.053(1), 231.15(1), 231.17(3) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History–New 7-1-92, Amended 11-10-92, 7-17-00, Repealed.

6A-4.0177 Specialization Requirements for Certification in the Area of Varying Exceptionalities (Grades K-12) – Academic Class.

Specific Authority 229.053(1), 231.15(1), 231.17(3) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History–New 7-1-92, Amended 7-17-00, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Betty Coxe, Deputy Commissioner for Educational Programs, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charlie Crist, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 9, 2002

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Welfare Trust Fund and Canteen Operations
 RULE NO.: 33-203.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to: increase the maximum amount of weekly canteen purchases for inmates; to clarify the purposes for which inmate welfare trust funds may be disbursed; to delete obsolete provisions concerning the operation of inmate welfare trust fund activities; to provide for a state-wide policy regarding canteen items and pricing; and to set a maximum rate of pay for inmate canteen workers.

SUMMARY: The proposed rule increases the maximum amount of weekly canteen purchases for inmates; clarifies the purposes for which inmate welfare trust funds may be disbursed; deletes obsolete provisions concerning the operation of inmate welfare trust fund activities; provides for a state-wide policy regarding canteen items and pricing; and sets a maximum rate of pay for inmate canteen workers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09, 945.215 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.215 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:

33-203.101 Inmate Welfare Trust Fund and Canteen Operations.

(1) No change.

(2) Each inmate shall be allowed to purchase \$65.00 ~~\$45.00~~ of canteen merchandise on a weekly basis, exclusive of any items obtained through special mail order procedures, unless an increase up to \$100.00 is approved by the Secretary for special occasions.

(3) Budgeting and Disbursement of Inmate Welfare Trust Funds.

(a) No change.

(b) Inmate welfare trust funds shall be budgeted and disbursed exclusively:

1. through 5. No change.

6. For operating and fixed-capital expenses associated with the delivery to inmates of literacy programs, vocational training programs, and academic programs that comply with standards of the Department of Education;

7. through 8. No change.

9. For expenses associated with various inmate clubs; ~~and~~

10. For expenses associated with legal services for inmates;

11. To develop, implement and maintain the medical copayment accounting system;

12. To employ personnel to provide inmate substance abuse treatment and transition and life skills training programs; and

13. For operating and fixed-capital expenses associated with the delivery of inmate substance abuse treatment and transition and life skills training programs.

(c) Expenditures for items listed in subparagraphs 5. through 13. ~~10.~~ above are categorized as inmate benefit program expenditures. Expenditures for correctional education programs in subparagraphs 5. and 6. must exceed the total of all other inmate benefit program expenditures.

(4) through (5) No change.

~~(6) Copies of annual Inmate Welfare Trust Fund financial statements and Inmate Welfare Trust Fund Committee meeting minutes or equivalent information will be made available to inmates.~~

~~(6)(7)~~ Inmate Welfare Trust Fund Procedures.

(a) Department wide. The Office of Administration shall develop procedures ~~Secretary shall appoint members to the Inmate Welfare Trust Fund Policy Committee whose responsibilities will include development of policies to govern the operation of Inmate Welfare Trust Fund activities and annual review of institutional inmate welfare trust fund budgets.~~

~~(b) Regional Level: Each Regional Director will appoint a Regional Inmate Welfare Trust Fund Committee which will review, revise, and recommend approval of institutional Inmate Welfare Trust Fund budgets for that region. The Department and Regional Inmate Welfare Trust Fund committees will strive to maintain uniform sales prices throughout the Department within the bounds of good purchasing practices. The regional committee will assist the Regional Director in investigating and reporting Inmate Welfare Trust Fund shortages or losses which occur in the region's community facilities. In cases wherein the shortage is recovered, the report need not be processed further than the Regional Office. If shortages are not recovered, the report will be forwarded to the Department Inspector General for review and action.~~

(b)(e) Institutional Level: Service center support staff are responsible for overseeing ~~Each institutional warden will appoint an inmate Welfare Trust Fund Committee to oversee the operation of the institution's Inmate Welfare Trust Fund~~

~~and canteen operations, to assist in the development of operating budgets and to approve expenditures for inmate benefit programs. The committee will also assist the warden in the investigation and reporting of shortages or losses. The committee shall include at least one inmate representative who will be present for all meetings where expenditures of monies from the Inmate Welfare Trust Fund are decided upon.~~

~~(7)(8) A standard mark-up policy implemented through the department's cashless canteen system will be used to price canteen resale items. Inmate Welfare Trust Fund committees will determine the prices for which items are to be sold at canteens. Current price lists will be posted in the proximity of the canteen for inmate viewing purposes.~~

~~(9) Budgeting and Use of Telephone Commission Revenues. Commission revenue derived from telephones designated for inmate use is a funding source for inmate welfare trust fund activity as authorized under s. 945.215, F.S. Telephone commissions shall be directed to and accumulated by the Central Office Bureau of Finance and Accounting to be budgeted by the inmate welfare trust fund policy committee for authorized department wide purposes identified as follows:~~

~~(a) Canteen construction and canteen start-up cost for new facilities;~~

~~(b) Installation of the department's automated cashless canteen/inmate banking system at new facilities and the maintenance of the system at existing facilities;~~

~~(c) Special construction projects such as educational buildings and facilities, chapels, libraries, and visiting pavilions;~~

~~(d) Maintenance of inmate law libraries, including the establishment of law libraries at new facilities and required upgrades at existing facilities;~~

~~(e) Other uses authorized by s. 945.215, F.S., and approved by the central office inmate welfare trust fund policy committee.~~

~~(8)(10) Items Authorized for Sale in Canteens.~~

~~(a) A list of items authorized for resale in canteens at Department institutions will be posted on bulletin boards at each institution. This list has been generated from input from throughout the Department and has been approved by the Inmate Welfare Trust Fund Policy Committee and the Secretary of the Department.~~

~~(b) through (e) renumbered (a) through (d) No change.~~

~~(9)(11) Inmate Salaries. An inmate may receive compensation from the Inmate Welfare Trust Fund if the inmate is actually performing canteen or canteen support functions. The monthly rate of pay shall not exceed \$75.00 the maximum amount established by the Inmate Welfare Trust Fund Policy Committee.~~

~~(12) through (14) renumbered (10) through (12) No change.~~

Specific Authority 20.315, 944.09, 945.215 FS. Law Implemented 20.315, 944.09, 945.215 FS. History—New 1-20-86, Formerly 33-3.035, Amended 11-22-91, 5-25-95, 11-13-95, 5-28-96, 2-12-97, Formerly 33-3.0035, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rhonda Vause

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 4, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 16, 2002

DEPARTMENT OF CORRECTIONS

RULE TITLE: Placement of Inmates into Community
RULE NO.: 33-601.606

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify ineligibility criteria for community release programs and to delete unnecessary language from the rule.

SUMMARY: The proposed rule clarifies ineligibility criteria for community release programs and deletes unnecessary language from the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 945.091 FS.

LAW IMPLEMENTED: 945.091 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.606 Placement of Inmates into Community Release Programs.

(1) Definitions.

(a) through (b) No change.

~~(c) Pre-Work Release Transition Program refers to the department's 100-hour transitional skills program which prepares inmates for employment and re-entry into society prior to an inmate being assigned to work release. The program covers thirteen modules including goal setting, problem solving, social situations, emotional control, job hunting, pre-employment skills, keeping a job, money management,~~

wellness, sexual responsibility and parenting, domestic violence, continuing education, special needs issues and community re-entry support. The program is provided by an OPS teacher position in conjunction with a local community college.

(d) through (e) renumbered (c) through (d) No change.

(2) Eligibility and Ineligibility Criteria.

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

1. No change.

2. A disciplinary report for escape within the last five years or current or prior convictions for escape covered by s. 945.092, F.S. or had a disciplinary report for escape within the last five years.

3. Been terminated from work release, community-based residential substance abuse program or center work assignment for disciplinary reasons during his current commitment.

4. No change.

5. Refused to complete or has an unsatisfactory removal from substance abuse or academic programs unless the refusal was based upon objections to the religious based content of the program, in which case, an alternate non-deity based program will be offered and must be successfully completed. The removal of an inmate from a program for violation of program or institutional rules, or for behavioral management problems constitutes an unsatisfactory removal from a program. The inmate shall remain ineligible until a comparable program is satisfactorily completed.

6. through 7. No change.

(b) through (3) No change.

(4) Process for Removal from CWA, Work Release and Community-Based Residential Substance Abuse Programs.

(a) through (b) No change.

(c) If the ICT disapproves the termination disapproved, the inmate shall be reinstated to his previous work release status by the ICT. If the ICT determines that there is a need to transfer the inmate to a different work release facility, the ICT shall forward the request to the SCO for approval.

(d) If approved by the ICT approves the termination, the termination shall be forwarded to the SCO who shall approve or disapprove the termination.

(e) If disapproved by the SCO disapproves the termination, the SCO shall ensure that the inmate is returned to his or her previous work release status.

(5) No change.

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History--New 3-14-01, Amended 9-2-01, 3-19-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jerry Vaughan

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard Dugger

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 3, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 9, 2002

COMMISSION ON ETHICS

RULE TITLE: List of Forms and Instructions
RULE NO.: 34-7.010

PURPOSE AND EFFECT: The proposed amendment is to promulgate the 2002 version of CE Form 1 and CE Form 6, which will become effective on January 1, 2003. Pursuant to Chapter 2002-180, Laws of Florida, the instructions for CE Form 1 and CE Form 6 need to be amended to add and delete certain boards statutorily required to file disclosure. CE Form 1F and CE Form 6F are also being amended, and the "Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" is being repealed as a rule but will continue to be published and distributed by the Commission.

SUMMARY: CE Form 1, CE Form 6, CE Form 1F, CE Form 6F, and the "Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" will be affected by this proposed rule development.

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

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

SPECIFIC AUTHORITY: Art. II, Sec. 8(f),(h), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(13), 112.322(7),(10), 112.324 FS.

LAW IMPLEMENTED: Art. II, Sec. 8(a),(f),(h), Fla. Const., 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS.

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

TIME AND DATE: 9:00 a.m., Friday, October 25, 2002

PLACE: Department of Transportation Auditorium, 605 Suwannee Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julia Cobb Costas, Staff Attorney

THE FULL TEXT OF THE PROPOSED RULE IS:

34-7.010 List of Forms and Instructions.

(1) The following forms and instructions are adopted by reference and are used by the Commission in its dealings with the public:

(a) Form 1, Statement of Financial Interests. To be utilized by state officers, local officers, candidates for state or local office and specified state employees for compliance with Section 112.3145(2) and (3), Florida Statutes. Effective 1/2003 ~~4/2002~~.

(b) No change.

(c) Form 6, Full and Public Disclosure of Financial Interests. To be utilized by all elected constitutional officers, candidates for such offices, other statewide elected officers, and others as prescribed by law for compliance with Article II, Section 8(a) and (h), Florida Constitution, as specified in Chapter 34-8, F.A.C., of these rules. Effective 1/2003 ~~1/2002~~.

(d) No change.

~~(e) A Guide to the Sunshine Amendment and Code of Ethics for Public Officers, Candidates, and Employees. Instructions to be utilized by public officers, public employees, candidates for public office, and other interested persons in complying with the Sunshine Amendment and the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes. Effective 1/2002.~~

(f) through (o) renumbered (e) through (n) No change.

~~(o)(p)~~ Form 1F, Final Statement of Financial Interests. To be filed within 60 days of leaving public office or employment. Effective 1/2003 ~~1/2002~~.

~~(p)(q)~~ Form 6F, Final Full and Public Disclosure of Financial Interests. To be filed within 60 days of leaving public office. Effective 1/2003 ~~1/2002~~.

(r) through (s) renumbered (q) through (r) No change.

(2) No change.

PROPOSED EFFECTIVE DATE: January 1, 2003.

Specific Authority Art. II, Sec. 8(i), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(13), 112.322(9) FS. Law Implemented Art. II, Sec. 8(a),(f),(h), Fla. Const., 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS. History--New 4-11-76, Formerly 34-7.10 through 7.22, 8.10, Amended 2-23-77, 4-7-77, 5-17-77, 10-20-77, 2-25-79, 1-29-80, 4-29-81, 1-12-82, 3-25-82, 2-21-83, Formerly 34-7.10, Amended 7-10-88, 3-4-91, 10-6-91, 10-29-91, 12-22-91, 7-5-92, 10-15-92, 12-6-92, 11-10-93, 12-27-93, 11-21-94, 2-16-95, 12-26-95, 1-27-97, 1-1-98, 1-1-99, 1-1-00, 1-1-00, 12-4-00, 12-21-00, 10-14-01, 11-22-01, 1-1-02, 1-1-03.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Julia Cobb Costas, Staff Attorney

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Phil Claypool, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 5, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 30, 2002

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE CHAPTER TITLE: Florida 211 Network Provider Certification Requirements

RULE CHAPTER NO.: 59G-11

RULE TITLES: Purpose

RULE NOS.: 59G-11.001

Definitions

59G-11.002

Agency Certification Process and Requirements

59G-11.003

Revocation of a 211 Number

59G-11.004

PURPOSE AND EFFECT: The purpose of this rule is to provide a framework by which the Agency will administer subsections (1) and (2) of Section 408.918, Florida Statutes, Florida 211 Network: Uniform Certification Requirements.

SUMMARY: This rule enables the Agency to establish a certification process and develop criteria to certify information and referral entities as Florida 211 Network Providers.

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: 408.918 FS.

LAW IMPLEMENTED: 408.918 FS.

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

TIME AND DATE: 9:00 a.m., October 11, 2002

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Debby Walters, Bureau of Medicaid Research, 2727 Mahan Drive, MS 48, Tallahassee, Florida 32317-2600, (850)922-5532

THE FULL TEXT OF THE PROPOSED RULES IS:

FLORIDA 211 NETWORK PROVIDER CERTIFICATION REQUIREMENTS

59G-11.001 Purpose.

The purpose of this rule is to develop a certification criteria for entities to become certified by the Agency as Florida 211 Network Providers as directed in Subsection (2) of Section 408.918, Florida Statutes.

Specific Authority 408.918 FS. Law Implemented 408.918 FS. History--New

59G-11.002 Definitions.

The following definitions are applicable to Chapter 59G-11, F.A.C..

(1) "Agency" means the Agency for Health Care Administration.

(2) "Agency 211 Certification Process" means the application of criteria established by the Agency for certification of a 211 provider in the Florida 211 Network.

(3) "211" means a three-digit dialing code assigned by the Federal Communications Commission (FCC) to be used for community information and referral purposes.

(4) “Florida 211 Network Provider” means an information and referral organization whose primary purpose is to maintain information about human service resources in the community, supply descriptive information about the agencies or organizations that offer services, and assist consumers in accessing appropriate providers.

(5) “Alliance of Information and Referral Systems” or “AIRS” means a non-profit, as defined by Section 501(c) (3) of the federal tax code, professional membership organization for information and referral providers.

(6) “Alliance of Information and Referral Systems accreditation” or “AIRS accreditation” means a process by which the Alliance of Information and Referral Systems determines whether information and referral programs are in compliance with the standards in *Standards for Professional Information and Referral*, September 2000.

(7) “Alliance of Information and Referral Systems certification” or “AIRS certification” means the awarding of professional credentials to individuals who successfully complete the Alliance of Information and Referral Systems certification program.

(8) “AIRS/INFO LINE Taxonomy of Human Services” means the national standardized service classification system used to facilitate retrieval of community resource information, increase the reliability of planning data, make evaluation processes consistent and reliable, and facilitate national comparisons of data.

(9) “Candidate” means an organization that requests to be certified by the Agency to become a Florida 211 Network Provider in the Florida 211 Network.

(10) “Client information” means any information that can be used to identify a specific individual to whom services are being provided.

(11) “Donation management” means assisting individuals or agencies to make financial or in-kind contributions to community organizations.

(12) “Florida 211 Network” means the system of 211 providers certified by the Agency that provide 211 services throughout the state.

(13) “Information and Referral Services” mean programs whose primary purpose is to maintain information about human service resources in the community, to link people who need assistance with appropriate service providers, and to supply descriptive information about the agencies or organizations that offer services.

(14) “Provisional certification” means the temporary certification granted by the Agency to a Florida 211 Network Provider that loses AIRS accreditation.

(15) “Standards for Professional Information and Referral, 4th edition, September 2000” means the document published by the Alliance of Information and Referral Systems that defines the national standards for information and referral programs and systems.

(16) “Volunteer Management” means assisting individuals or organizations to provide volunteer services to the community.

Specific Authority 408.918 FS. Law Implemented 408.918 FS. History—New

59G-11.003 Agency Certification Process and Requirements.

(1) The Agency shall certify a single Florida 211 Network Provider for each county. This shall not preclude the Florida 211 Network Provider from serving multiple counties. To ensure the maximum use of the 211 number for information and referral services, the certified Florida 211 Network Provider shall be required to coordinate with all other information and referral services and the telecommunications companies within the designated county or counties. If the Agency receives more than one application for Florida 211 Network Provider certification from organizations representing the same county, the Agency will notify the organizations by certified mail that the Agency shall only accept one collaborative designation application per county.

(2) In order to become a Florida 211 Network Provider candidates shall submit to the Agency a Florida 211 Network Provider Certification Application Form, which is incorporated herein by reference. Candidates shall also provide the Agency with written documentation verifying that the organization meets the following criteria:

(a) Provides 24-hour coverage, 7 days a week either on-site or through written arrangements with other organizations for after hours coverage, that shall be provided by personnel monitoring the 211 phone line and shall not be answered through an answering service or answering machine;

(b) Adheres to the Alliance of Information and Referral Systems, Incorporated *Standards for Professional Information and Referral*, 4th edition, September 2000, which is incorporated herein by reference, and is AIRS accredited, or has initiated the written application process and shall become accredited within three years;

(c) Has 25 percent or more of eligible staff with AIRS certification as information and referral specialists or resource specialists;

(d) Works collaboratively and has written agreements with specialized information and referral systems which shall include crisis centers, child care resource and referral programs, elder help-lines, homeless coalitions, designated emergency management systems, and 911 and 311 systems, where applicable;

(e) Has an established automated information tracking system that maintains call center data that shall include call volume, number of abandoned calls, average speed of answering, average call length and other appropriate call center statistics;

(f) Maintains a computerized information and referral system database that has up-to-date information and resource data and the capacity to collect caller information;

(g) Uses the Alliance of Information and Referral Systems and AIRS/INFO LINE Taxonomy and has incorporated the taxonomy into its resource data base;

(h) Publicizes 211 services through a written public awareness, marketing, advertising and education plan to inform the public regarding available services;

(i) Obtains teletyping (TTY) services for speech and hearing impaired individuals and multi-lingual accessibility either on-site, or through access to translators;

(j) Has formal agreements with appropriate clearinghouse agencies that provide volunteer or donation management services;

(k) Ensures quality of service and caller and customer satisfaction through appropriate follow-up and written outcome evaluations;

(l) Shares resource database information with other Florida 211 Network Providers;

(m) Tracks information on inquirer needs, unmet needs, and barriers to services and shares this data with other Florida 211 Network Providers, and local and state organizations;

(n) Uses a method common to all Florida 211 Network Providers to measure and evaluate outcomes for the operation of a 211 call center;

(o) Submits to the Agency an annual report documenting the information and referral services provided. The annual report shall include geographical areas served, call volume, number of abandoned calls, average speed of answering, average call length, information on inquirer needs, unmet needs, and barriers to services. This report shall cover the previous year's activities and shall follow the state's fiscal year from July 1st through June 30th. The report shall be due to the Division of Medicaid in the Agency on or before August 1st of each year; and

(p) Adheres to the provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPPA).

(3) Candidates with AIRS accreditation that submit a Florida 211 Network Provider Certification Application Form with accompanying written documentation that verifies compliance with the Agency's certification criteria shall be certified for three years as a Florida 211 Network Provider.

(4) Candidates that have applied for, but have not yet received AIRS accreditation and that submit a Florida 211 Network Provider Certification Application Form with accompanying written documentation that verifies compliance with the Agency's certification criteria, shall be certified by the Agency for one year as a Florida 211 Network Provider. Prior to certifying a candidate who does not have AIRS accreditation, the Agency shall conduct an on-site visit to review the candidate's compliance with the Agency's certification criteria.

(5) Within 45 days of the receipt of the initial Florida 211 Network Provider Certification Application Form, the Agency shall notify a candidate of whether the candidate is in compliance with the Agency's certification requirements. Such notification shall include a statement of deficiencies for candidates that are determined not in compliance with the certification requirements. Candidates determined by the Agency to not be in compliance with the certification requirements, shall submit a plan of correction to the Agency within 21 calendar days of receipt of the statement of deficiencies. The plan of correction shall include a list of corrective actions the candidate will take to remedy identified deficiencies and shall include the date by which each action shall be completed. Plans of correction shall be reviewed by the Agency for approval. The Agency shall notify candidates by certified mail of whether their plan of corrections has been approved. Candidates shall conform to the certification criteria within 45 days of receipt of the Agency's notification of approval of the plan of correction, or shall be ineligible for certification by the Agency. Candidates that fail to submit and adhere to an approved plan of correction shall not be certified by the Agency as a Florida 211 Network Provider. Candidates shall be eligible to re-apply for Agency certification after one year from the date of notification by the Agency.

(6) If a Florida 211 Network Provider loses AIRS accreditation, yet is in compliance with the Agency's certification criteria, the provider shall be granted a one-year provisional certification by the Agency as a Florida 211 Network Provider, if after consulting with AIRS it is deemed that the provider is eligible to reapply for re-accreditation. The Agency shall notify the provider by certified mail that it has one year from the date of loss of accreditation by AIRS to obtain re-accreditation. Within 45 days of notification, the provider shall submit to the Agency for approval a plan to secure AIRS accreditation within the provisional timeframe.

(7) If the Agency determines that a Florida 211 Network Provider is not in compliance with the Agency's certification criteria, the provider shall be notified by certified mail that it shall conform to the standards within 45 calendar days of receipt of the certified letter or lose certification by the Agency.

(8) If the Agency receives a written complaint that a Florida 211 Network Provider is in violation of the Agency's certification criteria, the Agency shall initiate an investigation of the complaint within 21 calendar days of notification.

(9) The Agency shall renew a Florida 211 Network Provider's certification which has AIRS accreditation for an additional 3 years, if the provider submits a new Florida 211 Network Provider Certification Application Form with accompanying written documentation that verifies compliance with the Agency's certification criteria 60 days prior to the termination of the certification.

(10) The Agency shall renew the certification of a Florida 211 Network Provider which does not have AIRS accreditation, if the provider submits the following by at least 60 calendar days prior to the termination of the certification period: a new 211 Florida Network Provider Certification Application Form; written documentation that verifies compliance with the remainder of the Agency's certification criteria; and a written plan of how the provider intends to obtain AIRS accreditation. Prior to re-certifying a provider who does not have AIRS accreditation, the Agency shall conduct an on-site visit to review the provider's compliance with the Agency's certification criteria. The Agency shall renew certification for 1 year for a provider that does not have AIRS accreditation if the Agency finds that the provider is in compliance with the certification criteria subsequent to an on-site visit. Subsequent to the on-site visit the Agency shall notify a provider by certified mail if it is in violation of the Agency's certification criteria. The provider shall have 45 days from receipt of the notification to become compliant. Providers who become compliant with the certification criteria within 45 days shall be granted an additional year of certification.

(11) Dispute resolution. Any dispute related to the Agency's certification of a Florida 211 Network Provider shall be resolved through a Chapter 120, F.S., administrative hearing.

Specific Authority 408.918 FS. Law Implemented 408.918 FS. History--New

59G-11.004 Revocation of a 211 Number.

The Agency shall request the Federal Communications Commission to direct the local exchange company to revoke the use of the 211 dialing code from any entity that leases a 211 number from a local exchange company but is not certified by the Agency. Prior to requesting revocation by the Federal Communications Commission and the local exchange company, the Agency shall notify the entity leasing the 211 number by certified mail that it has 30 days from receipt of the notification to submit the Florida 211 Network Provider Certification Application Form and accompanying documentation. If the entity leasing the 211 number fails either to submit, a completed application and certification form within 30 days of receipt of the certified letter, or become certified by the Agency, the Agency shall, after consultation with the local exchange company and the Public Service Commission, request that the Federal Communications Commission direct the local exchange company to revoke use of the 211 number.

Specific Authority 408.918 FS. Law Implemented 408.918 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Debby Walters

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rhonda M. Medows, M.D., FAAFP, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 5, 2002

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: RULE NO.:

Performance Standards and 61G15-37.001
Measurable Outcomes

PURPOSE AND EFFECT: The Board proposes to develop a new rule addressing the Florida Engineers Management Corporation's performance standards and measurable outcomes with the assistance of the Department of Business and Professional Regulation.

SUMMARY: This rule sets forth the performance standards and measurable outcomes for the Florida Engineers Management Corporation as developed by the Board and the Department of Business and Professional Regulation.

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: 471.038(3)(m) FS.

LAW IMPLEMENTED: 471.038(3)(m) 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: Natalie Lowe, Administrator, Board of Professional Engineers, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

FLORIDA ENGINEERS MANAGEMENT CORPORATION

61G15-37.001 Performance Standards and Measurable Outcomes.

In order to facilitate efficient and cost effective regulation by the Florida Engineers Management Corporation ("FEMC"), the following performance standards and measurable outcomes are adopted:

(1) FEMC shall make a determination of legal sufficiency within 30 days of receipt of a complaint.

(2) Within fifteen days of receiving a complaint that is determined to be legally sufficient, FEMC shall furnish to the subject or the subject's attorney a copy of the complaint or document that resulted in the initiation of the investigation.

(3) FEMC shall refer all unlicensed cases to the Department within 15 days.

(4) FEMC shall refer to the board any investigation or disciplinary proceeding not before the Division of Administrative Hearings pursuant to chapter 120 or otherwise completed by FEMC within 1 year after the filing of a complaint.

(5) FEMC shall periodically notify the person who filed the complaint the status of the investigation, whether probable cause has been found, and the status of any administrative proceeding or appeal.

(6) At least 90 days before the end of a licensure cycle, FEMC shall forward a licensure renewal notification to active or inactive licensees at the licensee's last known address of record with FEMC.

(7) At least 90 days before the end of a licensure cycle, FEMC shall forward a notice of pending cancellation of licensure to a delinquent status licensee at the licensee's last known address of record with FEMC.

(8) Upon receipt of an application for a license, FEMC shall examine the application and, within 30 days after such receipt, notify the applicant of any apparent errors or omissions and request any additional information FEMC is permitted by law to require.

(9) Every application for a license shall be approved or denied within 90 days after receipt of a completed application.

(10) If an applicant seeks a license for an activity that is exempt from licensure, FEMC shall notify the applicant and return any tendered application fee within 30 days after receipt of the original application.

Specific Authority 471.038(3)(m) FS. Law Implemented 471.038(3)(m) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Engineers
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Pre-licensing Education for Broker and Salesperson Applicants
PURPOSE AND EFFECT: The purpose of the proposed rule is to bring the rule into compliance with statutory changes which took effect July 1, 2002.

RULE NO.: 61J2-3.008

SUMMARY: The proposed rule affects rule provisions relating to the method of providing pre-licensure education for real estate licensees.

SUMMARY OF STATEMENT OF ESTIMATE OF REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared.

Any person who wishes to provide information regarding the Statement of Estimated Regulatory Costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this Notice.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451 FS.

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, October 16, 2002

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.008 Pre-licensing Education for Broker and Salesperson Applicants.

(1) Persons desiring to become licensed as a real estate salesperson must satisfactorily complete the educational course prescribed by the Commission and designated as Course I. This course will consist of a minimum of 63 classroom or interactive distance education hours of 50 minutes each, inclusive of examination, in the basic fundamentals of real estate principles and practices, basic real estate law, and real estate license law. The course approval criteria and procedure are found in paragraph (6) of this rule.

(2) Any licensed salesperson desiring to become licensed as a broker must satisfactorily complete the educational course prescribed by the Commission and designated as Course II. This course will consist of a minimum of 72 classroom or interactive distance education hours of 50 minutes each, inclusive of examination, in the fundamentals of real estate appraising, investment, financing, plus brokerage operations and management. The course approval criteria and procedure are found in paragraph (6) of this rule. Each salesperson must, as a prerequisite to registering for Course II, have been licensed as an active salesperson for a period of not less than 6 months. The six-month active period is not applicable to a full-time degree-seeking student majoring in real estate at an accredited university, college or community college.

(3) If administered in classroom. The school permit holder, permitted administrative person, or permitted instructor must certify attendance, assure classroom control, assure necessary equipment performance, and shall administer and proctor the end of course examination.

(4)(a) The Commission prescribed Course I for salesperson, or a Commission approved course equivalent to Course I, may be taught through the use of a video tape of instruction by a currently licensed instructor. Quality standards for the video tape and standards for classroom use of video tape instruction are detailed in Rules 61J2-3.016 and 61J2-3.017, Florida Administrative Code. The course approval criteria and procedure are found in paragraph (5) of this rule.

(b) Course content and level of instruction of a video tape course shall be the same as that contained in the Commission prescribed Course I syllabus. This Commission prescribed course is structured for sequential presentation in twenty 3-hour sessions. The first session must be conducted by "live instruction" using a permitted school instructor. In addition, whenever the video tape is not current with the latest law or real estate practice, the tape must be corrected prior to its use in the classroom or a permitted instructor must be in attendance during the affected portion of that session. The course approval criteria and procedure are found in paragraph (5) of this rule.

(c) A copy of the initial course video tape must be submitted to the Commission for review and approval at least 60 days prior to its first planned use in a classroom. After approval, subsequent changes to the course video tape must be submitted to the Commission for review and approval prior to use in a classroom.

(5)(a) Satisfactory course completion is demonstrated by achieving a grade of 70 percent or higher on the Commission prescribed course examination. The examination is administered by the applicable college, university, community college, area technical center or real estate school upon completion of the classroom instruction. However, notice of satisfactory course completion shall not be issued to any student having absences in excess of 8 classroom hours. If an applicant does not pass the licensing examination within 2 years after the successful course completion date, the course is invalid for licensure.

(b) A copy of the course and a copy of each form of the end of course examinations that will be distributed to students shall be submitted to the Commission for evaluation at least 60 days prior to use. The Commission will issue a status report to the course provider within 30 days after submission of the course and examinations. Approval or denial of the Commission-required pre-licensing course (Course I or Course II) will be based on the extent to which the course content covers the material set forth in the appropriate course syllabus, incorporated herein by reference, effective January 1, 2001 (course I) and effective September 1, 1999 (course II), as developed by the Commission. Examinations must test the

course material. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. Approval must be granted before the course and examinations may be offered. It is the responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate.

(c) Pre-licensure course materials and examinations will be approved for a 2 year period from the date of the approval. A course may not be offered after the expiration date except for a course that is begun before the expiration date may be completed even if the completion date is after the expiration date.

(d) The institution or school shall develop at least 2 forms of the end of course examination which must be submitted for approval as provided in paragraph (5)(b) above. The answer key must be unique for each form of the examination. The answer key must reference the page number(s) containing the information on which each question and correct answer is based. At least 20% of the questions on each form of the test shall be application oriented.

(6) The institution or school offering these Commission prescribed courses shall inform each student of the standards and requirements at the commencement of each course. Notice of course completion shall be made as prescribed by the Commission in Rule 61J2-3.015, Florida Administrative Code.

(7) Students failing the Commission prescribed end of course examination must wait at least 30 days from the date of the original examination to again take the end of course examination. Within one year of the original end of course examination, a student may retake the prescribed end of course examination a maximum of one time. Otherwise, students failing the Commission prescribed end of course examination must repeat the Commission prescribed course prior to being eligible to again take the end of course examination. Students retaking the end of course examination must be administered a different form of the end of course examination.

(8) Make up classes to enable a student to take the course examination and make up examinations due to student or family illness may not extend more than 30 days beyond their scheduled class examination without approval from the Commission. Make up classes must be the classes missed by the student and must consist of the original course material.

(9) These Commission prescribed courses may be offered by accredited universities, colleges, community colleges and area technical centers in this state or by real estate schools registered pursuant to s. 475.451, Florida Statutes. The course approval criteria and procedure are found in paragraph (6) of this rule. Satisfactory completion of these courses will not entitle any person to receive a license as a real estate broker or salesperson until such person has met all other requirements of law and has passed the applicable examination administered by the BPR.

(10) Any active member in good standing with The Florida Bar who is otherwise qualified under the real estate license law is exempt from Commission prescribed prerequisite education course for licensure as a real estate salesperson. This must be noted on the application to take the salesperson's examination by affixing a copy of the applicant's current Bar card.

(11) Any applicant for licensure who has received a 4-year degree in real estate from an accredited institution of higher education is exempt from the Commission prescribed prerequisite education courses for licensure.

(12)(a) In addition to the requirements as established in this chapter, pre-education and post education courses that are offered as on-line interactive distance education courses shall comply with the requirements listed below. Distance education course subject matter, assignment work, scholastic standards and other related requirements shall be substantially the same as the course offered by classroom instruction, having due regard however, to the different method of presentation.

(b) Interactive on-line distance education courses shall be offered by the following institutions:

1. An USDOE accredited college or university that offers distance education programs in other discipline

2. An entity that has received approval for college credit by the American Council on Education through its ACE/Credit Program

3. A school that has been approved by the International Distance Education Certification Center (IDECC) of the Association of Real Estate License Law Officials (ARELLO)

4. A school that has been approved by a national certification entity similar to one as defined in 2(c)

(c) The course must continuously maintain the accreditation or approval status in order to maintain the Commission approval.

(d) The course must be submitted to the Commission for content approval. The course must contain high levels of interactivity which promotes student involvement. The course provider must demonstrate that the program measures learning and assesses mastery of content at regular intervals.

(e) Course provider must be able to monitor student enrollment, participation, and course completion.

(f) Course provider must be able to satisfactorily demonstrate that stated course hours are consistent with the actual hours it takes to complete the course.

(g) The course provider must provide qualified instructor(s) to answer questions and provide the students with the necessary assistance during the duration of the course. Instructors of the courses must be identified at the time the course is submitted to the Commission for approval, unless offered by institutions in Section (2)(a) and (2)(b) of this rule.

(h) The student shall complete a statement at the end of the course that he/she has personally completed each module of instruction.

(i) Satisfactory completion of the Commission prescribed distance education is demonstrated by achieving a grade of 70% or higher on the Commission approved end-of-the-course final examination. Students failing the Commission prescribed course examination must repeat the Commission prescribed distance education course of study prior to being eligible to again take the course examination, which must be a different examination from the one the student previously failed. No examination shall contain more than 20% duplication of questions contained in other approved final examinations. The end-of-the-course examinations shall contain at least 2 items for each hour of course offered.

(j) A complete set of the distance education course material and a copy of each form of the end-of-the-course examinations must be submitted to the Commission for evaluation and approval at least 90 days prior to use. A minimum of two end-of-the-course examinations must be submitted for approval. The Commission will issue a status report to the course provider within 45 days after submission of the course and examinations. Approval must be granted before the course and examinations may be offered. Thereafter, the course and examinations shall be maintained by each institution or school offering the distance education course in accordance with the Commission approved standard which will be modified by changing times, standards and laws. It is the responsibility of the institution or school offering the Commission approved distance education courses to keep the course material current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(k) The objective of the distance education end-of-the-course examination is to test fairly and reliably whether students have learned essential facts and concepts from the course. All distance education end-of-the-course examination questions shall be multiple choice with 4 answer choices each. The order of the examination questions may not follow the sequence of the course content. The answer key must be unique for each form of the examination. The answer key must reference the page number(s) containing the information on which each question and correct answer is based. At least 70% of the questions on each form of the test shall be at the application level or higher. Application level is defined as the ability to use the learned material in a completely new and concrete situation. It usually involves the application of rules, policies, methods, computations, laws, theories, or any other relevant and available information. No more than 10% of the questions on each form of the test shall be at the knowledge level. Knowledge level is defined as recalling specific facts, patterns, methods, terms, rules, dates, formulas, names, or other information that must be committed to memory. The answer key must be unique for each form of the examination. Any Florida institution or licensed real estate

school offering the Commission prescribed distance education courses must maintain a sufficient bank of questions to assure examination validity.

(1) Distance education courses will be approved for a period of 24 months after which time the courses must be renewed pursuant to applicable rules. Renewal applications must be sent in 90 days prior to the date of expiration. Courses may not be offered, distributed or graded after the expiration date. Students must be notified of the course expiration date when approved to take the course.

Specific Authority 475.05 FS. Law Implemented 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.08, Amended 7-16-86, 10-13-88, 5-20-90, 1-13-91, 7-20-93, Formerly 21V-3.008, Amended 12-13-94, 6-14-95, 8-2-95, 12-30-97, 9-1-99, 1-18-00, 11-6-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Commission
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 21, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 9, 2002, Section I

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Continuing Education for Active and Inactive Broker and Salesperson Licensees

RULE NO.: 61J2-3.009

PURPOSE AND EFFECT: The purpose of the proposed rule to bring the rule into compliance with statutory changes relating to distance education.

SUMMARY: The proposed rule affects rule provisions relating to continuing education courses.

SUMMARY OF STATEMENT OF ESTIMATE OF REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared.

Any person who wishes to provide information regarding the Statement of Estimated Regulatory Costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this Notice.

SPECIFIC AUTHORITY: 455.2123, 475.01(1)(d),(e),(2), 475.05, 475.42(1)(c) FS.

LAW IMPLEMENTED: 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS.

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

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, October 16, 2002

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.009 Continuing Education for Active and Inactive Broker and Salesperson Licensees.

(1) All persons holding active or inactive licenses as brokers or salespersons must satisfactorily complete a minimum of 14 classroom or interactive distance education hours of instruction of 50 minutes each as prescribed or approved by the Commission during each license renewal period excluding the first renewal period of their current license. A copy of the course and all course materials shall be submitted to the Commission for evaluation at least 60 days prior to use. The Commission will issue a status report to the course provider within 30 days after submission of the course. Approval must be granted before the course and examinations, if required, may be offered. It is the responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(2)(a) The Commission prescribed Core Law course or courses totaling 3 classroom or interactive distance education hours of instruction of 50 minutes each will review and update licensees on the Florida real estate license law, Commission rules, and agency law, and provide an introduction to other state laws, federal laws, and taxes affecting real estate. Approval or denial of the Commission-required Core Law course will be based on the extent to which the course content covers the above-referenced subject areas. Examinations, if required, must test the course material. Approval must be granted before the course and examinations may be offered. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. It is the responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(b) "Specialty" courses on real estate practices totaling 11 classroom or interactive distance education hours of instruction of 50 minutes each will be prescribed or approved by the Commission. Approval or denial of a specialty course will be based on the extent to which the course content focuses on real estate issues relevant to Chapter 475, Florida Statutes. Examinations, if required, must test the course material.

Approval must be granted before the course and examination may be offered. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. It is the responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(c) A licensee who takes the 3 hour Core Law course in each year of the renewal period shall be allowed a total of 6 hours toward the 14 hour requirement. In such event, the "specialty" course hours need total only 8 hours. The purpose of this paragraph is to encourage licensees to keep abreast of changes in the law by taking the Core Law course in each year of the renewal period.

(3) The Commission may approve any course, seminar or conference in the real estate practice area provided by a public or private school, firm, association, organization, person, corporation or society. The course will be approved for 24 months plus the remaining period of the renewal cycle following the end of the 24 month period at which point the course will expire. A course may not be offered after the expiration date except for a course that is begun before the expiration date may be completed even if the completion date is after the expiration date.

(4) Satisfactory completion of the Commission prescribed continuing education course or courses of classroom instruction is demonstrated by successfully meeting standards established for each Commission prescribed course. Notice of satisfactory course completion shall only be issued to any licensee attending a minimum of 90% of each of the classroom hours of Commission prescribed course instruction.

~~(5)(a) The continuing education courses required in this rule may be taught by a Commission approved equivalent distance education course. Distance education is education that takes place when the learner is separated from the source of instruction by time and/or distance. Such distance education course subject matter, assignment work, scholastic standards and other related requirements shall be substantially the same as the course offered by classroom instruction, having due regard however, to the different method of presentation.~~

~~(b) Satisfactory completion of the Commission prescribed continuing education course or courses through distance education is demonstrated by achieving a grade of 80% or higher on the Commission approved course final examination prepared and administered by the Florida institution or licensed real estate school offering such distance education course. Students failing the Commission prescribed course examination must repeat the Commission prescribed distance education course of study prior to being eligible to again take the course examination, which must be a different examination from the one the student previously failed. No examination shall contain more than 20% duplication of questions~~

~~contained in other approved final examinations administered by the Florida institution or licensed real estate school offering the distance education course.~~

~~(c) A copy of the distance education course materials and a copy of each form of the end of course examinations that will be distributed to students shall be submitted to the Commission for evaluation and approval at least 60 days prior to use. A minimum of five end of course examinations for each course shall be submitted for approval. The Commission will issue a status report to the course provider within 30 days after submission of the course and examinations. Approval must be granted before the course and examinations may be offered. Thereafter, the course and examinations shall be maintained by each institution or school offering the distance education course in accordance with the Commission approved standard as subsequently modified by changing times, standards and laws. It is the responsibility of the institution, school or sponsor offering the Commission approved distance education courses to keep the course material current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.~~

~~(d) The objective of the distance education course of study end of course examination is to test fairly and reliably whether students have learned essential facts and concepts from the course. This examination shall consist of a minimum of 30 questions. All questions shall be multiple choice with 4 answer choices each. The order of the examination questions may not follow the sequence of the course content. The answer key must be unique for each form of the examination. The answer key must reference the page number(s) containing the information on which each question and correct answer is based. At least 70% of the questions on each form of the test shall be at the application level or higher. No more than 10% of the questions on each form of the test shall be at the knowledge level. The answer key must be unique for each form of the examination. Any Florida institution or licensed real estate school offering the Commission prescribed continuing education course of study by distance education must maintain a sufficient bank of questions to assure examination validity when administered to licensees from a common source such as a specific business, firm or family.~~

~~1. Application level is defined as the ability to use the learned material in a completely new and concrete situation. It usually involves the application of rules, policies, methods, computations, laws, theories, or any other relevant and available information.~~

~~2. Knowledge level is defined as recalling specific facts, patterns, methods, terms, rules, dates, formulas, names, or other information that must be committed to memory.~~

~~(e) In all Commission approved continuing education courses by distance education, the real estate school and school permitholder shall provide to students an address and telephone number of a permitted instructor registered with~~

~~such school to answer inquiries. The instructor shall be available during normal working hours each business day. Normal working hours are defined as being 9:00 A.M. to 5:00 P.M., in the appropriate time zone, Monday through Friday excluding legal holidays.~~

~~(f) Continuing education courses by distance education will be approved for 24 months plus the remaining period of the license renewal cycle following the end of the 24 month period at which point the course will expire. The license renewal cycles can be found in Rule 61-6.001(4) under Real Estate (Group I, Group II, Group III or Group IV). Courses may not be offered, distributed or graded after the expiration date. However, a 15 day grace period beyond the expiration date will be allowed in order to grade an examination postmarked or otherwise received prior to the expiration date of the course. Students must be notified of the course expiration date upon receipt of the course materials.~~

~~(5)(g) When the continuing education course by distance education is in the form of a video tape, the video tape must conform to the video tape quality standards found in paragraphs (2) through (4) of Rule 61J2-3.016, Florida Administrative Code.~~

(6) The Florida institution, licensed real estate school or Commission approved sponsor offering these Commission prescribed or approved courses shall inform each student of the standards and requirements at the commencement of each course by providing each student a course syllabus that clearly states the course objective(s) and explains the desired learning outcomes. At least 70% of the desired learning outcomes shall be at the application level or higher. No more than 10% of the desired learning objectives shall be at the knowledge level. Notice of course completion shall be made as prescribed by the Commission in Rule 61J2-3.015, Florida Administrative Code.

(7) The Commission prescribed or approved specialty courses may be offered by accredited universities, colleges and community colleges in this state, area technical centers, approved sponsors or real estate schools licensed pursuant to s. 475.451, Florida Statutes. The Commission prescribed Core Law course or courses may be offered by accredited universities, colleges and community colleges in this state, area technical centers or real estate schools licensed pursuant to s. 475.451, Florida Statutes. Satisfactory completion of these courses will not entitle any person to renew a license as a real estate broker or salesperson until such person has met all requirements of law.

(8) Any active member in good standing with The Florida Bar and who is otherwise qualified under the real estate license law is exempt from the continuing education requirements of this rule.

(9) Of the required 14 classroom hours, 3 hours may be applied toward the continuing education "specialty" course hours by attending a meeting of the Commission wherein disciplinary cases are considered. Licensees must attend the

entire day of disciplinary cases to receive the continuing education "specialty" credit hours. At least 7 days advance notice of the intent to attend the disciplinary case session must be given to the Education Section of the Division of Real Estate so attendance may be monitored. Failure to give advance notice will result in no credit hours. A maximum of 3 hours will be allowed during a renewal cycle. Credit hours may not be earned when the licensee attends a disciplinary case session as a party to a disciplinary action.

(10) An instructor who teaches a Commission approved continuing education course may use the course towards the satisfactory completion of the continuing education requirement. However, an instructor may not claim the course more than once in a renewal cycle.

Specific Authority 455.2123, 475.01(1)(d),(e),(2), 475.05, 475.42(1)(c) FS. Law Implemented 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 10-19-83, 9-16-84, Formerly 21V-3.09, Amended 10-13-88, 6-17-91, 12-29-91, 12-8-92, 6-28-93, Formerly 21V-3.009, Amended 2-2-94, 11-13-94, 5-13-96, 12-30-97, 10-25-98, 3-7-99, 1-18-00, 9-17-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 21, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 9, 2002, Section I

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Post-licensing Education for Active and Inactive Broker and Salesperson Licensees
RULE NO.: 61J2-3.020

PURPOSE AND EFFECT: The purpose of the proposed rule is to bring the rule into compliance with statutory changes taking effect July 1, 2002, relating to distance education.

SUMMARY: The proposed rule affects rule provisions relating to the method of providing post-licensure education for real estate licensees.

SUMMARY OF STATEMENT OF ESTIMATE OF REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared.

Any person who wishes to provide information regarding the Statement of Estimated Regulatory Costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this Notice.

SPECIFIC AUTHORITY: 475.05, 475.17 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182 FS.

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

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, October 16, 2002

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.020 Post-licensing Education for Active and Inactive Broker and Salesperson Licensees.

(1) All applicants for licensure who pass a broker or salesperson licensure examination must satisfactorily complete a Commission prescribed post-licensing educational course requirement prior to the first renewal following initial licensure. The post-licensing course or courses must be taken at an accredited college, university, community college, or area technical center in this state, or at a real estate school registered, pursuant to s. 475.451, Florida Statutes, or given by a Commission approved sponsor.

(a) For a salesperson, the post-licensing education course shall consist of one or more Commission-approved courses which total at least 45 classroom or interactive distance education hours of 50 minutes each, inclusive of examination, in subjects including, but not limited to: agency law, property management, appraisal, real estate finance, or economics of real estate management.

(b) For a broker, the post-licensing education courses shall consist of one or more Commission-approved courses which total at least 60 classroom hours of 50 minutes each, inclusive of examination, in subjects including, but not limited to: agency law, advanced appraisal, advanced property management, real estate marketing, business law, advanced real estate investment analysis, advanced legal aspects, general accounting, real estate economics, syndications, commercial brokerage, feasibility analysis, advanced real estate finance, residential brokerage, or real estate brokerage office operations.

(2) Post-licensing education courses shall be training oriented, to the maximum extent possible, and shall build on the academic body of knowledge acquired during the pre-licensing education courses. Development of the skills necessary for licensees to operate effectively and to provide increased public protection shall be emphasized in all courses.

(3) The course content for both broker and salesperson post-licensing education courses shall be directed toward the various real estate specialty areas, that is, brokers or salespersons specializing in residential sales shall be able to take courses directly related to improving their knowledge and skills in that area. Other specialty areas to be considered are commercial sales, property management, business opportunity

and business enterprise sales, syndication and counseling. Additional specialty areas also may be considered by the Commission.

(4)(a) A copy of the course shall be submitted to the Commission for evaluation at least 60 days prior to use. The Commission will issue a status report to the course provider within 30 days after submission of the course. Approval or denial of the course will be based on the extent to which the course content covers the material set forth in paragraph (1)(a) above for salespersons and paragraph (1)(b) above for brokers. Examinations must test the course material. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. Institutions, schools and sponsors offering Commission approved post-licensing education courses are responsible for keeping the course subject matter current and accurate.

(b) The course syllabus and examinations will be approved for a 2 year period from the date of approval. A course may not be offered after the expiration date except for a course that is begun before the expiration date may be completed even if the completion date is after the expiration date.

(5) Satisfactory course completion is demonstrated by achieving a grade of 75% or higher on the course examination. For classroom courses ~~a~~At least 2 unique forms of the examinations shall be submitted for approval with the detailed course syllabus and shall test the learning objectives contained therein. The answer key must be unique for each form of the examination. The answer key must reference the page number(s) containing the information on which each question and correct answer is based. The Commission approved examination shall be administered by the applicable university, college, community college, area technical center, registered real estate school, or Commission-approved sponsor.

(6) Notice of satisfactory course completion shall only be issued to any student attending a minimum of 90% of the classroom hours for each course.

(7) The institutions, schools or sponsors offering these Commission prescribed or approved courses shall inform each student of the standards and requirements at the commencement of each course. Notice of course completion shall be made as prescribed by the Commission in Rule 61J2-3.015, Florida Administrative Code.

(8)(a) Students failing a Commission prescribed post-licensing education end of course examination must wait at least 30 days from the date of the original examination to again take the end of course examination. Within one year of the original end of course examination, a student may retake the prescribed end of course examination a maximum of one time. Otherwise, students failing the Commission prescribed end of course examination must repeat the Commission prescribed course prior to being eligible to again take the end

of course examination. Students retaking the end of course examination must be administered a different form of the end of course examination.

(b) Make-up classes to enable a student to take the prescribed end of course examination due to student or family illness may not extend more than 30 days beyond the class scheduled end of course examination without approval of the Commission. Make-up classes must be the classes missed by the student and must consist of the original Commission prescribed course material.

(9) The Commission may allow an additional 6-month period after the first renewal following initial licensure for brokers and salespersons who cannot, due to individual physical hardship, complete the course or courses within the required time. Individual physical hardship shall be as defined in Rule 61J2-3.013(2), Florida Administrative Code. Requests under this rule shall be handled in the same manner as contained in Rule 61J2-3.013(3), Florida Administrative Code.

(10) Any licensee who has received a 4-year degree in real estate from an accredited institution of higher education is exempt from the post-license education requirements.

Specific Authority 475.05, 475.17 FS. Law Implemented 475.04, 475.17, 475.182 FS. History--New 1-1-89, Amended 1-4-90, 6-28-93, Formerly 21V-3.020, Amended 8-2-95, 12-30-97, 2-24-00, 7-23-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Florida Real Estate Commission
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 21, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 9, 2002, Section I

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Probation
 RULE NO.: 61J2-24.006

PURPOSE AND EFFECT: The purpose of the proposed rule is to amend provisions relating to failure to timely comply with the requirements of probation to comply with the statutory authority.

SUMMARY: The proposed rule affects rule provisions relating probation requirements.

SUMMARY OF STATEMENT OF ESTIMATE OF REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared.

Any person who wishes to provide information regarding the Statement of Estimated Regulatory Costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this Notice.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.227, 475.25 FS.

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

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, October 16, 2002

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-24.006 Probation.

(1) Unless otherwise stated in the final order a term of probation shall be ninety (90) days, to commence thirty (30) days after the filing of the final order.

(2) If a respondent is unable to complete the requirements of probation within the ninety (90) days or such other time specified in the final order, the Division Director is authorized to grant a ninety (90) days extension for the following reasons:

- (a) Illness;
- (b) Unavailability of a required course.

(3) In the event the Division Director denies a request for extension or the request for extension involves a reason other than stated in paragraph (2), then the request shall be heard by the Commission.

(4) It is the responsibility of the respondent to submit to the Division Director or the Commission written documentation to substantiate the request for extension. Such request must be made prior to the expiration of the initial term of probation. Failure to request an extension either of the Division Director or the Commission within the initial term of probation will result in the automatic denial of the request for extension and any penalty or penalties associated with the failure to timely complete probation will become effective.

~~(5)(a) When the requirements of probation are not timely completed and a timely request for extension has not been made either of the Division Director or the Commission, or a timely request has been denied, then the respondent's license shall be automatically suspended until such time as the requirements of probation are completed or ten (10) years, whichever occurs first.~~

~~(b)~~ The respondent will be released early from probation upon the successful completion of the terms of probation and the required information being submitted to the Division of Real Estate Legal Section.

Specific Authority 475.05 FS. Law Implemented 455.227, 475.25 FS. History--New 2-13-96, Amended 11-10-97,_____.

NAME OF PERSON WHO ORIGINATING PROPOSED RULE: Florida Real Estate Commission
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 21, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 19, 2002, Section I

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE TITLE: Application and Examination Fee
 RULE NO.: 61SS-6.003
 PURPOSE AND EFFECT: The rule was not transferred to the Department of Business and Professional Regulation from the Department of Professional Regulation and the content of the rule is covered elsewhere in the rules.
 SUMMARY: The rule is being repealed.
 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: 310.185, 310.071(2) FS.
 LAW IMPLEMENTED: 310.071(2) FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Pilot Commissioners, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61SS-6.003 Application and Examination Fee.

Specific Authority 310.185, 310.071(2) FS. Law Implemented 310.071(2) FS. History—New 1-28-80, Formerly 21SS-6.03, Repealed.

NAME OF PERSON WHO ORIGINATING PROPOSED RULE: Board of Pilot Commissioners
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pilot Commissioners
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2002

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE TITLES: Continuing Education Fees
 RULE NOS.: 64B6-4.010

PURPOSE AND EFFECT: The Board proposes to create a new rule.

SUMMARY: The Board proposes to set a non-refundable application fee of \$100 for review of a proposed continuing education program and a biennial fee of \$100 for an approved program.

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: 484.0447 FS.

LAW IMPLEMENTED: 484.0447, 456.025(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Board Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-4.010 Continuing Education Fees.

(1) The application fee for seeking approval to provide a continuing education program shall be \$100, which shall be non-refundable.

(2) The biennial fee for renewal of the providership of an approved program shall be \$100.

Specific Authority 484.0447 FS. Law Implemented 484.0447, 456.025(7) FS. History—New

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: July 26, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 16, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: List of Approved Forms; Incorporation

RULE NO.: 64B8-1.007

PURPOSE AND EFFECT: The proposed rule amendment is intended to add a revised form with regard to financial responsibility and prior acts coverage.

SUMMARY: The proposed rule amendment incorporates a revised form into the rule to address the prior acts coverage.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.312(4), 458.313(4), 458.314(5), 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.312, 458.313, 458.314, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.351 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: Larry G. McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-1.007 List of Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public are listed as follows and are hereby adopted and incorporated by reference, and can be obtained from the Board office by writing to the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753, or by telephoning (850)245-4131:

- (1) through (10) No change.
- (11) DH-MQA 1014, entitled "Statement of Financial Responsibility and Exemptions," (6/02) (1/00).
- (12) through (22) No change.

Specific Authority 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.312(4), 458.313(4), 458.314(5), 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS. Law Implemented 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.312, 458.313, 458.314, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.351 FS. History—New 4-17-01, Amended 11-20-01, 8-13-02.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Definitions

RULE NO.: 64B8-2.001

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify definitions for direct and indirect supervision.

SUMMARY: The proposed rule amendments clarify definitions of direct and indirect supervision.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 458.309, 458.315(1), 458.317(1)(c), 458.319(1), 766.314(4) FS.

LAW IMPLEMENTED: 456.072(2)(g), 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(4) 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: Larry G. McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-2.001 Definitions.

(1) Levels of Supervision: The phrase "direct supervision and control" as used in Section 458.303(2), F.S., shall require the physical presence of the supervising physician on the premises so that the supervising physician is immediately available when needed.

(a) "Direct supervision" shall require the physical presence of the supervising licensee on the premises so that the supervising licensee is reasonably available as needed. When this term is used in probationary terms of a Final Order, it requires that the licensee practice medicine only if the approved supervisor is on the premises.

(b) "Indirect supervision" shall require only that the supervising licensee practice at a location which is within close physical proximity of the practice location of the supervised

licensee and that the supervising licensee must be readily available for consultation as needed. "Close physical proximity" shall be within 20 miles or 30 minutes unless otherwise authorized by the Board.

(c) Unless otherwise provided by law or rule, the above definitions will apply to all supervised licensees.

(2) through (5) No change.

~~(6) The phrase "direct responsibility," as defined by the Board of Medicine, and as used in Section 458.3485, Florida Statutes, shall mean that the responsible physician need not be physically present on the premises but must be within close physical proximity and easily accessible.~~

(7) through (12) renumbered (6) through (11) No change.

Specific Authority 458.309, 458.315(1), 458.317(1)(c), 458.319(1), 766.314(4) FS. Law Implemented 456.072(2)(g), 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(4) FS. History–New 11-10-82, Amended 12-4-85, Formerly 21M-29.01, Amended 12-4-86, 11-15-88, 3-13-89, 1-1-92, 9-24-92, 2-21-93, Formerly 21M-29.001, Amended 4-14-94, Formerly 61F6-29.001, 59R-2.001, Amended 4-7-99, 10-2-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rules Committee, Board of Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Inactive and Delinquent Status Fees
RULE NO.: 64B8-3.004

PURPOSE AND EFFECT: The proposed rule amendment is intended to address reactivation of a delinquent license.

SUMMARY: The proposed rule amendment clarifies that the reactivation of a delinquent license for the purpose of converting the license to a limited license requires the payment of a \$25 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 to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.036, 458.309 FS.

LAW IMPLEMENTED: 456.036, 458.3145, 458.316, 458.3165, 458.345 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: Larry G. McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-3.004 Inactive and Delinquent Status Fees.

(1) The fees for individuals holding a medical license, a temporary certificate to practice in areas of critical need, or a limited license shall be:

(a) through (d) No change.

(e) The fee for reactivation of an inactive and a delinquent license for the purpose of converting the license to a limited license pursuant to Section 458.317(4), F.S., shall be \$25.00.

(2) No change.

Specific Authority 456.036, 458.309 FS. Law Implemented 456.036, 458.3145, 458.316, 458.3165, 458.345 FS. History–New 2-13-95, Amended 10-10-95, 12-18-95, Formerly 59R-3.004, Amended 8-11-98, 11-20-01, 3-25-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rules Committee, Board of Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Standards for the Use of Controlled
RULE NO.: 64B8-9.013

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify that criteria with regard to prescribing medication for the treatment of pain are standards of practice.

SUMMARY: The proposed rule amendments clarify the rule and specify that the criteria for prescribing medication for the treatment of pain are standards of practice.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 458.309(1), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.326, 458.331(1)(g),(t),(v) 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: Larry G. McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.013 Standards for the Use of Controlled Substances for Treatment of Pain.

(1) Pain management principles.

(a) No change.

(b) Inadequate pain control may result from physicians' lack of knowledge about pain management or an inadequate understanding of addiction. Fears of investigation or sanction by federal, state, and local regulatory agencies may also result in inappropriate or inadequate treatment of chronic pain patients. Physicians should not fear disciplinary action from the Board or other state regulatory or enforcement agencies for prescribing, dispensing, or administering controlled substances including opioid analgesics, for a legitimate medical purpose and that is supported by appropriate documentation establishing a valid medical need and treatment plan. Accordingly, these ~~standards~~ guidelines have been developed to clarify the Board's position on pain control, specifically as related to the use of controlled substances, to alleviate physician uncertainty and to encourage better pain management.

(c) through (e) No change.

(f) Each case of prescribing for pain will be evaluated on an individual basis. The Board will not take disciplinary action against a physician for failing to adhere strictly to the provisions of these ~~standards~~ guidelines, if good cause is shown for such deviation. The physician's conduct will be evaluated to a great extent by the treatment outcome, taking into account whether the drug used is medically and/or pharmacologically recognized to be appropriate for the diagnosis, the patient's individual needs including any improvement in functioning, and recognizing that some types of pain cannot be completely relieved.

(g) The Board will judge the validity of prescribing based on the physician's treatment of the patient and on available documentation, rather than on the quantity and chronicity of prescribing. The goal is to control the patient's pain for its duration while effectively addressing other aspects of the patient's functioning, including physical, psychological, social, and work-related factors. The following ~~standards~~ guidelines are not intended to define complete or best practice, but rather to communicate what the Board considers to be within the boundaries of professional practice.

(2) No change.

(3) ~~Standards~~ Guidelines. The Board has adopted the following ~~standards for guidelines when evaluating~~ the use of controlled substances for pain control:

(a) through (b) No change.

(c) Informed Consent and Agreement for Treatment. The physician should discuss the risks and benefits of the use of controlled substances with the patient, persons designated by the patient, or with the patient's surrogate or guardian if the patient is incompetent. The patient should receive prescriptions from one physician and one pharmacy where possible. If the patient is determined to be at high risk for medication abuse or have a history of substance abuse, the physician should ~~may~~ employ the use of a written agreement between physician and patient outlining patient responsibilities, including, but not limited to:

1. Urine/serum medication levels screening when requested;
2. Number and frequency of all prescription refills; and
3. Reasons for which drug therapy may be discontinued (i.e., violation of agreement).

(d) Periodic Review. At reasonable intervals based on the individual circumstances of the patient, the physician should review the course of treatment and any new information about the etiology of the pain. Continuation or modification of therapy should depend on the physician's evaluation of the patient's progress toward stated treatment objectives such as improvement in patient's pain intensity and improved physical and/or psychosocial function, i.e., ability to work, need of health care resources, activities of daily living, and quality of social life. If treatment goals are not being achieved, despite medication adjustments, the physician should reevaluate the appropriateness of continued treatment. The physician should monitor patient compliance in medication usage and related treatment plans.

(e) Consultation. The physician should be willing to refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. Special attention should be given to those pain patients who are at risk for misusing their medications and those whose living arrangements pose a risk for medication misuse or diversion. The management of pain in patients with a history of substance abuse or with a comorbid psychiatric disorder ~~may~~ requires extra care, monitoring, and documentation, and may require consultation with or referral to an expert in the management of such patients.

(f) Medical Records. The physician is required to keep accurate and complete records to include, but not be limited to:

1. The medical history and physical examination, including history of drug abuse or dependence, as appropriate;
2. through 9. No change.

Records must remain current and be maintained in an accessible manner and readily available for review.

(g) No change.

Specific Authority 458.309(1), ~~458.331(1)(v)~~ FS. Law Implemented 458.326, 458.331(1)(g),(t),(v) FS. History--New 12-21-99, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Quality Assurance Committee, Board of Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 2, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Requirements for Approval of Training
Courses for Laser and Light-based
Hair Removal or Reduction

RULE NO.: 64B8-52.004

PURPOSE AND EFFECT: The Board proposes to amend this rule to include 15 hours of home-study didactic training as acceptable courses for laser and light-based hair removal or reduction training.

SUMMARY: This rule amendment adds 15 hours of home-study didactic training as acceptable courses for laser and light-based hair removal or reduction training.

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

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

SPECIFIC AUTHORITY: 478.43 FS.

LAW IMPLEMENTED: 478.42(5), 478.43(3), 478.50 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-52.004 Requirements for Approval of ~~Continuing Education~~ Training Courses for Laser and Light-based Hair Removal or Reduction.

The Electrolysis Council will approve laser and light-based hair removal or reduction continuing education training courses upon application if the following requirements are met:

(2) The course consists of thirty (30) hours of instruction, which may include 15 hours of home-study didactic training, in the use of laser and light-based hair removal or reduction devices, including:

- (a) through (w) No change.

Specific Authority 478.43 FS. Law Implemented 478.42(5), 478.43(3), 478.50 FS. History--New 10-3-00, Amended 12-24-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Electrolysis Council
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Electrolysis Council
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 22, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Citations

RULE NO.: 64B8-55.002

PURPOSE AND EFFECT: The Board proposes to change the rule to add the violations for which citations may be issued.

SUMMARY: This amendment to the rule adds violations for which citations may be issued.

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

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

SPECIFIC AUTHORITY: 456.077(1),(2) FS.

LAW IMPLEMENTED: 456.072(3)(b), 456.077(1),(2), 478.51, 478.52 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Medicine, Electrolysis Council/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-55.002 Citations.

(1) No change.

(4) The Board designates the following as citation violations:

- (a) Failure to provide satisfaction including the costs incurred within 45 days of receipt of the Department's notification of a check dishonored for insufficient funds. Issuing a bad check to the Department. (a) A \$100.00 fine

(b) through (r) No change.

(s) Advertising any discounted or free service without including the required statement.
s. 456.062, F.S.

(5) through (6) No change.

Specific Authority 456.077(1),(2) FS. Law Implemented 456.072(3)(b), 456.077(1),(2), 478.51, 478.52 FS. History–New 11-16-93, Formerly 61F6-80.002, Amended 1-2-95, Formerly 59R-55.002, Amended 11-13-97, 10-12-98, 2-11-01, 2-20-02.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Electrolysis Council
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrolysis Council
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 22, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Mediation
RULE NO.: 64B8-55.004

PURPOSE AND EFFECT: The Board proposes to add a provision as to the circumstances under which mediation will be available to licensees and to clarify the procedure for referring a case to mediation.

SUMMARY: This rule amendment adds circumstances under which mediation will be available to licensees and clarifies the procedure for referring a case to mediation.

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

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

SPECIFIC AUTHORITY: 456.078, 478.43 FS.

LAW IMPLEMENTED: 456.078 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Medicine, Electrolysis Council/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-55.004 Mediation.

(1) "Mediation" means a process whereby a mediator appointed by the Department acts to encourage and facilitate resolution of a legally sufficient complaint. It is an informal and nonadversarial process with the objective of assisting the parties to reach a mutually acceptable agreement.

(2) Mediation shall be available to licensees only after review by the legal staff of the Agency for Health Care Administration, Division of Regulation. Such review may be by telephone, in writing, or by facsimile machine.

(3)(2) For purposes of section 456.078, F.S., the Board designates the following as being appropriate for mediation:

(a) Failure to respond timely to a continuing education audit;

(b) Failure to comply with advertising requirements, where there has been no harm to any patients;

(c) Permitting a license to become delinquent for fewer than 30 days, provided the licensee has not practiced, attempted to practice, or offered to practice the profession during the delinquency period;

(d) Offering discounted or free professional services without providing the statement required by Section 456.062, F.S., where there has been no harm to any patients.

(4) All costs of mediation shall be borne by the licensee.

Specific Authority 456.078, 478.43 FS. Law Implemented 456.078 FS. History–New 12-17-01, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Electrolysis Council

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrolysis Council

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 22, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLE: Documentation of Eligibility for Licensure
RULE NO.: 64B14-4.003

PURPOSE AND EFFECT: The Board proposes to add language to this rule to require a course relating to the prevention of medical errors.

SUMMARY: The promulgation of new language requiring a course on the prevention of medical errors is being added to this rule pursuant to s. 456.013(7), F.S.

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

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

SPECIFIC AUTHORITY: 456.013(7), 468.802 FS.

LAW IMPLEMENTED: 456.013, 468.803 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

THE FULL TEXT OF THE PROPOSED RULES IS:

64B14-4.003 Documentation of Eligibility for Licensure.
(1) through (4) No change.

64B14-5.001 Licensure Renewal.

(5) Each applicant, as a condition to initial licensure, shall attend and provide proof of attending, a Board approved two-hour course relating to the prevention of medical errors. The course must include: a study of root-cause analysis, error reduction and prevention, and patient safety.

Each licensee, including provisional licensees, must renew his or her license no later than November 30 ~~May 31~~ of each odd-numbered year. Each applicant shall remit the licensure renewal fee established in Rule 64B14-2.002, F.A.C.

Specific Authority 468.802 FS. Law Implemented 456.013(1), 468.803 FS. History—New 12-10-98, Amended _____.

Specific Authority 468.802, 468.806(2) FS. Law Implemented 468.805(2), 468.806 FS. History—New 7-1-98, Amended 12-10-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 30, 2002

64B14-5.002 Continuing Education Requirement.

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

(c) For each biennium ending after May 31, 2001, each licensee’s continuing education must include one hour of continuing education on cardiopulmonary resuscitation; one hour on infectious diseases including HIV/AIDS, two hours of continuing education relating to prevention of medical errors which shall include a study of root-cause analysis, error reduction and prevention, and patient safety and two hours on Chapters 456, ~~¥~~ 468, Part XIV, F.S., and Rule Chapter 64B14, F.A.C. The two-hour course relating to the prevention of medical errors shall count toward the total number of continuing education hours required and shall be a course approved by the Board ~~or Department~~.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLES: RULE NOS.:
Licensure Renewal 64B14-5.001
Continuing Education Requirement 64B14-5.002
Continuing Education Course Criteria 64B14-5.003
PURPOSE AND EFFECT: The board proposes to correct specific text in Rules 64B14-5.001 and 64B14-5.003 and add new text to Rule 64B14-5.002.

(2) through (8) No change.

(9) For the first renewal period after licensure the licensee is exempt from continuing education requirements of subsection 64B14-5.002(1), F.A.C., except for hours mandated for medical errors.

SUMMARY: The board proposes to correct the biennial period pursuant to Rule 64B-9.001(4), F.A.C. in Rule 64B14-5.001. New language in Rule 64B14-5.002 clarifies the continuing education requirements for a licensee’s first renewal period and unnecessary text is being stricken from rule 64B14-5.003.

Specific Authority 468.802, 468.806 FS. Law Implemented 456.013, 456.024, 468.806 FS. History—New 7-1-98, Amended 5-18-00, 7-18-02, _____.

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

64B14-5.003 Continuing Education Course Criteria.

(1) through (7) No change.

(8) Each licensee attending a course must be required to sign in ~~and out~~, and must attend all of the course in order to be awarded continuing education credit.

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

Specific Authority 456.013, 468.802, 468.806 FS. Law Implemented 456.013(8), 468.806 FS. History—New 5-18-00, Amended _____.

SPECIFIC AUTHORITY: 456.013, 468.802, 468.806 FS.
LAW IMPLEMENTED: 456.013, 456.024, 468.806 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: August 30, 2002

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: RULE NO.:

Licensure by Endorsement 64B17-3.003

PURPOSE AND EFFECT: The Board proposes to add to current rule text.

SUMMARY: The Board determined that active licensure in another jurisdiction should replace a listing of the other possible jurisdictions. The national exam provider must be certified by the Department and an applicant who has failed to pass the examination after 5 attempts in any jurisdiction is precluded from licensure.

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

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

SPECIFIC AUTHORITY: 486.025, 486.081 FS.

LAW IMPLEMENTED: 486.081 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-3.003 Licensure by Endorsement.

An applicant demonstrating that he or she meets the requirements of Rule 64B17-3.001, F.A.C., may be licensed to practice physical therapy by endorsement by presenting evidence satisfactory to the Board that the applicant has active licensure in another jurisdiction and has passed an examination before a similar, lawful, authorized examining board in physical therapy in such other jurisdiction ~~another state, the District of Columbia, a territory or a foreign country~~ if their standards for licensure are as high as those maintained in Florida. The standard for determining whether the standards of another jurisdiction ~~state, the District of Columbia, a territory, or a foreign country~~ are as high as the standards in Florida shall be whether the written examination taken for licensure in such other jurisdiction by applicants meeting Florida's minimum educational qualifications was through the national physical therapy examination provider certified by the Department. An applicant who has failed to pass the examination after five attempts, regardless of the jurisdiction through which the examination was taken, is precluded from licensure.

Specific Authority 486.025, 486.081 FS. Law Implemented 486.081 FS. History—New 8-6-84, Formerly 21M-7.26, Amended 5-18-86, Formerly 21M-7.026, 21MM-3.004, 61F11-3.004, 59Y-3.004, Amended 4-21-02, _____.

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: RULE NO.:

Licensure by Endorsement 64B17-4.003

PURPOSE AND EFFECT: The Board proposes to add to current rule text.

SUMMARY: The Board determined that an applicant who has failed to pass the examination after 5 attempts in any jurisdiction is precluded from licensure.

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

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

SPECIFIC AUTHORITY: 486.025, 486.107(1) FS.

LAW IMPLEMENTED: 486.107(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-4.003 Licensure by Endorsement.

An applicant demonstrating that he or she is licensed in another state may be licensed to practice as a physical therapist assistant by endorsement by presenting evidence of active licensure in another jurisdiction, under oath, and evidence satisfactory to the Board that the applicant from such other jurisdiction has been licensed under standards for licensure as high as those maintained in Florida. The standard for determining whether those requirements are as high as those in Florida shall be whether the applicant was required to meet educational standards equivalent to those set forth in subsection 64B17-4.001(3), F.A.C., and whether the written

examination taken for licensure in such other jurisdiction was through the designated national physical therapy assistants examination provider certified by the Department. An applicant who has failed to pass the examination after five attempts, regardless of the jurisdiction through which the examination was taken, is precluded from licensure.

Specific Authority 486.025, 486.107(1) FS. Law Implemented 486.107(1) FS. History—New 8-6-84, Formerly 21M-10.26, Amended 5-18-86, Formerly 21M-10.026, 21MM-4.004, 61F11-4.004, 59Y-4.004, Amended 7-11-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Physical Therapy Practice
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF HEALTH

School Psychology

RULE TITLES:	RULE NOS.:
Application Form Required for Licensure	64B21-500.002
Education Requirements for School Psychologists	64B21-500.009

PURPOSE AND EFFECT: The Board proposes to update the existing language in these rules.

SUMMARY: Rule 64B21-500.002, F.A.C., is amended to update the form used for application as a school psychologist. Rule 64B21-500.009, F.A.C., is amended to require that applicants for initial licensure as a school psychologist complete a course on domestic violence and a course on medical errors, and to eliminate unnecessary language from the rule.

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: 490.015 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 490.005 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kaye Howerton, Executive Director, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULES IS:

64B21-500.002 Application Form Required for Licensure. Any person desiring a license to practice school psychology either through endorsement or by examination shall apply to the Department of Health. The application shall be made on form, DH-MQA 1067 DPR/DMQA/SS, Application for School Psychology Licensure, which is hereby adopted and incorporated by reference herein, revised effective 05/02 January 1, 1992, and can be obtained from the Department of Health, 4052 Bald Cypress Way, Bin C05 Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-3255 32399-0788.

Specific Authority 490.015 420.53(4) FS. Law Implemented 490.005(2), 490.006 FS. History—New 4-13-82, Amended 2-11-85, Formerly 21U-500.02, Amended 6-21-92, Formerly 21U-500.002, 61E9-500.002, Amended _____.

64B21-500.009 Education Requirements for School Psychologists.

(1) For the purposes of section 490.005(2), F.S., a doctorate, specialist, or equivalent degree in a program of study primarily psychological in nature from an institution accredited by any regional accrediting agency recognized by the Council on Postsecondary Accreditation or an institution which is publicly recognized as a member in good standing with the Association of Universities and Colleges of Canada pursuant to section 490.005(2)(b)1., Florida Statutes. a program of study primarily psychological in nature shall be defined as a program in which the majority of courses are in social, behavioral, and psychological sciences.

(2) No change.

(3) For licensure by examination or endorsement, all applicants must submit evidence of completion of a supervised practicum, or an internship, or field experience in a counseling setting which requires counseling and other school psychology skills. Such evidence shall be submitted by all applicants completing the appropriate form within the DPR/DMQA/SS, Application for Licensure as a School Psychologist, which is incorporated by reference herein, effective January 1, 1992. Such form shall be certified by an official from a college or university accredited by any accrediting agency approved by the United States Department of Education regardless of whether or not the supervised practicum, or internship, or field experience occurred within or outside the academic arena.

(4) Each applicant for initial licensure as a school psychologist shall complete a course on domestic violence as required by Section 456.031, F.S., and on the prevention of medical errors as required by Section 456.013(7), F.S.

Specific Authority 490.015 420.53(4) FS. Law Implemented 456.013, 456.031, 490.005(2) FS. History—New 4-13-82, Amended 2-2-83, Formerly 21U-500.09, Amended 1-2-92, 6-21-92, Formerly 21U-500.009, 61E9-500.009, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kaye Howerton
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Amy Jones
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF HEALTH

Optical Establishments

RULE TITLE: Optical Establishment Inspection
RULE NO.: 64B29-1.002
PURPOSE AND EFFECT: The Department of Health proposes to promulgate a new rule addressing matters pertaining to optical establishment inspections.
SUMMARY: This new rule sets forth and establishes the criteria of optical establishment inspections and procedures.
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: 484.005, 484.007, 484.014, 484.015 FS.

LAW IMPLEMENTED: 484.007, 484.014, 484.015 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Wayne McDaniel, Deputy Secretary, Department of Health, c/o General Counsel's Office, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703

THE FULL TEXT OF THE PROPOSED RULE IS:

64B29-1.002 Optical Establishment Inspection.

(1) Each optical establishment registered by the Department of Health to operate in the State of Florida shall be subject to periodic inspections by department personnel or its designee at least once every other year. Such inspections may be conducted at all reasonable hours including but not limited to regular business hours and may occur with or without notice.

(2) The inspection of the optical establishment shall include the following:

(a) Identification of the owner of the establishment, including the current name, street, mailing address and telephone number and in the case of a partnership, corporation, association, or entity, the identification of the registered agent or other person to receive service or papers or documents.

(b) Verification that the establishment location is permitted.

(c) Verification that the optical establishment has not changed ownership.

(d) Verification that if a change of ownership occurred within thirty (30) days after such a change in ownership of the establishment that the permit was returned to the department for cancellation.

(e) Determination if any provisions of Chapter 484, Part 1, Florida Statutes, or the rules promulgated pursuant thereto have been violated including:

1. Whether prescription written by a physician or optometrist for any lenses, spectacles, eyeglasses, contact lenses, or other optical devices are kept on file for a period of 2 years, and

2. Whether a violation of Sections 484.014 or 456.072, Florida Statutes, has occurred.

(f) Determination that the minimum equipment required by Rule 64B12-10.007, Florida Administrative Code, is maintained in each office in which an optician practices opticianry. The equipment required is pupillary gauges, thickness gauge, one set of hand tools necessary for fitting of eye glasses, one lensometer or vertometer or similar instrument, one colmascope or similar instrument, one frame heater, one lens measure, set of sample frames and mountings, keratometer or similar instrument and slit lamp or similar instrument if fitting and adapting contact lenses, and a set of trial soft contact lenses, if fitting and adapting contact lenses.

(g) Determination of whether a licensed optician is on the premises when optical devices are prepared or dispensed.

(h) The optical establishment permit is displayed.

Specific Authority 484.007, 484.014, 484.015 FS. Law Implemented 484.007, 484.014, 484.015 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Department of Health

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Wayne McDaniel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 23, 2002

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER TITLE: Mobile Home, Lodging, and Recreational

Vehicle Parks and Recreational Camps Permits and Fees 64E-15

RULE TITLES: Sewage Disposal 64E-15.004

Permits and Fees 64E-15.010

PURPOSE AND EFFECT: This rule is being revised to remove the requirement for an annual application for the renewal of permits for certain mobile home parks, recreational vehicle parks and recreational camps; incorporate into rule a departmental policy that allows the use of transportable wastewater containers for the collection and transport of certain wastewaters from recreational vehicles and tents; and to change language which stated that the plumbing for mobile homes would be the same type as sewage plumbing for recreational vehicles. The changes will reduce the paperwork and accompanying workload for county health departments and the regulated industry associated with renewing permits each year and allow for the disposal of more wastewaters into sanitary dump stations.

SUMMARY: Paragraph 64E-15.010(2)(a), F.A.C., will be revised to remove the requirement for existing establishments, other than migrant parks, to file an annual application for a permit. Rule 64E-15.004, F.A.C., Sewage, will be revised to clarify the usage of transportable wastewater containers used for the disposal of some domestic wastes such as laundry water, kitchen water and shower water. The amendment will also provide for the disposal of cassette-type toilet contents into sanitary dump stations under specific conditions. In the second sentence of subsection 64E-15.004(2), F.A.C., the phrase "by means of a readily removable," will be changed to state, "by means of a rigid, acid resistant connector."

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

Any persons, who wish to provide information regarding the statement of estimated regulatory costs, must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 381.0011(13), 513.05 FS.

LAW IMPLEMENTED: 513.03, 513.08, 513.12 FS.

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

TIME AND DATE: 1:30 p.m., October 16, 2002

PLACE: Conference Room 240P, Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ken Widergren, Environmental Specialist III, Bureau of Facility Programs, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida, (850)245-4277

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-15.004 Sewage Disposal.

(1) A safe method of sewage collection, disposal, or treatment and disposal shall be provided at each park or camp and shall be in compliance with either Chapter 64E-6, Standards for Individual Onsite Sewage Treatment and

Disposal Systems, or Chapter 62-600, Domestic Wastewater Facilities Treatment Requirements, Florida Administrative Code. Transportable wastewater containers and cassette-type toilets may be used under the following conditions:

(a) The transportable wastewater container and cassette-type toilet must be specifically designed and sold for holding and transporting wastewater, and must have a tight-capping lid and watertight connections that under normal use will not leak or spill.

(b) Waste from hand washing sinks, kitchen sinks, and showers may be disposed of into transportable wastewater containers. Toilet waste may not be placed into a transportable wastewater container.

(c) Cassette-type portable toilets are acceptable for the holding and transportation of toilet waste, provided the storage container can be sealed in such a manner as to preclude leaking or spillage during transportation.

(d) Transportable wastewater containers and cassette-type toilets shall be transported to an approved disposal site in such a manner as to preclude leakage, spillage or the creation of a sanitary nuisance.

(e) Should waste spill onto the ground from a transportable wastewater container or cassette-type toilet, the person transporting the tank shall immediately notify the park's management.

(f) Park managers are responsible for enforcement of these provisions. Parks or camps agreeing to the use of transportable wastewater containers and/or cassette-type toilets shall post a sign or otherwise notify camp residents of a phone number where any transportable wastewater containers or cassette toilet spills can be reported to management. Park management shall have on file a protocol for disinfecting spills, and will take action to disinfect the spill area.

(2) Each mobile home site shall be provided with a sanitary sewer connection point. The waste line connector between the mobile home unit and the park's sewer system shall be self-draining and leak proof from liquids and gases and be connected by means of a rigid, readily removable acid resistant connector.

(3) through (7) No change.

Specific Authority 381.011, 513.05 FS. Law Implemented 381.006(7), (14), 381.0065, 386.041, 513.08 FS. History—New 5-20-96, Formerly 10D-26.130, Amended.

64E-15.010 Permits and Fees.

(1) No change.

(2) Permit Application.

(a) Applications for first time permits, migrant parks, change of ownership, and modification of existing parks, and applications to reinstate existing permits shall be made on DH Form 4037, Application for Mobile Home Park, Mobile Home Park Housing, Migrant Farmworkers, Lodging Park, Recreational Vehicle Park and Recreational Camp, 09/98, which is incorporated herein by reference and furnished by the

department through the county ~~public health departments units~~. Applications for first time permits shall be filed with the department at least 30 days before a park or camp's operations are scheduled to begin. Applications for renewal of a park or camp permit are not required except for a migrant park. ~~Applications for parks and camps that have previously been permitted shall be filed with the department at least 30 days before the expiration date.~~

(3) Fees.

(a) Existing parks and camps that are renewing their annual permits shall pay the annual fee. An applicant who applies for an annual permit shall pay the full fee. All other permits applicants, such as those for a change of ownership, reinstatement after revocation of permit, modification of an existing park, those parks qualifying as migrant parks or new establishments permitted after the first quarter shall pay a prorated fee on the remaining quarters of operation. The applicant who operates a park as defined in Rule 64E-15 that is also regulated as migrant farmworker housing shall only be required to pay a single park fee, unless there have been major deficiencies or uncorrected deficiencies cited by the department or administrative action taken within the past year regarding the requirements for residential migrant housing set forth in Chapter 381, F.S., in which case the applicant shall pay the fee required in Section 381.0084, F.S.

(b) In determining the fee of a recreational camp operating as a commercial establishment, each 2 campers shall be considered equivalent to the occupancy of a tent space or a non self-contained recreational vehicle space. ~~An applicant who applies for an annual permit for a~~ A commercial recreational camp shall pay an annual ~~the full~~ fee based on \$3.50 per equivalent space which shall not be less than \$50 nor more than \$600. Commercial recreational camp permits issued for changes of ownership, reinstatements after revocation of permit, or new establishments permitted after December 31, shall pay a prorated fee based on the remaining quarters of an annual operation.

(c) ~~Permit Application~~ fees shall not be refunded once the permit has been issued ~~action has been taken on the application.~~

(4) Enforcement. Supplemental to other enforcement remedies, citations for violation of applicable rules shall be issued on DH Form 3159, Citation for Violation, Mobile Home, Recreational Vehicle, and Lodging Park and Recreational Program, which is incorporated herein by reference and furnished by the department through the county health departments.

Specific Authority 381.006, 381.001(13), 381.0084, 513.05 FS. Law Implemented 381.006, 381.061, 381.006(14), 381.008-.0085, 386.03, 513.012, 513.02, 513.03, 513.045, 513.05, 512.065 FS. History--New 5-20-96, Formerly 10D-26.190, Amended 6-23-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ken Widergren, Environmental Specialist III
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Leslie Harris, Environmental Administrator, Bureau of Facility Programs
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 8, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2001 and May 18, 2001

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-20.019	Children of Deceased or Disabled Veterans or Children of Servicemen Classified as Prisoners of War or Missing in Action Scholarships

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. 28, No. 32, August 9, 2002, issue of the Florida Administrative Weekly:

Paragraph (1)(c) and Subparagraph (1)(g)2. are amended as follows:

(1)(c) Be enrolled for a minimum of ~~six (6) twelve (12)~~ six (6) credits ~~hours~~, or ~~one hundred eighty (180) four hundred fifty (450)~~ one hundred eighty (180) clock hours, at the end of the regular registration period, inclusive of the drop-add period, for each academic term in which aid is received.

(g)2. Have earned during the previous summer and two (2) semesters or three (3) quarters, if a renewal applicant, ~~six (6) twelve (12)~~ six (6) credit hours or ~~one hundred eighty (180) four hundred fifty (450)~~ one hundred eighty (180) clock hours per term or the equivalent for the number of terms for which the award was received. A student who has received funds through this program who fails to earn the required credits shall be ineligible for an award the following year. However, such student may be considered for restoration after one year, if the student has an earned cumulative grade point average of 2.0 on a 4.0 scale.

DEPARTMENT OF EDUCATION**State Board of Education**

RULE NO.:

RULE TITLE:

6A-20.032

Florida Private Student Assistance
Grant**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. 28, No. 32, August 9, 2002, issue of the Florida Administrative Weekly:

6A-20.032 Florida Private Student Assistance Grant.

(1) General eligibility requirements. To receive aid, a student shall meet the provisions of Sections 240.1201, 240.404, and 240.4095, Florida Statutes, and Rules 6A-20.001, 6A-20.003, and 6A-20.0371, FAC., and:

(a) Be enrolled in an associate or baccalaureate degree program and not have previously received a baccalaureate degree.

(b) Be enrolled for a minimum of twelve (12) credit hours for full-time award at the end of the drop-add period for each academic term in which the award is received.

~~(d) Not have previously received a baccalaureate degree.~~

~~(c)(e)~~ Be a United States citizen or permanent resident, or eligible non-citizen pursuant to regulations established by the U. S. Congress or the U.S. Department of Education for the receipt of federal student financial assistance.

~~(f) Be a bona fide resident of Florida, pursuant to Section 240.1201, Florida Statutes, and Rule 6A-20.003, FAC., for reasons other than education for a minimum of twelve (12) months prior to the beginning day of classes of the fall term of the academic year for which the grant is awarded.~~

~~(g) Have met the College-Level Academic Skills Test (CLAST) requirements for the receipt of state student assistance, pursuant to Rule 6A-20.005, FAC.~~

~~(h) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.~~

~~(i) Have a minimum of two hundred (200) dollars in student financial need, pursuant to Subsection (6) of this rule.~~

~~(d)(j)~~ Have met the measurable progress standards of the institution.

~~(e)(k)~~ Not owe a repayment of a grant under the Pell Grant, Supplemental Educational Opportunity Grant, or any state grant or scholarship program, unless satisfactory arrangements to repay the loan have been made.

~~(l)(4)~~ Not be in default on any state loan program or any federal Title IV loan program, unless satisfactory arrangements to repay the loan have been made.

~~(2) Academic criteria for renewal awards. Academic eligibility is determined at the end of the second semester or third quarter or each academic year. To be eligible for a renewal award a student shall, pursuant to Section 240.404(1)(b), Florida Statutes:~~

~~(a) Have earned at the last institution attended, a minimum cumulative grade point average for college work of 2.0 on a 4.0 scale; and~~

~~(b) Have earned during the previous summer and two (2) semesters or three (3) quarters, twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received. A student who fails to earn the required credits is ineligible to receive a renewal award; or~~

~~(e) Be granted probationary status. A student who earns the minimum number of credit hours, but who fails to earn the minimum cumulative 2.0 grade point average, may be granted a probationary award for two (2) semesters or three (3) quarters. To be eligible for renewal the following year, each such student shall have earned the required credits and a cumulative grade point average of 2.0 on a 4.0 scale by the end of the probationary period.~~

~~(2)(3) Reinstatement awards. A student who met the requirements for renewal provided in Section 240.404, Florida Statutes, but did not receive an award for a full academic year fails to meet the provisions of Paragraphs (2)(b) or (2)(e) of this rule shall be eligible to apply for reinstatement during a subsequent application period. Each such student may be eligible for reinstatement if the student has earned a cumulative grade point average of 2.0 on a 4.0 scale at the last institution attended.~~

~~(3) Restoration awards. A student who fails to meet the renewal provisions of Section 240.404, Florida Statutes, shall be eligible to apply for restoration during a subsequent application period. Each such student may be eligible for restoration if the student has earned an institutional cumulative grade point average of 2.0 on a 4.0 scale.~~

~~(4) Appeals. An applicant may appeal the denial of an award pursuant to Sections 240.404 and 240.4042, Florida Statutes, and Rule 6A-20.0371, FAC.~~

~~(5) Period of the award. An award is made for the two (2) semesters or three (3) quarters or the equivalent of an academic year.~~

~~(6) Amount of the award. The award may range from two hundred (200) dollars to fifteen hundred (1500) dollars, or the amount established by the General Appropriations Act, not to exceed a student's demonstrated financial need or the cost of tuition and fees whichever is less. A student's demonstrated financial need will be the difference between the student's cost of education and the resources available to the student to meet such cost. For this purpose, a student's cost of education will be based on standard education budgets established by the Department. These standard budgets will be developed separately for commuter students and all other students; will provide for the average institutional cost of tuition and fees for thirty (30) semester hours or thirty-six (36) quarter hours; and will include a standard cost for room and board, transportation, books and supplies, and personal expenses. The resources available to a student will include the student's expected family~~

contribution and Pell Grant. An institution may adjust the amount of an award established by the Department when the institution determines that the standard budget, expected family contribution, or Pell Grant amount used by the Department in calculating a student's grant award is in error, and when the use of corrected values yields a different grant award result. An institution will reduce the amount of an award established by the Department when such award in combination with all other resources available to the student exceeds the student's financial need. In making a determination that a student's resources exceed a student's financial need, the institution will use institutional budgets in lieu of Department standard budgets and will consider expected family contribution, Pell Grant, Florida Private Student Assistance Grant, and all other sources of student financial assistance.

(7) Maximum terms of eligibility. A student shall be eligible to receive grant funds for nine (9) semesters or fourteen (14) quarters over a maximum period of six (6) consecutive years from the time of the first disbursement. However, pursuant to Section 240.404, Florida Statutes, a student who is required to participate in preparatory or remedial courses, who needs additional time to meet the minimum standards of the CLAST, or who is enrolled in a five (5) year undergraduate degree program may receive an award for a maximum of ten (10) semesters or fifteen (15) quarters during the six (6) year period. Five (5) year eligibility does not apply to a program of study which leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five (5) year programs will be allowed based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
132 or more	10
Quarter Hours Required	Terms of Eligibility
192 or more	15

(6)(8) Award procedures. The institution shall make preliminary determinations of applicant eligibility based on information it receives from the need analysis processor, cumulative grade point average, and earned credit information. The institution shall rank applicants who meet preliminary eligibility criteria by the expected family contribution cut-off established by the Department and estimate individual award amounts, taking into consideration a standard cost of education budget, expected family contribution, and estimated Pell Grant award amounts. The Department will make preliminary determinations of applicant eligibility based on information it receives from the need analysis processors and cumulative grade point average and earned credit information it receives from the institutions. The Department will rank applicants who meet preliminary eligibility criteria by expected family contribution and will estimate individual award amounts, taking into consideration a standard cost of education budget, expected family contribution, and estimated Pell Grant award amounts. In the event that available appropriations are not

sufficient to award all eligible applicants, the Department shall reduce the amount of each recipient's grant pursuant to Section 240.4095(3), Florida Statutes. The Department will notify each participating institution of the eligibility statuses of its students to receive awards. Each institution shall verify the eligibility of such students and provide individual award notices to the students.

(9) Transmittal of funds. The Department may transmit a preliminary disbursement of funds to participating institutions prior to registration each academic term. Upon timely receipt of verification from each institution of the continued eligibility of each student, additional funds, if necessary, may be transmitted to the institution.

(7)(10) Institutional responsibilities. Participating institutions shall verify the continued eligibility of students, provide award notices to students, provide for the disbursement of funds to students, and comply with the Department's reporting requirements. Within the number of days specified by Section 240.409, Florida Statutes, Each institution shall report to notify the Department each term within thirty (30) days of the end of the institution's regular drop/add period the social security number and award amount of each awarded student of the eligibility statuses of awarded students. Each institution shall report to the Department each term within thirty (30) days of the end of the institution's regular drop/add period the social security number of each eligible but not awarded student. Institutions will remit refunds and will submit accompanying documentation to the Department within sixty (60) days of the end of the institution's regular registration period or within sixty (60) days of the date of the transmittal of supplemental warrants.

Specific Authority 229.053(1), ~~240.404~~, 240.4095(1),(7) FS. Law Implemented 240.1201, 240.404, 240.4042, 240.4095 FS. History—New 12-18-90, Amended 3-24-92, 10-18-94, _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-20.033
 RULE TITLE: Florida Postsecondary Student Assistance Grant

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. 28, No. 32, August 9, 2002, issue of the Florida Administrative Weekly:

Paragraph (1)(b) is amended to read:

(1)(b) Be enrolled for a minimum of twelve (12) credits hours for full-time award at the end of the drop-add period for each academic term in which the award is received.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

RULE NO.: 29C-9.001
 RULE TITLE: Strategic Regional Policy Plan

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 11, March 15, 2002, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-12.0065
 RULE TITLE: Abandonment of Applications

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 32, of the Florida Administrative Weekly on August 9, 2002, has been withdrawn.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NOS.: 64B3-7.002
 RULE TITLES: Testing Service
 64B3-7.005 Security and Monitoring
 Procedures for Licensure
 Examination

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules are being withdrawn. These proposed rules were published in the Vol. 28, No. 25, June 21, 2002 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE WITHDRAWAL IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Optometry

RULE NOS.: 64B13-11.001
 RULE TITLES: Inactive Status
 64B13-11.004 Delinquent Status Licenses

NOTICE OF CORRECTION

The above-proposed rules were published in the August 30, 2002 issue of the Florida Administrative Weekly, Vol. 28, No. 35, on page 3776. The Rule Notice omitted the following information:

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Optometry
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 9, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 2, 2002

This change does not affect the substance of the proposed rules. The person to be contacted regarding the above change is Joe Baker, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
64E-2	Emergency Medical Services
RULE NOS.:	RULE TITLES:
64E-2.001	Definitions
64E-2.008	Emergency Medical Technician
64E-2.009	Paramedic
64E-2.0094	Voluntary Inactive Certification
64E-2.013	Records and Reports
64E-2.033	Convicted Felons Applying for EMT or Paramedic Certification or Recertification
64E-2.036	Training Programs
64E-2.039	Guidelines for Automatic External Defibrillators (AED) in State Owned or Leased Facilities

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to proposed Rule 64E-2, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Florida Administrative Weekly, Vol. 28, No. 28 on July 12, 2002. The changes reflect comments received from the Joint Administrative Procedures Committee and from the affected parties. The changes are as follows:

- 64E-2.001(19) Replace "EMT-Basic (EMT-B)" with "EMT". Replace "EMT-Paramedic (EMT-P)" with "paramedic".
- 64E-2.008(1) Replace "EMT-B" with "EMT".
- 64E-2.008(1)(a) After the word "initial", replace "EMT-B" with "EMT"; after "EMT-Basic" delete "(EMT-B)".
- 64E-2.008(1)(b),(c) Replace "EMT-B" with "EMT".
- 64E-2.008(2) Replace "EMT-B" with "EMT".
- 64E-2.008(2)(a) After "30 hours of", replace "EMT-B" with "EMT". After the words "December 2, 2002, the 30 hours of" replace the word "EMT-B" with "EMT".
- 64E-2.008(2)(b) Replace "EMT-B" with "EMT".
- 64E-2.009(1) Replace "EMT-Paramedic" with "paramedic".
- 64E-2.009(1)(b),(c) Replace "EMT-Paramedic" with "paramedic".
- 64E-2.009(2) Replace "EMT-P" with "paramedic"; replace "EMT-Paramedic" with "paramedic".
- 64E-2.009(2)(a) Replace "EMT-P" with "paramedic".
- 64E-2.009(2)(b) Replace "EMT-P" with "paramedic".

64E-2.0094 Replace throughout paragraph “EMT-B” with “EMT”; Replace “EMT-P” with “paramedic”.

64E-2.0094(1)(a) Replace “EMT-B” with “EMT”.

64E-2.0094(1)(b) Replace “an EMT-P” with “a paramedic”.

64E-2.0094(2) Replace “EMT-B” with “EMT”.

64E-2.0094(2)(a) Replace the first “EMT-B” with “EMT”. Replace the second “EMT-B” with “EMT-Basic”. After the words “December 2, 2002, the 30 hours of” replace “EMT-B” with “EMT”. After “NSC” add the words “which is incorporated by reference in Section 64E-2.008, F.A.C.”.

64E-2.0094(2)(a)1., 2. Replace “EMT-B” with “EMT”.

64E-2.0094(3) Replace “EMT-P” with “paramedic”.

64E-2.0094(3)(a) After “NSC” insert the words “, which is incorporated by reference in Rule 64E-2.009, F.A.C.,” After the words “2001 U.S. DOT EMT-Paramedic Refresher NSC” add the words “which is incorporated by reference in Rule 64E-2.009, F.A.C.”.

64E-2.0094(3)(a)1.,2. Replace “EMT-P” with “paramedic”.

64E-2.0094(3)(b) After “F.A.C.” and a comma and the words “or equivalent pursuant to Rule 64E-2.038, F.A.C.”.

Second reference to (3)(a)1.,2.,(b),(c),1.,2.,3. Duplicative error – delete.

64E-2.013(14)(c) Delete (now outdated).

64E-2.033(1) Replace proposed language with: “An applicant for certification or recertification as an EMT or paramedic who has been convicted of or plead no contest, regardless of adjudication, to a felony and has complied with the requirements of Chapter 940, F.S., and provides documentation of restoration of Civil Rights shall become certified provided that the requirements of Section 401.27, F.S., and Rule 64E-2.008, F.A.C., for EMT or Rule 64E-2.009, F.A.C., for paramedic have been met and no other basis for denial exists.”

64E-2.033(2) Replace proposed change with: “The department shall consider an applicant for certification or recertification as an EMT or paramedic with a felony conviction upon the submission of the following documentation:”

64E-2.036(1), (a), (b) Replace “EMT-B” with “EMT”; replace “EMT-P” with “paramedic”.

64E-2.036(d)1.,2.,3.,4. Delete

64E-2.036(e) Replace “(e)” with “(d)”.

64E-2.036(2) After the words “as an” replace “EMT-B” with “EMT”.

64E-2.036(3) Replace “EMT-P” with “Paramedic”.

64E-2.036(5) Replace “EMT-B” with “EMT”; replace “EMT-P” with “paramedic”.

64E-2.036(5)(b) Replace “EMT-B” with “EMT”; replace “EMT-P” with “paramedic”.

64E-2.036(6) Replace “EMT-Basics” with “EMTs”; replace “EMT-Paramedics” with “paramedics”.

64E-2.036(7) Replace “64E-2.036(4)” with “64E-2.036(5)”.

64E-2.039(3)(c)3. Replace the paragraph with “Cardiopulmonary resuscitation and AED training can be obtained from a nationally recognized organization.”

P.O. B00829

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:

RULE TITLE:

68A-12.010

Regulations Governing the Operation of Private Hunting Preserves

NOTICE OF CHANGE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to paragraph 68A-12.010(13)(a)(c) and subparagraph (14)(c)2., of this proposed rule which was published in Vol. 28, No. 31, Florida Administrative Weekly, August 2, 2002, so that when adopted, it will read as follows:

(13)(a) Obtain mottled ducks only from validly permitted in-state breeding facilities or from out-of-state breeding facilities with which the Commission has an agreement for the taking, raising and reimportation of mottled ducks in compliance with subsections (13) and (14) of this rule.

(c) Release only mottled ducks meeting minimum standards for genetic purity as determined by the Commission. Purity standards shall be based on phenotypic characteristics or, when available, genetic characteristics that provide the best available indicators of whether a bird is a pure, Florida strain mottled duck; and

(14) In order to establish a source of captive-reared, Florida-strain mottled ducks for release on hunting preserves, the Executive Director shall:

(c) Use the following criteria to determine which breeding facilities shall be eligible to receive ducks or eggs. The proposed facility shall:

2. Adhere to accepted husbandry standards to assure safe and optimum breeding of mottled ducks.

**Section IV
Emergency Rules**

NONE

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs received a Petition for Waiver on September 5, 2002, from the Martin County. The petitioner seeks a waiver of Rule 9B-43.006, Fla. Admin. Code, and Form CDBG-N-5 of the Neighborhood Revitalization Manual. Petitioner asks for a waiver of the requirement that a health and safety problem must be documented by a citation from the Florida Department of Health to at least 50% of the LMI households in order for Petitioner to be awarded 80 points. This petition for waiver is being applied for under Chapter 120.542, Fla. Stat.; Section 28-104.004, Fla. Admin. Code.

A copy of the Petition, which has been assigned the number DCA02-WAI-248, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Florida Power & Light Company, filed on August 26, 2002, in Docket No. 020920-EI, seeking waiver from Rule 25-6.0437, Florida Administrative Code. The rule provides requirements that each investor-owned utility in Florida must follow when implementing a Load Research Sampling Plan.

Comments on the petition should be filed with the Commission's Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the petition can be obtained from the Division of the Commission Clerk and Administrative Services.

For additional information, please contact Katherine Echternacht, Office of the General Counsel, at the above address or telephone (850)413-6199.

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from 18001 Collins Avenue Condominium Association, Inc., filed on August 30, 2002, in Docket No. 020944-EU, seeking waiver from Rule 25-6.049(5), Florida Administrative Code. The rule provides that individual electric metering by the utility company shall be required for each separate occupancy unit of new condominiums for which construction commenced after January 1, 1981.

Comments on the petition should be filed with the Commission's Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the petition can be obtained from the Division of the Commission Clerk and Administrative Services.

For additional information, please contact Katherine Echternacht, Office of the General Counsel, at the above address or telephone (850)413-6199.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS GIVEN the Agency for Health Care Administration has received a request for a variance from Tender Care Centers, Inc. The request was filed on August 7, 2002. Tender Care Centers, Inc. seeks a waiver of Rule 59A-8.007(1), Florida Administrative Code, Geographic Service Area, that requires home health agencies to make application for a geographic service area within the specific AHCA area boundaries and in which the home health office is to be located. Tender Care seeks a variance so that AHCA can issue a license to provide home health services in Hernando, located in the AHCA Field Office 3, while allowing the home health office to be located in Pasco County, located in AHCA Field Office 6, but just across the street which is the county line separating the two counties.

A copy of the request for variance may be received from and comments submitted to: Anne Menard, Home Care Unit Manager, Agency for Health Care Administration, 2728 Mahan Drive, Building 3, Mail Stop 34, Tallahassee, Florida 32308 or by email: menarda@fdhc.state.fl.us. Comments must be received no later than 14 days from the date of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection has closed its file on a petition for variance received from Cedar Key Water and Sewer District, received on April 5, 2002, because the petitioner withdrew its petition for variance on August 5, 2002. The petition requested a variance from the requirement under Rule 62-610.469(3), F.A.C., that prohibits hose bibbs on public access sites unless the hose bibbs are located in locked vaults, service boxes, or compartments.

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."

For a copy of the petition or withdrawal write or call Frank Watkins, Department of Environmental Protection, northeast District, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256-7577, (904)807-3302.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on August 14, 2002, a petition from Martin Gas Sales, Inc., seeking a variance from pre-construction ambient air quality analysis and sulfur deposition analysis and post-construction monitoring under paragraphs 62-212.600(2)(a),(c) of the Florida Administrative Code, pursuant to Section 120.542 of the Florida Statutes. The petition has been assigned OGC case number 02-1226. Copies may be received from, and written comments submitted to, Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn: Patricia Comer. Comments must be received no later than 14 days from the date of publication of this notice.

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

DEPARTMENT OF HEALTH

The Board of Psychology hereby gives notice that it has issued an Order on the Petition for Waiver filed on behalf of Sheridan Koplow, Ed.D. The Notice of Petition for Waiver was published on August 2, 2002 in Vol. 28, No. 31 of the Florida Administrative Weekly. The Board considered the Petition at its meeting held on August 16, 2002 in Orlando, Florida.

The Board's Order, filed August 28, 2002, grants the petition for waiver insofar as it seeks to keep the Petitioner's application file open, finding that the underlying purpose of the statute, as implemented by Rule 64B19-11.001(4)(b) and (c), F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253.

The Board of Psychology hereby gives notice that it has issued an Order on the Petition for Waiver filed on behalf of Jessica Caruso, Psy.D. The Notice of Petition for Waiver was published on August 9, 2002 in Vol. 28, No. 32 of the Florida Administrative Weekly. The Board considered the Petition at its meeting held on August 16, 2002, in Orlando, Florida.

The Board's Order, filed August 28, 2002, grants the petition for waiver, finding that the underlying purpose of the statute, as implemented by Rule 64B19-11.005(1)(c), F.A.C., has been met and that the Petitioner has demonstrated substantial hardship.

A copy of the Board's Order may be obtained by contacting the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253.

The Board of Psychology hereby gives notice that it has issued an Order on the Petition for Waiver filed on behalf of Marta R. Jacobs, Psy.D. The Notice of Petition for Waiver was published on August 2, 2002 in Vol. 28, No. 31 of the Florida Administrative Weekly. The Board considered the Petition at its meeting held on August 16, 2002, in Orlando, Florida.

The Board's Order, filed August 28, 2002, grants the petition for waiver, finding that the underlying purpose of the statute, as implemented by paragraphs 64B19-11.001(4)(b) and (c), F.A.C., has been met and that the Petitioner has demonstrated substantial hardship.

A copy of the Board's Order may be obtained by contacting the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253.

The Board of Psychology hereby gives notice that it has received a petition from Leila T. Saavedra, Psy.D. dated September 9, 2002 seeking a waiver or variance of Rule 64B19-11.001(4)(c), F.A.C., with regard to the time limit for taking the examination for licensure. Comments on this petition should be filed with Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For additional information or for a copy of the petition, contact: Kaye Howerton, Executive Director, Board of Psychology, at above address or telephone (850)245-4374.

The Board of Medicine hereby gives notice that it has received a petition for waiver filed on September 10, 2002, by Julio F. Gallo, M.D., seeking a waiver from Rule 64B8-9.009(6)(b)1.a., F.A.C., with regard to utilizing the services of a certified nurse anesthetist (CRNA) in the administration of Level III office anesthesia under the direct supervision of the operating surgeon. Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition for waiver filed on September 10, 2002, by Robert L. Simons, M.D., seeking a waiver from Rule 64B8-9.009(6)(b)1.a., F.A.C., with regard to utilizing the services of a certified nurse anesthetist (CRNA) in the administration of Level III office anesthesia under the direct supervision of the operating surgeon. Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on September 6, 2002, Florida Housing Finance Corporation received a Petition for Waiver from the City of Gainesville. Petitioner is requesting a waiver of Fla. Admin. Code R. 67-47.090(3)(a) (1998), which establishes the maximum purchase price of a unit, and Fla. Admin. Code R. 67-47.100(2)(d) (1998), which states once the application has been received by the Corporation, no additions, deletions, or changes will be accepted. The waiver is requested to bring the purchase price up to the 2002 standard price, rather than the 1998 standard price and to substitute lots which were submitted in the initial application. A copy of the Petition can be obtained from Sherry Green, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

AMENDMENT TO NOTICE – On August 26, 2002, Florida Housing Finance Corporation filed a Notice of the entry of an Order Denying Petition for Variance/Waiver of Florida Administrative Code Rule 67-48.002(116), in reference to Huntington Oaks of Hillsborough Co., in which the reference to the date the Board of Directors of Florida Housing **Approved** the Waiver, should have read **Denied** the Waiver. Florida Housing Finance Corporation hereby amends its original Notice and changes word APPROVED to DENIED.

Section VI

Notices of Meetings, Workshops and Public Hearings

NOTICE OF CHANGE – The place for the Capital for a Day (CFAD) cabinet meeting scheduled for September 24, 2002, noticed in Vol. 28, No. 36, FAW, is:

CABINET MEETING

PLACE: City Commission Chambers, 175 Fifth Street North, St. Petersburg, FL

AGENCY FAIR

PLACE: Williams Park, 4th Street North and 2nd Avenue North, St. Petersburg, FL

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: October 8, 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.

DEPARTMENT OF INSURANCE

The **Department of Insurance** announces an annual meeting of the Governor's Continuing Care Advisory Council to which all persons are invited to participate.

DATE AND TIME: Monday, October 7, 2002, 1:00 p.m.

PLACE: Florida Department of Insurance, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0300

GENERAL SUBJECT MATTER TO BE CONSIDERED: To appoint a new chairperson and vice chairperson for the Advisory Council and discuss issues currently facing the Continuing Care industry.

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate in this meeting, please advise at least 5 calendar days before the meeting by contacting Mr. Gary Mills, (850)413-2476.

The **Department of Insurance, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: October 11, 2002, 9:00 a.m.

PLACE: Florida State Fire College, 11655 N. W. Gainesville Rd., Ocala, FL 34482

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Firefighters Employment, Standards and Training Council Special Exemption Sub-Committee to review the results of site-visits and communications with Fire Service Organizations requesting exemptions.

A copy of the agenda may be obtained by writing: Department of Insurance, Division of State Fire Marshal, 11655 Northwest Gainesville Road, Ocala, FL 34482-1486.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the person listed above no later than 48 hours prior to the meeting or workshop.

The **Department of Insurance, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: October 11, 2002, 10:00 a.m.

PLACE: Florida State Fire College, 11655 N. W. Gainesville Rd., Ocala, FL 34482

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Florida Firefighters Employment, Standards and Training Council.

A copy of the agenda may be obtained by writing: Department of Insurance, Division of State Fire Marshal, 11655 Northwest Gainesville Road, Ocala, FL 34482-1486.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the person listed above no later than 48 hours prior to the meeting or workshop.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: October 2, 2002, 3:00 p.m. – 5:00 p.m.

PLACE: Casa Monica Hotel, 95 Cordove Street, St. Augustine, Florida, (904)827-1888

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida Propane Education, Safety and Research Council and representatives of the DACS Marketing Division to discuss current and proposed Council programs and budget issues.

Additional information may be obtained by writing: Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650 or by calling Vicki O'Neil, (850)921-8001.

Pursuant to 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 in advance by contacting Ms. O'Neil, at the number above.

The **Citrus Budwood Technical Advisory Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 10, 2002, 10:00 a.m.

PLACE: Shaw Building, Training Room, 3027 Lake Alfred Road, Winter Haven, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the following agenda item:

1. To discuss the selection of new citrus varieties to introduce into Florida.

If you need a special accommodation in order to attend this meeting because of a disability, please let us know by October 4, 2002.

A copy of the agenda may be obtained by writing: Mr. Michael Kesinger, Chief, Bureau of Citrus Budwood Registration, Division of Plant Industry, 3027 Lake Alfred Road, Winter Haven, Florida 33881, (941)294-4267.

The Florida **Department of Agriculture and Consumer Services** announces the addition of two Termiticide Efficacy negotiating rulemaking meetings for the notice which appeared in the April 26, 2002 issue of the Florida Administrative Weekly, Vol. 28, No. 17.

DATES AND TIME: October 3, 2002; November 13, 2002, 8:00 a.m. – 12:00 Noon

PLACE: Hurston South Tower, 1st Floor, Conference Room, 400 West Robinson Street, Orlando, Florida 32810

NOTICE OF CHANGE – The Florida **Department of Agriculture and Consumer Services** announces a notice of change in the meeting place for the Florida Consumers' Council, which was noticed in the September 13, 2002, Florida Administrative Weekly.

DATE AND TIME: Friday, October 18, 2002, 10:00 a.m.

PLACE: Comerica Bank, 1800 Corporate Blvd., N. W., Boca Raton, Florida 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Consumers' Council will be meeting to discuss consumer-related issues and proposed legislation for the 2003 Florida session addressing issues of interest to consumers.

A copy of the agenda may be obtained by contacting: Mr. James R. Kelly, Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)922-2966.

DEPARTMENT OF EDUCATION

The **Duval County Research and Development Authority** announces a business meeting will be held on:

DATE AND TIME: October 3, 2002, 11:30 a.m.

PLACE: University of North Florida, University Center, Room 1058, 12000 Alumni Drive, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business Meeting.

A copy of the meeting agenda may be obtained by contacting: Earle Traynham, Executive Director, Duval County Research and Development Authority, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224-2645.

DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Professionalism Program announces that the **Criminal Justice Standards and Training Commission**, Executive Planning Committee is schedule to meet for the purpose of reviewing future direction and project priorities for the criminal justice standards and training system. All parties are invited to attend.

DATE AND TIME: Thursday, October 3, 2002, 8:30 a.m. – 5:00 p.m.

PLACE: Crowne Plaza, Sabal Park, Room Brandon 3, 10221 Princess Palm Ave., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Planning Committee will be reviewing and discussing issues relating to the training and certification of criminal justice officers.

A copy of the January Executive Planning Committee meeting agenda can be obtained by calling: Doug Culbertson, (850)410-8618, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302-1489.

Any person requiring special accommodation at this meeting, because of a disability or physical impairment, should contact Doug Culbertson, (850)410-8658, at least two (2) weeks prior to the meeting.

The **Criminal Justice Professionalism Program** announces the following meeting for the Criminal Justice Standards and Training Commission and Commission-related meetings.

MEETING: Training Center Directors' Committee Meetings

DATE AND TIME: Tuesday, October 29, 2002, 9:30 a.m.

MEETING: Training Center Directors' Business Meeting

DATE AND TIME: Tuesday, October 29, 2002, 1:30 p.m.

MEETING: Training Center Directors' Sergeant Academy

DATE AND TIME: Wednesday, October 30, 2002, 8:30 a.m.

MEETING: Commission Workshop

DATE AND TIME: Wednesday, October 30, 2002, 2:00 p.m.

MEETING: Probable Cause Determination Hearings

DATE AND TIME: Wednesday, October 30, 2002, 8:30 a.m.

MEETING: CJS&T Commission meeting business agenda

DATE AND TIME: Thursday, October 31, 2002, 8:30 a.m.

MEETING: Officer Discipline Case Proceedings

DATE AND TIME: Thursday, October 31, 2002, 1:00 p.m. – Open

PLACE: Sheraton Fort Lauderdale Airport, 1825 Griffin Road, Dania, Florida 33004. TELEPHONE NUMBER FOR HOTEL RESERVATIONS: Phone (954)920-3500, Fax (954)927-2808

GENERAL SUBJECT MATTER TO BE CONSIDERED: These meetings are held to discuss issues relating to standards, training, certification, de-certification, record management for law enforcement, correctional, and correctional probation

officers, Commission rules, and certification and recertification of criminal justice training schools. All parties are invited to attend.

COMMISSION MEETING AGENDAS: A copy of the October 31, 2002, Commission Meeting agenda may be obtained by contacting: Donna Hunt, (850)410-8615, or Commission information may be accessed at http://www.fdle.state.fl.us/cjst/commission/cjstc_meeting.html on October 14, 2002.

A copy of the Officer Discipline Agenda may be obtained by contacting: Brenda Presnell, (850)410-8648. If you wish to write the Commission for a copy of the above agendas, please write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Donna Hunt or Brenda Presnell. If you wish to call or write for a copy of the Training Center Directors' Association agenda, please write or call Training Center Director Association Chairman Ray Newman, (863)297-1030, Polk Community College, 999 Avenue H, Northeast, Winter Haven, FL 33881-4299.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact Donna Hunt, (850)410-8615, at least 5 days prior to the meeting.

DEPARTMENT OF TRANSPORTATION

The **Florida Ports Financing Commission** announces a meeting in which all interested persons are invited to participate.

DATE AND TIME: October 1, 2002, 10:00 a.m. – 12:00 Noon

PLACE: Tallahassee, Florida. Call In Number: 1(800)432-3507, Participant Code: 397778

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, 315 South Calhoun Street, Suite 712, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Toy Keller, (850)222-8028.

The **Florida Seaport Transportation and Economic Development Council**, Project Review Group announces a meeting in which all interested persons are invited to participate.

DATE AND TIME: October 16, 2002, 10:00 a.m. – 2:00 p.m.
 PLACE: Florida Department of Transportation, Burns Building, Executive Conference Room, 605 Suwannee Street, Tallahassee, Florida 33042. Call In Number: (850)414-1711
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, 315 South Calhoun Street, Suite 712, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Toy Keller, (850)222-8028.

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

DATE AND TIME: Thursday, October 3, 2002, 10:00 a.m. – Conclusion

PLACE: Greater Orlando Aviation Authority, Orlando International Airport, Board Room, One Airport Boulevard, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Florida High Speed Rail Authority business.

Information may be obtained by contacting: Nazih Haddad, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4500.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the Authority at least 48 hours before the meetings by contacting Betty Sizemore, (850)414-5244.

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the Florida Hurricane Catastrophe Fund, which is administered by the **State Board of Administration**, of a meeting of the State Board of Administration to which all persons are invited.

DATE AND TIME: Tuesday, October 8, 2002, 9:00 a.m. (Eastern Standard Time) – Conclusion of the meeting

PLACE: The Capitol, Lower Level, Cabinet Meeting Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide permission for the Florida Hurricane Catastrophe Fund (“Fund”) to file Rules 19-8.010 and 19-8.029, F.A.C., and the forms incorporated therein for adoption. In addition, other general business of the Board may be addressed.

Anyone wishing a copy of any of the Rules or Forms should contact: Tracy Allen, Florida Hurricane Catastrophe Fund, Post Office Drawer 13300, Tallahassee, FL 32317-3300 or by telephone at (850)413-1341.

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Fresh Orange and Specialty Advisory Council to which all persons are invited.

DATE AND TIME: Tuesday, October 8, 2002, 1:00 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will discuss and evaluate 2002-2003 fresh orange and specialty fruit programs, additional opportunities, 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 at (863)499-2510.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 2, 2002, 9:00 a.m.

PLACE: Florida Parole Commission, Bldg. C, Third Floor, 2601 Blairstone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980). A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Telecommunications Access System Act (TASA) Advisory Committee to the Florida **Public Service Commission** will hold a committee meeting to which all parties and other interested persons are invited.

DOCKET NO.: 991222-TP

DATE AND TIME: Monday, October 7, 2002, 9:30 a.m.

PLACE: Hillsborough County Center, County Commission Board Room, 601 E. Kennedy Blvd., Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss current relevant issues related to relay such as the Sprint contract extension, state re-certification, outreach, the Cap-Tel trial program and other items.

Further information regarding this meeting may be obtained from: Susan Howard, Division of Competitive Markets and Enforcement, Florida Public Service Commission, by calling (850)413-6406.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 992015-WU – Application for limited proceeding to recover costs of water system improvements in Marion County by Sunshine Utilities of Central Florida, Inc.

DATES AND TIMES: October 9-10, 2002, 10:00 a.m. (Customer testimony will be taken on October 9, 2002 at 10:00 a.m. and 6:00 p.m.)

PLACE: Yankee's Ramada Inn and Conference Center, Belmont Room, 3810 N. W. Bonnie Heath Blvd., Ocala, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the application for limited proceeding to recover costs of water system improvements in Marion County by Sunshine Utilities of Central Florida, Inc., and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on September 23, 2002. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services,

(850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

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, September 27, 2002, 10:00 a.m. – 2:00 p.m.

PLACE: Offices of Raymond James, Tower Three, First Floor Classroom, 880 Carillon Parkway, St. Petersburg, FL, (727)573-3800

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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, Office of Tourism, Trade and Economic Development, The Capitol, Suite 2001, Tallahassee, FL 32399-0001 or by telephone (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).

The **Executive Office of the Governor** announces the following public hearing.

DATE AND TIME: Monday, October 7, 2002, 10:00 a.m.

PLACE: The Capitol Building, Room 309, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A hearing regarding a plan for the issuance of up to \$120,000,000 aggregate principal amount of obligations (the "Bonds") by Florida Educational Loan Marketing Corporation (the "Corporation") to finance the acquisition and carrying by the Corporation of educational loan notes incurred under the Higher Education Act of 1965, as amended, including, without limitation, financing pursuant to the request of the Governor of the State of Florida to assist the State of Florida by providing an educational loan secondary market and warehousing facility pursuant to the provisions of Section 150(d) of the Internal Revenue Code of 1986, as amended.

Amounts payable on the Bonds will not constitute an indebtedness or liability of the State of Florida or any political subdivision thereof or be a charge against their general credit or their taxing powers, if any, but shall be payable solely from other sources established in connection with issuance of the Bonds.

The public hearing is required by Section 147 of the Internal Revenue Code of 1986, as amended. At the time and place set for the public hearing, interested individuals will be given the opportunity to express their views, both orally and in writing, on the proposed issuance of the Bonds and the plan of financing of educational loans thereby. Written comments may be submitted to the Corporation until and including the date of the hearing.

A copy of the agenda may be obtained by contacting the Corporation at the address or telephone number listed below. The Corporation's Florida Office is located at 11140 S. W. 88th Street, Suite 200, Miami, Florida 33176, 1(888)740-1074. Reasonable requirements may be imposed on individuals who wish to participate in the hearing, including requirements that persons desiring to speak at the hearing so request in writing delivered to the Corporation at the above-referenced address at least 24 hours before the hearing and that oral remarks be limited to ten minutes.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the Corporation at least 48 hours before the hearing by contacting Judith Morris, 1(888)740-1074 or Barbara Ryan, (480)461-6501.

The **Chief Financial Officer Transition Taskforce** announces three public meetings/hearings to which all persons are invited.

DATES AND TIMES: Thursday, September 26, 2002, 10:00 a.m.; Wednesday, October 2, 2002, 2:00 p.m.; Thursday, October 17, 2002, 10:00 a.m.

PLACE: Florida State Capitol, Plaza Level, The Governor's Large Conference Room, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Taskforce will address issues related to the passage of House Bill 3E, passed June 2002, which combines the roles of the Insurance Commissioner and Treasurer to create a Chief Financial Officer for the State of Florida.

For additional information, contact: Sherry Slattery, (850)488-5152.

The **Governor's Select Task Force on Healthcare Professional Liability Insurance** announces a Conference to which all persons are invited.

DATE AND TIME: Monday, October 21, 2002, 9:00 a.m. – 5:00 p.m.

PLACE: Hyatt Regency Orlando International Airport, 4th Floor, The Briefing Room, 9300 Airport Boulevard, Orlando, Florida 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: The work of the Governor's Select Task Force will make recommendations to protect Floridians' access to high-quality and affordable healthcare. The Governor's Select Task Force shall study the relevant issues and make written

recommendations and/or propose legislation. The work product of the Governor's Select Task Force should include, but need not be limited to, the following: (1) findings from an examination of the Florida healthcare liability insurance market, pertinent tort laws, claims and premium data compared to other states of similar size and diversity; (2) an assessment of the impact of the cost, accessibility and availability of healthcare liability insurance on the cost, accessibility and availability of high quality healthcare in this state; and (3) specific strategies to ease the healthcare liability insurance crisis faced by physicians, hospitals and other healthcare providers in the state. A report of such recommendations and/or proposed legislation shall be submitted by January 31, 2003, to the Governor, the President of the Florida Senate and the Speaker of the House of Representatives.

To aid its study of the issues and the development of its recommendations, the Governor's Select Task Force shall take public testimony from experts and stakeholders. In addition, the Governor's Select Task Force is encouraged to take whatever other steps are necessary to gain a full understanding of the medical, legal, insurance and other issues involved.

REGIONAL PLANNING COUNCILS

The **Northeast Florida Regional Planning Council**, Personnel, Program Planning and Budget Committee announces the following public meeting to which all persons are invited.

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

PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, program planning, and budget matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the 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 **Northeast Florida Regional Planning Council**, Comprehensive and Project Planning Committee announces the following public meetings to which all persons are invited.

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

PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending comprehensive and project planning items.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the 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 **Northeast Florida Regional Planning Council** announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 3, 2002, 10:00 a.m.
 PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly 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 upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter or other meeting information, call Peggy Conrad, (904)279-0880, Extension 145, 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 the 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 **Central Florida Regional Planning Council** will hold its public meeting and the Council's Executive Committee meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 2, 2002, 9:30 a.m.
 PLACE: Highlands County Health Department, Conference Room, 7205 South George Blvd., Sebring, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting of the Council and the Executive Committee.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive/Budget Committee
 DATE AND TIME: Monday, October 14, 2002, 8:30 a.m.
 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, October 14, 2002, 10:00 a.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: TBRPC Legislative Committee
 DATE AND TIME: Monday, October 14, 2002, 11:30 a.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

MEETING: Agency On Bay Management
 DATE AND TIME: Thursday, October 10, 2002, 9:00 a.m.
 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, October 28, 2002, 9:30 a.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

PLACE: Suite 219, 9455 Koger Blvd., St. Petersburg, FL 33702 (Please call to confirm date, time and location)

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 7, 2002, 10:30 a.m.
 PLACE: Wyndham Beach Resort, 1435 Simonton Street, Key West, FL 33040

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendment for Hialeah, Miami, and Weston; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for Dania Beach and Wilton Manors; Any adopted Local Government Comprehensive Plan Amendment

received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board 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.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

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.

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: September 24, 2002, 5:30 p.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final Public Hearing on FY 2002-2003, budget and proposed millage rate.

A copy of the agenda(s) may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa M. Cheshire, (386)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

Notice is hereby given that the **St. Johns River Water Management District** will be holding the following Public Workshop.

DATE AND TIME: September 27, 2002, 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public workshop is being held to provide information and receive comments regarding the District's proposed 2002 Minimum Flows and Levels (MFLs) Priority Systems List and Schedule.

A copy of the agenda may be obtained by writing: Dr. G. B. "Sonny" Hall, P. O. Box 1429, Palatka, Florida 32178-1429 or call (386)329-4368.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to contact Cheryl Worgum, (386)329-4239.

The **Southwest Florida Water Management District** announces a public meeting.

DATE AND TIME: Tuesday, September 24, 2002, 9:00 a.m.

PLACE: Southwest Florida Water Management District, Governing Board Room, 2379 Broad Street, Brooksville, FL 34604-6899

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governing Board agenda for its meeting on September 24, 2002 announced in the Florida Administrative Weekly, Vol. 28, No. 35, dated August 30, 2002 includes continuation of the rulemaking for Category 3 lake levels and rules for the Southern Water Use Caution Area.

A copy of the agenda may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the American's With Disabilities Act should contact Dianne Lee, (352)796-7211 or 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax number (352)754-6878, Suncom 663-6878.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: October 2, 2002, 9:00 a.m.

PLACE: The Hyatt Regency Miami, 400 S. E. Second Ave., Miami, 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 at the 1) District Website <http://www.sfwmd.gov/agenda.html> or 2) by writing: South Florida Water Management District, Mail Stop 2130, Post Office Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Ruth Clements, Land Acquisition Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 3320 West Palm Beach, FL 33406, (561)682-6271.

The South Florida Water Management District announces a public meeting(s) to which all interested parties are invited.

DATE AND TIME: October 7, 2002, 8:30 a.m.

PLACE: Keys Gate Golf and Tennis Club, 2300 Palm Drive, Homestead FL 33035

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting.

ADDITIONAL WATER RESOURCES ADVISORY COMMISSION MEETINGS FOR THE MONTHS OF SEPTEMBER AND OCTOBER, 2002.

At the September 5th, 2002 meeting, the Water Resources Advisory Commission decided to hold the following additional special Committee meetings and/or Issue Workshops. The following dates are being scheduled and noticed.

WRAC LAKE OKEECHOBEE COMMITTEE WORKSHOP
DATE AND TIME: Monday, September 23, 2002, 10:30 a.m.
(This meeting date was previously noticed as a tentative meeting date for the Water Resources Advisory Commission.)

WRAC "B" LIST RULEMAKING COMMITTEE MEETING
DATE AND TIME: Monday, September 30, 2002, 10:30 a.m.
(This meeting date was previously noticed as a tentative meeting date for the Water Resources Advisory Commission.)

WRAC "B" LIST RULEMAKING COMMITTEE MEETING
DATE AND TIME: Monday, October 14, 2002, 10:30 a.m.

SPECIAL WRAC WORKSHOP ON "B" LIST
RULEMAKING
DATE AND TIME: Monday, October 21, 2002, 8:30 a.m.

PLACE: SFWMD Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

TENTATIVE MEETING DATES FOR THE MONTH OF OCTOBER, 2002

If at any of the above mentioned meetings, the Water Resources Advisory Commission or any of its committees decide to hold additional meetings, 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 prior to the meeting date to ensure that a meeting has not been cancelled:

DATES AND TIME: Thursdays, October 8, 10, 17, 24, 31, 2002; Monday, October 28, 2002, 10:30 a.m.

PLACE: SFWMD Headquarters, 3301 Gun club Road, West Palm Beach, FL 33406

A copy of the agenda 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 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, Deputy District 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, District Clerk's Office, SFWMD Headquarters, Building B1, 3301 Gun Club Road, West Palm Beach, Florida 33406.

The South Florida Water Management District announces a public meeting to which all interested parties are invited.

DATE AND TIME: October 10, 2002, 8:50 a.m.

PLACE: The South Florida Water Management Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 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 Allapattah Ranch project comprised of lands referred to as SFWMD Tract No. GM-100-005, consisting of approximately 7,261.07 acres, and lying in Sections 22, 23, 24, 25, 26, 27, 35 and 36, Township 38 South, Range 38 East, Martin County, Florida and an exchange for Section 15, Township 38 South, Range 39 East, Martin County, Florida.

A copy of the agenda may be obtained at the 1) District Website <http://www.sfwmd.gov/agenda.html> or 2) by writing: South Florida Water Management District, Mail Stop 2130, Post Office Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary

for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Ruth Clements, Deputy Department Director, Land Acquisition, District Headquarters, 3301 Gun Club Road, Mail Stop Code 3310, West Palm Beach, FL 33406, (561)682-6271.

FAW Reference #3517

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a meeting via teleconference of the Nominating Committee to which all persons are invited.

DATE AND TIME: Wednesday, October 9, 2002, 10:00 a.m.

– Until completion

PLACE: Conference Call – To Access Call (850)922-9912 or Suncom 292-9912 or Rhyne Building, Suite 1A, 2740 Centerview Drive, Tallahassee, Florida, (850)410-5700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the nomination process, review letters of interest to serve and adopt a proposed slate of officers.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Tiffany McNabb at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS #49, Tallahassee, Florida 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only).

The meeting is subject to change upon chairperson's request.

REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following meeting to which the public is invited.

DATE AND TIME: Wednesday, October 2, 2002, 9:00 a.m.

PLACE: Manatee County Administrative Center, 1112 Manatee Avenue, West, Bradenton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Peace River/Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Persons with disabilities who need assistance may call (941)316-1776, at least two business days in advance to make appropriate arrangements.

COMMISSION ON VETERANS' AFFAIRS

The Florida **Commission on Veterans' Affairs** will hold its quarterly meeting in Miami, Florida. This is a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 27, 2002, 9:00 a.m.

PLACE: VA Medical Center, 1201 N. W. 16th Street, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Jan Stearns, Florida Department of Veterans' Affairs, Koger Center, 2540 Executive Center Circle, West, Douglas Building, Suite 100, Tallahassee, Florida 32301.

Please telephone (850)487-1533, at least 48 hours prior to the workshop.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 30, 2002, 9:00 a.m. – 4:00 p.m.

PLACE: Holiday Inn Select, 316 West Tennessee Street, Tallahassee, FL 32301, (850)222-9555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Destination Florida Commission will convene for its meeting to discuss and evaluate Florida's competitive position in attracting retirees and to make recommendations for the future that would make Florida more retiree friendly.

A copy of the agenda may be obtained by writing: Mrs. Eloise Williams, Department of Elder Affairs, 4040 Esplanade Way, Suite 270D, Tallahassee, Florida 32399-7000 or by calling Mrs. Williams, (850)414-2080.

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 Department at least 48 hours before the meeting by contacting Mr. Eloise Williams, (850)414-2080. If you are hearing or speech impaired, please contact the Department by calling (850)414-2001.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

Alzheimer's Disease Advisory Committee

ETHIC SUBCOMMITTEE NURSING HOME TASK FORCE

DATE AND TIME: September 25, 2002, 1:00 p.m. – 2:30 p.m.

RESEARCH AND CLINICAL AFFAIRS SUBCOMMITTEE
RESPITE CARE AND SERVICE DELIVERY

DATE AND TIME: September 25, 2002, 3:00 p.m. – 4:30 p.m.
ADVISORY COMMITTEE MEETING

DATE AND TIME: September 26, 2002, 9:00 a.m. – 12:00
Noon

PLACE: Tampa Marriott Waterside, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To
conduct the business of the Alzheimer's Disease Advisory
Committee.

A copy of the agenda may be obtained by contacting: Michele
Casabianca, (850)414-2076.

The Florida **Department of Elder Affairs** announces a public
hearing to which all persons are invited.

DATE AND TIME: October 2, 2002, 1:00 p.m. – 5:00 p.m.

PLACE: Department of Elder Affairs, Room 225F, 4040
Esplanade Way, Tallahassee, FL 32399-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: A
meeting of the Advisory Council for the Office of Long-Term
Care Policy to discuss the state of long-term care in Florida and
methods for improvement.

To obtain a copy of the agenda, please contact: Mark Walsh by
phone (850)414-2155, by email: walshm@elderaffairs.org or
by mail at 4040 Esplanade Way, Tallahassee, Florida
32399-7000.

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 department at
least 48 hours before the meeting by contacting Mark Walsh,
(850)414-2155. If you are hearing or speech impaired, please
contact the department by calling (850)414-2001.

The Florida **Department of Elder Affairs** announces a public
workshop to which all persons are invited.

DATE AND TIME: October 7, 2002, 1:00 p.m. – 4:00 p.m.

PLACE: Southeast Focal Point/Joseph Meyerhoff Senior
Center, 3081 Taft Street, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Public workshop to discuss and receive comments on the
Department's proposed draft Client Services Manual.

The draft Client Services Manual is available on the
Department's website on myflorida.com.

To obtain a copy of the agenda or for further information,
please contact: Beverly Friedberg, Operations and
Management Consultant Manager, Division of Statewide
Community Based Services, 4040 Esplanade Way, Room
335P, Tallahassee, Florida 32399-7000, (850)414-2000 or by
e-mail: friedbeb@elderaffairs.org.

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 department at

least 48 hours before the meeting by contacting Beverly
Friedberg at the address above. If you are hearing or speech
impaired, please contact the Department by calling
(850)414-2001.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a
meeting of the Comprehensive Health Information System
Advisory Council to which all interested parties are invited.

DATE AND TIME: Tuesday, October 15, 2002, 10:00 a.m.

PLACE: Agency for Health Care Administration, Building 3,
First Floor, Conference Room C, 2727 Mahan Drive,
Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To
study and make recommendations on the collection, analysis
and dissemination of health care data.

Any person requiring a special accommodation at this meeting
because of a disability or physical impairment should contact
Carolyn H. Turner, (850)922-5861, at least five calendar days
prior to the meeting.

A copy of the agenda may be obtained by writing: Carolyn H.
Turner, Agency for Health Care Administration, 2727 Mahan
Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services, State
Technology Office** announces a public meeting of the Board
of Directors of the Joint Task Force on State Agency Law
Enforcement Communications to which all persons are invited.

DATE AND TIME: October 16, 2002, 1:30 p.m.

PLACE: Room 124, 2585 Shumard Oak Drive, Tallahassee,
FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To
discuss and take action on the items included in the meeting
agenda.

A copy of the agenda may be obtained by writing: Linda
Fuchs, Department of Management Services, State Technology
Office, 4030 Esplanade Way, Suite 235, Tallahassee, Florida
32399-0950 or Linda.Fuchs@myflorida.com.

If a person decides to appeal any decision made by the Board
with respect to any matter considered at the meeting, he/she
will need a record of the proceedings and may need to ensure 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 some accommodation at this hearing
because of a physical impairment should call the State
Technology Office, (850)922-7435, at least five calendar days
prior to the meeting. If you are hearing- or speech-impaired,
please contact the State Technology Office by using the

Florida Relay Service which can be reached at 1(800)955-8771 (TDD). The conference call number is (850)921-2470 or Suncom 291-2470.

The **Correctional Privatization Commission** announces a workshop and meeting to which all persons are invited.

WORKSHOP

DATE AND TIME: Monday, October 7, 2002, 9:00 a.m. – 11:00 a.m.

MEETING

DATE AND TIME: Monday, October 7, 2002, 11:00 a.m.

PLACE: Knott Building, Room 117, corner of West Madison Street and Duval Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will be an orientation session for the new Commissioners on the inner workings of the Commission and their role as a Commissioner. Discussion of pertinent Commission business relating to the current and upcoming fiscal years.

Any person who decides to appeal a decision of the Correctional Privatization Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Section 286.0105, Florida Statutes.

A copy of the agenda may be obtained by writing: Correctional Privatization Commission, Office of the Executive Director, 4050 Esplanade Way, Pepper Building, Suite 680, Tallahassee, Florida 32399-0950.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Correctional Privatization Commission, Office of the Executive Director, (850)921-4034, at least five (5) calendar days prior to the meeting.

If you are hearing or speech impaired, please contact the Correctional Privatization Commission, Office of the Executive Director, by using the Florida Relay Service and can be reached at 1(800)955-8771 (TDD).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces a public meeting of the Regulatory Council of Community Association Managers to which all persons are invited.

DATE AND TIME: Friday, October 11, 2002, 10:30 a.m. or soon thereafter

PLACE: Via telephone conference. To connect, dial (850)488-0979, Suncom 278-0979

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Council.

A copy of the agenda may be obtained by writing: Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-1040 or by calling their office, (850)922-6096.

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 Regulatory Council of Community Association Managers, (850)922-6096. 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 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 to be based.

Notice is hereby given by the **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes**, of a workshop to be conducted to discuss any registration or compliance issues related to timeshare plans pursuant to Chapter 721, Florida Statutes, and related rules. Case-specific issues pending before the Division will not be discussed.

DATE AND TIME: January 16, 2003, 1:00 p.m. – 4:00 p.m.

PLACE: The Hampton Inn, Magnolia Room, 6101 Sand Lake Road, Orlando, Florida 32819, (407)363-7886

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will address filing and compliance issues raised by the public. The Division may present additional educational content. Participants are encouraged to write, fax, call or email Richard Thrawl, (407)317-7226 or Laura Glenn (850)487-9832, with advance notice of any topics of interest. Topics suggested in surveys from previous workshops may be addressed.

AGENCY CONTACT PERSON: Laura Glenn, Chief, Bureau of Standards and Registration, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe, Tallahassee, Florida 32399-1032, (850)487-9832, Fax (850)921-5448, Email: laura.glenn@dbpr.state.fl.us.

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 Sharon A. Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The Florida **Board of Architecture and Interior Design** announces the following meeting, to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: October 7, 2002, 10:00 a.m. or shortly thereafter

PLACE: Access Phone #: (850)414-1707, Suncom 994-1707

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIME: September 24, 2002, 9:00 a.m. – 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 725 South Bronough Street, Tallahassee, Florida 32301, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202 or by phone (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The Florida **Board of Professional Engineers** announces a public meeting to conduct the business of the Board, including committee business which all persons are invited.

DATES AND TIMES: Tuesday, October 22, 2002, 8:30 a.m.; Wednesday, October 23, 2002, 8:30 a.m.

PLACE: Radisson Mart Plaza Hotel, 711 Northwest 72nd Avenue, Miami, Florida 33126

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal 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.

The **Board of Accountancy** announces the following public meetings to which all person are invited.

DATES AND TIMES: Thursday, October 17, 2002, 8:30 a.m.

Probable Cause Panel; Friday, October 18, 2002, 9:00 a.m. Meeting of the Board

PLACE: Hilton Tampa Airport, 2225 Lois Avenue, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The probable cause panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public, however, there may be cases where probable cause was previously found which are to be reconsidered. The Board will meet to consider enforcement proceedings including consideration of investigating officer's reports and other general business. This is a public meeting.

A copy of any probable cause materials which are open to the public and a copy of the Board agenda may be obtained by writing: John W. Johnson, Acting Division Director, Division of Certified Public Accounting, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607.

NOTE: Portions of the Probable Cause Panel meeting may be closed to the public. If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, 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.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the

workshop/hearing/meeting by contacting John W. Johnson, (352)333-2500. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public workshop on:

DATE AND TIME: October 9, 2002, 10:00 a.m.

PLACE: Twin Towers Office Building, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: For public comment and review of the intended use of the Fiscal Year, FY2003-2004, Federal Clean Water Act appropriations and State matching funds. Approximately \$461 million is projected to be available for assignment to projects.

For more information about the workshop, or for a copy of the draft FY2003 Intended Use Plan, contact: Gary Powell, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)488-8163 or Suncom 278-8163 or e-mail gary.powell@dep.state.fl.us.

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

The **Department of Environmental Protection** announces a public hearing on:

DATE AND TIME: October 9, 2002, 2:00 p.m.

PLACE: Twin Towers Office Building, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and public comment and to take final action on management of the FY2003, State Revolving Fund (SRF) priority list for water pollution control loan projects under Rule 62-503, Florida Administrative Code (FAC). Approximately \$174 million is available for assignment to qualifying wastewater, stormwater, or nonpoint source projects.

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."

For more information regarding the Notice, please contact: Gary Powell, (850)488-8163.

A Public hearing of the **Acquisition and Restoration Council**, established pursuant to Section 259.035, F.S., are scheduled to take public testimony on all projects including nine new acquisition proposals.

DATE AND TIME: September 24, 2002, 6:00 p.m.

PLACE: Marjorie Stoneman Douglas Building, 1st Floor, Conference Room A, 3900 Commonwealth Boulevard, Tallahassee, FL 32399

For further information please contact: Office of Environmental Services, (850)487-1750.

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

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

DEPARTMENT OF HEALTH

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces an official Board meeting. All interested parties are invited to attend at the address listed below.

DATES AND TIME: October 10-11, 2002, 9:00 a.m.

PLACE: Crowne Plaza Hotel, 5555 Hazeltine Drive, Orlando, FL, (407)856-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment, can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, by October 3, 2002.

The Florida **Board of Medicine**, Finance Committee announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, October 2, 2002, 8:00 p.m.

PLACE: Meet me Number: Contact Florida Board of Medicine, (850)245-4131 for the meet me number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5)

calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: 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 Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The Florida **Board of Medicine**, Medical Fraud Committee announces a meeting to which all persons are invited.

DATE AND TIME: Thursday October 3, 2002, 7:00 p.m.

PLACE: Sofitel, 5800 Blue Lagoon Drive, Miami, Florida 33126, (305)262-4888

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, Florida Board of Medicine, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The **Department of Health, Board of Nursing** announces public meetings to which all interested persons are invited. CNA Council Meeting

DATE AND TIME: Monday, November 18, 2002, 9:30 a.m. – 4:00 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider rules on practice and training programs and other related for Certified Nursing Assistants.

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 Opticianry** announces a General Business Meeting. All interested parties are invited to attend at the address listed below, which is open to the public.

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

PLACE: Embassy Suites, 1100 S. E. 17th Street, Fort Lauderdale, Florida, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Opticianry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment, can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, by October 19, 2002.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Florida Local Advocacy Council**, Service Area 6 (Daytona Multi-Program) announces the following public meetings to which all persons are invited.

DATE AND TIME: September 25, 2002, 9:30 a.m.

PLACE: CHS, 421 North Florida Avenue, Deland, Florida

DATE AND TIME: November 20, 2002, 9:30 a.m.

PLACE: Department of Children and Family Services, Conference Room 440E, 210 N. Palmetto Avenue, Daytona Beach, Florida

A copy of the agenda for each meeting may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Suite 430, Daytona Beach, FL 32114-3284 (Attn: Lotta Mapp).

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) Please notify Lotta Mapp, (386)258-4437, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Council on Homelessness** announces the following meetings to which all persons are invited.

FULL COUNCIL STAKEHOLDERS MEETING

DATE AND TIME: Tuesday, October 8, 2002, 2:00 p.m. – 4:30 p.m.

PLACE: Renaissance WorldGate Hotel, 3011 Maingate Lane, Kissimmee, FL 34747

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop is intended to provide the opportunity for all interested parties to provide input to the Council on the needs of the homeless in Florida, resources available to serve the homeless and suggestions for ways to reduce homelessness.

FULL COUNCIL BUSINESS MEETING

DATE AND TIME: Wednesday, October 30, 2002, 9:00 a.m. – 12:00 Noon

PLACE: Department of Children and Family Services, Building 8, Room 232, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700. Conference Call-In Number: (850)921-6623 or Suncom 291-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will hold a regular business meeting, receive reports from its respective committees, and continue to develop recommendations and policies for inclusion in its 2002 Annual Report.

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 attend this meeting in order to request any needed special assistance should contact the office at least 48 hours in advance of the meeting.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a Universal Cycle Review Committee meeting for the 2002 competitive cycle to which all interested parties are invited.

DATE AND TIME: Wednesday, October 9, 2002, 9:00 a.m.

PLACE: Florida Housing Finance Corporation, 6th Floor, Seltzer Room, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To make recommendations to the Corporation's Board of Directors regarding program participation.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Laurie Camp, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Fish and Wildlife Conservation Commission** announces a public workshop concerning net fishing in the inside waters of Martin County. The Commission encourages all interested persons to participate at the workshop, which takes place as follows:

DATE AND TIME: Wednesday, October 2, 2002, 6:00 p.m. – 8:00 p.m.

PLACE: Martin County Administrative Center, First Floor, Commission Chambers, Southeast Monterey Road, Stuart, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a workshop to gather public testimony regarding net fishing in the inside waters of Martin County. Rules 68B-3.032 and 68B-4.007, F.A.C., govern such fishing and have been construed to be inconsistent. The Commission is considering whether to eliminate the inconsistency to: 1) allow the use of 500 square foot beach or haul seines in specified waters on a seasonal basis according to Rule 68B-4.007, F.A.C., 2) retain the limited list of allowable gears in Rule 68B-3.032, F.A.C., and eliminate the inconsistent provisions of Rule 68B-4.007, F.A.C., or 3) eliminate all local rules for the inside waters of Martin County and allow statewide net gear rules operate there.

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: Roy Crabtree, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

The Florida **Fish and Wildlife Conservation Commission** announces a Public Hearing for the Big Bend Wildlife Management Area located in Taylor and Dixie Counties, Florida.

DATE AND TIME: Thursday, October 10, 2002, 7:00 p.m.

PLACE: Taylor County Courthouse, County Commission Meeting Room, 201 East Green Street, Perry, Florida 32347

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments regarding considerations for the FWC's five-year Conceptual Management Plan for the Big Bend Wildlife Management Area (WMA).

This hearing is designed exclusively for discussion of the draft Conceptual Management Plan. Participants should understand that the purpose for this hearing does not include the opportunity to discuss public use and/or hunting regulations for the Big Bend WMA. There is a separate public process for this purpose.

A Management Prospectus for the Big Bend WMA is available upon request from the Florida Fish and Wildlife Conservation Commission, Land Management Planning Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Telephone: (850)487-1474.

The **Fish and Wildlife Conservation Commission, Division of Law Enforcement** announces the following Boating Advisory Council public meeting to which all persons are invited.

DATE AND TIME: October 17, 2002, 9:00 a.m.

PLACE: Clarion Suites Resort and Convention Center, 20 Via De Luna, Pensacola Beach, Florida 32561

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Boating Advisory Council.

An agenda of the meeting may be obtained by contacting: Division of Law Enforcement, Boating Advisory Council, 620 South Meridian Street, Bryant Building, Tallahassee, Florida 32399-1600 or by calling Ms. Shelly Gurr, (850)488-5600.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should notify Cindy Hoffman, (850)488-6411, at least five calendar days before the meeting.

The **Fish and Wildlife Conservation Commission** announces a public workshop concerning weakfish. The Commission encourages all interested persons to participate at the workshop, which will take place:

DATE AND TIME: Thursday, October 17, 2002, 6:00 p.m. – 8:00 p.m.

PLACE: Atlantic Beach City Hall, Commission Chambers, 800 Seminole Road, Atlantic Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a workshop to gather public testimony regarding management options contained in proposed Amendment 4 of the Atlantic States Marine Fisheries Commission's Weakfish Management Plan.

Copies of the amendment may be obtained by contacting: Andy Strelcheck, (850)487-0554.

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: Bob Palmer, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 24, 2002, 1:30 p.m.

PLACE: Moffitt Research Center, Auditorium, 13131 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612.

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Payne, by September 23, 2002.

MIAMI-DADE COMMUNITY COLLEGE

The **Region XIV Advisory Council** announces a meeting to which all interested parties are invited.

DATE AND TIME: Wednesday, October 2, 2002, 2:00 p.m.

PLACE: Miami-Dade Community College, North Campus, School of Justice and Safety Administration, Room 8205, Miami, FL

Contract person is: Mary Greene, Secretary of the Region XIV Advisory Council, (305)237-1329.

FLORIDA HEALTHY KIDS CORPORATION

The **Florida Healthy Kids Corporation** announces its Board of Directors meeting to which all persons are invited to attend.

DATE AND TIME: October 10, 2002, 10:00 a.m.

PLACE: Raymond C. Sittig Hall, 501 South Bronough St., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Board of Directors.

Further details and an agenda for the meeting may be obtained by contacting: Florida Healthy Kids Corporation, P. O. Box 980, Tallahassee, FL 32302 or by checking our website at www.healthykids.org.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN THAT the Department of Insurance has issued an order disposing of the petition for declaratory statement filed by Broward County Fire Rescue, Fire Marshal's Office, received on June 19, 2002. The following is a summary of the agency's disposition of the petition:

Question A. Is it permissible for the final design of the loading walkway to allow for gaps between the loading walkway/bridge and the egress door opening for the aircraft under Section 41.1 of NFPA 415?

Response: Yes, provided other methods have been employed to achieve the desired level of safety. The authority having jurisdiction must rely on the strict compliance with a specific set of tests or the review of a combination of components that form an assembly which will ensure that the desired level of safety has been met. The criterion that governs the desired level of safety must include an assembly with:

- (1) Structural integrity of the walkway under fire conditions, and
- (2) Five minutes with no flame-passage.

Question B. Will the authority have jurisdiction be in compliance with the Florida Fire Prevention Code, which adopts NFPA 415, if such loading walkways are approved?

Response: Yes. The mere appearance of not meeting the five minute egress requirement based solely on a gap shall not in itself result in a violation of the Florida Fire Prevention Code. The authority having jurisdiction must review the actual field conditions proposed and the documentation of the submitter

including the results of any modeling, calculations or test results. A determination may then be made regarding the ability of the proposed assembly to provide the desired level of safety to include the criteria in (1) and (2) cited in response to Question #1 above.

A copy of the order may be obtained from: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or you may fax your request to fax number (850)922-1235 or e-mail it to mazzeog@doi.state.fl.us.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on September 10, 2002, from FRCC Products regarding whether or not the FRCC Featherlite machinery pad is in compliance with the intent of the Florida Building Code section 304.7, Mechanical Code, for certain projects named in the petition. The pad is composed of a homogeneous mixture of Portland cement, water and polypropylene fibers. It has been assigned the number DCA02-DEC-250.

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 BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a declaratory statement In Re: Petition for Declaratory Statement, Wilson and Karen Wallace, River Run of Sebastian Condominium Association, Inc., Petitioner; Docket Number CD2002-043.

The declaratory statement provided, in summary, that River Run of Sebastian Condominium Association, Inc., is assessing for common expenses in accordance with its declaration, which is consistent with Sections 718.103(1) and 718.115(2), Florida Statutes.

A copy of the declaratory statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

DEPARTMENT OF HEALTH

The Board of Psychology hereby gives notice that it has issued a Final Order on the Petition for Declaratory Statement filed on behalf of Phyllis K. Jensen. The Notice of Petition for Declaratory Statement was published on August 9, 2002 in Vol. 28, No. 32 of the Florida Administrative Weekly. The Board considered the Petition at its meeting held on August 16, 2002, in Orlando, Florida. The Board's Order, filed August 28, 2002, denies the Petition for Declaratory Statement, finding that additional information is required regarding Lockie Johnson, Ph.D. and regarding the nature of the proposed supervised practice.

A copy of the Board's Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3253.

**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

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida announces that Professional Services in the discipline of architecture/engineering will be required for the project listed below:

Project Number: 501

Project and Location: Nanotech 1 Facility, University of South Florida, Tampa Campus, Tampa, Florida.

PROJECT DESCRIPTION:

This project is to provide an interdisciplinary Nanotechnology research facility for the University of South Florida. This facility is proposed to consist of clean room space, wet laboratories, and offices. The currently proposed site is in the proximity of the Engineering Teaching Auditorium, although other locations may be considered during the Programming phase.

The selected firm will provide programming, design, applications for permitting, construction documents, construction administration and post-occupancy services for the referenced project. All disciplines required to provide the services for this project, including, architecture, engineering, clean room and laboratory design, are required to be included in the submittal for services. Consultant services for clean room and laboratory design may be provided by specialty consultants. The selected firm will be required to provide computer drawings according to the standards of the University of South Florida. Blanket professional liability insurance will be required for this project in the amount of \$250,000, and will be provided as a part of Basic Services. Project development including professional services is contingent upon availability of funds. The estimated construction budget for this project is anticipated to be approximately \$3,000,000 including site related work. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract. The construction delivery method will be considered in the Programming Phase.

Selection of finalists for interview will be made on the basis of professional qualifications of the proposed design team, (architecture, engineering, clean room and laboratory disciplines) including experience and ability; past experience; design ability; minority participation; volume of work; and distance from project. Finalists will be provided a copy of the standard Architect/Engineer Agreement.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application, a completed University of South Florida "Professional Qualifications Supplement", for the Nanotech I Facility which permits specialty consultants and design consultants, and a copy of the applicant's current Professional Registration Certificate from the appropriate governing board. Applications on any other form will not be considered.

All applicants 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.

Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Jayne E. MacPherson, Office Manager, Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550, Phone (813)974-1410 or (813)974-2625, Fax (813)974-3542 or via email at jpherson@admin.usf.edu.

Interested firms are invited and encouraged to attend a pre-submittal meeting at the University of South Florida, Phyllis P. Marshall Center, to be held at 10:00 a.m. (Eastern Standard Time), Tuesday, October 8, 2002, in Room MC 271, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. Requests for meetings by individual firms will not be granted.

It shall be noted that no verbal communication shall take place between the short listed applicants and the University of South Florida. Requests for any project information must be in writing to the above address. The Selection Committee may reject all proposals and stop the selection process at any time.

Six (6) copies of the above requested data, bound in the order listed shall be addressed to: Steven Warren, Project Manager, Division of Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550.

Submittals must be received in the University of South Florida, Facilities Planning and Construction Office, FPC110 by 2:00 p.m. (Eastern Standard Time), Tuesday, October 22, 2002.

Facsimile (FAX) submittals are not acceptable and will not be considered.

CALL FOR BIDS:

Made by the "University of North Florida Board of Trustees, a public body corporate"

PROJECT NAME, NUMBER AND LOCATION: Bid Partial Build Out of the Ground Floor Level, Second Floor Level, Third Floor Level, and Fourth Floor Level in the 400 Meter Track and Soccer Stadium, BR-911 IIA, 4567 St. Johns Bluff Road, Jacksonville, Florida 32245

GENERAL SCOPE: The project consist of completing the building out of the Ground Floor Level and partially building out of the Second Floor Level, Third Floor Level and Fourth Floor level in the existing 400 Meter Track and Soccer Stadium. The work includes, but is not limited to: utility extensions; construction of NCAA men and women locker room/toilet/shower facilities; miscellaneous storage areas, janitor closets, security areas, gang toilet rooms, and announcer/camera areas. The scope of work also includes sports field lighting, P.A. system, and stadium waterproofing; as well as exterior paving, sidewalks/courtyard, landscaping and fencing. Estimated cost of construction is \$2,000,000 to \$2,400,000.

QUALIFICATIONS: 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, October 22, 2002 until 2:00 p.m. (Local Time)

PLACE: University of North Florida, Building 1, President's Conference Room 2804, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224, at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the:

ARCHITECT/ENGINEER: JSA, Inc., 425 North Lee Street, Jacksonville, Florida 32204, Telephone (904)353-5581.

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, October 1, 2002, 2:00 p.m. (Local Time)

PLACE: University of North Florida, Building 6, Conference Room 1114, 4567 St. Johns Bluff Road, Jacksonville, Florida 32224

DEPOSIT: \$125.00 PER SET OF DRAWINGS AND project Manual is required, with a limit of three (3) sets per general contractor or prim bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prim bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prim 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 returns 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 Architect/Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer for \$125.00 per set for the printing and handling cost. Partial sets may be purchased at \$2.00 per sheet of the drawings and \$.50 per sheet of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

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 \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR ARCHITECTURE-ENGINEERING

The Florida School for the Deaf and the Blind (FSDB) announces that professional services are required for the project listed below.

PROJECT NUMBER: FSDB-20030002

PROJECT NAME: Walker Hall Renovations

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799.

SERVICES TO BE PROVIDED: Architectural and engineering services including, but not limited to, structural, mechanical, plumbing, electrical and the complete preparation of construction documents necessary for the renovation of a two-story, 38,895 SF masonry academic building. This facility is to be renovated during the School's 2003 three month summer break period. Basic construction administrative services will be required.

CONSTRUCTION BUDGET: \$3,250,000

FSDB PROJECT MANAGER: Wally Dennis

PHONE NUMBER: (904)827-2363

RESPONSE DUE DATE: October 17, 2002, 3:00 p.m.

INSTRUCTIONS:

Firms interested in being considered for this project must submit four (4) copies of their application with table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work and other pertinent data.
2. Current Professional Qualifications Supplement (PQS) Form DBC5112.
3. A copy of firm's current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.
5. Completed SF-254.
6. Completed SF-255.

Please include a stamped, self-addressed envelope for notice of selection results. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Applicants are advised that plans and specifications for A/E projects may be reused.

Applications are to be sent or delivered to the Florida School for the Deaf and the Blind, Attn: Mr. Wally Dennis, 207 N. San Marco Ave., Building 27, St. Augustine, FL 32084-2799.

Applicants will be short-listed on October 24, 2002. Following the short-list selection, a pre-interview workshop will be held on November 6, 2002, for all short-listed firms. Interviews will be conducted on November 19, 2002. A final selection will be made after the interviews have taken place. Selections will be made in accordance with Section 287.055, Florida Statutes. The selected firm will be given official notice of selection results by FAX and/or mail.

The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building 27, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after the selection. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday)

after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the Florida Administrative Weekly.

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 and/or engineering services.

Provide services to, (1) develop the educational specifications for each building, and (2) design services to remodel and renovate all or portions of the 500 series buildings, excluding buildings 540 and 550. The estimated construction budget is \$9 million dollars, portions of which are subject to future appropriations.

Firms or individuals with experience in designing for remodeling higher education facilities and desiring to qualify for consideration must submit seven 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, October 3, 2002. Each proposal must include:

1. A letter of interest.
2. Federal Government Standard Form 254 and 255, Architect-Engineer Questionnaires, including in Section 8 of Form 255 the name, address, phone and contact person for the project; and in Section 10 the firm's practice concerning affirmative action.
3. Certificate showing evidence of insurance coverages are in force. Contact the Facilities Planning at Daytona Beach Community College for specific insurance requirement (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.).

EXPRESSWAY AUTHORITIES

PROFESSIONAL ENGINEERING CONSULTANTS

The Orlando-Orange County Expressway Authority requires the services of a Professional Engineering Consultant in connection with the design of improvements to the Hiawassee Road Mainline Toll Plaza (Project No. 506A) in Orlando, Florida. Shortlist consideration will be given to only those firms who are qualified pursuant to law, and as determined by the Authority based on information provided by the firms, and who have been prequalified by FDOT to perform the indicated Types of Work.

TYPES OF WORK: Group 3.3, Complex Highway Design; Group 4.2, Major Bridge Design; Group 14, Architecture.

ADDITIONAL TYPES OF WORK THAT MAY BE REQUIRED: Group 7, Traffic Operations Design; Group 8, Surveys; Group 9, Soil Exploration, Material Testing and Foundations; and Group 12, Right of Way Surveying and Mapping.

DESCRIPTION: The work to be performed under this project will include: expansion of the Hiawassee Road Mainline Toll Plaza including additional lanes in each direction and construction of open-road Express E-PASS lanes through the center section of the plaza; widening of the S.R. 408 bridge over Lake Sherwood to provide auxiliary lanes between the plaza and the Good Homes Road interchange; surveying, lighting, maintenance of traffic, utility design and coordination, geotechnical analysis, preparation of materials for public meetings and presentations, scheduling and project control, progress reporting and other tasks and associated activities.

LETTERS OF INTEREST SUBMITTAL REQUIREMENTS: Consultants wishing to be considered shall submit six (6) sets of a Letter of Interest package. The letter shall be a maximum of ten (10) pages exclusive of attachments and resumes. The packages shall include the following:

1. Experience – Details of specific experience for at least three (3) projects, similar to that described above that involve limited access highway reconstruction, completed by the consultant's Project Manager and other key project team members including the name of client contact person, telephone number, and physical address;
2. Personnel Experience – Resumes of the consultant's proposed Project Manager and other key personnel presently employed by the consultant who will be assigned to the project. The Project Manager shall have a minimum of five (5) years of specific experience in complex highway and/or bridge design projects;
3. Project Team – Anticipated subconsultants shall be identified and the roles that each will play in providing the required services. Resumes should be provided for subconsultants that may be involved in key roles;

4. Prequalification Documentation – A copy of the Notice of Qualification issued by the FDOT showing current qualification in the Types of Work specified above;
5. Office Location – The office assigned responsibility and its physical address shall be identified. It is required that the consultant have an office and key staff located within the Orlando area.

Failure to submit any of the above required information may be cause for rejection of the package as non-responsive.

SELECTION/NEGOTIATIONS: The Authority may shortlist up to five (5) firms based on its evaluation of the Letters of Interest and qualifications information received. Shortlisted firms will proceed to the next step in the process which includes preparation and submittal of a Technical Proposal and an oral presentation or interview. The Authority will provide the shortlisted firms with a comprehensive outline of the Scope of Services for use in preparing the Technical Proposal. Each firm will be evaluated and ranked by the Authority’s Consultant Recommendation Committee based on the Technical Proposal and oral presentations/interview. As part of its evaluation process, the Committee will also consider the consultant’s willingness to meet time requirements, consultant’s projected workload, and consultant’s use of Minority/Women Owned Businesses.

EQUAL OPPORTUNITY STATEMENT: The Orlando-Orange County Expressway Authority, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964, hereby notifies all firms and individuals that it will require affirmative efforts be made to ensure participation by minorities.

MINORITY / WOMEN / DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: Minority / Women / Disadvantaged Business Enterprises will not be discriminated against on the basis of race, color, sex, or national origin in consideration for qualification or an award by the Authority.

NON-SOLICITATION PROVISION: From the first date of publication of this notice, no person may contact any Authority Board Member, Officer or Employee or any selection committee member, with respect to this notice or the services to be provided, except as related to the Submittal Requirements detailed above. Reference is made to the lobbying guidelines of the Authority for further information regarding this Non-Solicitation Provision.

LETTER OF RESPONSE DEADLINE:
October 11, 2002, 3:00 p.m., Orlando local time

AUTHORITY CONTACT PERSON:
Mr. Joseph A. Berenis, P.E.
Deputy Executive Director
Telephone: (407)316-3800

LETTER OF RESPONSE ADDRESS:
Orlando-Orange County Expressway Authority
525 S. Magnolia Avenue
Orlando, FL 32801

Re: Hiwassee Road Mainline Toll Plaza Expansion
Project No. 506A
ORLANDO-ORANGE COUNTY EXPRESSWAY
AUTHORITY
Harold W. Worrall, P.E.
Executive Director

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE REGARDING ELECTRONIC POSTING
Pursuant to Section 287.042(3)(b)2. of the Florida Statutes, the Department of Management Services hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement:
http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BID NO. BDRS 19-02/03
The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the construction of recreational facilities and improvements at Silver River State Park in Ocala, Florida. Facilities and improvements include, but are not limited to picnic pavilions, restrooms, parking, water, signage, driveway, septic system and retention areas. Sealed bids will be received by the Department until 3:30 p.m., Tuesday, October 22, 2002. Minority businesses are encouraged to participate. The Department reserves the right to reject any or all bids.
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.”

WALTON COUNTY BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners, Walton County, Florida (the County) is seeking proposals from qualified Housing Finance Authorities in Florida to operate a Single Family Mortgage Revenue Bond Program within Walton County. Copies of bids can be received at: Central Purchasing, Glyndol Johnson, Purchasing Agent, 176 Montgomery Circle, DeFuniak Springs, FL 32433 or visit our website at: www.co.walton.fl.us and click on “Doing Business with Us”. Proposer must submit an original and 11 copies of the RFP in a sealed envelope marked with the words: “SINGLE FAMILY MORTGAGE REVENUE BOND PROGRAM”. Bidder must reference bid number, opening date on outside of bid to ensure proper acceptance. Proposal deadline: October 28, 2002, by 4:00 p.m.
Proposal opening: October 29, 2002, 9:00 a.m.

BIDS RECEIVED LATE OR SENT ELECTRONICALLY
WILL NOT BE ACCEPTED.

Section XII Miscellaneous

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

Amended Notice Regarding Establishment of Dealership

On June 14, 2002, at pages 2667-2669 of the Florida Administrative Weekly, the Department of Highway Safety and Motor Vehicles published a notice concerning the establishment of Northwest Tampa Acquisitions, LLC. The notice reflected that Ford Motor Company intended to permit the establishment of an additional dealership to be owned by Northwest Tampa Acquisitions, LLC, and to be located at the northwest corner of Linebaugh Avenue and Veterans Expressway, in Tampa, Hillsborough County, Florida, on property described in detail by a legal description in the published notice.

The applicant for the dealership has now purchased property in addition to that which is described in the original notice, that property being immediately west of the original property, which may be used for the proposed dealership, in addition to the property which was described in the additional notice. This additional property is described as: A tract in the Southwest 1/4 of the Southwest 1/4 of Section 13, Township 28 South, Range 17 East, Hillsborough County, Florida described as follows: From the Northwest corner of the Southwest 1/4 of the Southwest 1/4 of Section 13, run South along the West boundary of said Southwest 1/4 of the Southwest 1/4 of Section 13, a distance of 555.82 feet; run thence North 89 degrees, 29 minutes, 12 seconds East a distance of 767.43 feet to a point of beginning; from said point of beginning, continue North 89 degrees, 29 minutes 12 seconds East a distance of 564.65 feet to a point on the East boundary of said Southwest 1/4 of Southwest 1/4 of Section 13; run thence South 0 degrees, 17 minutes, 10 seconds East along said East boundary a distance of 746.68 feet to a point on the North right-of-way line of Linebaugh Avenue, which point is 25.0 feet North of the Southeast corner of said Southwest 1/4 of the Southwest 1/4 of Section 13; run thence South 89 degrees 30 minutes, 32 seconds West along said North right-of-way line a distance of 564.65 feet; run thence North 0 degrees 17 minutes, 10 seconds East a distance of 746.45 feet to the Point of Beginning.

To the extent this additional information affords any dealer the right to protest, protests will be accepted not later than 30 days from the date of publication of this notice. Written petitions or complaints 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 U. S. Mail to: Larry Stone, Regional Market Representation Manager, Ford Motor Company, 101 Southhall Lane, Suite 300, Maitland, FL 32751.

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, DaimlerChrysler Motors Company, intends to allow the establishment of King Motor Company of Ft. Lauderdale d/b/a King Dodge, as a dealership for the sale of new Dodge motor vehicles, at a location in the city of Ft. Lauderdale, Broward County, Florida which is located at the Southwest corner of East Sunrise Boulevard and N. E. 10th Avenue. The legal description of this property is as follows:

Pursuant to the requirements of Section 320.642, Florida Statutes, notice is given that DaimlerChrysler Motors Company intends to establish King Motor Company of Fort Lauderdale D/b/a King Dodge as a dealership for the sale of new Dodge motor vehicles at a location in the City of Fort Lauderdale, Broward County, Florida, which is located at the Southwest corner of East Sunrise Boulevard and N. E. 10th Avenue. The legal description of this property is as follows:

A portion of Parcel "A", RESUBDIVISION OF BLOCKS 220 AND 221 – PROGRESSO, according to the plat thereof, as recorded in Plat Book 60, Page 30, of the public records of Broward County, Florida, and Lots 15 and 16, Block 221 – PROGRESSO, according to the plat thereof, as recorded in Plat Book 2, Page 18 of the public records of Dade County, Florida and being more fully described as follows:

BEGINNING at the most Northerly Northeast corner of said Parcel "A"; thence North 89° 59' 00" West on said North line, a distance of 275.00 feet; thence South 00° 00' 00" West, a distance of 420.00 feet; thence South 89° 59' 00" East, a distance of 290.00 feet to a point on the East line of said Parcel "A"; thence North 00° 00' 00" East on the East line of said Parcel "A" and on the East line of said Lots 16 and 15, a distance of 405.00 feet to a point on a curve; thence Northwesterly on a curve to the left with a radius of 15.00 feet, a central angle of 89° 59' 00", an arc distance of 23.56 feet to the POINT OF BEGINNING.

DaimlerChrysler Motors Company intends to engage in business with King Motor Company of Fort Lauderdale d/b/a King Dodge on or after November 1, 2002 if no protests are filed.

The name and address of the dealer operator(s) and principal investor(s) of King Motor Company of Ft. Lauderdale d/b/a King Dodge are dealer operator(s) and principal investor(s): W. Clay King, 900 E. Sunrise Blvd., Ft. Lauderdale, FL 33304.

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, 10300 Boggy Creek Rd., Ste. 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 Section 320.642, Florida Statutes, Freightliner LLC, intends to allow the establishment of Western Star of Ft. Myers, Inc., as a dealership for the servicing of Freightliner trucks, at 6061 Hamilton Drive, Ft. Myers (Lee County), Florida 33905, on or after September 10, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Western Star of Ft. Myers, Inc. are dealer operator(s) and principal investor(s): Steven P. Walsh, 6061 Hamilton Drive, Ft. Myers, FL 33905.

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: Chuck Thomas, Dealer Operations Manager, Freightliner LLC, 3025 Evergreen Drive, Suite 150, Duluth, GA 30096-2317.

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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE MODIFICATION
OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify Power Plant Certification Conditions issued pursuant to the Florida Electrical Power Plant Siting Act, § 403.501, et seq., Florida Statutes. A Proposed Final Order has been prepared in accordance with Rule 62-17.211(4), F.A.C., concerning Florida Crushed Stone Company's Power Plant facility located near Brooksville in Pasco County, Florida.

A copy of the proposed modification order is available from: Hamilton S. Oven, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)487-0472.

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 JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted the following revised policy for review and comment on MyFlorida.com at: <http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>.

The department-wide policy (Type B) addresses the following issue: Protective Action Response – This revised policy establishes a statewide framework to implement procedures governing the use of verbal and physical intervention techniques and mechanical restraints. Based on policy type, this is the first of two – 20 working day review and comment periods.

Please submit comments to the contact person identified on the above Website. The closure date for submission of comments is October 2, 2002. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of a review period at: <http://www.djj.state.fl.us/reference/policiesandprocedures/policycomments.html>.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN September 3, 2002
 and September 6, 2002**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF INSURANCE

4-203.042	9/3/02	9/23/02	28/22	28/32
4-203.045	9/3/02	9/23/02	28/22	28/32
4-231.010	9/3/02	9/23/02	27/44	
4-231.020	9/3/02	9/23/02	27/44	
4-231.030	9/3/02	9/23/02	27/44	
4-231.080	9/3/02	9/23/02	27/44	
4-231.150	9/3/02	9/23/02	27/44	28/32

Career Service System

4E-3.008	9/3/02	9/23/02	28/31	
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DEPARTMENT OF EDUCATION

University of Central Florida

6C7-9.001	9/5/02	9/25/02	Newspaper	
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WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

40C-4.091	9/6/02	9/26/02	28/16	28/34
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Southwest Florida Water Management District

40D-1.002	9/6/02	9/26/02	28/27	
40D-1.600	9/6/02	9/26/02	28/29	
40D-1.602	9/6/02	9/26/02	28/29	
40D-1.603	9/6/02	9/26/02	28/29	
40D-1.607	9/6/02	9/26/02	28/29	
40D-2.091	9/6/02	9/26/02	28/29	
40D-3.531	9/6/02	9/26/02	28/27	
40D-4.021	9/6/02	9/26/02	28/29	
40D-4.041	9/6/02	9/26/02	28/29	
40D-4.301	9/6/02	9/26/02	28/29	
40D-4.302	9/6/02	9/26/02	28/29	
40D-40.011	9/6/02	9/26/02	28/29	
40D-40.040	9/6/02	9/26/02	28/29	
40D-40.044	9/6/02	9/26/02	28/29	
40D-40.112	9/6/02	9/26/02	28/29	
40D-40.301	9/6/02	9/26/02	28/29	
40D-40.302	9/6/02	9/26/02	28/29	
40D-40.321	9/6/02	9/26/02	28/29	
40D-40.331	9/6/02	9/26/02	28/29	
40D-40.381	9/6/02	9/26/02	28/29	

DEPARTMENT OF HEALTH

Board of Occupational Therapy

64B11-2.005	9/5/02	9/25/02	28/15	28/31
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Council of Licensed Midwifery

64B24-1.005	9/6/02	9/26/02	28/24	
64B24-2.002	9/6/02	9/26/02	28/24	
64B24-5.002	9/6/02	9/26/02	28/24	
64B24-5.003	9/6/02	9/26/02	28/24	