

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Office of Agricultural Water Policy

RULE TITLE: Nitrogen Best Management Practices (BMPs) for Florida "Ridge Citrus" RULE NO.: 5E-1.023

PURPOSE AND EFFECT: To implement section 576.045(6), F.S. The effect is to adopt a specific Best Management Practice.

SUBJECT AREA TO BE ADDRESSED: The purpose of this meeting is to review a draft rule that adopts the Best Management Practices for Florida "Ridge Citrus". This rule establishes record keeping requirements and the procedures for citrus landowners and leaseholders to submit a notice of intent to implement applicable Best Management Practices.

SPECIFIC AUTHORITY: 576.045 FS.

LAW IMPLEMENTED: 576.045 (6) FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 11:00 a.m., May 14, 2002

PLACE: Lake County Extension Office, Hwy 19, Tavares, FL

TIME AND DATE: 10:00 a.m., May 15, 2002

PLACE: Highlands County Extension Office, US 27, Sebring, FL

TIME AND DATE: 1:00 p.m., May 16, 2002

PLACE: Polk County Extension Office, Hwy 98, Bartow, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kenneth A. Kuhl, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governors Square Blvd, Suite 200, Tallahassee, FL 32301, Telephone (850)488-6249, Fax (850) 921-2153

If an accommodation is needed for a disability in order to participate in this meeting, please notify the Office of Ag Water Policy, Department of Agriculture and Consumer Services, (850)488-6249, at least seven days prior to the meeting.

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES: Specialization Requirements for Certification RULE NOS.:

in Reading (Grades K-12) – Academic 6A-4.0291

Class Beginning July 1, 1990

Specialization Requirements for the 6A-4.0292

Endorsement in Reading – Academic Class

PURPOSE AND EFFECT: The purpose of this rule development is to review the requirements of a Florida educator reading endorsement and certification requirements in order to establish both the parameters for a reading endorsement and the endorsement process, and to present proposed amendments to Rule 6A-4.0291, FAC. The effect will be to establish rules that will increase the supply of highly qualified K-12 instructors in the area of reading, that provide high-quality K-12 reading instruction, and that increases K-12 student reading proficiency.

SUBJECT AREA TO BE ADDRESSED: Requirements for Florida Educator Reading Endorsement.

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

LAW IMPLEMENTED: 229.053, 231.145, 231.15(1), 231.17(6) FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 4:00 p.m. – 6:00 p.m., May 1, 2002

PLACE: Panhandle Area Education Consortium, 753 West Boulevard, Conference Room, Chipley, Florida 32428

TIME AND DATE: 4:00 p.m. – 6:00 p.m., May 1, 2002

PLACE: United Church, 1624 N.W. 5th Avenue, Gainesville, Florida 32603

TIME AND DATE: 4:00 p.m. – 6:00 p.m., May 1, 2002

PLACE: Stetson University, 800 Celebration Avenue, Celebration, Florida

TIME AND DATE: 4:00 p.m. – 6:00 p.m., May 1, 2002

PLACE: The Blaise Alfano Center, 11606 McKinley Drive, Tampa, Florida

TIME AND DATE: 4:00 p.m. – 6:00 p.m., May 1, 2002

PLACE: Florida Atlantic University, 1515 West Commercial Blvd., Ft. Lauderdale, Florida

TIME AND DATE: 4:00 p.m. – 6:00 p.m., May 1, 2002

PLACE: Florida International University, 11200 S.W. 8th Street, University Park Campus, Graham Center, Room GC 150, Miami, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mary Laura Openshaw, Director of the Office of Just Read, Florida!, Turlington Building, 325 West Gaines Street, Room 1402, Tallahassee, Florida 32399-0400, (850)488-6842

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Comprehensive Emergency 9G-2
Management Plan

RULE TITLE: RULE NO.:
State Comprehensive Emergency 9G-2.002
Management Plan Adopted

PURPOSE AND EFFECT: The addition of three new Annexes to the State Comprehensive Emergency Management Plan. These are Repatriation, Wildfires and Terrorism.

SUBJECT AREA TO BE ADDRESSED: The State Comprehensive Emergency Management Plan.

SPECIFIC AUTHORITY: 252.35(2)(u) FS.

LAW IMPLEMENTED: 252.35(2)(a) FS.

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

TIME AND DATE: 9:00 a.m., May 1, 2002

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

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Charlie Worthen, Planner IV, Bureau of Preparedness and Response, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9973, SUNCOM 293-9973 at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Charlie Worthen, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9973

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9G-2.002 State Comprehensive Emergency Management Plan Adopted.

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

(2) No change.

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

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

RULE TITLE: RULE NO.:
Strategic Regional Policy Plan 29C-9.001

PURPOSE AND EFFECT: The Council proposes to amend the North Central Florida Strategic Regional Policy.

SUBJECT AREA TO BE ADDRESSED: The Council proposes amend the North Central Florida Strategic Regional Policy Plan to incorporate the recommendations of its evaluation and appraisal report (EAR) completed in accordance with 186.511, Florida Statutes.

SPECIFIC AUTHORITY: 186.505, 186.507, 186.511, 120.54 FS.

LAW IMPLEMENTED: 186.511 FS.

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

TIME AND DATE: 1:00 p.m., April 26, 2002

PLACE: North Central Florida Regional Planning Council, 2009 N.W. 67 Place, Gainesville, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, 2009 N.W. 67 Place, Suite A, Gainesville, FL 32653-1603

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

29C-9.001 Strategic Regional Policy Plan.

There is hereby adopted, for the North Central Florida Region, the Strategic Regional Policy Plan of the North Central Florida Regional Planning Council, dated _____ ~~May 23, 1996, amended October 16, 1997,~~ which is incorporated herein by reference and copies of which are kept at the Council office at: 2009 N.W. 67 Place, Suite A, Gainesville, FL 32653-1603.

Specific Authority 186.508(1), 186.511 FS. Law Implemented 120.535(1), 186.507, 185.501(1), 186.511 FS. History-New 7-14-96, Amended 10-16-97, _____.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Workers' Compensation

RULE TITLES:	RULE NOS.:
EDI Forms and Instructions	38F-56.001
Mandate of Proof of Coverage (POC) EDI	38F-56.100
Electronic Mandate of Workers' Compensation	
Claims Forms	38F-56.200
Testing Requirements for Claims	
EDI Submissions	38F-56.205
Technical Requirements for Claims	
EDI Submissions	38F-56.210

PURPOSE AND EFFECT: Rule 38F-56.001 is being amended to add the forms required for the filing of Claims forms via Electronic Data Interchange (EDI). Rule 38F-56.100 is being amended to replace pages in the Florida Division of Workers' Compensation Proof of Coverage Electronic Data Interchange (EDI) Implementation Manual, November 2001. Rule 38F-56.200 is being created to mandate electronic filing of workers' compensation claims information beginning four (4) quarters after the effective date of this rule. Rule 38F-56.205 is being created to identify the testing requirements for electronic Claims transactions. Rule 38F-56.210 is being created to identify the technical filing requirements for electronic Claims transactions.

SUBJECT AREA TO BE ADDRESSED: Electronic filing requirements for workers' compensation proof of coverage and claims information submitted to the Division pursuant to these rules.

SPECIFIC AUTHORITY: 440.591, 440.593 FS.

LAW IMPLEMENTED: 440.593 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Linda Yon, W. C. Administrator, Bureau of Information Management, Suite 203, Hartman Building, 2012 Capital Circle, S. E., Tallahassee, FL 32399-0685; phone number (850)488-3030, ext. 129

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Procedural	40D-1
RULE TITLES:	RULE NOS.:
Limiting Conditions	40D-1.6105
Forms and Instructions	40D-1.659

PURPOSE AND EFFECT: The purpose of the proposed rule amendment to 40D-1.659 is to adopt, by incorporation, a form for use in the transfer of water use permits to subsequent owners of the property on which the permitted water withdrawal facilities are located. The purpose of the proposed amendment to 40D-1.6105 is to allow subsequent land owners to transfer permits by submitting a copy of the legally recorded deed to the property covered by the permit in lieu of obtaining the signature of the original permittee on the transfer form.

SUBJECT AREA TO BE ADDRESSED: Procedures and forms used for the assignment of permits to subsequent property owners.

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

LAW IMPLEMENTED: 373.116, 373.216, 373.219, 373.229, 373.239, 373.413, 373.414, 373.416, 373.419, 373.421 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jack Pepper, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-1.6105 Limiting Conditions.

(1) No change.

(2) A permit may be assigned to a subsequent owner subject to all terms and conditions contained in such permit upon notification in writing to the Board of such assignment, provided ownership, lease, or other control of all such lands is conveyed to the assignee and further provided that the assignee, by accepting such assignment, does assume responsibility for complying with all such terms and conditions. To assign a permit a subsequent owner must submit an appropriate Notification and Request for Transfer form, incorporated by reference in 40D-1.659, that includes the signature of the permittee(s) or a copy of the legally recorded deed(s) to all of the land covered by the permit. The Board may withhold its approval of the permit assignment if it has been demonstrated to the Board that the assignee has failed to properly manage another such facility within the District.

(3) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.219, 373.413, 373.416 FS. History-Readopted 10-5-74, Formerly 16J-0.12, Amended 2-10-93, Formerly 40D-0.381, Amended 12-16-97, _____.

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this Chapter. Copies of these forms may be obtained from the District.

GROUND WATER

(1) through (19) No change.

(20) NOTIFICATION AND REQUEST FOR TRANSFER OF A WATER USE PERMIT FORM NO. 04.10 R-025 (/02)

SURFACE WATER

Application for Permit – Used for Docks or Piers and Bulkheads

(1) through (13) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.116, 373.216, 373.219, 373.229, 373.239, 373.413, 373.414, 373.416, 373.419, 373.421 FS. History—New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-95, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 10-26-00, 6-26-01, 11-4-01,_____.

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

Double Branch Community Development District

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Double Branch Community Development District 42FF-1

RULE TITLES: RULE NOS.:

Creation 42FF-1.001

Boundary 42FF-1.002

Supervisors 42FF-1.003

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule is to establish a community development district (CDD), the Double Branch Community Development District (“District”), pursuant to Chapter 190, F.S. The petition to establish the District, filed by Oakleaf Plantation, L.L.C. (Petitioner), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Double Branch CDD. A Notice of Receipt of Petition for the Double Branch CDD was published in the March 1, 2002, edition of the Florida Administrative Weekly. The land area proposed to be served by the District will consist of approximately 1,203 acres. All proposed lands in the District are within the boundaries of unincorporated Clay County. There are no out-parcels located within the external boundaries of the parcel of land to be included within the District. The future general distribution, location and extent of the public and private land uses under the Planned Unit Development designation (Clay County Comprehensive Plan) currently include commercial, single-family residential, multi-family residential, recreation, school, and library. The proposed land uses within the District are subject to the approved Villages of Argyle Forest Development of Regional Impact Development Order. The District, if established, intends to participate in the construction of certain road and entranceway improvements and to provide certain stormwater, utility and recreation improvements for the lands within the District.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Double Branch Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 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 (IF NOT REQUESTED, A HEARING WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m., Tuesday, April 30, 2002

PLACE: Room 1703G, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884 at least 2 business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cheryl G. Stuart, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, telephone (850)222-7500 or Barbara Leighty, Senior Governmental Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884

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

DEPARTMENT OF ELDER AFFAIRS

Aging and Assisted Living Programs

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Hospice 58A-2

RULE TITLES: RULE NOS.:

Administration of the Hospice 58A-2.005

Comprehensive Emergency Management Plan 58A-2.026

PURPOSE AND EFFECT: The amendment to Rule 58A-2.005, F.A.C., and proposed Rule 58A-2.026, F.A.C., will provide comprehensive emergency management plans for hospices as specified in paragraph (j) of section 400.605, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Comprehensive Emergency Management Plan.

SPECIFIC AUTHORITY: 400.605 FS.

LAW IMPLEMENTED: 400.605 FS.

IF REQUESTED IN WRITING BY AN AFFECTED PERSON 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 p.m. – 11:30 p.m., April 26, 2002

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Linda Macdonald, Division of Community Based Services, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE TITLE: RULE NO.:

Probable Cause Determinations 61G1-11.005

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

SUBJECT AREA TO BE ADDRESSED: Probable cause determination.

SPECIFIC AUTHORITY: 455.225 FS.

LAW IMPLEMENTED: 455.225 FS.

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

TIME AND DATE: 9:00 or shortly thereafter on May 7, 2002

PLACE: The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE TITLE: Other Board Business for Which Compensation is Allowed

RULE NO.: 61G1-11.0061

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

SUBJECT AREA TO BE ADDRESSED: Other board business for which compensation is allowed.

SPECIFIC AUTHORITY: 455.207(4) FS.

LAW IMPLEMENTED: 455.207(4) FS.

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

TIME AND DATE: 9:00 or shortly thereafter on May 7, 2002

PLACE: The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE TITLE: Grounds for Disciplinary Proceedings

RULE NO.: 61G1-12.001

PURPOSE AND EFFECT: The Board proposes to review the current rule text to determine if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Grounds for disciplinary proceedings.

SPECIFIC AUTHORITY: 455.304, 481.2055 FS.

LAW IMPLEMENTED: 455.303, 455.304, 481.219, 481.225, 481.2251 FS.

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

TIME AND DATE: 9:00 or shortly thereafter on May 7, 2002

PLACE: The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: Interior Design Experience and Education

RULE CHAPTER NO.: 61G1-22

PURPOSE AND EFFECT: The Board will review the rules within this chapter to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Interior design professional experience requirements; schedule for award of interior design professional experience; and education requirements for interior designers.

SPECIFIC AUTHORITY: 481.203(8), 481.2055, 481.209(2) FS.

LAW IMPLEMENTED: 481.203(8), 481.2055, 481.209 FS.

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

TIME AND DATE: 9:00 or shortly thereafter on May 7, 2002

PLACE: The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon M. Biegalski, Executive Director, Board of Architecture and Interior Design, 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 Architecture and Interior Design

RULE CHAPTER TITLE: Responsible Supervising Control
RULE CHAPTER NO.: 61G1-23

PURPOSE AND EFFECT: The Board will review the rules within this chapter to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Responsible supervising control over architectural practice in the architect’s office; responsible supervising control over architectural practice outside of the architect’s office; responsible supervising control over interior design documents which require an architect’s seal and signature for building permit purposes; responsible supervising control for documents for exempt buildings which require an architect’s seal and signature for building permit purposes; standards for architectural supervision in construction or marketing offices; responsible supervising control over interior design practice in the interior designer’s office; responsible supervising control over interior design practice outside of the interior designer’s office; standards for interior design supervision in field or marketing offices.

SPECIFIC AUTHORITY: 481.2055 FS.
LAW IMPLEMENTED: 481.221(4), (5), 481.223, 481.225, 481.2251, 481.229 FS.

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

TIME AND DATE: 9:00 or shortly thereafter on May 7, 2002
PLACE: The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon M. Biegalski, Executive Director, Board of Architecture and Interior Design, 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 Professional Engineers

RULE CHAPTER TITLE: Continuing Education
RULE CHAPTER NO.: 61G15-22

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

SUBJECT AREA TO BE ADDRESSED: Renewal of active and inactive licenses, definitions, continuing education courses in laws and rules and Board approval of continuing education providers.

SPECIFIC AUTHORITY: 455.213, 455.2177, 455.2178, 455.2179, 471.008, 471.017, 471.019 FS.

LAW IMPLEMENTED: 455.213, 455.2177, 455.2178, 455.2179, 471.008, 471.017, 471.019 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: Natalie Lowe, Administrator, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Qualification Program for Special Inspectors of Threshold Buildings
RULE NO.: 61G15-35.003

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

SUBJECT AREA TO BE ADDRESSED: Qualification program for special inspectors of threshold buildings.

SPECIFIC AUTHORITY: 471.008, 471.033(2) FS.
LAW IMPLEMENTED: 471.015(7), 471.033 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: Natalie Lowe, Administrator, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Testing and Competency Evaluation **RULE NO.:** 64B9-15.008
PURPOSE AND EFFECT: The Board proposes to discuss promulgating a new rule addressing the requirements of testing and competency evaluation for certified nursing assistants.
SUBJECT AREA TO BE ADDRESSED: Testing and competency evaluation.
SPECIFIC AUTHORITY: 464.202, 464.203 FS.
LAW IMPLEMENTED: 464.203, 464.2085 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.

**Section II
Proposed Rules**

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Permanent Identification on Outer Burial Containers **RULE NO.:** 3F-6.009
PURPOSE AND EFFECT: The purpose of this rule is to set forth the criteria for the permanent identification of outer burial containers.
SUMMARY: This rule will ensure the accuracy of interments, and inurnments and their related burial records by setting forth specific requirements for the identification and record keeping 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: 491.103(1)(3), 497.0255 FS.
LAW IMPLEMENTED: 497.309(1)(3) FS.
IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A NOTICE OF HEARING DATE WILL BE PUBLISHED IN THE NEXT AVAILABLE

FLORIDA ADMINISTRATIVE WEEKLY. (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD):

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, FL 32399-0350

THE FULL TEXT OF THE PROPOSED RULE IS:

3F-6.009 Permanent Identification on Outer Burial Containers.

(1) The cemetery company shall maintain a detailed record identifying the permanent location of the deceased, which includes the name of the garden lot, space of mausoleum crypt or niche.

(2) In order to ensure the accuracy of interments, and inurnments and their related burial records, each cemetery company shall mark the outside of an outer burial container, or urn vault, or the inside of a crypt or niche, as appropriate, with the name of the deceased interred therein. The identity of the deceased shall be the responsibility of the entity that is handling the preparation of the deceased's remains, and not the responsibility of the cemetery.

(3) The identification shall contain the name of the deceased and the date of burial. The identification label shall be made of durable long lasting material capable of withstanding deterioration.

Specific Authority 491.103(1)(3), 497.0255 FS. Law Implemented 497.309(1)(3) FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Funeral and Cemetery Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral and Cemetery Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 8, 2002

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Manifests for Processed Products **RULE CHAPTER NO.:** 20-71

RULE TITLES: Manifest Requirements and Statements for **RULE NOS.:**

Inter-company and Intra-company Transports 20-71.005

Manifest Requirements and Statements for Transports of Processed Citrus Products 20-71.006

PURPOSE AND EFFECT: Would amend Rules 20-71.005 and 20-71.006, F.A.C., to eliminate inspection for intra-company transport of processed citrus products.

SUMMARY: Eliminating grading and inspection for bulk processed citrus products for inter- and intra-company transports between registered processing facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of 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: 601.10(1),(7), 601.11, 601.49 FS.

LAW IMPLEMENTED: 601.10(7), 601.11, 601.49, 601.52 FS.

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

TIME AND DATE: 9:00 a.m., May 15, 2002

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-71.005 Manifest Requirements and Statements for Inter-company and Intra-company Transports.

Any time a shipper is transporting processed citrus products inter-company and intra-company within the state of Florida, the shipper shall deliver to the inspector a copy of the loading manifest for each shipment. An inter-company or intra-company transport occurs when bulk processed citrus product is transported between facilities owned by different registered processors or between facilities owned by the same registered processor that are one hundred percent (100%) owned by the shipper. These manifests shall indicate:

- (1) Name of Shipper;
- (2) Date of shipment;
- (3) A certified statement that the processed citrus products are being transported inter-company or intra-company.

(4) Each manifest shall include a statement, by the shipper, that all processed citrus products regulated by Chapter 601, Florida Statutes, included in such shipment, will be have been inspected at a receiving plant that is a registered citrus processor and that payment of all excise taxes and inspection fees has been made or guaranteed as provided in applicable rules of the Department of Citrus.

(5) Identity of receiving Florida registered citrus processor and physical location where processed product inspection will take place.

(6) Where inspected product is delivered from a registered processor for storage or transfer only (no re-processing) subsequent manifests from the storage facility may indicate previous inspection with no re-inspection required.

Specific Authority 601.10(1), (7), 601.11, 601.49 FS. Law Implemented 601.10(7), 601.11, 601.49, 601.52 FS. History—New 4-26-01, Amended _____.

20-71.006 Manifest Requirements and Statements for Transports of Processed Citrus Products.

With the exception of inter-company and intra-company transports, every shipper of processed citrus products shall deliver to the inspector a copy of the loading manifest for each shipment, which shall indicate:

- (1) Name of shipper;
- (2) Date of shipment;
- (3) An itemized list of products for each grade, showing number, size and kind of immediate containers, together with respective code numbers.
- (4) Each manifest shall include a statement, by the shipper, that all processed citrus products regulated by Chapter 601, Florida Statutes, included in such shipment, have been inspected and certified, that official certificates of inspection are on file and available upon request, and that payment of all excise taxes and inspection fees has been made or guaranteed as provided in applicable rules of the Department of Citrus.

(5) Loading manifests shall accompany original inspection certificates. The inspector shall not furnish certificates of inspection until such manifests have been delivered to him.

Specific Authority 601.10(1), (7), 601.11, 601.49 FS. Law Implemented 601.10(7), 601.11, 601.49, 601.52 FS. History—New 4-26-01, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mia L. McKown, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mia L. McKown, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 20, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 8, 2002

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Certificate of Grade Inspection – Processed Products
RULE CHAPTER NO.: 20-72

RULE TITLE: Alternate Proof of Inspection
RULE NO.: 20-72.009

PURPOSE AND EFFECT: Would eliminate inspection of inter- and intra-company transport of processed citrus products.

SUMMARY: Elimination of grading and inspection for bulk processed citrus products for inter- and intra-company transports between registered processing facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of 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: 601.49 FS.

LAW IMPLEMENTED: 601.49 FS.

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

TIME AND DATE: 9:00 a.m., May 15, 2002

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-72.009 Alternate Proof of Inspection.

Subject to limitations prescribed by the Florida Department of Agriculture and Consumer Services or its authorized agents, the fact of inspection for each shipment of processed citrus products may be shown by appropriate means on the manifest or bill of lading in lieu of the certification of grade inspection required to accompany each shipment. This rule section does not apply when processed citrus products are transferred in bulk between registered processing plants facilities that are one hundred percent (100%) owned by the shipper and such product will be inspected and/or graded before final shipment from a receiving registered citrus processor. Once a bulk citrus product has been inspected, if the product is not further processed and is transported and/or stored by third parties (who may or may not be registered processing plants), subsequent manifests may indicate the prior inspection and further inspection is not required. This provision shall not affect the requirements of the USDA Inspection and Grading Service or the terms of individual contracts, which may, under specific facts and circumstances, require additional inspections and/or grading of previously graded product to maintain grade certification.

Specific Authority 601.49 FS. Law Implemented 601.49 FS. History—Formerly 105-1.22(5), Revised 1-1-75, Formerly 20-72.09, Amended 4-26-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mia L. McKown, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mia L. McKown, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 20, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 8, 2002

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Promotional and Advertising Services Contracts
 RULE CHAPTER NO.: 20-104

RULE TITLE: Selection Committee
 RULE NO.: 20-104.004

PURPOSE AND EFFECT: Would add new language to the Selection Committee to reflect changes in the new Florida Department of Citrus structure.

SUMMARY: Members of the Selection Committee for awarding contracts.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of 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: 601.10(1),(12), 601.15 FS.

LAW IMPLEMENTED: 601.10(12) FS.

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

TIME AND DATE: 10:30 a.m., May 15, 2002

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-104.004 Selection Committee.

A selection committee consisting of the Florida Citrus Commission shall be responsible for procuring contractual services unless such responsibility is otherwise delegated. A standing selection committee consisting of the Executive Director (or designee), the appropriate Deputy Executive Director (or designee) and staff member familiar with the necessary services shall be established and shall be responsible for procuring contractual services as directed by the Florida Citrus Commission. Their duties shall include:

- (1) Evaluation of promotional opportunities presented to the Department.
- (2) Establishment of selection criteria.
- (3) Screening any initial proposals and selection of finalists where formal presentations or further proposal development are necessary.

- (4) Negotiation of price and other terms.
- (5) Final selection of provider.

Specific Authority 601.10(1), (12), 601.15 FS. Law Implemented 601.10(12) FS. History—New 10-19-82, Formerly 20-104.04, Amended 1-27-98.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mia L. McKown, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mia L. McKown, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 20, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 8, 2002

LAND AND WATER ADJUDICATORY COMMISSION

Gateway Services District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Gateway Services District	42F-1
RULE TITLES:	RULE NOS.:
Creation	42F-1.001
Boundary	42F-1.002

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule amendment is to change the name of the Gateway Services District (“District”) to the “Gateway Services Community Development District” to more accurately reflect its status as a uniform community development district chartered under Chapter 190, F.S., and to amend the District’s boundaries. The petition to amend the District’s name and boundaries submitted by the Board of Supervisors of the District requests that the Florida Land and Water Adjudicatory Commission (the “Commission”) amend Chapter 42F-1, Florida Administrative Code, to change the District’s name and add approximately 150 acres to the existing boundaries. After expansion as proposed, the District will consist of and serve approximately 5,474 acres. Approximately 125 acres generally located wholly within the City of Fort Myers and about 25 acres generally located wholly within unincorporated Lee County are proposed to be added to the District. There is no real property within the proposed expanded District boundaries which is to be excluded from the jurisdiction of the District. Further, the amendment of the external boundaries of the District by its expansion by approximately 150 acres does not comprise (singularly or cumulatively) more than 10% of the District’s initial service area and will not result in the addition of more than 250 acres. Finally, the District has obtained the consent of the owners of 100% of the property described above and which is proposed to be added to the District.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: In association with the proposed amendment of Chapter 42F-1, Florida Administrative Code, the District has caused a statement of the estimated regulatory cost (the “SERC”) to be prepared in compliance with section

120.541, F.S. The complete text of the SERC is contained as Exhibit “7” to the petition. By way of summary, the SERC estimates that the principal entities likely to be required to comply with the rule are the state, the City of Fort Myers, Lee County, Florida, and the District, and describes the type of individuals most likely to be affected by the rule as expansion area landowners. The SERC estimates that rule amendment implementation and enforcement costs to the above-described entities will be minimal, are concurrently budgeted or not burdensome, and/or are offset by the payment of requisite filing fees; and, that there will be no effect on state and local revenues from the expansion of the District. Further, the SERC estimates that certain development-related transactional costs incurred would occur regardless of whether the District was expanded and are voluntarily assumed if at all by and through individuals or entities owning or purchasing property in the District. Finally, the SERC concludes that the expansion’s effect on small business will be minimal or positive and neither Lee County or the City of Fort Myers are a small city or county as defined by section 120.52, F.S.

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: 120.53(1), 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 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, A HEARING WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m., Monday, May 6, 2002

PLACE: Room 1703G, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least two (2) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

Gateway Services Community Development District

42F-1.001 Creation.

The Gateway Services Community Development District is hereby created.

Specific Authority 120.53(1), 190.005 FS. Law Implemented 190.005 FS. History—New 5-22-86, Amended _____.

42F-1.002 Boundary.

The boundaries of the district are as follows:

A tract or parcel of land lying Section 35, Township 44 South, Range 25 East and in Sections 1, 2, 3, 4, 10, 11 and 12, Township 45 South, Range 25 East; Section 31, Township 44 South, Range 26 East and in Sections 5, 6, 7, 8, 17, 18 and 19, Township 45 South, Range 26 East, Lee County, Florida, more particularly described as follows:

Beginning at the southwest corner of said Section 35 run N 00° 47' 42" W along the west line of the southwest quarter (SW-1/4) of said Section for 2643.18 feet to the quarter corner on the west line of said section; thence run N 00° 43' 47" W along the west line of the northwest quarter (NW-1/4) of said Section for 1361.42 feet; thence run N 35° 45' 29" E for 947.82 feet; thence run N 56° 15' 44" E for 690.61 feet to the south line of the Colonial Boulevard right-of-way (State Road 884) (250 feet wide); thence run S 89° 38' 27" E along said south line for 2763.96 feet to an intersection with the west line of the northeast quarter (NE-1/4) of the northeast quarter (NE-1/4) of said Section; thence run S 02° 16' 01" E along said west line for 1,168.38 feet to the southwest corner of said fraction; thence run N 89° 54' 24" E along the south line of said fraction for 1324.86 feet to the southeast corner of said fraction; thence run S 03° 20' 25" E for 1284.37 feet to the quarter corner on the east line of said Section; thence run S 00° 01' 59" E along said east line for 2635.65 feet to the northwest corner of said Section 1; thence run N 89° 28' 42" E along the north line of the northwest quarter (NW-1/4) of said Section 1 for 2,642.98 feet to the quarter corner on said north line; thence run S 89° 57' 06" E along the north line of the northeast quarter (NE-1/4) of said Section 1 for 2523.38 feet to the northeast corner of said Section; thence run N 00° 57' 01" W along the west line of said Section 31 for 2644.12 feet to the quarter corner on said west line; thence run N 00° 35' 02" W along said west line of said Section 31 for 1705.47 feet to an intersection with the southwesterly line of Immokalee Road (State Road 82) (200 feet wide); thence run S 46° 07' 29" E along said southwesterly line for 6215.51 feet to an intersection with the south line of said Section 31; thence continue S 46° 07' 29" E along said southwesterly line for 1227.27 feet to an intersection with a line common to said Sections 5 and 6; thence continue S 46° 07' 29" E along said southwesterly line for 1535.36 feet to a point of curvature; thence run Southeasterly along said southwesterly line along the arc of a curve to the left of radius 5824.88 feet (delta 18° 13' 21") (chord bearing S 55° 14' 10" E) (chord 1844.76 feet) for 1852.55 feet to a point of tangency; thence continue along said southwesterly line S 64° 20' 50" E for 22.21 feet to an intersection with the east line of the west half (W-1/2) of said Section 5; thence run S 00° 06' 33" E along said east line for 2271.81 feet to the quarter corner common to said Sections 5 and 8; thence run S 01° 02' 00" E along the east line of the west half (W-1/2) of said Section 8 for 3,028.35 feet; thence run N 89° 33' 57" E for 605.03 feet; thence run S 01° 02' 00" E for 1800.10 feet; thence run S 89° 33' 57" W for 605.03 feet; thence run S 01° 02' 00" E for 500.03 feet to the quarter corner common to said Sections 8

and 17; thence run S 01° 00' 12" E along the east line of the northwest quarter (NW-1/4) of said Section 17 for 926.76 feet to an intersection with the northeasterly line of a Florida Power and Light Company substation site as described in deed recorded in Official Record Book 1606 at Page 1286 of the Lee County Records; thence run N 37° 57' 04" W along said northeasterly line for 361.70 feet; thence run S 52° 02' 56" W along the northwesterly line of said Site for 361.70 feet; thence run S 37° 57' 04" E along the southwesterly line of said Site for 741.48 feet to an intersection with the northwesterly line of Daniels Road Extension (200 feet wide) as described in deed recorded at Official Record Book 1644 at Page 1739 of the Lee County Records; thence run N 68° 38' 13" E along said northwesterly line for 64.84 feet to an intersection with said easterly line of said northwest quarter (NW-1/4) of said Section 17; thence run S 01° 00' 12" E along said east line for 1238.52 feet to the southeast corner of said fraction; thence run S 89° 30' 38" W along the south line of said fraction and the north line of the Southwest Florida Regional Airport for 2110.83 feet to an intersection with the southeasterly line of said Daniels Road Extension; thence run S 54° 00' 05" W through said Sections 17, 18 and 19 along the southeasterly line of a road right-of-way (200 feet wide) for 7032.17 feet to an intersection with the west line of said Section 19; thence run N 00° 55' 36" W along said west line for 244.38 feet to an intersection with the north line of said Daniels Road Extension; thence run N 54° 00' 05" E along said northwesterly line for 5665.31 feet; thence run N 35° 59' 55" W for 1,729.99 feet; thence run N 24° 09' 58" E for 391.95 feet; thence run N 08° 16' 00" W for 197.71 feet; thence run N 06° 58' 53" E for 1581.85 feet; thence run N 03° 57' 44" W for 414.40 feet to an intersection with a non-tangent curve; thence run Easterly and Northeasterly along the arc of a curve to the left of radius 4,875.00 feet (delta 26° 35' 35") (chord bearing N 73° 33' 32" E) (chord 2242.42 feet) for 2262.67 feet to an intersection with the southwesterly line of a Florida Power and Light Company transmission line easement; thence run N 37° 57' 04" W along said southwesterly line for 6232.48 feet; thence run N 35° 22' 47" W along said southwesterly line for 3234.74 feet; thence run N 36° 33' 02" W along said southwesterly line for 405.09 feet; thence run N 37° 57' 04" W along said southwesterly line for 3.81 feet; thence run S 89° 59' 49" W for 327.78 feet; thence run S 72° 54' 38" W for 2,624.15 feet; thence run S 01° 05' 33" E for 3200.00 feet to an intersection with the south line of said Section 1; thence run S 89° 56' 14" W along the south line of said Section 1 for 2663.19 feet to the southwest corner of said Section 1; thence run S 89° 03' 50" W along the south line of said Section 2 for 2645.12 feet to the quarter corner on said south line; thence run S 00° 08' 50" E line of the northwest quarter (NW-1/4) of said Section 11 for 2670.22 feet to the center of said Section; thence run S 88° 33' 56" W along the south line of said northwest quarter (NW-1/4) for 2745.77 feet to the quarter corner on the west line of said Section 11; thence run S 89° 29' 50" W along the south line of the northeast

quarter (NE-1/4) of said Section 10 for 2546.16 feet to the center of said Section; thence run N 00° 06' 58" W along the west line of said northeast quarter (NE-1/4) for 2668.79 feet to the quarter corner on the north line of said Section; thence run S 88° 57' 32" W along the south line of said Section 3 for 2649.25 feet to the southwest corner of said Section; thence run S 88° 54' 32" W along the south line of said Section 4 for 2059.99 feet to an intersection with the southeasterly line of the Six Mile Cypress Acquisition Area; thence run Northeasterly along said southeasterly line the following courses and distances: N 31° 38' 21" E for 261.19 feet; N 01° 23' 47" W for 277.78; N 37° 53' 18" E for 246.16 feet; N 18° 15' 00" E for 91.84 feet; N 56° 35' 37" E for 169.92 feet; N 85° 38' 45" E for 379.20 feet; N 70° 16' 34" E for 105.12 feet; N 06° 16' 12" E for 108.95 feet; N 89° 11' 29" E for 322.80 feet; N 71° 11' 39" E for 95.05 feet; N 55° 29' 43" E for 156.24 feet; S 86° 54' 42" E for 285.36 feet; N 55° 11' 00" E for 58.82 feet; N 73° 00' 08" E for 140.00 feet; N 54° 05' 49" E for 115.77 feet; N 10° 34' 05" E for 104.79 feet; N 24° 05' 57" E for 100.09 feet; N 67° 22' 01" E for 230.59 feet; S 85° 03' 28" E for 211.24 feet; N 05° 10' 02" E for 54.09 feet; N 27° 24' 58" E for 106.63 feet; N 10° 08' 05" E for 139.90 feet; N 44° 41' 11" E for 147.83 feet; N 62° 35' 02" W for 105.53 feet; N 23° 59' 48" E for 476.74 feet; N 15° 42' 08" E for 368.41 feet; N 20° 55' 23" E for 222.23 feet; N 45° 09' 19" E for 183.23 feet; N 31° 07' 36" E for 305.01 feet; N 32° 55' 08" E for 155.78 feet; N 17° 03' 28" E for 110.45 feet; N 26° 26' 47" E for 300.81 feet; N 18° 42' 17" E for 150.86 feet; N 04° 51' 19" W for 340.19 feet; N 12° 09' 34" E for 251.79 feet; N 27° 12' 34" E for 210.15 feet; N 14° 53' 31" E for 323.53 feet and N 35° 18' 42" E for 275.49 feet to an intersection with the north line of said Section 3; thence run N 88° 37' 17" E along said north line for 530.84 feet to an intersection with the westerly line of State Road No. 93 (Interstate 75) (324 feet wide); thence run S 14° 49' 52" E along said westerly line for 677.99 feet to an intersection with the east line of the northwest quarter (NW-1/4) of said Section 3; thence run S 00° 49' 04" E along said east line for 1299.77 feet to the northwest corner of the west half (W-1/2) of the southwest quarter (SW-1/4) of the northeast quarter (NE-1/4) of said section; thence run N 88° 12' 52" E along the north line of said fraction for 323.06 feet to an intersection with said westerly line of State Road No. 93; thence run S 14° 49' 52" E along said westerly line for 2.67 feet to an intersection with the east line of said fraction; thence run S 00° 37' 05" E along said east line for 650.21 feet to the southeast corner of said fraction; thence run N 88° 09' 46" E along the north line of the southeast quarter (SE-1/4) of said Section 3 for 2250.18 feet to the quarter corner common to said Sections 2 and 3; thence run N 00° 47' 03" E along the west line of the northwest quarter (NW-1/4) of said Section 2 for 2605.26 feet to the Point of Beginning.

LESS AND EXCEPT all that part of the right-of-way for State Road No. 93 (Interstate 75) lying within the southeast quarter (SE-1/4) of Section 3 and within the northeast quarter (NE-1/4)

of Section 10, Township 45 South, Range 25 East, Lee County, Florida, east line of the west half (W-1/2) of the northeast quarter (NE-1/4) of said Section; thence run S 02° 16' 01" E along said east line for 2461.89 feet to the southeast corner of said fraction; thence run N 89° 28' 13" E along the north line of the southeast quarter (SE-1/4) of said Section for 1348.58 feet to the quarter corner on the east line of said Section; thence run S 00° 01' 59" E along said east line for 1317.83 feet to the southeast corner of the north half (N-1/2) of said southeast quarter (SE-1/4); thence run S 89° 24' 35" W along the south line of said north half (N-1/2) for 2670.09 feet to the southwest corner of said fraction; thence run S 01° 12' 31" E along the east line of said southwest quarter (SW-1/4) of said Section for 1320.69 feet to the quarter corner common to said Sections 35 and 2; thence run N 89° 20' 52" E along the line common to said Sections 35 and 2 for 2643.02 feet to the northwest corner of said Section 1; thence run N 89° 28' 42" E along the north line of the northwest quarter (NW-1/4) of said Section 1 for 2642.98 feet to the quarter corner on said north line; thence run S 89° 57' 06" E along the north line of the northeast quarter (NE-1/4) of said Section 1 for 2523.38 feet to the north east corner of said Section; thence run N 00° 57' 01" W along the west line of said Section 31 for 2644.12 feet to the quarter corner on said west line; thence run N 00° 35' 02" W along said west line of said Section 31 for 1705.47 feet to an intersection with the southwesterly line of Immokalee Road (State Road No. 82) (200 feet wide); thence run S 46° 07' 29" E along said southwesterly line for 6215.51 feet to an intersection with the south line of said Section 31; thence continue S 46° 07' 29" E along said southwesterly line for 1227.27 feet to an intersection with a line common to said Sections 5 and 6; thence continue S 46° 07' 29" E along said southwesterly line for 1535.36 feet to a point of curvature; thence southeasterly along said southwesterly line along the arc of a curve to the left of radius 5824.88 feet (delta 18° 13' 21") (chord bearing S 55° 14' 10" E) (chord 1844.76 feet) for 1852.55 feet to a point of tangency; thence continue along said southwesterly line S 64° 20' 50" E for 22.21 feet to an intersection with the east line of the west half (W-1/2) of said Section 5; thence run S 00° 06' 33" E along said east line for 2271.81 feet to the quarter corner common to said Sections 5 and 8; thence run S 01° 02' 00" E along the east line of the west half (W-1/2) of said Section 8 for 5328.48 feet to the quarter corner common to said Sections 8 and 17; thence run S 01° 00' 12" E along the east line of the northwest quarter (NW-1/4) of said Section 17 for 926.76 feet to an intersection with the northeasterly line of a Florida Power and Light Company substation site as described in deed recorded in Official Record Book 1606 at Page 1286, of the Lee County Records; thence run N 37° 57' 04" W along said northeasterly line for 361.70 feet; thence run S 52° 02' 56" W along the northwesterly line of said site for 361.70 feet; thence run S 37° 57' 04" E along the southwesterly line of said site for 741.48 feet to an intersection with the northwesterly line of Daniels Road Extension (200 feet wide) as described in deed

recorded in Official Record Book 1644 at Page 1739 of the Lee County Records; thence run N 68° 38' 13" E along said northwesterly line for 64.84 feet to an intersection with said easterly line of said northwest quarter (NW 1/4) of said Section 17; thence run S 01° 00' 12" E along said east line for 1238.52 feet to the southeast corner of said fraction; thence run S 89° 30' 38" W along the south line of said fraction and the north line of the Southwest Florida Regional Airport for 2110.83 feet to an intersection with the southeasterly line of said Daniels Road Extension; thence run S 54° 00' 05" W through said Sections 17, 18 and 19 along the southeasterly line of a road right-of-way (200 feet wide) for 7032.17 feet to an intersection with the west line of said Section 19; thence run N 00° 55' 36" W along said west line for 1477.45 feet to the northwest corner of said Section; thence run N 00° 54' 13" W along the west line of the southwest quarter (SW 1/4) of said Section 19 for 2643.95 feet to the quarter corner on said west line; thence run N 00° 39' 39" W along the west line of the northwest quarter (NW 1/4) of said Section 19 for 2746.35 feet to the northwest corner of said Section; thence run N 00° 57' 26" W along the west line of the southwest quarter (SW 1/4) of said Section 7 for 2645.34 feet to the quarter corner common to said Sections 7 and 12; thence run S 89° 55' 12" W along the south line of the northeast quarter (NE 1/4) of said Section 12 for 2524.67 feet to the west line of the east 2524.14 feet of said northeast quarter (NE 1/4); thence run N 01° 05' 33" W along said west line for 2646.07 feet to the south line of said Section 1; thence run S 89° 56' 14" W along said south line for 2663.19 feet to the southwest corner of said Section, passing through the quarter corner on the south line of said Section at 69.26 feet; thence run S 89° 03' 50" W along the south line of said Section 2 for 2645.12 feet to the quarter corner on said south line; thence run S 00° 08' 50" E along the east line of the northwest quarter (NW 1/4) of said Section 11 for 2670.22 feet to the center of said Section; thence run S 88° 33' 56" W along the south line of said northwest quarter (NW 1/4) for 2745.77 feet to the quarter corner on the west line of said Section 11; thence run S 89° 29' 50" W along the south line of the northeast quarter (NE 1/4) of said Section 10 for 2546.16 feet to the center of said Section; thence run N 00° 06' 58" W along the west line of said northeast quarter (NE 1/4) for 2668.79 feet to the quarter corner on the north line of said Section; thence run S 88° 57' 32" W along the south line of said Section 3 for 2649.25 feet to the southwest corner of said Section; thence run S 88° 54' 32" W along the south line of said Section 4 for 2059.99 feet to an intersection with the southeasterly line of the Six Mile Cypress Acquisition Area; thence run northeasterly along said southeasterly line the following courses and distances: N 32° 38' 21" E for 261.19 feet; N 01° 23' 47" W for 277.78; N 37° 53' 18" E for 246.16 feet; N 18° 15' 00" E for 91.84 feet; N 56° 35' 37" E for 169.92 feet; N 85° 38' 45" E for 379.20 feet; N 70° 16' 34" E for 105.12 feet; N 06° 16' 12" E for 108.85 feet; N 89° 11' 29" E for 322.80 feet; N 71° 11' 39" E for 95.05 feet; N 55° 29' 43" E for 156.24 feet;

S 86° 54' 42" E for 285.36 feet; N 55° 11' 00" E for 58.82 feet; N 73° 00' 08" E for 140.00 feet; N 54° 05' 49" E for 115.77 feet; N 10° 34' 05" E for 104.79 feet; N 24° 05' 57" E for 100.09 feet; N 67° 22' 01" E for 230.59 feet; S 85° 03' 28" E for 211.24 feet; N 05° 10' 02" E for 54.09 feet; N 27° 24' 58" E for 106.63 feet; N 10° 08' 05" E for 139.90 feet; N 44° 41' 11" E for 147.83 feet; N 62° 35' 02" W for 105.53 feet; N 23° 59' 48" E for 476.74 feet; N 15° 42' 08" E for 368.41 feet; N 20° 55' 23" E for 222.23 feet; N 45° 09' 19" E for 183.23 feet; N 31° 07' 36" E for 305.01 feet; N 32° 55' 08" E for 155.78 feet; N 17° 03' 28" E for 110.45 feet; N 26° 26' 47" E for 300.81 feet; N 18° 42' 17" E for 150.86 feet; N 04° 51' 19" W for 340.19 feet; N 12° 09' 34" E for 251.79 feet; N 27° 12' 34" E for 210.15 feet; N 14° 53' 31" E for 323.53 feet and N 35° 18' 42" E for 275.49 feet to an intersection with the north line of said Section 3; thence run N 88° 37' 17" E along said north line for 530.84 feet to an intersection with the westerly line of State Road No. 93 (Interstate 75) (324 feet wide); thence run S 14° 49' 52" E along said westerly line for 677.99 feet to an intersection with the east line of the northwest quarter (NW 1/4) of said Section 3; thence run S 00° 49' 04" E along said east line for 1952.84 feet to the center of said Section; thence run N 88° 09' 46" E along the north line of the southeast quarter (SE 1/4) of said Section 3 for 2571.63 feet to the quarter corner common to said Sections 2 and 3; thence run N 00° 47' 03" E along the west line of the northwest quarter (NW 1/4) of said Section 2 for 2605.26 feet to the Point of Beginning.

Less and except all that part of the right-of-way for State Road No. 93 (Interstate 75) lying within the southeast quarter (SE 1/4) of Section 3 and within the northeast quarter (NE 1/4) of Section 10, Township 45 South, Range 25 East, Lee County, Florida, as more particularly described in the petition for this rule. Containing 5,474 ~~5324~~ acres, more or less.

Specific Authority 120.53(1), 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New 5-22-86, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 1801, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission

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

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

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

Bayside Improvement Community Development District

RULE CHAPTER TITLE: Bayside Improvement Community Development District
 RULE CHAPTER NO.: 42N-1

RULE TITLE: Boundary
 RULE NO.: 42N-1.002

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule amendment is to amend the boundaries of the Bayside Improvement Community Development District ("District") by approximately 72 acres. The petition to amend the District's boundaries submitted by the Board of Supervisors of the District requests that the Florida Land and Water Adjudicatory Commission (the "Commission") amend Chapter 42N-1, Florida Administrative Code, to add approximately 72 acres to the existing boundaries. After expansion as proposed, the District will consist of and serve approximately 1821 acres. Approximately 72 acres generally located wholly within the City of Bonita Springs are proposed to be added to the District. There is no real property within the proposed expanded District boundaries which is to be excluded from the jurisdiction of the District. Further, the amendment of the external boundaries of the District by its expansion by approximately 72 acres does not comprise (singularly or cumulatively) more than 10% of the District's initial service area and will not result in the addition of more than 250 acres. Finally, the District has obtained the consent of the owners of 100% of the property described above and which is proposed to be added to the District.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: In association with the proposed amendment of Chapter 42F-1, Florida Administrative Code, the District has caused a statement of the estimated regulatory cost (the "SERC") to be prepared in compliance with section 120.541, F.S. The complete text of the SERC is contained as Exhibit "7" to the petition. By way of summary, the SERC estimates that the principal entities likely to be required to comply with the rule are the state, the City of Bonita Springs, Lee County, Florida, and the District, and describes the type of individuals most likely to be affected by the rule as expansion area landowners. The SERC estimates that rule amendment implementation and enforcement costs to the above-described entities will be minimal, are concurrently budgeted or not burdensome, and/or are offset by the payment of requisite filing fees; and, that there will be no effect on state and local revenues from the expansion of the District. Further, the SERC estimates that certain development-related transactional costs incurred would occur regardless of whether the District was expanded and are voluntarily assumed if at all by and through individuals or entities owning or purchasing property in the District. Finally, the SERC concludes that the expansion's

effect on small business will be minimal or positive and neither Lee County or the City of Bonita Springs are a small city or county as defined by section 120.52, F.S.

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: 120.53(1), 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 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, A HEARING WILL NOT BE HELD):

TIME AND DATE: 1:00 p.m., Monday, May 6, 2002

PLACE: Room 1703G, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least two (2) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884

THE FULL TEXT OF THE PROPOSED RULE IS:

42N-1.002 Boundary.

The boundaries of the District are as follows:

REVISED DESCRIPTION PARCEL IN SECTIONS 7, 8, 9, 16, 17, 18 & 20, T. 47 S., R. 25 E. LEE COUNTY, FLORIDA

A tract or parcel lying in Sections 7, 8, 9, 16, 17, 18 and 20, Township 47 South, Range 25 East, Lee County, Florida, which tract or parcel is described as follows:

Beginning at the northeast corner of said Section 20 run S 00° 35' 25" E 2659.47 feet to the southeast corner of the said northeast quarter (NE-1/4) of said Section 20; thence S 00° 38' 52" E 734.90 feet to an intersection with the approximate centerline of Spring Creek; thence run along said centerline of Spring Creek the following seventeen (17) described courses: (1) S 78° 50' 00" W for 181.31 feet; (2) N 34° 24' 12" W for 230.22 feet; (3) N 30° 59' 12" W for 174.93 feet; (4) N 24° 25' 16" E for 120.83 feet; (5) S 65° 47' 43" E for 219.32 feet; (6) N 18° 24' 43" E for 158.11 feet; (7) N 75° 11' 47" W for 351.71 feet; (8) N 65° 09' 33" W for 451.88 feet; (9) N 84° 18' 44" W for 351.75 feet; (10) N 66° 54' 31" W for 445.79 feet; (11) S 63° 24' 43" W for 134.16 feet; (12) S 03° 23' 22" E for 170.29 feet; (13) S 50° 30' 17" W for 220.23 feet; (14) N 84° 49' 43" W for 331.36 feet; (15) S 62° 13' 07" W for 214.71 feet; (16) S 22° 08' 36" W for 291.55 feet; (17) S 72° 15' 11" W for 131.22 feet to an intersection with the east line of the southwest quarter (SW-1/4) of said Section 20; thence N 00° 50' 19" W along said east line of said Section 20 for 520.00 feet to the northeast corner of said fraction; thence S 89° 58' 37" W along

the north line of said fraction for 290.00 feet to an intersection with the approximate centerline of the most easterly branch of said Spring Creek; thence along said centerline for the following eight (8) described courses: (1) N 09° 13' 28" W for 137.34 feet; (2) N 29° 08' 22" W for 590.59 feet; (3) N 38° 31' 58" W for 278.03 feet; (4) N 65° 16' 43" W for 254.95 feet; (5) N 37° 18' 28" W for 286.01 feet; (6) N 32° 51' 05" E for 252.39 feet; (7) N 20° 11' 00" E for 236.69 feet; (8) N 27° 23' 47" W for 369.25 feet; thence N 89° 15' 43" E for 50 feet more or less to the easterly shore of said Spring Creek thence along said easterly shore for 1220 feet more or less to an intersection with the north line of said Section 20; thence N 89° 15' 13" E along said north line for 970 feet more or less to the northwest corner of the northeast quarter (NE-1/4) of said Section 20; thence N 00° 31' 30" E along the west line of the east half (E-1/2) of said Section 17 for 2704.38 feet to the North right-of-way of a 30 foot wide road as recorded in Deed Book 305, Page 276, Public Records of Lee County, Florida, said north right-of-way being 30 feet northerly of and parallel to the south line of said North half (N-1/2) of Section 17; thence along said north right-of-way line N 89° 59' 08" W, 835.70 feet; thence along the lands known locally as Spring Creek Estates, an unrecorded plat, N 00° 00' 52" E, 510.00 feet; N 89° 59' 08" W, 885.06 feet to a point of curvature; along an arc of a curve for 231.02 feet, having a radius of 390.00 feet, central angle of 33° 56' 23", chord of 227.66 feet and chord bearing S 73° 02' 41" W to a point on the curve; S 00° 00' 52" W, 167.10 feet; and S 31° 38' 0" W, 130.70 feet to the northeast corner of lands described in Official Record Book 1194, Page 1085; thence westerly along said lands and the waters of canal 106 feet more or less to the northeast corner of lands described in Official Record Book 1057, Page 38, thence southwesterly and westerly along said lands and said canal 400 feet more or less to the northwest corner of lands described in Official Record Book 1453, Page 495, thence southwesterly along the mean high water line of a canal, 45 feet more or less to the south line of said North half (N-1/2) of said Section 17, thence N 89° 59' 08" W, 136 feet more or less, to the East 1/4 corner of Section 18, Township 47 South, Range 25 East; thence S 89° 58' 17" W along the south line of said Lot 2, said line being the basis of bearing, for 1213.22 feet, said line being southerly property line, to a bulkhead line established by Paul T. O'Hargan, Florida Professional Land Surveyor #1936 and duly approved by the County of Lee on September 27, 1967 and the State of Florida on November 21, 1967; thence the following courses and distances along said bulkhead line: N 56° 00' 38" W, 265.00 feet, to a point of curvature; along an arc of a curve for 338.95 feet, having a radius of 520.00 feet, central angle of 37° 20' 50", chord of 332.98 feet and a chord bearing N 37° 20' 13" W, to a point of tangency; N 18° 39' 48" W, 481.24 feet to a point of curvature; along an arc of a curve for 104.44 feet, having a radius of 100.00 feet; central angle of 59° 50' 20", chord of 99.76 feet, and chord bearing N 48° 34' 58" W, to a point of tangency; N 78° 30' 08" W, 144.73 feet, to a point of

curvature; and along an arc of a curve for 56.48 feet, having a radius of 100.00 feet, central angle of 32° 21' 45", chord of 55.74 feet, and chord bearing N 62° 19' 15" W, to a point; thence run N 89° 59' 08" E leaving said bulkhead line on a line parallel to, and 990.00 feet distant, measured at right angles from, the south line of the aforementioned Government Lot 2 and its westerly extension thereof, for 241 feet, more or less, to the waters of Estero Bay; thence northerly along the waters of Estero Bay for 8300 feet more or less to an intersection with the north line of the south half (S-1/2) of Government Lot 2 of said Section 7; thence N 89° 32' 15" E along said north line for 545 feet more or less; thence S 08° 50' 45" E 199.50 feet; thence N 89° 32' 15" E 247.50 feet; thence N 89° 35' 27" E 666.22 feet; thence N 89° 32' 15" E 239.00 feet to the west right-of-way line of Coconut Road; thence S 01° 07' 45" E along said West right-of-way line for 488.63 feet; thence S 89° 16' 14" E along the south right-of-way line of Coconut Road for 5130.07 feet to the west line of said Section 9; thence along said west line N 00° 41' 48" W 30.00 feet; thence along said south right-of-way line of Coconut Road S 89° 35' 50" E 3164.37 feet to an intersection with the west right-of-way line of Tamiami Trail, US 41; thence S 00° 10' 56" W along said west right-of-way line for 621.81 feet to a point of curvature; thence southerly 1040.54 feet along an arc of a circular curve concave to the northeast, having a radius of 5797.58 feet, through a central angle of 10° 17' 00" and being subtended by a chord which bears S 04° 57' 34" E 1039.14 feet to a point of tangency; thence S 10° 06' 04" E 938.08 feet to an intersection with the south line of said Section 9; thence along said south line S 89° 32' 00" W for 708.94 feet to the northeast corner of the northwest quarter (NW-1/4) of Section 16; thence along the east line of said fraction S 00° 02' 54" W for 2643.98 feet to the southeast corner of said northwest quarter (NW-1/4) of said Section 16; thence N 89° 10' 38" E 538.06 feet; thence S 00° 06' 43" E 1085.91 feet; thence N 89° 06' 43" E 744.41 feet to a point on a non-tangential curve on the west right-of-way line of said Tamiami Trail, US 41; thence southerly 50.21 feet along said right-of-way line along the arc of a non-tangential circular curve concave to the east, having a radius of 5619.58 feet, through a central angle of 00° 30' 43" being subtended by a chord which bears S. 00° 22' 04" E. 50.21 feet to a point of tangency; thence S 00° 06' 43" E 49.81 feet; thence S 89° 06' 43" W 300.00 feet; thence S 00° 06' 43" E 1445.82 feet to the south line of said Section 16; thence S 89° 16' 54" W along said south line for 989.41 feet to the southwest corner of the southeast quarter (SE-1/4) of said Section 16; thence S 88° 38' 34" W along said south line of said Section 16 for 2627.98 feet to the Point of Beginning; thence run N 89° 59' 08" W for 404.79 feet; thence run N 01° 31' 36" E for 960.34 feet; thence run N 89° 59' 08" W for 2200.77 feet to a point on the east line of said Section 18; thence continue N 89° 59' 08" W for 1840 feet more or less to the waters of Estero Bay; thence northerly along the waters of Estero Bay for 8300 feet more or less to an intersection with the north line of the south half (S-1/2) of

Government Lot 2 of said Section 7; thence run N 89° 32' 15" E along said north line for 545 feet more or less; thence run S 08° 50' 45" E for 199.50 feet; thence N 89° 32' 15" E for 247.50 feet; thence run N 89° 35' 27" E for 666.22 feet; thence run N 89° 32' 15" E for 239.00 feet to the west right-of-way line of Coconut Road; thence run S 01° 07' 45" E along said West right-of-way line for 488.63 feet; thence run S 89° 16' 14" E along the south right-of-way line of Coconut Road for 5130.07 feet to the west line of said Section 9; thence run along said west line N 00° 41' 48" W for 30.00 feet; thence run along said south right-of-way line of Coconut Road S 89° 35' 50" E for 3164.37 feet to an intersection with the west right-of-way line of Tamiami Trail, US 41; thence run S 00° 10' 56" W along said west right-of-way line for 621.81 feet to a point of curvature; thence run southerly 1040.54 feet along an arc of a circular curve concave to the northeast, having a radius of 5797.58 feet, through a central angle of 10° 17' 00" and being subtended by a chord which bears S 04° 57' 34" E for 1039.14 feet to a point of tangency; thence run S 10° 06' 04" E for 938.08 feet to an intersection with the south line of said Section 9; thence along said south line S 89° 32' 00" W for 708.94 feet to the northeast corner of the northwest quarter (NW 1/4) of Section 16; thence run along the east line of said fraction S 00° 02' 54" W for 2643.98 feet to the southeast corner of said northwest quarter (NW 1/4) of said Section 16; thence run N 89° 10' 38" E for 538.06 feet; thence run S 00° 06' 43" E for 1085.91 feet; thence run N 89° 06' 43" E for 744.41 feet to a point on a non-tangential curve on the west right-of-way line of said Tamiami Trail, US 41; thence southerly 50.21 feet along said right-of-way line along the arc of a non-tangential circular curve concave to the east, having a radius of 5619.58 feet, through a central angle of 00° 30' 43" being subtended by a chord which bears S 00° 22' 04" E for 50.21 feet to a point of tangency; thence run S 00° 06' 43" E for 49.81 feet; thence run S 89° 06' 43" W for 300.00 feet; thence run S 00° 06' 43" E for 1445.82 feet to the south line of said Section 16; thence run S 89° 16' 54" W along said south line for 989.41 feet to the southwest corner of the southeast quarter (SE 1/4) of said Section 16; thence run S 88° 38' 34" W along said south line of said Section 16 for 2627.98 feet to the Point of Beginning.

Contains ~~1.836~~ 1.764 acres more or less.

LESS and EXCEPT the following described parcels:

Lands as described in Official Record Book 1713 at Page 1188; Containing 5.70 acre, more or less.

ALSO

Lands as described in Official Record Book 1677 at Page 3516;

Containing 1.00 acre, more or less.

ALSO

Lands as described in Deed Book 305 at Page 276.

Containing 0.90 acre, more or less.

ALSO

A 50 foot wide roadway easement in Government Lots 2 and 3, Section 7, Township 47 South, Range 25 East, Lee County, Florida lying 25 feet each side of the following described centerline: Beginning at the southeast corner of the northeast quarter (NE-1/4) of said Section 7, S.89° 40' 05" W along the south line of said fraction for 1091.46 feet to the southwest corner of lands described in Official Record Book 2175 at Page 4216 and the end of the herein described centerline;

Containing 1.25 acres, more or less.

ALSO

The Spring Creek Road right-of-way (50 feet wide) located in the southeast quarter (SE-1/4) of Section 8 and the northeast quarter (NE-1/4) of Section 17, Township 47 South, Range 25 East, Lee County, Florida lying 25 feet each side of the following described centerline: From the northwest corner of the southeast quarter (SE-1/4) of said Section 8 run S 00° 53' 27" E along the west line of said fraction for 25.01 feet to the intersection of the south right-of-way line of Coconut Road (50 feet wide right-of-way); thence run along said right-of-way S 89° 14' 44" E for 742.10 feet to the centerline of said Spring Creek Road and the Point of Beginning of the above described centerline. From said Point of Beginning run S 00° 07' 17" W for 2610.37 feet to the north line of said Section 17; thence S 00° 07' 58" W for 2676.17 feet to the end of the herein described centerline. Containing 6.07 acres more or less.

Containing 1821 net acres more or less;

Subject to easements, restrictions, reservations and rights-of-way of record. Bearings are based on the south line of Section 16, Township 47 South, Range 25 East, being S 88° 38' 34" W Bearings hereinabove mentioned are based on the East line of Pelican's Nest Unit I as recorded in Plat Book 41 at page 58 thru 60 of the Public Records of Lee County.

Specific Authority 120.53(1), 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New 8-14-91, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 1801, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Florida Principles and Practices
 RULE NO.: 61G19-6.0085

PURPOSE AND EFFECT: The proposed rule amendment is intended to address the Florida laws and rules examination.

SUMMARY: The proposed rule amendment clarifies requirements with regard to the laws and rules examination.

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

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

SPECIFIC AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 455.217(7), 468.609(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-6.0085 Florida Principles and Practices.

An applicant for licensure under this part shall satisfactorily complete ~~with a passing grade of 70% or higher on both the category specific exam and the Florida laws and rules (Principles and Practice) exam with a passing grade of 70% or higher. Within a period of two years of satisfactory completion of one of the two exams, an~~ An applicant for a class of license who has successfully completed the Florida laws and rules exam for that class, shall not have to take that exam again for another category of license provided the applicant has maintained continuous employment, active licensure and continuing education.

Specific Authority 468.606 FS. Law Implemented ~~420.60~~ 455.217(7), 468.609(5)(8) FS. History--New 1-15-96, Amended _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 8, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 15, 2002

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Continuing Education for Biennial Renewal
 RULE NO.: 61G19-9.001

PURPOSE AND EFFECT: The proposed rule amendment is intended to address Florida laws and rules for the purpose of continuing education requirements.

SUMMARY: The proposed rule amendment requires licensees to complete a minimum of two hours of continuing education in the area of Florida laws and rules as a condition of licensure renewal.

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

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

SPECIFIC AUTHORITY: 455.2124, 455.213(6), 468.606, 468.627 FS.

LAW IMPLEMENTED: 455.2124, 455.213(6), 468.627 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-9.001 Continuing Education for Biennial Renewal.

(1) Except as noted below, prior to the end of each biennial certification period, all certificate holders shall complete a minimum of fourteen (14) classroom or interactive distance learning hours of continuing education courses, which shall include a minimum of two (2) hours in the area of accessibility, and a minimum of two (2) classroom hours in the area of Florida laws and rules (other than accessibility) as a condition of the biennial renewal of all certifications held by the certificate holder.

(2) through (6) No change.

Specific Authority 455.2124, ~~455.213(6)~~, 468.606, 468.627 FS. Law Implemented 455.2124, ~~455.213(6)~~, 468.627 FS. History--New 5-23-94, Amended 5-21-95, 11-28-95, 6-9-97, 1-4-00, 4-23-01, 3-19-02, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 8, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 15, 2002

**DEPARTMENT OF HEALTH
 Board of Hearing Aid Specialist**

RULE TITLE: Biennial Renewal Fee for Active License
 RULE NO.: 64B6-4.004
 PURPOSE AND EFFECT: The Board proposes to raise the fee so that the increased fee will be 10% more than the existing fee.

SUMMARY: The Board proposes to raise the licensure renewal fee to \$410.

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

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

SPECIFIC AUTHORITY: 456.025(1), 455.587(1), 484.044, 484.0447(4), (6) FS.

LAW IMPLEMENTED: 484.0447(4), (8), 484.047(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: 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:

64B6-4.004 Biennial Renewal Fee for Active License.

The licensure fee for renewal of an active license shall be ~~\$410.00~~ ~~\$375.00~~.

Specific Authority 456.025(1), 455.587(1), 484.044, 484.0447(4),(6) FS. Law Implemented 484.0447(4), (8), 484.047(2) FS. History—New 1-10-84, Formerly 21JJ-5.03, 21JJ-5.003, Amended 1-4-87, 12-25-88, Formerly 21JJ-4.007, 61G9-4.007, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Hearing Aid Specialist

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialist

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 11, 2002

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLES:	RULE NOS.:
Definitions	64B9-15.001
Certified Nursing Assistant Authorized Duties	64B9-15.002
Application for Certification	64B9-15.003
Eligibility for Certification	64B9-15.004
Standards for Certified Nursing Assistant Training Programs	64B9-15.005
Standardized Curriculum	64B9-15.006
Approval of Certified Nursing Assistant Training Programs	64B9-15.007

PURPOSE AND EFFECT: To establish the requisites for the certification of nursing assistants and nursing assistants' training programs.

SUMMARY: The Board proposes to promulgate new rules to set forth the requirements in regards to the certification of nursing assistants and the approval of their training programs.

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

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

SPECIFIC AUTHORITY: 464.202, 464.203 FS.

LAW IMPLEMENTED: 464.203, 464.2085 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 RULES IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

CHAPTER 64B9-15

Certified Nursing Assistant Certification

64B9-15.001 Definitions.

(1) "Governing body" means a group of three or more individuals appointed, elected, or otherwise designated, to be ultimately responsible for a certified nursing assistant training program.

(2) "Nursing home" means a long-term facility or a nursing home facility as defined in Chapter 400, Part II, F.S.

(3) "Professional nursing" means nursing functions performed by an individual licensed as a registered nurse or advanced registered nurse practitioner.

(4) "State approved program" means an educational program approved by the Department of Education.

(5) “Supervision” means a registered nurse currently licensed under Chapter 464, F.S., or a licensed practical nurse currently licensed under Chapter 464, F.S., to the extent allowed under Section 400.23(3), F.S., authorizing procedures being carried out by a certified nursing assistant but who need not be present when such procedures are performed. The certified nursing assistant must be able to contact the registered nurse or licensed practical nurse acting in accordance with Section 400.23(3), F.S., when needed for consultation and advice either in person or by communication devices.

Specific Authority 464.202, 464.203 FS. Law Implemented 464.203, 464.2085 FS. History—New _____.

64B9-15.002 Certified Nursing Assistant Authorized Duties.

(1) A certified nursing assistant may properly provide care and assist residents with the following tasks related to the activities of daily living only under the supervision of a registered nurse or licensed practical nurse as defined in Chapter 464, F.S., as appropriate for the practice parameters of the registered nurse or licensed practical nurse:

(a) Tasks associated with personal care:

1. Bathing.
2. Dressing.
3. Grooming.
4. Shaving.
5. Shampooing and caring for hair.
6. Providing and assisting with oral hygiene and dental care.

7. Caring for the skin.

8. Caring for the feet.

9. Caring for the nails.

10. Providing pericare.

11. Bedmaking and handling linen.

12. Maintaining a clean environment.

(b) Tasks associated with maintaining mobility:

1. Ambulating.

2. Transferring.

3. Transporting.

4. Positioning.

5. Turning.

6. Lifting.

7. Performing range of motion exercises.

8. Maintaining body alignment.

(c) Tasks associated with nutrition and hydration:

1. Feeding and assisting the resident with eating.

2. Assisting the resident with drinking.

(d) Tasks associated with elimination:

1. Toileting.

2. Assisting with the use of the bedpan and urinal.

3. Providing catheter care.

4. Collecting specimens.

5. Emptying ostomy bags, or changing bags that do not adhere to the skin.

6. Bowel and bladder training.

(e) Tasks associated with the use of assistive devices:

1. Caring for dentures, eyeglasses, contact lenses and hearing aids.

2. Applying established prosthetic and orthotic devices.

3. Applying braces.

4. Applying antiembolus stockings.

5. Assisting with wheelchairs, walkers or crutches.

6. Using comfort devices such as pillows, cradles, footboards, wedges and boots.

7. Assisting with and encouraging the use of self-help devices for eating, grooming and other personal care tasks.

8. Utilizing and assisting residents with devices for transferring, ambulation, alignment and positioning.

9. Using restraints.

(f) Tasks associated with maintaining environment and resident safety, including handling of blood and body fluid and cleaning resident care areas:

(g) Tasks associated with data gathering:

1. Measuring temperature, pulse, respiration and blood pressure.

2. Measuring height and weight.

3. Measuring and recording oral intake.

4. Measuring and recording urinary output, both voided and from urinary drainage systems.

5. Measuring and recording emesis.

6. Measuring and recording liquid stool.

(h) Recognition of and reporting of abnormal resident findings, signs and symptoms:

(i) Post mortem care:

(j) Tasks associated with resident socialization, leisure activities, reality orientation and validation techniques:

(k) Tasks associated with end of life care:

(l) Tasks associated with basic first aid, CPR heart saver for adults and emergency care:

(m) Tasks associated with compliance with resident's/patient's rights:

(n) Tasks associated with daily documentation of certified nursing assistant services provided to the resident.

All tasks are to be performed with knowledge of and awareness of a resident's/patient's rights and his developmental level.

(2) A certified nursing assistant may not perform any task which requires specialized nursing knowledge, judgment or skills, such as the following:

(a) Any sterile procedure.

(b) Any medication administration or application.

(c) Irrigations.

(d) Giving advice on medical/nursing matters.

(e) Tracheostomy care.

- (f) Gastric lavage or gavage.
- (g) Cutting toenails for any resident.
- (h) Cutting fingernails for a diabetic resident.
- (i) Any treatment to non-intact skin.
- (j) Application of heat or cold treatments.

(3) Under no circumstances may a certified nursing assistant work independently without the supervision of a registered nurse or a licensed practical nurse as defined in Chapter 464, F.S., as appropriate for the practice parameters of the registered nurse or licensed practical nurse.

Specific Authority 464.202, 464.203 FS. Law Implemented 464.203, 464.2085 FS. History-New _____.

64B9-15.003 Application for Certification.

(1) An applicant for certification as a certified nursing assistant shall apply to the Board on a form provided by the Department.

(2) An applicant for certification as a certified nursing assistant shall meet the requirements of Section 464.203, F.S.

Specific Authority 464.202, 464.203 FS. Law Implemented 464.203, 464.2085 FS. History-New _____.

64B9-15.004 Eligibility for Certification.

An applicant for certification demonstrates competency to read and write if the applicant:

- (1) Completes high school level 9th grade in an english speaking high school;
- (2) Passes the written portion of the certified nursing assistant examination in english; or
- (3) Passes seven out of ten questions in english on the certified nursing assistant examination.

Specific Authority 464.202, 464.203 FS. Law Implemented 464.203, 464.2085 FS. History-New _____.

64B9-15.005 Standards for Certified Nursing Assistant Training Programs.

(1) Each training program for certified nursing assistants must be approved by the Board before its graduates are eligible for certification under Chapter 464, Part II, F.S. A person seeking approval of a certified nursing assistant training program must submit an application to the Board demonstrating compliance with Chapter 464, Part II, F.S. and these rules.

(2) Each training program shall have a governing body which has authority to conduct the certified nursing assistant training program, determine general policy and assure adequate financial support.

(a) A certified nursing assistant training program shall have a written description of the program that includes purpose, goals and objectives/outcomes, and meets federal, state and if applicable, private postsecondary requirements. The program description must be consistent with the purpose, goals and objectives/outcomes of the parent institution, if any.

(b) A certified nursing assistant training program utilizing external clinical facilities shall have a written agreement between the program and each external clinical facility. The agreement shall define the rights and responsibilities of the program and the clinical facility, including the role and authority of the governing bodies of both the clinical facility and the program.

(c) A certified nursing assistant training program shall include clinical experiences in health care facilities licensed by state or federal regulatory bodies.

(d) A certified nursing assistant training program shall have written policies and procedures that are consistent with its parent institution, if any, and that meet state, federal, and if applicable, private postsecondary requirements. The program shall provide a regularly scheduled review of the policies and procedures governing the following areas:

1. Student attendance.
2. Student grading, including program progression and completion criteria.
3. Student record maintenance.
4. Student fees and financial aid.
5. Student rights and responsibilities.
6. Student grievance.

(3) Each certified nursing assistant training program shall appoint a certified nursing assistant training program coordinator who shall be responsible and accountable for compliance with these rules.

(a) A program coordinator shall hold an active, unencumbered Florida license to practice professional nursing, including practice under Rule 64B9-3.008, F.A.C., and the following:

1. Have at least two (2) years of professional nursing experience with at least one (1) year in nursing home services; and
2. Have at least one (1) year of experience as a nurse educator, evidence of academic preparation for teaching adults, or evidence of equivalent experience which has been approved by the Board.

(b) A director of nursing in a nursing home-based program may assume the administration and accountability for a program as the program coordinator but shall not engage in classroom or clinical teaching in that program.

(c) A program coordinator's responsibilities include the following:

1. Act as liaison with the Board related to the program's continuing compliance.
2. Prepare and administer a financial plan.
3. Develop, implement and evaluate the program.
4. Arrange for educational facilities, clinical resources and faculty development.

5. Recruit, supervise and evaluate qualified instructors and ensure there are sufficient instructors to meet clinical ratios and instructional needs.

6. Make available admission and program completion requirements in written form to students prior to admission to the program.

7. Develop and implement written policies necessary for the operation of the program.

8. Ensure that a Board approved instructor is providing classroom instruction or clinical supervision to students at all times during scheduled program hours.

9. Provide documentation of program completion to a student within ten (10) days of program completion.

(4) Each certified nursing assistant training program shall have one or more program instructors who shall be responsible and accountable for the instructional aspects of the certified nursing assistant training program.

(a) A program instructor shall hold an active, unencumbered Florida license to practice professional nursing, including practice under Rule 64B9-3.008, F.A.C., and the following:

1. Have at least one (1) year of clinical experience in long term care.

2. Have at least one (1) year of experience in teaching adults, or in supervising nursing assistants.

(b) A program instructor's responsibilities for classroom and clinical instruction:

1. Participate in the planning of each learning experience.

2. Ensure that course objectives/outcomes are accomplished.

3. Require a grade of 75% or greater on all theoretical examinations.

4. Require a passing grade for satisfactory completion of all skills evaluations.

5. Ensure that students do not perform activities for which they have not received instruction and in which they have not been found competent.

6. Supervise and evaluate students giving care to clients in clinical areas.

7. Be present in the classroom and clinical site 100% of the time during scheduled hours.

8. Supervise health care professionals who assist in providing program instruction.

(c) A program coordinator may be an instructor but must meet the standards established in (a) above.

(5) The certified nurse assistant training program shall have sufficient resources, ratio, services and records.

(a) A training program shall have sufficient classrooms, skills laboratories, offices, supplies and equipment to meet the purpose of the program and the needs of students, faculty, administration and staff.

1. Classrooms and skill laboratories shall be adequate in size, number and type.

2. Classrooms and skill laboratories shall be in a clean, well-lighted, comfortable temperature and safe condition.

3. Current reference materials shall be appropriate to the level of the student population and curriculum.

(b) A training program shall provide a minimum clinical instruction ratio for professional nurse to student of 1 to 12 for students caring directly for residents or clients.

(c) A training program shall provide the standardized curriculum under Rule 64B9-15.006, F.A.C., in compliance with federal guidelines.

(d) A training program shall plan and schedule clinical experiences according to the course curriculum.

(e) The training program shall include clinical experience for each certified nursing assistant student.

(f) The training program shall ensure that certified nursing assistant students are identified and treated as students and not utilized as staff during the instructional and clinical hours the students are enrolled in a certified nursing assistant training program.

(g) A training program shall provide instructional and education materials adequate to meet the needs of the program, the number of students and the instructional staff. There shall be an adequate number of instructional tools and equipment for simulating resident care to provide ample opportunity for students to develop skill competency prior to direct care experiences.

(h) A training program shall maintain program records for four (4) years for each class of students that contain documentation of curriculum and course schedules, the exact number of classroom and supervised clinical hours, and program evaluations completed by students.

(i) A training program shall maintain individual student records for four (4) years that contain the student's name, social security number, date of birth, skills checklist, individual student attendance record, program final examination score, and copies of the documentation issued to a student upon successful completion of the training program, such as a certificate, transcript, or letter.

(6) All training programs including any training program which is and is not a state approved academic institution must meet the requirements of 42 CFR Part 483.

(7) A training program must maintain a passing rate on certified nursing assistant examination for its graduates of at least 10% below the state average for each calendar year. By March 1 after the first year a training program is more than 10% below the state average, the training program must submit a corrective action plan for approval by the Board. Any training program which is more than 10% below the state average for two (2) consecutive calendar years will be disapproved by the Board.

Specific Authority 464.202, 464.203 FS. Law Implemented 464.203, 464.2085 FS. History—New

64B9-15.006 Standardized Curriculum.

(1) The standardized curriculum content for a certified nursing assistant training program shall include material that will provide a basic level of both knowledge and demonstrable skills for each student completing the program.

(2) The standardized curriculum shall require a minimum of eighty (80) hours of classroom and forty (40) hours clinical instruction.

(3) The standardized curriculum shall include classroom and clinical instruction in the following:

(a) Communication and interpersonal skills.

(b) Infection control.

(c) Safety and emergency procedures, including the Heimlich maneuver and cardiopulmonary resuscitation.

(d) Promoting resident or resident independence.

(e) Resident/patient rights, such as the right to confidentiality, the right to privacy, and the right to be free from abuse, mistreatment and neglect.

(f) The need to report abuse, mistreatment and neglect to appropriate staff.

(g) Basic nursing skills to include taking and recording vital signs, recognizing and reporting abnormal changes, caring for residents' environment, and caring for residents when death is imminent.

(h) Personal care skills.

(i) Individual resident/resident needs including age-specific mental health and social service needs.

(j) Care of the cognitively impaired resident/patient.

(k) Skills of basic restorative services, including body mechanics.

(l) Nursing team member skills.

(m) Legal aspects of the certified nursing assistant role.

(4) A training program shall require that a student receive a minimum of sixteen (16) hours instruction in the subjects identified in paragraphs 64B9-15.006(3)(a) through (e), F.A.C.

(5) Clinical experience shall be in providing direct resident care under the direct supervision of the registered nurse instructor, with at least 20 of the 40 required hours occurring in a nursing home setting.

Specific Authority 464.202, 464.203 FS. Law Implemented 464.203, 464.2085 FS. History—New

64B9-15.007 Approval of Certified Nursing Assistant Training Programs.

(1) Certified nursing assistant training programs shall be Board approved prior to being offered. Retroactive approval shall not be granted.

(2) A person seeking approval for a certified nursing assistant training program shall submit an application to the Board at least ninety (90) days in advance of the expected start date.

(3) The application for initial program approval shall include:

(a) A completed Board program application form.

(b) Name and qualifications of program coordinator.

(c) Name and qualifications of program instructors.

(d) Evidence of current academic accreditation and/or state licensure as appropriate to the sponsoring institution.

(e) Program outline with objectives/outcomes, curriculum content divided into number and sequence of didactic and clinical hours, teaching methodology, textbook, clinical skills checklist, final examination, certificate of completion and tentative calendar schedule for the program.

(f) Medicare certification status, if any.

(g) Evidence of compliance with Rule 64B9-15.005, F.A.C.

(h) A statement executed by a program coordinator of a Medicare or Medicaid certified nursing home, affirming that the program does not require a nursing assistant student to pay a fee for any portion of the program.

(4) Following review of the complete application packet, the Board shall schedule an on-site evaluation of the program.

(5) A training program shall not enroll students prior to receiving program approval.

(6) A certified nursing assistant training program shall be required to demonstrate compliance with all requirements of Chapter 464, Part II, F.S., and the rules adopted hereunder at least every two (2) years for continued approval.

(a) A training program shall permit the Board, or a state agency designated by the Board, to conduct an on-site scheduled evaluation for initial Board approval and renewal of approval.

(b) For suspected violations of the rules, a training program shall permit the Board, or a state agency designated by the Board, to conduct an on-site unannounced evaluation of the program.

(c) A training program will not be renewed if it is not in compliance with these rules or its graduates average score on the competency examination for the previous three (3) years falls 10% below the statewide average on either the written or clinical portion of the examination.

(7) The certified nursing assistant training program must request Board approval prior to initiating any changes in curriculum, program coordinator, faculty, program location, or the addition of clinical training sites.

(8) Certified nursing assistant training program approval numbers may not be transferred with a change of ownership.

(9) A certified nursing assistant training program shall notify the Board of any name change within thirty (30) days after said change.

(10) At the time of inception of these rules, all training programs with approval from the Department of Education and the Board of Nonpublic Career Education will retain that approval until the date of expiration. Renewal application will be required with the Board of Nursing. Training programs currently in existence and applying for renewal must comply with the Standards for Certified Nursing Assistant Training Programs.

Specific Authority 464.202, 464.203 FS. Law Implemented 464.203, 464.2085 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 15, 2002

DEPARTMENT OF HEALTH

Board of Occupational Therapy Practice

RULE TITLE: Temporary Permit to Practice Occupational Therapy
PURPOSE AND EFFECT: The Board proposes to eliminate an unnecessary deadline.

SUMMARY: The Board proposes to eliminate a deadline date to apply for a temporary permit.

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: 468.204 FS.

LAW IMPLEMENTED: 468.209(3), (4) 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 Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-2.005 Temporary Permit to Practice Occupational Therapy.

(1) through (2) No change.

(3) An applicant who has been issued a temporary permit based on apparent eligibility for the next scheduled examination but who has never passed an examination to determine competency as recognized by the Board and who is not qualified for licensure by endorsement, may practice occupational therapy under the supervision of a licensed occupational therapist until notification of the results of the examination. ~~The deadline to apply for a temporary permit based upon eligibility for the next scheduled examination shall be the same as the application deadline to take the examination with the examination agency approved by the Board. An individual who has passed the examination may practice occupational therapy without supervision under his temporary permit until the next meeting of the Board. The temporary permit of an individual who has failed the examination shall be deemed revoked upon notification to the Board of the examination results and the subsequent, immediate notification to the applicant of the revocation.~~

Specific Authority 468.204 FS. Law Implemented 468.209(3), (4) FS. History—New 9-9-85, Formerly 21M-13.13, Amended 3-12-90, Formerly 21M-13.013, 61F6-13.013, 59R-61.013, Amended 4-8-99, 7-9-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 1, 2002

DEPARTMENT OF HEALTH

Board of Occupational Therapy Practice

RULE TITLE: Temporary Permit to Practice as an Occupational Therapy Assistant
RULE NO.: 64B11-3.003

PURPOSE AND EFFECT: The Board proposes to eliminate an unnecessary deadline.

SUMMARY: The Board proposes to eliminate a deadline date to apply for a temporary permit.

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: 468.204, 468.209(3), (4) FS.

LAW IMPLEMENTED: 468.209(3), (4) 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 Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-3.003 Temporary Permit to Practice as an Occupational Therapy Assistant.

(1) through (2) No change.

(3) An applicant who has been issued a temporary permit based upon apparent eligibility for the next scheduled examination but who has never passed an examination to determine competency as recognized by the Board and who is not qualified for licensure by endorsement, may practice occupational therapy under the supervision of a licensed occupational therapist until notification of the results of the examination. An individual who has passed the examination may continue to practice as an occupational therapy assistant with the supervision of a licensed occupational therapist under the temporary permit until the next meeting of the Board. ~~The deadline to apply for a temporary permit based upon eligibility for the next scheduled examination shall be the same as the application deadline to take the examination with the examination agency approved by the Board.~~ The temporary permit of an individual who has failed the examination shall be deemed revoked upon notification to the Board of the examination results and the subsequent, immediate notification to the applicant of the revocation.

Specific Authority 468.204, 468.209(3),(4) FS. Law Implemented 468.209(3),(4) FS. History--New 9-8-85, Formerly 21M-14.12, Amended 3-12-90, Formerly 21M-14.012, 61F6-14.012, 59R-62.012, Amended 4-8-99, 7-5-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 1, 2002

DEPARTMENT OF HEALTH

Board of Occupational Therapy Practice

RULE TITLE: Notice of Noncompliance RULE NO.: 64B11-4.004

PURPOSE AND EFFECT: The Board proposes to change the existing rule text regarding a notice of noncompliance.

SUMMARY: The Board proposes to change the existing rule by including the failure to notify the Board of a change of address, and by removing the failure to comply with the AIDS education requirement as minor violations.

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

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

SPECIFIC AUTHORITY: 456.073(3), 468.204 FS.

LAW IMPLEMENTED: 456.073(3) 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 Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-4.004 Notice of Noncompliance.

(1) No change.

(2) Minor violations do not endanger the public health, safety and welfare and do not demonstrate a serious inability to practice the profession. A minor violation under this provision shall include failure to notify the Board of a change of address. ~~Comply with the AIDS education requirement, as provided in Section 456.033, F.S.~~

(3) No change.

Specific Authority 456.073(3), 468.204 FS. Law Implemented 456.073(3), FS. History--New 9-3-90, Formerly 21M-15.004, 61F6-15.004, 59R-63.004, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 1, 2002

DEPARTMENT OF HEALTH

Board of Occupational Therapy Practice

RULE TITLE: Mediation RULE NO.: 64B11-4.006

PURPOSE AND EFFECT: The Board proposes to eliminate mediation offenses.

SUMMARY: The Board reviewed its practice act and found no offenses appropriate for mediation.

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

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

SPECIFIC AUTHORITY: 456.078, 468.204 FS.

LAW IMPLEMENTED: 456.078 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 Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-4.006 Mediation.

For purposes of subsection 456.078, F.S., the Board ~~finds no offenses appropriate for mediation of Occupational Therapy designates as being appropriate for mediation, first time violations of Rules 64B11-2.007 and 64B11-3.005, F.A.C., failure to submit a copy of the course completion certificate.~~

Specific Authority 456.078, 468.204 FS. Law Implemented 456.078 FS. History-New 12-20-98, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 1, 2002

DEPARTMENT OF HEALTH

Board of Occupational Therapy Practice

RULE TITLE: Continuing Education Program Approval RULE NO.: 64B11-6.001

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

SUMMARY: The proposal clarifies that all programs must meet specified criteria.

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

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

SPECIFIC AUTHORITY: 456.025, 468.204, 468.219(2) FS.

LAW IMPLEMENTED: 468.219(2), 468.221 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 Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-6.001 Continuing Education Program Approval.

(1) through (3) No change.

(4) Programs meeting the above criteria and offered by the Florida Occupational Therapy Association (FOTA), the American Occupational Therapy Association (AOTA) and occupational therapy courses accredited by the Accreditation Board for Occupational Therapy shall be ~~deemed~~ approved by this Board for continuing education and shall not pay the fees required in subsection (1) of this rule.

(5) through (7) No change.

Specific Authority 456.025, 468.204, 468.219(2) FS. Law Implemented 468.219(2), 468.221 FS. History-New 8-1-95, Amended 8-27-96, Formerly 59R-65.001, Amended 7-21-98, 4-25-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 1, 2002

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Prescription Refills RULE NO.: 64B16-28.114

PURPOSE AND EFFECT: The purpose of the rule amendments is to update the rule to clarify prescription refills.

SUMMARY: The Board is amending the rule text to further clarify that no prescription shall be filled or refilled in excess of one year.

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: 465.005, 465.016(1), 465.022, 465.022(1)(a), 893.04 FS.

LAW IMPLEMENTED: 465.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Taylor, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.114 Prescription Refills.

No prescription may be filled or refilled in excess of one (1) year from the date the original prescription was written. No prescription for a controlled substance listed in Schedule II may be refilled. No prescription for a controlled substance listed in Schedules III, IV, or V may be filled or refilled more than five times within a period of six (6) months after the date on which the prescription was written.

Specific Authority 465.005, 465.016(1), 465.022, 465.022(1)(a), 893.04 FS. Law Implemented 465.022 FS. History--New 12-18-74, Formerly 21S-1.28, 21S-1.028, Amended 7-31-91, Formerly 21S-28.114, 61F10-28.114, 59X-28.114, Amended 2-4-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 1, 2002

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLES:

Unit Dose and Customized Patient

Medication Package Returns by

In-patients

Sterile Products and Special

Parenteral/Enteral Compounding

RULE NOS.:

64B16-28.118

64B16-28.820

PURPOSE AND EFFECT: The purpose of the rule amendments to Rules 64B16-28.118 and 64B16-920, F.A.C., is to rename the rule titles and update the rule text to reflect the same.

SUMMARY: The Board has determined that Rule 64B16-28.118, F.A.C., should be amended to change the rule's title and to update the rule text with regard to customized patient medication packaging. The Board has also determined

that Rule 64B16-28.820, F.A.C., should be amended to rename the rule's title and to include the words "sterile products" to the rule text.

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

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

SPECIFIC AUTHORITY: 465.005, 465.007, 465.022 FS.

LAW IMPLEMENTED: 465.007, 465.016(1)(l), 465.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John Taylor, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULES IS:

64B16-28.118 Unit Dose and Customized Patient Medication Package Returns by In-patients.

No pharmacist shall place into the stock of any pharmacy permittee any part of any prescription, compounded or dispensed, which is returned by a patient except under the following conditions:

(1) In a closed drug delivery system in which unit dose or customized patient medication packages are dispensed to in-patients, the unused unit dose of medication may be returned to the pharmacy for redispensing only if each unit dose or customized patient medication package is individually sealed and if each unit dose or the unit dose system, or the customized patient medication package container or the customized patient medication package unit of which it is clearly a part is labeled with the name of the drug, dosage strength, manufacturer's control number, and expiration date, if any.

(2) through (3) No change.

(4) A "customized patient medication package" to which this rule applies means a system wherein all USP approved multi-dose units are physically connected and are referred to as a container. The use of customized patient medication packages must comply with the provisions of subsection 64B16-28.108(5), F.A.C.

(5)(4) A "closed drug delivery system" to which this rule applies is a system in which the actual control of the unit dose or customized patient medication package is maintained by the facility rather than by the individual patient.

(6) All pharmacies utilizing unit dose or customized patient medication packages shall address specific policies and procedures regarding their preparation and use in their Policy and Procedures Manual.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.016(1)(l) FS. History—New 11-10-80, Formerly 21S-1.36, 21S-1.036, Amended 7-31-91, Formerly 21S-28.118, 61F10-28.118, 59X-28.118, Amended 9-23-99.

64B16-28.820 Sterile Products and Special Parenteral/Enteral Compounding.

(1) Sterile Products and Parenteral/Enteral Compounding.

(a) A sterile products and parenteral/enteral compounding pharmacy is a type of special pharmacy as provided by Section 465.0196, F.S., which is limited in scope of pharmacy practice to render sterile products and parenteral/enteral compounding functions. This pharmacy practice facilitates the utilization of certain institutional therapeutic measures by patients in the home environment or by patients in an institutional environment where such pharmacy service is unavailable. Pharmacy services, sterile products and parenteral/enteral products provided by a special sterile products and parenteral/enteral compounding pharmacy pursuant to prescription as defined by Section 465.003(13), F.S., shall be limited to the compounding and/or dispensing of:

1. through 2. No change.

3. Sterile preparations of cytotoxic or antineoplastic agents, and/or

4. Sterile products (i.e. injectables, eye drops, etc.).

(b) Prior to engaging in a sterile products and parenteral/enteral compounding pharmacy practice an entity shall obtain a special sterile products and parenteral/enteral compounding pharmacy permit as provided herein.

(2) Pharmacy Environment. The compounding and dispensing of sterile products and parenteral/enteral prescription preparations within a special sterile products and parenteral/enteral compounding pharmacy shall be accomplished in a pharmacy environment subject to the pharmacy permit laws of this state and in accordance with those requirements for the safe handling of drugs. The environment for this practice shall be set apart, and designed, and equipped to facilitate controlled aseptic conditions. Aseptic techniques shall prevail in this practice to minimize the possibility of microbial contamination.

(3) General Requirements.

(a) A special sterile products and parenteral/enteral compounding pharmacy shall be under the control and supervision of a licensed pharmacist, who shall be designated prescription department manager on the application for a special sterile products and parenteral/enteral compounding pharmacy. The prescription department manager or other licensed qualified pharmacist as provided herein shall be present on duty during all hours of operation of said pharmacy. Changes in prescription department manager shall be reported

to the Board of Pharmacy office within 10 days by the permit holder and prescription department manager of record. A prescription department manager of a special sterile products and parenteral/enteral compounding pharmacy shall not be designated prescription department manager of record of more than one special sterile products and parenteral/enteral compounding pharmacy, unless otherwise approved by the Board. The Board will consider the proximity of the facility as well as the administrative workload created by the two permits, in determining whether or not it will approve the designation of someone as a prescription department manager of more than one special sterile products and parenteral/enteral compounding pharmacy.

(b) A special sterile products and parenteral/enteral compounding pharmacy shall provide special handling and packaging of compounded parenteral and enteral preparations when delivering from the pharmacy to the patient or institution as required to maintain stability of the preparations. All such preparations shall include the time and/or date of expiration on the label. Delivery from the pharmacy to the patient shall be made within a reasonable time. A special sterile products and parenteral/enteral compounding pharmacy shall provide telephone accessibility to its pharmacist(s) for its patients at all hours.

(c) No change.

(d) A Policy and Procedure Manual shall be prepared and maintained at each special sterile products and parenteral/enteral compounding pharmacy, and be available for inspection by authorized agents of the Board of Pharmacy and the Agency. The Policy and Procedure Manual shall set forth in detail the objectives and operational guidelines of the permittee. The Policy and Procedure Manual shall include a Quality Assurance Program which monitors personnel qualifications, training and performance, equipment facilities, and random production sampling consistent with recommended standards for compounding and dispensing intravenous admixtures as set forth by the Joint Commission on Accreditation of Health Organizations, the National Coordinating Committee and Large Volume Parenteral, and as provided by the Florida Board of Pharmacy.

(e) through (h) No change.

(4) An applicant for a special sterile products and parenteral/enteral compounding pharmacy permit shall provide the Board of Pharmacy with the following:

(a) through (c) No change.

(5) Minimum Requirements for Space, Equipment, Supplies and Publications.

(a) To ensure compliance with the general requirements as set forth, the following minimum requirements for space, equipment, supplies and publications shall be met by a pharmacy which operates under the special permit of a sterile products and parenteral/enteral compounding pharmacy. These requirements are in addition to the minimum requirements for

space and equipment required of other types of pharmacies when applicable. The minimum permit requirements are set forth as follows:

- (b) through (e) No change.
- (6) No change.

Specific Authority 465.005, 465.007, 465.022 FS. Law Implemented 465.007, 465.018 FS. History—New 4-26-84, Formerly 21S-1.40, Amended 7-27-86, Formerly 21S-1.040, Amended 7-31-91, 10-14-91, Formerly 21S-28.820, 61F10-28.820, Amended 3-10-96, 6-4-97, Formerly 59X-28.820, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 5, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 1, 2002

DEPARTMENT OF HEALTH
Board of Physical Therapy Practice

RULE TITLE: Licensure by Endorsement
PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

RULE NO.: 64B17-4.003

SUMMARY: The Board is amending this rule by substituting gender neutral terminology and a broader reference to the national examination provider.

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

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

SPECIFIC AUTHORITY: 486.025, 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 without examination by presenting evidence satisfactory to the Board that the applicant he is licensed in another state, the District of Columbia, or a territory

if their standards for licensure are 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 state, the District of Columbia, or territory was through the designated national physical therapy assistants examination provider an examination prepared under the auspices of the Professional Examination Services, ASI (Assessment Systems Incorporated) or an examination approved by the American Physical Therapy Association.

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 _____.

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: January 13, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 1, 2002

DEPARTMENT OF HEALTH
Board of Respiratory Care

RULE TITLE: Fees
PURPOSE AND EFFECT: The Board proposes to raise fees and update existing rule text.

RULE NO.: 64B32-4.001

SUMMARY: The biennial renewal fee is raised to \$121, the reactivation fee is raised to \$55, the renewal of inactive status fee is raised to \$55, the delinquency fee is raised to \$121, and an unnecessary fee is deleted.

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

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

SPECIFIC AUTHORITY: 456.025(1), 456.065, 456.036(7), (8), 468.353(1), 468.364 FS.

LAW IMPLEMENTED: 456.025(1), (6), 456.065, 456.036, 468.364 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 Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-4.001 Fees.

(1) The biennial renewal fee for licensure shall be ~~\$140.00~~ \$121.00.

(2) The reactivation fee for activating an inactive certification or registration shall be ~~\$55~~ \$50.

(3) The renewal fee for renewing the inactive status of a certification or registration shall be ~~\$55~~ \$50.

(4) through (5) No change.

(6) The delinquency fee shall be \$121.00 ~~\$140.00~~.

~~(7) The application for inactive license fee shall be \$50.00.~~

~~(7)(8) The change in status fee shall be \$35.00.~~

Specific Authority 456.025(1), 456.065, 456.036(7), (8), 468.353(1), 468.364 FS. Law Implemented 456.025(1), (6), 456.065, 456.036, 468.364 FS. History--New 4-29-85, Formerly 21M-36.04, Amended 5-10-92, Formerly 21M-36.004, Amended 9-21-93, 1-3-94, Formerly 61F6-36.004, Amended 7-18-95, Formerly 59R-73.004, 64B8-73.004, Amended 4-27-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Respiratory Care

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED: January 25, 2002

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE TITLE: Provider Approval and Renewal Procedures RULE NO.: 64B32-6.005

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

SUMMARY: The application fee for providers is raised to \$250 and the renewal fee is raised to \$220.

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

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

SPECIFIC AUTHORITY: 456.025(4), 468.361(3) FS.

LAW IMPLEMENTED: 456.025(4), 468.361(3) 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 Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-6.005 Provider Approval and Renewal Procedures.

(1)(a) No change.

(b) Pay the ~~\$250~~ \$200 application fee.

(c) No change.

(2) through (3) No change.

(4) The biennial renewal fee for providers shall be \$220 ~~\$200~~.

(5) through (10) No change.

Specific Authority 456.025(4), 468.361(3) FS. Law Implemented 456.025(4), 468.361(3) FS. History--New 4-24-96, Amended 5-7-97, Formerly 59R-75.0041, Amended 4-23-98, 6-9-99, Formerly 64B8-75.0041, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Respiratory Care

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 25, 2002

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE CHAPTER TITLE: Eligibility and Fee Assessment for Services Offered by County RULE CHAPTER NO.:

Public Health Units 64F-16

RULE TITLE: Definitions RULE NO.: 64F-16.001

PURPOSE AND EFFECT: To redefine poverty guidelines referenced in the rule. To repeal definitions deemed unnecessary.

SUMMARY: Chapter 64F-16, F.A.C., outlines eligibility and fee assessment for services provided at county health departments. The proposed amendment to subsection 64F-16.001(7), F.A.C. provides reference as to where the latest poverty guidelines may be obtained and that these guidelines are adjusted and published annually by the U.S. Department of Health and Human Resources. These poverty guidelines are used to determine whether a client is eligible for service, or their sliding fee rate if they are above 100 percent of poverty. Furthermore, annual changes to these guidelines are designed to account for annual changes in prices as measured by the Consumer Price Index and do not reflect policy change on how the guidelines are otherwise applied or administered. Additionally, the Department proposes to repeal the definitions of "communicable disease control services" and of "WIC" at subsections 64F-16.001(1) and (12), F.A.C. The term "communicable disease control services" is already defined in

Section 154.01, F.S., and "WIC" is defined in Section 383.011(1)(g), F.S.; therefore, these definitions are redundant and deemed unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of 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: 154.011(5) FS.

LAW IMPLEMENTED: 154.011 FS.

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

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

PLACE: Department of Health, 4025 Esplanade Way, Room 125-N, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bob Peck, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723; Telephone: (850)245-4444, ext. 2965

THE FULL TEXT OF THE PROPOSED RULE IS:

64F-16.001 Definitions.

For the purpose of this rule chapter, the following definitions will apply:

~~(1) "Communicable disease control services" means epidemiology; disease surveillance; sexually transmitted disease detection, treatment, and prevention; HIV and AIDS counseling, testing, and partner notification; immunization; and tuberculosis detection, treatment, and prevention.~~

(2) through (6) renumbered (1) through (5) No change.

~~(6)(7) "Poverty guidelines" means the non-farm family poverty income scale adopted by the United States Department of Health and Human Services (HHS), as published annually by HHS in the Federal Register; February 16, 2001 edition (Volume 66, Number 33) pages 10695-10697.~~ A copy of the poverty guidelines currently adopted by HHS can also be obtained by writing to: the Office of Maternal and Child Health, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723.

(8) through (11) renumbered (7) through (10) No change.

~~(12) "WIC" means the Special Supplemental Nutrition Program for Women, Infants and Children authorized by Section 17 of the Child Nutrition Act of 1966, as amended.~~

Specific Authority 154.011(5) FS. Law Implemented 154.011 FS. History--New 10-14-93, Amended 4-29-96, Formerly 10D-121.002, Amended 1-9-01, 8-21-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bob Peck, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723. Telephone: (850)245-4444, ext. 2965

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Annette Phelps, Acting Director, Family Health Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 1, 2002

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Food Stamp Program Issuance

RULE NO.: 65A-1.604

PURPOSE AND EFFECT: The rule is being amended due to technical changes to the food stamp issuance rules and procedures. Section 409.942, F.S. established the Electronic benefit transfer (EBT) program. The Electronic Benefit Transfer program is an electronic system that allows a participant to authorize the transfer of government benefits from a federal or state account to a retailer account to pay for products received. EBT electronically provides state administered cash and food stamp benefits to eligible participants. The EBT system was gradually implemented in Florida beginning in 1998, with statewide implementation completed in 1999.

SUMMARY: This rule amendment updates the process for the issuance of food stamps. The Electronic Benefit Transfer an electronic system available statewide, allows a participant to authorize transfer of government benefits from a federal or state account to a retailer account to pay for products received.

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: 414.45 FS.

LAW IMPLEMENTED: 409.942, 414.31 FS.

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

TIME AND DATE: 10:00 a.m., May 6, 2002

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700; Telephone (850)921-5553

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Audrey Mitchell, Program Administrator, Public Assistance Policy, Policy Support Unit, 1317 Winewood Boulevard, Building 3, Room 406-A, Tallahassee, Florida 32399-0700

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.604 Food Stamp Program Issuance.

(1) ~~Aggregate Issuance.~~ All (AGs) that apply after the 15th day of the month, provide all verification by the last day of the month of application and are determined eligible for the initial month and next subsequent month will be provided both months' benefits in one combined allotment. This also applies to AGs, which are processed under expedited service time frames. However, if verification is postponed and the AG provides the verification before the end of the month of application, they will have their benefits available within five days or the first day of the following month, whichever is earlier.

(2) ~~Issuing Initial Month's Benefits.~~ When an AG's eligibility for Food Stamp Program benefits is determined on or after the 20th day of the month, the AG will be able to receive the initial month's benefit through the end of the next calendar month.

~~(1)(3) Staggered Issuance: Benefit Availability.~~

(a) Food stamp availability dates ~~issuance~~ will be staggered over at least the first 15 ~~ten working~~ days of each month and will be staggered over the entire month, if necessary based on ~~issuance~~ workload. ~~This applies to both direct pick-up and the mail issuance of food stamps. Food Stamps are issued through the Electronics Benefits Transfer (EBT) system.~~

(b) Benefit availability to assistance groups (Ags) Staggered issuance is based on the terminal digits of the AG's case number. AGs are able to receive their monthly allotment of stamps on their assigned pick-up day or on any subsequent issuance day of the month. The Public Assistance Specialist Supervisor makes case-by-case exceptions in the event of emergency circumstances beyond the control of the AG. availability date or any subsequent day for 12 months. The EBT system supports mass overrides of benefit availability dates in instances of disasters and other emergencies, in which an executive decision approves override of benefit availability policies. This permits clients in areas where hurricanes or other disasters are threatening to be able to access their benefits earlier to prepare for such events.

~~(4) Limitations on Mail Issuance:~~

(a) ~~Elderly/disabled AGs, transportation disadvantaged AGs, i.e., the homeless and those AGs in rural areas without access to privately owned or public transportation, and~~

~~employed AGs whose working hours coincide with issuance hours are eligible for mail issuance. Mail issuance is limited to no more than the maximum allotment for a two person assistance group.~~

~~(b) AGs that receive mail issuance will be placed on alternative issuance following the second reported non-delivery of stamps and replacement mail issuance in a six-month period.~~

~~1. An initial six-month period will begin when the AG first reports a mail non-delivery and receives a replacement issuance. At the time of the initial request for replacement, the department will offer the AG an alternative issuance method such as direct pick-up, use of a post office box/alternate address or coupon representative pick-up. The AG will be advised that two reported non-deliveries and replacements in a six-month period will result in the department requiring the AG to use an alternative issuance method. If the AG continues on mail issuance without a second request for replacement in the initial six-month period, a new six-month period will begin at the next report non-delivery and request for replacement.~~

~~2. The department will place an AG on alternative issuance for the length of time determined necessary. This will be a minimum of six months in most instances. However, should changed circumstances indicate a reduced risk of loss, the AG will be reinstated to mail issuance prior to the expiration of the six-month period. A reduced risk of loss is indicated if the department determines through mail issuance logs for the area that the incidence of mail replacements had diminished significantly or if the AG provides verification that indicates mail delivery is now safe. The AG must request a return to mail issuance. These requests must be approved by the District Economic Self-Sufficiency Services Program Office.~~

Specific Authority 414.45 FS. Law Implemented 414.31, 409.924 FS. History—New 1-31-94, Formerly 10C-1.604, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marcia Dukes, Operations Review Specialist

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Audrey Mitchell, Program Administrator, Public Assistance Policy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 15, 2001

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

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.027
 RULE TITLE: Clear Indication of Voter's Choice on a Ballot

NOTICE OF CHANGE

Notice is hereby given that proposed Rule 1S-2.027, published in the Florida Administrative Weekly, Pages 4617-4618, Vol. 27, No. 40, on October 5, 2001, has been changed to reflect comments received from the public as well as the Joint Administrative Procedures Committee. Changes were made to section 1S-2.027 so that it now reads:

(SUBSTANTIAL REWORDING)

1S-2.027 Clear Indication of Voter's Choice on a Ballot.

(1) The following are standards to determine in a manual recount as provided specifically by section 102.166, Florida Statutes, on an optical scan ballot, whether there is a clear indication on the ballot that the voter has made a definite choice. The following marks constitute a valid vote for the candidate, issue choice, or judicial retention choice, provided no other race on the ballot is marked or the choices in all other races are marked in the same manner:

- (a) The oval or arrow next to a candidate's name, issue choice, or judicial retention choice is circled or underlined.
- (b) The name of a candidate, issue choice, or judicial retention choice is circled or underlined.
- (c) The party abbreviation associated with a candidate's name is circled or underlined.
- (d) There is an "X," a check mark, a plus sign, an asterisk or a star, any portion of which is contained in a single oval or within the blank space between the head and tail of a single arrow and which does not enter into another oval or the space between the head and tail of another arrow.
- (e) There is a diagonal, horizontal, or vertical line, any portion of which intersects two points on the oval and which does not intersect another oval at any two points. If it is a horizontal line, the line must not strike through the name of the candidate.
- (f) There is a diagonal or vertical line that intersects an imaginary line extending from the center of the head of a single arrow to the center of the tail of the same arrow, provided the diagonal or vertical line does not intersect the imaginary line joining the head and tail of another arrow.
- (g) Written words naming a specific candidate, issue choice, or judicial retention choice that expressly direct the canvassing board to cast a vote for that candidate, issue choice, or judicial retention choice, such as "Vote for Doe," or "Please

count this vote for Jameson," "Vote no on amendment." provided there are no other markings in the race that would constitute a valid vote for a different candidate, issue choice, or judicial retention choice pursuant to rule.

(2) If the majority of an oval or the majority of the distance between the head and the tail of an arrow designating a candidate, judicial retention choice, or issue choice is filled in, that constitutes a valid vote for the candidate, judicial retention choice, or issue choice, regardless of how other races on the ballot are marked.

(3) Subject to the provisions of (4)(f), the written name of a qualified write-in candidate in the write-in space or the written name of a candidate whose name is on the ballot in that race in the write-in space, whether or not the oval or arrow designating the selection of a write-in candidate has been marked, constitutes a valid vote for the candidate.

(4) Notwithstanding (1), (2) or (3), the following circumstances apply to determining whether there is a clear indication on the ballot that the voter has made a definite choice:

(a) With the exception of (4)(f)1., if a voter marks more candidates than there are positions to be elected for that office in one or more of the manners prescribed in (1), (2), or (3), the marks do not constitute a valid vote for any candidate in that race.

(b) If a voter marks fewer candidates than there are positions to be elected for those offices, the votes for all of those marked candidates shall count. For example, if the voter is allowed to vote for 5 candidates in a special district election ("Vote for 5") and the voter marks 2 candidates, the votes for those two marked candidates shall count.

(c) Where one oval or arrow is marked as provided in (1), (2) or (3), and one or more other ovals or arrows are similarly marked but contain an "X" a cross-out, another mark obscuring the field (SHOULD BE FILLED) in area, and/or express words of error directed to one of the markings, such as "no," "not this," "ignore this," "don't want," or "wrong," or "vote for Smith," "Vote yes," the choice indicated by the words shall constitute a valid vote.

(d) Any abbreviation, misspelling, or other minor variation in the form of the name of a candidate must be disregarded in determining the validity of a write-in vote.

(e) The write-in of the last name of the candidate for Governor or the write-in of the last name of the candidate for Lieutenant Governor shall be sufficient to cast a write-in vote for joint office. The write-in of the last name of the candidate for President or the write-in of the last name of the candidate for Vice President shall be sufficient to cast a write-in vote for the joint office.

(f) If a voter designates a vote for a named candidate on the ballot and also provides for a write-in candidate in the same race it shall be treated as follows:

1. If a voter designates a vote for a named candidate on the ballot and writes-in the same candidate in the write-in area, the vote shall count for that candidate.

2. If a voter designates a vote for a named candidate on the ballot and writes in the name of a qualified write-in candidate or the name of a different named candidate on the ballot in that race, it shall be considered an overvote with neither candidate receiving credit for the vote.

3. If a voter designated a vote for a named candidate on the ballot and writes in the name of a person who is not a qualified write-in candidate and not a named candidate on the ballot in that race, it shall be considered an over vote with no candidate receiving credit for the vote.

(g) If a voter does not mark a candidate, judicial retention choice, or issue choice, the valid votes for other candidates or issues on the same ballot shall be counted.

(5) A mark for a candidate, issue choice, or judicial retention choice at issue in the recount shall not count unless determined to be a valid vote pursuant to this rule.

Specific Authority 102.166(5)(b) FS. Law Implemented 102.166(5)(b) FS. History—New _____.

DEPARTMENT OF STATE

Division of Elections

RULE NO.:

RULE TITLE:

1S-2.031

Recount Procedures

NOTICE OF CHANGE

Notice is hereby given that proposed Rule 1S-2.031, published in the Florida Administrative Weekly, Pages 4619-4621, Vol. 27, No. 40, on October 5, 2001, has been changed to reflect comments received from the public as well as the Joint Administrative Procedures Committee. Changes were made to section 1S-2.031 so that it now reads:

(SUBSTANTIAL REWORDING)

1S-2.031 Recount Procedures.

(1) The following procedures apply to manual recounts of optical scan ballots involving all county, multicounty, federal or statewide offices or issues required by law to be recounted:

(a) All procedures related to the manual recount shall be open to the public.

(b) At least two members of the county canvassing board shall be present during all times the recount is in process.

(c) The county canvassing board shall supervise the procedure used to identify and sort overvotes and undervotes in the affected race or issue. If the manual recount is being conducted at a location different from the location of the sorting process or is not being started immediately after the sorting, the sorted ballots shall be placed in a sealed container or containers until the manual recount is started. Seal numbers shall be recorded and announced at the time they are placed on the containers and the seal number shall be announced when the seal is broken and the ballots are removed from the container for the recount.

(d) Ballots with overvotes and undervotes shall be transported to the location of the recount by two members of the county canvassing board and a sworn law enforcement officer. From the time the recount is started until completion of the recount, including times of recess, the ballots shall be guarded by a sworn law enforcement officer.

(e) If the recount is ordered by the Elections Canvassing Commission, the Commission shall notify the candidates and chairmen of the state executive committee of the political parties, if applicable, entitled to representatives or the chairmen of the political committees, if any, in the case of an issue, that a recount has been ordered. The candidates or chairmen are responsible for contacting the supervisor of elections in each county involved in the recount to find out when and where the recount will be conducted and the number of representatives such candidate or committee is entitled to.

(f) If the recount is ordered by the county canvassing board, the supervisor of elections shall notify the candidates and chairmen of the county executive committee of the political parties, if applicable, entitled to representatives or the chairmen of the political committees, if any, in the case of an issue, that a recount has been ordered and shall provide information regarding the time and the place of the recount and the number of representatives such candidate or committee is entitled to.

(g) In addition, each county canvassing board shall provide public notice of the time and place of the recount immediately after determining the need for a manual recount pursuant to section 102.166, F.S. The notice shall be in either a newspaper of general circulation in the county or posted in at least four conspicuous locations in the county. Because of the time constraints in conducting the recount, the canvassing board shall also contact media outlets in the community so that the public is made aware of the recount as soon as possible. The recount shall begin as soon as practicable in order for the recount to be concluded in time for the certification of results to be submitted pursuant to s. 102.112, F.S.

(h) The recount shall be conducted in a room large enough to accommodate the necessary number of counting teams, the canvassing board members and representatives of each candidate, political party or political committee entitled to have representatives. Members of the public and the press (observers) shall be allowed to observe the recount from a separate area designated by the county canvassing board, which area may be outside of the actual recount area but which will allow the observers to view the activities. In addition to the sworn law enforcement officer guarding the ballots, there shall be a sworn law enforcement officer to keep order in and around the recount area.

(i) The canvassing board shall determine the number of overvotes and undervotes to be manually recounted. If the recount involves candidates or issues on a statewide or multicounty basis, each county canvassing board shall notify

the Elections Canvassing Commission of the number of overvotes and undervotes in the county for the affected race. In a first primary election, any candidate who could move into first or second place if all of the overvotes and undervotes were allocated to such candidate and any candidate who could lose his or her position in first or second place if all of the overvotes and undervotes were allocated to another candidate shall be entitled to representatives at the recount. In a second primary or general election or if there is only one primary, any candidate who could move into first place if all of the overvotes and undervotes were allocated to such candidate and any candidate who could lose his or her position in first place if all of the overvotes and undervotes were allocated to another candidate shall be entitled to representatives at the recount.

(j) Each candidate entitled to representatives as outlined in (i) is entitled to a number of representatives equal to the number of counting teams plus an additional representative for the county canvassing board. If the race being recounted is a partisan race, each political party with candidates entitled to representatives is entitled to one representative. Each candidate or political party entitled to representatives must provide a list of the names of each representative designated.

(k) In order to be entitled to representatives at the recount, a political committee supporting or opposing an issue which is being recounted must have provided in its statement of organization, on file before the election, that the committee is specifically supporting or opposing the issue in question. If more than one committee is registered as supporting or opposing the issue, each side shall be entitled to one representative per counting team plus one for the canvassing board. The canvassing board shall notify each committee chairman of the number of representatives it is entitled to based on the number of committees involved. The committee chairman must provide a list of the names of each representative designated.

(l) In the case of a recount regarding the retention of a judicial candidate, the judicial candidate is entitled to representatives equal to the number of counting teams plus an additional representative for the county canvassing board. If there are political committees organized to oppose the retention of such judicial candidate, those committees are entitled to representatives pursuant to (k).

(m) Representatives and observers must not interfere or disturb the recount in any way. If the conduct of the representatives or observers impedes the recount process, the recount will stop until the situation is corrected. If the disturbance continues, upon majority vote of the canvassing board, the persons causing the disturbance shall be removed from the premises by the law enforcement officer charged with maintaining order at the recount.

(n) Prior to the beginning of the recount, the canvassing board shall review the rules and statutes governing recount procedures and voter intent with the members of the counting teams and with the representatives entitled to be present.

(o) Each counting team shall review the ballots before them to determine if there is or is not a clear indication that the voter has made a definite choice, as specified in Rule 1S-2.027, F.A.C. If the counting team is unable to make the determination, or if there is an objection to the decision of the counting team by a designated representative, the ballot shall be set aside for the county canvassing board's determination.

(p) Each counting team shall place the ballots in stacks indicating:

1. Votes for each candidate or issue choice;

2. Ballots which the counting team has determined there is no clear indication that the voter made a definite choice for an office or ballot question; and

3. Ballots to be set aside for the canvassing board's determination.

(q) The counting team shall count the number of votes for each candidate or issue choice, the number of ballots which the counting team has determined there is not clear indication that the voter made a definite choice, and the number of ballots which are to be given to the canvassing board for its determination and shall submit those totals to the county canvassing board.

(r) Each ballot set aside because the counting team was unable to make a determination must be placed in a separate envelope with a notation of the precinct number, why the team was unable to make the determination, and the names of the members of the counting team. If a ballot was set aside because of an objection to the decision of the counting team by a representative, the envelope must contain the precinct number, the names of the members of the counting team, the counting team's initial determination, the reasoning behind the challenge and the person bringing the challenge.

(s) The county canvassing board shall review each ballot set aside to determine if there is or is not a clear indication that the voter has made a definite choice, as specified in Rule 1S-2.027, F.A.C. All three members of the county canvassing board must be present for this determination and the determination must be by majority vote.

(t) The records of the recount shall detail the number of votes each candidate or issue choice received and the number of ballots not allocated to any candidate or issue choice. The canvassing board shall then certify the number of votes for each candidate or issue choice.

(u) The activities of the canvassing board in making determinations of ballots to be counted shall be recorded by either audio or audio/video tape. In addition, minutes of the manual recount shall be made and approved by the canvassing

board. All tapes and minutes shall be made available to the public within 2 weeks of the time the canvassing board certifies the results of the election.

(2) Following a manual recount, the county canvassing board shall examine the ballots that were not allocated to any candidate or issue choice to determine if revisions to the voter intent rule are necessary and shall so notify the Division of Elections.

Specific Authority 102.166 FS. Law Implemented 102.166 FS. History—New

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.033
 RULE TITLE: Standards for Nonpartisan Voter Education
 NOTICE OF CHANGE

Notice is hereby given that proposed Rule 1S-2.033, published in the Florida Administrative Weekly, Pages 926-927, Vol. 28, No. 9, on March 1, 2002, has been changed to reflect comments received from the public. Changes were made to section 1S-2.033 so that it now reads:

(SUBSTANTIAL REWORDING)

1S-2.033 Standards for Nonpartisan Voter Education.

(1) County supervisors of elections shall create a Voter Guide.

(a) The Voter Guide shall include the following information:

1. How to register to vote;
2. Where voter registration applications are available;
3. How to register by mail;
4. Dates for upcoming elections;
5. Registration deadlines for the next primary and general election;
6. How voters should update their voter registration information such as changes in name, address or party affiliation;
7. Information on how to obtain, vote and return an absentee ballot;
8. Voters' rights and responsibilities pursuant to Section 101.031, Florida Statutes;
9. Polling information including what times the polls are open, what to bring to the polls, list of acceptable IDs, what to expect at the polls;
10. Instructions on the county's particular voting system;
11. Supervisor contact information; and
12. Any other information the supervisor deems important.

(b) The supervisor of elections shall provide the Voter Guide at as many places as possible within the county including:

1. Agencies designated as voter registration sites pursuant to the National Voter Registration Act;

2. The supervisor's office;

3. Public libraries;

4. Community centers;

5. Post offices;

6. Centers for Independent Living;

7. County governmental offices; and

8. At all registration drives conducted by the supervisor of elections.

(2) If a supervisor has a website, it must take into account all of the information that is required to be included in the Voter Guide. In addition, when a sample ballot is available, the website must provide either information on how to obtain a sample ballot or a direct hyperlink to a sample ballot.

(3) At least once a year in each public high school in the county, the supervisor shall conduct a high school voter registration/education program. The program must be developed in cooperation with the local school board and be designed for maximum effectiveness in reaching and educating high school students.

(4) At least once a year on each college campus in the county, the supervisor shall provide a college voter registration/education program. This program must be designed for maximum effectiveness in reaching and educating college students.

(5) County supervisors of elections shall post the listing of the voters' rights and responsibilities pursuant to section 101.031, Florida Statutes, at the supervisor's office.

(6) County supervisors of elections shall provide, upon reasonable request and notice, voter registration workshops for individuals and organizations sponsoring voter registration drives.

(7) County supervisors of elections shall conduct demonstrations of the county's voting equipment in community centers, senior citizen residences, and to various community groups, including minority groups.

(8) County supervisors of elections shall participate in available radio, television and print programs and interviews, in both general and minority media outlets, to provide voting information.

(9) Supervisors of elections shall provide notice of changes of polling places and precincts to all affected registered voters. This notice shall include publication in a newspaper of general circulation as well as posting the changes in at least ten conspicuous places in the county. If the supervisor has a website, the supervisor shall post the changes on the website. The supervisors shall also widely distribute a notice that if a voter does not receive a revised voter identification card within 20 days of the election the voter should contact a specific number at the supervisor's office to obtain polling place information.

Specific Authority 98.255 FS. Law Implemented 98.255 FS. History—New

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:
 1S-5.001 Voting System Equipment
 Regulations

NOTICE OF CHANGE

Notice is hereby given that proposed Rule 1S-5.001, published in the Florida Administrative Weekly, Pages 6086-6087, Vol. 27, No. 52, on December 28, 2001, has been changed to reflect comments received from the public as well as the Joint Administrative Procedures Committee. Changes were made to section 1S-5.001 so that it now reads:

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-5.001 Voting System Equipment Regulations.

The Department of State, Division of Elections, is required to establish minimum standards for certification and provisional approval of hardware and software for electronic and electromechanical voting systems. The Division shall establish minimum levels of voting systems capability and certify voting system equipment in accordance with the requirements contained in Florida Voting Systems Standards, Form DS-DE-101, eff. 4/02 7/98, which is hereby incorporated by reference and available from the Division upon request. The publication contains the minimum standards, procedures for testing to determine if those standards have been met, and procedures for certifying and provisionally certifying compliance with the minimum standards. Where initiated by a county Supervisor of Elections or the Department of State, modifications to previously certified systems which are designed to remedy system anomalies, which do not introduce new functions and do not introduce additional hardware components into the system configuration, may be certified under the Florida Voting Systems Standards, Form DS-DE-101, eff 7/98.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Paul Craft

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

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

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE NO.: RULE TITLE:
 5C-13.004 Schedule of Fees

NOTICE OF CHANGE

Notice is hereby given that Rule 5C-13.004, F.A.C., published in the Florida Administrative Weekly, Vol. 28, No. 4, on January 25, 2002, has been changed to reflect comments received from the Joint Administrative Procedures Commission.

(3) Clinical Pathology:

Pre/post bile acid test \$16.00/test has been deleted
 Babesia titer \$16.00/test has been changed to \$15.00/test
 Clinical Path Sample Preparation Fee \$12.00/sample has been added

Babesia titer canine \$26.00/test has been changed to \$15.00/test

Under section (4) Toxicology:

Mycotoxin Screen \$60/sample has been changed to \$10.00/mycotoxin tested/sample [for individual mycotoxins tested see Aflatoxin, Deoxynivalenol (Vomitoxin), Fumonisin, Ochratoxin, T-2, and Searalenone]

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-1.099 Cooperative Projects and Activities

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 9, February 22, 2002, issue of the Florida Administrative Weekly:

Paragraph (2)(c) was amended to read:

(c) Consortium board of directors. The superintendent of schools of cooperating districts or his/her designee shall constitute the consortium board of directors. The consortium board of directors shall determine the products and services to be provided by the consortium; however, in all contractual matters the school board of the district of record must act on proposed actions of the consortium. The board of directors shall establish a uniform method for participating districts to evaluate services.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: RULE CHAPTER TITLE:
 14-114 FDOT Prepaid Escrow Accounts

RULE NO.: RULE TITLE:
 14-114.0011 Prepaid Escrow Accounts

CHANGE NOTICE

SUMMARY OF CHANGES: The following changes are being made in response to a Joint Administrative Procedures Committee review of the proposed amendment to Rule 14-114.0011 and the associated form incorporated by reference by the rule:

1. The opening sentence in Section 14-114.0011(6) is replaced by the following two sentences: "The Department will terminate accounts if the prepaid escrow account program is no longer deemed necessary, and will terminate individual accounts if this or other accounts of the account holder with the Department are delinquent. The account holder may terminate its account at any time."
 2. Prepaid Escrow Account Application (First Page), incorporated by reference under Rule Section 14-114.0011(7): The line referring to Social Security Number for individual accounts is deleted from the form.
 3. Prepaid Escrow Account Application (Paragraph 6, Page 2), incorporated by reference under Rule Section 14-114.0011(7): The wording in the form regarding Termination is revised to read the same as the revised language in Rule Section 14-114.0011(6), above.
 4. Prepaid Escrow Account Application (Paragraph 13, Page 3), incorporated by reference under Rule Section 14-114.0011(7): The last sentence in venue section of the form is revised to read as follows: "Venue for any legal proceeding related to this agreement shall be in Leon County, Florida."
- Notice of Rulemaking was published in Florida Administrative Weekly, Vol. 28, No. 7, February 15, 2002. There were no requests for a hearing and no hearing was requested.

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 development, as noticed in Vol. 28, No. 13, March 29, 2002, Florida Administrative Weekly has been withdrawn.

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 THE LOTTERY

RULE CHAPTER NO.: 53-28
RULE NO.: 53-28.0035
RULE CHAPTER TITLE: Florida Lotto
RULE TITLE: Determination of Prize Winners

NOTICE OF CORRECTION

Notice is hereby given that the rule number for the above proposed rule which was published in the Vol. 28, No. 13, March 29, 2002, issue of the Florida Administrative Weekly has been corrected as follows:

53-28.0035 ~~53-28.035~~ Determination of Prize Winners.

DEPARTMENT OF THE LOTTERY

RULE CHAPTER NO.: 53-29
RULE NO.: 53-29.0035
RULE CHAPTER TITLE: FANTASY 5
RULE TITLE: Determination of Prize Winners

NOTICE OF CORRECTION

Notice is hereby given that the rule number for the above proposed rule which was published in the Vol. 28, No. 13, March 29, 2002, issue of the Florida Administrative Weekly has been corrected as follows:

53-29.0035 ~~53-29.035~~ Determination of Prize Winners.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-20.007
RULE TITLE: Foreign Degrees

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 28, No. 13, March 29, 2002, issue of the Florida Administrative Weekly. The changes are in response to the regularly scheduled Board meeting held on February 21, 2002.

Rule 61G15-20.007, subsection (5) shall now read:

(5) The applicant must request an evaluation of substantial equivalency of his or her credentials to ABET standards through either Engineering Credentials Evaluation International, P. O. Box 13084, Baltimore, MD 21203-3084, or Joseph Silny & Associates, Inc., P. O. Box 248233, Coral Gables, Florida 33124.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Natalie Lowe, Administrator, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.:	RULE TITLES:
64B5-12.019	Courses Required for Initial Licensure, Renewal, or Reactivation
64B5-12.020	Courses Required of Licensees for Renewal and Reactivation

NOTICE OF PUBLIC HEARING

The Board of Dentistry hereby gives notice of an additional public hearing on the above-referenced rules to be held on May 3, 2002, at 9:00 a.m., or shortly thereafter, at The Crowne Plaza, 5555 Hazeltine National Drive, Orlando, Florida. The rules were originally published in Vol. 28, No. 6, of the February 8, 2002, Florida Administrative Weekly. The hearing is being held in response to comments provided the staff of the Joint Administrative Procedures Committee.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. 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).

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.:	RULE TITLE:
64B15-13.001	Continuing Education for Biennial Renewal

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 28, No. 8, February 22, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments provided by the staff of the Joint Administrative Procedures Committee. Subsection (4) shall now read as follows:

- (4) The following courses are approved by the Board:
 - (a) Organized courses of post graduate study offered by or approved by the American Osteopathic Association or the American Medical Association or any of their divisional societies;
 - (b) Organized courses of post graduate study sponsored by a medical school recognized and approved by the American Osteopathic Association or the American Medical Association;

(c) Organized courses of post graduate study sponsored by a specialty college of the American Osteopathic Association or the American Medical Association;

(d) Organized courses of post graduate study sponsored by the Public Health Service, state or territorial health services, or a branch of the United States Armed services;

(e) Fellowships approved by the American Osteopathic Association or the American Medical Association; Internship or residency approved by the American Osteopathic Association or the American Medical Association; each fellow, intern and/or resident shall be responsible for obtaining the continuing medical education required under this rule. For fellows, interns, and/or residents in approved AOA or AMA education training programs, ten (10) continuing medical education credit hours shall be awarded for successful completion of each 6 month training program period;

(f) Teacher hours, lecture hours or scientific papers read and published which are approved for credit by the American Osteopathic Association;

(g) Annual convention and mid-year seminars sponsored by the Florida Osteopathic Medical Association;

(h) Internship or residency approved by the American Osteopathic Association or the American Medical Association;

(i) Routine hospital programs, including clinical and pathological conferences, mortality review, medical audit committees, tumor board, peer review or utilization review; that are approved by the American Osteopathic Association (AOA), the American Medical Association (AMA), or by the Board.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Eaton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #06, Tallahassee, Florida 32399-3256

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.:	RULE TITLES:
64B15-13.004	Application for Board Approved Provider Status
64B15-13.0045	Standards for Board Approved Providers

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 27, No. 49, December 7, 2001, Florida Administrative Weekly have been withdrawn.

Section IV Emergency Rules

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE TITLES:	RULE NOS.:
Assignment of Service Addresses to Local Taxing Jurisdictions; Liability for Errors; Avoidance of Liability Through Use of Specified Methods; Reduction in Collection Allowance for Failure to Use Specified Methods	12BER02-1
Department of Revenue Electronic Database	12BER02-2
Certification of Service Address Databases	12BER02-3
Use of Enhanced Zip Code Method to Assign Service Addresses to Local Taxing Jurisdictions	12BER02-4

SPECIFIC FACTS AND REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Communications Services Tax Simplification Law (Chapter 202, F.S.) requires that communications services dealers must collect and remit local communications services taxes based on the rate of the local taxing jurisdiction in which customer service addresses are located. The Department of Revenue is required to develop and maintain an electronic database in which local service addresses are assigned to local jurisdictions, and local governments are required to provide information for inclusion in the database. The initial electronic database has been developed and an announcement concerning its availability and effective date will be included in the April 5, 2002, issue of Florida Administrative Weekly. Use of certain methods to assign service addresses, including use of a database that has been certified by the Department of Revenue as meeting statutory accuracy standards, entitles a dealer to a higher collection allowance and to protection against liability for taxes, interest, and penalties resulting from erroneous service address assignments. The promulgation of these emergency rules ensures the following: 1) that communications services tax dealers are informed of their obligations concerning the assignment of customer service addresses, of the methods of assigning addresses that will entitle dealers to protection against liability, and of the methods of assigning addresses that will entitle a dealer to a higher collection allowance; 2) that the procedures and forms for the Department and local governments to maintain the accuracy of the database on an on-going basis are immediately available; 3) that the procedures and forms for application for certification by the Department of databases used by communications services tax dealers are available; and 4) that the benefits of the transition rule for applicants seeking certification are triggered by the promulgation of a rule dealing with the certification process.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized promulgation of emergency rules to administer the provisions of the Communications Services Tax Simplification Law. Emergency rules are the most appropriate means of ensuring that local governments have procedures and forms in place to assure they can meet the statutory deadline to submit changes for inclusion in the next update of the Department of Revenue database. Emergency rules are also the most appropriate means for providing communications services dealers and others with procedures and forms to apply for certification of service address databases and for establishing a time frame for qualifying for transition relief while an application is pending.

The Department of Revenue has sought comment on these emergency rules to the extent possible within the time restraints resulting from the statutory requirements. **SUMMARY OF THE RULES:** Emergency Rule 12BER02-1 provides guidelines on: 1) the requirement that communications services dealers assign customer service addresses to local taxing jurisdictions; 2) the use of certain databases to avoid liability for errors in customer service address assignments; 3) the due diligence standard applicable to dealers using databases that provide protection for liability for errors in assigning customer service addresses; and 4) the collection allowance available depending on the database used by a communications services dealer. Emergency Rule 12BER02-2 provides guidelines on: 1) the electronic customer service database maintained by the Department of Revenue; 2) the procedures for local taxing jurisdictions to request changes to the Department of Revenue database; and 3) procedures for any substantially affected person to object to the assignment of a customer service address in the Department of Revenue database. Emergency Rule 12BER02-3 provides guidelines on the standards and procedures for certification of a customer service address database developed by a communications services dealer or a vendor. Emergency Rule 12BER02-4 provides guidelines on the use of an enhanced zip code method to assign customer service addresses. These emergency rules also adopt and incorporate by reference three (3) forms required for administration of the Communications Services Tax Simplification Law and two (2) sets of instructions that are incorporated into the on-line Department of Revenue service address database. The forms are: DR-700012, "Application for Certification of Communications Services Database"; DR-700022, "Local Communications Services Tax Notification of Jurisdiction Change"; and DR-700025, "Objection to Communications Services Tax Electronic Database Service Address Assignment." The on-line instructions incorporated by reference are the "Guide for Address Change Requests" and the "Instructions for Preparing and Submitting Customer Address Files for Certification Testing."

THE PERSONS TO BE CONTACTED REGARDING THE EMERGENCY RULES ARE: Linda Bridges, Revenue Program Administrator I (850)488-7157, and Michael Cavanaugh, Tax Law Specialist (850)922-9411, Technical Assistance and Dispute Resolution, Office of the General Counsel, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443

THE FULL TEXT OF THE EMERGENCY RULES IS:

12BER02-1 Assignment of Service Addresses to Local Taxing Jurisdictions; Liability for Errors; Avoidance of Liability Through Use of Specified Methods; Reduction in Collection Allowance for Failure to Use Specified Methods.

(1)(a) Dealers of communications services that are required to collect local communications services taxes must assign each customer service address to a specific local taxing jurisdiction for purposes of determining the appropriate local communications services tax rate to be applied to sales made to that address. Local communications services taxes must be collected and remitted for each service address in accordance with the service address assignments in the most current version of the electronic database maintained by the Department, as discussed in Emergency Rule 12BER02-2. Except as otherwise provided in subsection (2), a dealer is liable for any taxes, interest, and penalties that are due as a result of errors in the assignment of service addresses to local taxing jurisdictions.

(b) In determining the liability for taxes, interest, and penalties of a dealer who has failed to assign a service address to the correct local taxing jurisdiction, the Department will take into account any amount of tax that was collected and erroneously assigned by the dealer to another local taxing jurisdiction. The Department will reallocate and redistribute such amounts between the local taxing jurisdictions involved to apply the payment of taxes to the correct local taxing jurisdiction. Interest and penalties will be applied only to the excess of the correct amount of local communications services tax due on the sale over the amount of local communications services tax collected and erroneously assigned to an incorrect local taxing jurisdiction.

(2)(a) A dealer will not be liable for any local communications services taxes, interest, or penalty due solely because of an error in assigning a service address to a local taxing jurisdiction if the dealer exercised due diligence in employing one of the following methodologies in assigning that service address:

1. The electronic database maintained by the Department, as provided in Emergency Rule 12BER02-2;

2. A database that has been certified by the Department, as provided in Emergency Rule 12BER02-3;

3. An enhanced zip code method, as discussed in Emergency Rule 12BER02-4; or

4. A database that, upon audit by the Department, is determined to have met the accuracy rate criterion required for certification under Emergency Rule 12BER02-3 at the time of the sale on which local communications services taxes are due.

(b) A dealer must timely notify the Department of the method or methods to be used in assigning service addresses on form DR-700020, Notification of Method Employed to Determine Taxing Jurisdiction (R. 11/01, incorporated by reference in Rule 12A-19.010). If a dealer changes the method or methods to be used, the dealer must notify the Department on form DR-700020 of the change in method or methods and of the effective date of the change.

(c) Due Diligence. In order to avoid liability for tax, penalty, and interest resulting from errors in the assignment of customer service addresses to local taxing jurisdictions under paragraph (a), a dealer must exercise due diligence in employing one of the methodologies described. The dealer must exercise the care and attention that is expected from and ordinarily exercised by a reasonable and prudent person when ascertaining the correct amount of tax due on sales made by that person.

1. A dealer is exercising due diligence if that dealer expends reasonable resources to accurately and reliably implement a method described in paragraph (a) and maintains adequate internal controls in the assignment of service addresses. Internal controls in the assignment of service addresses are adequate if the dealer has in place and consistently follows procedures to obtain and incorporate accurate updates to its database at least once every six months and corrects errors in assignments of service addresses within 120 days from discovering such errors.

2. A communications services dealer must maintain records establishing that the dealer has exercised due diligence for the period of time during which the Department is authorized to assess taxes on sales of communications services by that dealer. Such records include instructions or procedures provided to employees, contracts and correspondence with third-party vendors or service providers concerning the acquisition or maintenance of data, documentation establishing that the data was consistently updated at least once every six months, records concerning customer or local taxing jurisdiction objections to the assignment of service addresses and responses to those objections, and any other records that pertain to the acquisition, maintenance, and revision of the data upon which service address assignments are based.

3. If a communications services dealer uses a certified database provided by a third party vendor, the communications services dealer must exercise due diligence in its own conduct in using the database. For example, the dealer must follow the vendor's instructions on use of the database and promptly incorporate any updates supplied by the vendor. As part of its due diligence, the dealer has a duty to take reasonable steps to ascertain that the vendor maintains the database so as to ensure

continuing qualification for certification. For example, if a vendor failed to provide an update to the database when scheduled to do so, a reasonable and prudent dealer relying on that vendor's database would contact the vendor and make inquiry.

(d) If a communications services dealer uses multiple databases or methodologies, such dealer is protected from liability for tax, interest, and penalty only as to service addresses assigned as specified in paragraph (a) of this subsection. Such a dealer is liable as provided in subsection (1) for taxes, interest, and penalties in regard to erroneous jurisdictional assignments for any service address assigned by any other methodology. A dealer that uses multiple databases must maintain documents that demonstrate that a service address has been assigned employing a methodology described in paragraph (a) in order to be held harmless for local communications services taxes resulting from erroneous assignment of that service address.

(e)1. Employing a method described in paragraph (a) protects a dealer from liability for local communications services taxes and related interest and penalties that would otherwise have been due to a local taxing jurisdiction. A dealer's employment of a method described in paragraph (a) does not deprive a purchaser of the right to a refund of overpayment of local communications services taxes resulting from an erroneous assignment of that customer's service address to a local taxing jurisdiction with a higher rate than that in effect in the correct local taxing jurisdiction. If a purchaser complies with the procedural requirements of s. 202.23, F.S., and establishes that the dealer has incorrectly assigned the purchaser's service address and that an overpayment of local communications services tax has resulted, the dealer must refund the amount of the overpayment to the purchaser. Upon making such refund, the dealer would be entitled to an equal credit or refund from the Department upon proper reporting to the Department of the amount and jurisdictions involved.

2. For purposes of this paragraph, a purchaser that establishes that a dealer has assigned the purchaser's service address to a different local taxing jurisdiction from the one to which that address was assigned in the electronic database maintained by the Department as of the date of the sale has established a presumption that the dealer's assignment was erroneous. If a dealer believes that the assignment of the purchaser's address in the Department's database is incorrect, the dealer should refer that refund claim to the Department for a determination in accordance with the procedures in s. 202.23, F.S. A dealer who assigned a purchaser's service address in accordance with the most recent information available from the electronic database maintained by the Department at the time of the sale on which the purchaser asserts that tax was overpaid shall not be liable to make a refund to the purchaser unless the Department has subsequently revised the assignment of that

address to correct an error and such revision had retroactive effect as of the date of the sale involved pursuant to Emergency Rule 12BER02-2(3)(c).

(3) Collection Allowance.

(a) Any communications services dealer that employs a methodology described in subparagraph (2)(a)1., (2)(a)2., or (2)(a)3. for assigning service addresses to local taxing jurisdictions is entitled to a collection allowance of .75 percent on taxes collected on service addresses assigned using the described methodologies. Any communications services dealer that employs any methodology that is not described in subparagraph (2)(a)1., (2)(a)2., or (2)(a)3. for assigning service addresses to local taxing jurisdictions is entitled to a collection allowance of .25 percent on taxes collected on service addresses assigned using such other methodologies. A communications services dealer who is not liable for an assessment of taxes, interest, and penalties by reason of employing a database that is found upon audit to meet the accuracy criteria for certification, as described in subparagraph (2)(a)4., is entitled to a collection allowance of .25 percent until such time as an application for certification is made and approved.

(b) A communications services dealer must maintain adequate records to demonstrate that a .75 percent collection allowance was claimed only in regard to taxes that were collected for service addresses that were assigned employing a methodology that qualifies for that allowance. If a communications services dealer's records do not clearly establish the correct collection allowance for each service address, the dealer shall be entitled to only a .25 percent collection allowance on sales made to any service address that the dealer cannot establish was assigned using a database or methodology that qualifies for the .75 percent collection allowance.

(c) A communications services dealer must also timely and correctly remit all tax and meet all the other requirements of s. 202.28, F.S., in order to be entitled to any collection allowance. This rule deals only with determining the amount of collection allowance available to a dealer who otherwise qualifies to receive the allowance. It does not create any separate entitlement to an allowance other than that set forth in s. 202.28, F.S.

(4) All forms referenced in this emergency rule may be obtained by: 1) writing the Florida Department of Revenue, Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304; or 2) faxing the Distribution Center at (850)922-2208; or 3) using a fax machine telephone handset to call the Department's Automated Fax On Demand system at (850)922-3676; or 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or 5) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or 6) downloading selected forms from the Department's Internet

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

Specific Authority 202.26(3)(b), (f), (g), (4), 202.28(1) FS. Law Implemented 202.22(1), (4), (5), (6), 202.23, 202.28(1)(2), 202.34(1)(a) FS. History—New 4-1-02.

12BER02-2 Department of Revenue Electronic Database.

(1)(a) The Department will maintain an electronic database that assigns service addresses to local taxing jurisdictions in a format that satisfies the requirements of s. 202.22(2)(a), F.S. The electronic database will be maintained on the Department's website at the address inside the parentheses (<http://www.myflorida.com/dor>). Local taxing jurisdictions and communications services providers will be provided with access codes to permit them to register as users of the database. Registered local taxing jurisdictions and communications services dealers will have the capability of downloading databases of addresses assigned to each local taxing jurisdiction. Local taxing jurisdictions will also have access to an on-line form for requesting changes in service address assignments. The database will also have a single address lookup feature that will permit any person to enter an address and ascertain to which local jurisdiction it is assigned. Use of the single address lookup feature will not require an access code or registration.

(b) When a change to the database has been approved, it will be stored in an auxiliary file pending its inclusion in the next scheduled update of the database. The individual address lookup feature will search this auxiliary file as well as the current database and may therefore reflect information that has not yet been incorporated into the database available for downloading and use by local taxing jurisdictions and communications services dealers. In such cases, the individual address lookup page will carry a statement notifying the viewer that it reflects a pending change to the database.

(c) The availability of the initial database and of subsequent updates will be announced in the Florida Administrative Weekly. Updates will incorporate corrections of any errors discovered since the last preceding update as well as changes in addresses or jurisdictional boundaries based on information provided by local taxing jurisdictions. Updates will be posted on the Department's website at least 90 days prior to the effective date of the update and will also be available to dealers of communications services and vendors of databases in magnetic or electronic media for a fee equal to the cost of furnishing the update in such media. Requests for electronic or magnetic media copies should be addressed to Communications Services Tax, Local Government Jurisdiction Unit, Post Office Box 5885, Tallahassee, Florida 32314-5885.

(2)(a) Local taxing jurisdictions have a continuing obligation to provide the Department with information to update the database, such as changes in service addresses,

annexations, incorporations, reorganizations, and any other changes to jurisdictional boundaries. Local taxing jurisdictions must inform the Department of the identity of the jurisdictions' officers or employees who are authorized to act as contact persons with the Department on database matters.

(b) Local taxing jurisdictions must submit information requesting changes to the database electronically following the on-line Guide for Address Change Requests (hereby incorporated by reference). The information must also be submitted on form DR-700022, Local Communications Services Tax Notification of Jurisdiction Change (R. 04/02, hereby incorporated by reference).

(c) The local taxing jurisdiction must specify the effective date of any information to be incorporated in the database. The effective date must be the next January 1 or July 1 after the date of submission of the information to the Department. Changes must be submitted no later than the date that is 120 days prior to the January 1 or July 1 on which changes are to be effective.

(d)1. Each requested change or addition to the database must be supported by competent evidence. Competent evidence is documentation that establishes that the service addresses affected by the requested change or addition are located in the local taxing jurisdiction indicated on the request. Examples of competent evidence include annexation ordinances, articles of incorporation of a new municipality, or the plat filed for a newly approved subdivision. Competent evidence must clearly designate the service addresses that are affected.

2. If a requested change is to move an address from one local taxing jurisdiction to another, competent evidence includes the consent of the local taxing jurisdiction that did not request the change. To facilitate processing of the change, the local taxing jurisdiction requesting the change should attempt to obtain a written consent to the change signed by an authorized contact person of the non-requesting jurisdiction. Form DR-700022 contains an authorization statement that will serve as the written consent of the non-requesting local taxing jurisdiction when signed by that jurisdiction's authorized contact person. If the requesting jurisdiction has not obtained the written consent of the non-requesting jurisdiction, the Department will contact the non-requesting jurisdiction before making the change. Based upon the response of the non-requesting jurisdiction, the Department will take the following action in regard to the requested change:

a. If the non-requesting jurisdiction consents in writing, the Department will accept and process the change.

b. If the non-requesting jurisdiction objects in writing, the Department will treat the requested change as one that must be resolved by the local taxing jurisdictions involved as provided in subsection (3).

c. If the non-requesting jurisdiction fails to either consent or object in writing within 20 days after the date on which the Department notified that jurisdiction of the requested change, the Department will accept and process the change. This will not preclude the non-requesting jurisdiction from subsequently objecting to the new address assignments after they have been processed.

(e) Examples.

1. A local taxing jurisdiction approves the plat and grants the permits necessary for development of a new subdivision on February 1, 2005. The plat indicates street names but no address numbers have yet been assigned by the postal authorities. In order for the addresses to be added to the electronic database effective the following July 1, the local taxing jurisdiction must file form DR-700022 with a copy of the approved subdivision plat and submit on-line address change information by March 3, 2005. If that deadline is not met, the earliest date on which the new service addresses can be added to the database is January 1, 2006. In order to meet the deadline and be certain that the actual address numbers are included, the contact person for the local taxing jurisdiction may request the addition of a range of numbers that is certain to include the actual numbers. Because the development of the subdivision affects only the requested jurisdiction, no consent from any other jurisdiction is required.

2. A municipality annexes an area with 1500 service addresses that was formerly in an unincorporated area of the county. The annexation will be effective July 1, 2003. The municipality's database contact person timely enters address change requests for 1525 addresses on-line and files a form DR-700022 on February 15, 2003. Included with the form are a copy of the annexation ordinance and a map with the annexed area outlined with street address ranges included in the annexed area noted. The county database contact person has not signed the form DR-700022 or otherwise given written consent to the changes. On February 20, 2003, the Department notifies the county of the requested changes and provides copies of the municipality's form DR-700022, annexation ordinance, and map. The county does not respond with written consent or a written objection. On March 14, 2003, the Department processes the changes, and they are included in an update available on April 1, 2003, to take effect July 1, 2003. The county's database contact person notifies the Department on July 15, 2003, that the county believes the database now incorrectly assigns 25 service addresses to the municipality. The Department will handle this as an objection to the database as discussed in subsection (3).

(3)(a) Any substantially affected party may object to information contained in the initial electronic database or any update to the electronic database by submitting form DR-700025, Objection to Communications Services Tax Electronic Database Service Address Assignment (N. 04/02 hereby incorporated by reference), along with competent

evidence to support the party's objection. Examples of substantially affected parties include purchasers of communications services who pay local communications services taxes, dealers who are required to collect local communications services taxes, and local taxing jurisdictions that object to a change to the database proposed by another local taxing jurisdiction. Examples of competent evidence include an electric utility bill from a provider that operates only within a particular local taxing jurisdiction, a voter registration card indicating the voter residing at a service address is entitled to vote in municipal elections or only in county elections, or a map that includes the boundaries of a local taxing jurisdiction and clearly places a service address inside or outside those boundaries. For example, if a map shows that a street is entirely within the boundaries of a municipality, that map is competent evidence that a service address on that street should be assigned to that municipality in the database. The Department will notify the affected party of any deficiencies in the objection or competent evidence.

(b) Upon receipt of an objection on a completed form DR-700025, including competent evidence to support the objection, the Department will forward copies of the form, along with the associated documentation to the database contact person in each affected taxing jurisdiction. The Department will instruct each local taxing jurisdiction to indicate in writing its determination in regard to the objection. If the affected local taxing jurisdictions each indicate agreement with the objection, the Department will revise the electronic database accordingly. If a local taxing jurisdiction fails to respond within a reasonable time, which shall be no less than 30 days, such jurisdiction shall be deemed to have indicated agreement with the objection. If either local taxing jurisdiction notifies the Department in writing that it does not agree with the objection, the Department will immediately reassign the database with a special designation that indicates that the jurisdictional assignment of the address is in dispute. The service address will be reassigned to a local taxing jurisdiction when one of the following events occurs:

1. The Department receives written notification from the local taxing jurisdiction that did not agree with the change requested in the objection that such local taxing jurisdiction has subsequently determined that the change should be made;

2. The Department receives written notification from the party that filed the form DR-700025 that the objection was erroneous and the assignment in the database was correct; or

3. The Department is provided with a copy of a final order, judgment, or other binding written determination resolving the jurisdictional assignment of the contested address.

(c) No communications services provider who relies on the assignment of a service address in the database will be held liable for any tax, interest, or penalty in regard to that service address if the assignment is later determined to be erroneous under this subsection. For purposes of making refunds to

purchasers, a correction to the database will have retroactive effect to the July 1 or January 1 on which the erroneous assignment took effect if the form DR-700025 objecting to the assignment is filed no later than the August 31 following an assignment that took effect on July 1 or the February 28 following an assignment that took effect on January 1.

(4) All forms referenced in this emergency rule may be obtained by: 1) writing the Florida Department of Revenue, Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Distribution Center at (850)922-2208; or 3) using a fax machine telephone handset to call the Department's Automated Fax On Demand system at (850)922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or 6) downloading selected forms from the Department's Internet site at the address shown inside the parentheses (<http://www.myflorida.com/dor>). Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

Specific Authority 202.26(3)(b), (g), (4) FS, Law Implemented 202.22(2), 202.23 FS, History--New 4-1-02.

12BER02-3 Certification of Service Address Databases.

(1) A communications services dealer that develops and maintains its own database for assigning service addresses to local taxing jurisdictions or a third party vendor that provides a database for sale to communications services dealers or uses such a database in providing billing or other services to communications services dealers may apply to the Department for certification of the database. A database will be certified if it assigns street addresses, address ranges, post office boxes, and post office box ranges to the proper local taxing jurisdictions with an overall accuracy rate of 95 percent with a 95 percent level of confidence, based on a statistically reliable sample. Accuracy must be measured based on the entire geographic area within the state of Florida covered by the database for which certification is sought.

(2)(a) Application for certification must be made to the Department on form DR-700012, Application for Certification of Communications Services Database (N. 04/02, hereby incorporated by reference) and in accordance with the on-line Instructions for Preparing and Submitting Customer Address Files for Certification Testing (available at the Department's website, www.myflorida.com/dor, and hereby incorporated by reference). All applicable portions of the application must be completed.

(b) The Department will notify the applicant of any errors or omissions in the application and of all additional information or documentation required within 90 days of receipt of the application. The Department will review the application and contact the individual designated in the application concerning any additional information required and

the format in which such information must be submitted. The applicant shall provide access to all records, facilities, and processes reasonably required to review, inspect, or test the database within 10 working days of the Department's request for such access.

(c) The Department will test the applicant's database by comparing the assignments of service addresses to the assignments of service addresses in the Department's on-line database described in Emergency Rule 12BER02-2. The Department will notify the applicant of all service addresses that do not match the Department's database regardless of whether the applicant's database meets the accuracy criterion for certification.

(d) Within 180 days of receipt of a completed application, the Department will issue a written determination.

1. If the notice grants certification, it will specify the expiration date, which will be three years or four years from the date of the notice.

2. If the notice denies certification, it must specify the grounds, inform the applicant of any available remedy, and set forth procedures for protesting the denial. If the applicant cures all of the defects that formed the basis for denial, the Department will issue a notice certifying the database. The Department is authorized to grant certification of the database even in cases where the applicant has filed a petition and a proceeding is pending under Chapter 120, F.S.

(3) An application for recertification of a database must be submitted on form DR-700012 when the certification period expires. If an application for recertification is received prior to the stated expiration date of the certification period, the prior certification will not expire until the Department takes final action on the application for recertification. In such cases, if the Department denies recertification, the prior certification will remain in effect until the time for administrative or judicial review of the Department's denial of recertification has expired or, if later, the date fixed by order of the reviewing court.

(4) Certification or recertification of a database is effective upon the date of the Department's notice approving the application. Except when extended as provided under subsection (3) when a timely application for recertification has been filed, a certification or recertification is effective through the date stated on the notice, which shall be either three years or four years from the date of the notice. The database will be assigned a three-year expiration date if the applicant's business partner number assigned by the Department's accounting system program ends in an even number and a four-year expiration date if the applicant's business partner number ends in an odd number.

(5) In determining whether a database qualifies for certification, the Department will consider whether the applicant will implement procedures designed to maintain the accuracy level required for certification throughout the certification period. If the Department obtains information

indicating that a certified database is not being properly maintained and updated to insure on-going accuracy at the required levels, the Department will notify the applicant and review the operation and maintenance of that database. If the Department determines that a database no longer qualifies for certification and remedial steps are not promptly taken, the Department will revoke the certification. The Department shall first provide notice to the applicant of its intent to revoke the certification as provided in s. 120.60, F.S., and afford the applicant a point of entry under Chapter 120, F.S., to contest the notice of intent.

(6) Certification is contingent upon there being no material changes to the database or procedures for its updating and maintenance. If there are such changes, the applicant should inform the Department and request a determination whether a new form DR-700012 should be submitted. If practicable, the Department will test the effect of the changes rather than require a new certification procedure for the entire database. A material change is any change that could reasonably be expected to affect whether the database would still meet the 95 percent accuracy level required for certification. Examples of changes that could be material would be an expansion of the service area covered by a database, the merger of two or more databases, a change in the sources from which information for the database is obtained, or alteration of the methods by which service addresses are assigned, updated, or corrected. Changes made in the course of consistently followed procedures to obtain and incorporate accurate updates and to correct errors in assignments of service addresses as required to satisfy the due diligence standards set forth in Emergency Rule 12BER02-1(2)(c) are not material changes that require Department review of a database.

(7) Transition Rules. Notwithstanding any provision to the contrary, if a dealer submits an application for certification of a database on or before the date that is 30 days after this rule becomes effective, the following transition rules apply:

(a) The requirement of s. 202.22(3)(d), F.S., that the Department grant or deny the application within 180 days does not apply.

(b) If a notice of intent to deny the application is issued, the dealer is entitled to a collection allowance of 75 percent for taxes collected on service addresses assigned using the database that is the subject of the application until the date the Department's notice of denial is final.

(c) If the application is approved, the effective date of the certification will be the date the application was submitted.

(8) All forms referenced in this emergency rule may be obtained by: 1) writing the Florida Department of Revenue, Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304; or 2) faxing the Distribution Center at (850)922-2208; or 3) using a fax machine telephone handset to call the Department's Automated Fax On Demand system at (850)922-3676; or, 4) visiting any local Department of

Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or 6) downloading selected forms from the Department's Internet site at the address shown inside the parentheses (<http://www.myflorida.com/dor>). Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

Specific Authority 202.26(3)(g), (4) FS. Law Implemented 202.22(3) FS. History—New 4-1-02.

12BER02-4 Use of Enhanced Zip Code Method to Assign Service Addresses to Local Taxing Jurisdictions.

(1) An enhanced zip code method is a method of assigning service addresses to local taxing jurisdictions based on United States postal zip codes of at least nine digits.

(2) A communications services dealer may avoid liability as provided in Emergency Rule 12BER02-1 for tax, penalty, and interest resulting from errors in assigning service addresses to local taxing jurisdictions by employing an enhanced zip code method only if the requirements of this rule are satisfied.

(3) The dealer or the vendor providing the database is not permitted to rely solely on the location of the post office to which an enhanced zip code is assigned by the United States Postal System if the area covered by the enhanced zip code is not entirely located within the same local taxing jurisdiction as the post office. In some cases, the area included in an enhanced zip code overlaps local jurisdictional boundaries or is outside the local taxing jurisdiction where the post office to which a zip code is assigned is located. In addition, a dealer may provide services to customer service addresses for which an enhanced zip code is not available because the service address is in a rural area or is without postal delivery. The dealer or the vendor must use a reasonable methodology to assign service addresses in such circumstances. The dealer or vendor will be considered to have used a reasonable methodology if it relies on information obtained from one or more of the following sources:

(a) The Department's electronic database as described in Emergency Rule 12BER02-2;

(b) A database that has been certified by the Department as provided in Emergency Rule 12BER02-3;

(c) Representatives of relevant local taxing jurisdictions whose responsibilities entail knowledge of the location of addresses as within or without their jurisdictions;

(d) The United States Census Bureau; or

(e) The United States Post Office.

The dealer must maintain records that establish the methodology used to assign service addresses as provided in this subsection.

(4) The dealer employing an enhanced zip code method to assign service addresses to local jurisdictions must satisfy the notification and due diligence requirements set forth in

Emergency Rule 12BER02-1(2)(b) and (c). For purposes of due diligence requirements, a communications services dealer or an enhanced zip code database vendor is deemed to have expended reasonable resources to accurately and reliably implement an enhanced zip code method if the requirements of subsection (3) have been met. The database vendor or dealer must also maintain adequate internal controls to assure the on-going accuracy of an enhanced zip code database as described in Emergency Rule 12BER02-1(2)(c)1.

(5) In order to be entitled to the 0.75 percent collection allowance, a communications services dealer that employs an enhanced zip code method to assign service addresses must satisfy the requirements of Emergency Rule 12BER02-1(3).

Specific Authority 202.26(3)(b), (f), (g), (4), 202.28(1) FS. Law Implemented 202.22(1), (4), (6), (7), 202.28(1)(b)2, FS. History--New 4-1-02.

THESE RULES TAKE EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE ARE SPECIFIED IN THESE RULES.
EFFECTIVE DATE: April 1, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 420,
MONTHLY BONUS

RULE NO.: 53ER02-17

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 420, "MONTHLY BONUS" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prizewinners, and the estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-17 Instant Game Number 420, MONTHLY BONUS.

(1) Name of Game. Instant Game Number 420, "MONTHLY BONUS."

(2) Price. MONTHLY BONUS tickets sell for \$2.00 per ticket.

(3) MONTHLY BONUS lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number (VIRN) under the latex area on the ticket. To be a valid winning MONTHLY BONUS lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the

validity of any MONTHLY BONUS lottery ticket, or as to the prize amount, the VIRN number under the latex shall prevail over the bar code.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

ADD CHART

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

ADD CHART

(6) The prize symbols and prize symbol captions are as follows:

ADD CHART

(7) The legends are as follows:

ADD CHART

(8) Determination of Prize Winners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches any number in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to ten matching sets of numbers. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$500, \$1,000, \$1,000 MONTH 5-YR.

(b) A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 ticket or any combination of instant and on-line tickets that totals \$2.00, except as follows. A person who submits by mail a MONTHLY BONUS lottery ticket which entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(c) A claimant who is entitled to a prize of \$1,000 MONTH-5 YR shall have the option of receiving his or her payment in installments of \$1,000 per month for 5 years or in a lump sum. If the lump sum option is selected, the claimant will be paid the amount that if invested at the time the ticket is presented to the Lottery for payment, would yield \$60,000 if paid over 5 years, less applicable tax withholding.

(d) A ticket having a "money bag" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$50.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 420 are as follows:

GAME PLAY:	WIN:	WINNERS IN	
		ODDS OF	42 POOLS OF
TICKET	\$2 TICKET	1 IN:	180,000 TICKETS
			PER POOL
\$2	\$2	7.14	1,058,400
\$2 x 2	\$4	25.00	302,400
(\$1 x 3) + \$2	\$5	25.00	302,400
\$5	\$5	30.00	252,000
\$1 x 10	\$10	30.00	252,000
\$5 x 2	\$10	150.00	50,400
\$10	\$10	150.00	50,400
(\$2 x 5) + \$5 + \$10	\$25	450.00	16,800
\$1 + (\$2 x 2) + (\$5 x 2) + \$10	\$25	450.00	16,800
\$25	\$25	562.50	13,440
\$5 x 10	\$50	3,600.00	2,100
\$10 x 5	\$50	3,600.00	2,100
\$25 x 2	\$50	3,600.00	2,100
MONEYBAG	\$50	1,800.00	4,200
\$20 x 5	\$100	36,000.00	210
(\$5 x 8) +	\$100	36,000.00	210
\$10 + MONEYBAG			
\$50 + MONEYBAG	\$100	36,000.00	210
(\$100 x 2) + MONEYBAG	\$250	90,000.00	84
\$50 + (\$100 x 4)	\$500	180,000.00	42
+ MONEYBAG			
\$500 x 10	\$5,000	2,520,000.00	3
\$1,000 x 5	\$5,000	2,520,000.00	3
\$1,000 A MONTH FOR 5 YEARS	GRAND PRIZE	3,780,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 420 are 1 in 3.18. Some prizes, including the top prizes, may be sold out at the time of ticket purchase.

(11) For reorders of Instant Game Number 420, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a MONTHLY BONUS lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

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

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 3-28-02.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: March 28, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 421, MONTE CARLO

RULE NO.: 53ER02-18

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 421, "MONTE CARLO" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prizewinners, and the estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-18 Instant Game Number 421, MONTE CARLO.

(1) Name of Game. Instant Game Number 421, "MONTE CARLO."

(2) Price. MONTE CARLO tickets sell for \$1.00 per ticket.

(3) MONTE CARLO lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number (VIRN) under the latex area on the ticket. To be a valid winning MONTE CARLO lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any MONTE CARLO lottery ticket, or as to the prize amount, the VIRN number under the latex shall prevail over the bar code.

(4) Design of Ticket. There are 4 different scenes in Instant Game Number 421, MONTE CARLO.

(5) The “YOUR CHIPS” play symbols and play symbol captions in scene 1 are as follows:

ADD CHART

(6) The “HOUSE CHIP” play symbols and play symbol captions in scene 1 are as follows:

ADD CHART

(7) The “PRIZE” symbols and prize symbol captions in scene 1 are as follows:

ADD CHART

(8) The legends in scene 1 are as follows:

ADD CHART

(9) The “YOUR CARDS” play symbols and play symbol captions in scene 2 are as follows:

ADD CHART

(10) The “DEALER’S TOTAL” play symbols and play symbol captions in scene 2 are as follows:

ADD CHART

(11) The “PRIZE” symbols and prize symbol captions in scene 2 are as follows:

ADD CHART

(12) The legends in Game 2 are as follows:

ADD CHART

(13) The “YOUR ROLLS” play symbols and play symbol captions in scene 3 are as follows:

ADD CHART

(14) The “SHOOTER’S POINT” play symbols and play symbol captions in scene 3 are as follows:

ADD CHART

(15) The “PRIZE” symbols and prize symbol captions in scene 3 are as follows:

ADD CHART

(16) The legends in scene 3 are as follows:

ADD CHART

(17) The play symbols and play symbol captions in scene 4 are as follows:

ADD CHART

(18) The legends in Game 4 are as follows:

ADD CHART

(19) Determination of Prize Winners. Each of the four scenes in Instant Game Number 421, MONTE CARLO, uses a different play methodology. The determination of prizewinners for each scene is as follows:

(a) Scene 1.

1. In scene 1, a ticket having a number in the “YOUR CHIPS” play area that matches the number in the “HOUSE CHIP” play area shall entitle the claimant to the corresponding prize shown for that number. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$500, and \$5,000.

2. In scene 1, a ticket having a “\$\$” symbol in the “YOUR CHIPS” play area shall entitle the claimant to double the corresponding prize amount shown.

(b) Scene 2.

1. In scene 2 there are four hands. A ticket having two cards in the “YOUR CARDS” play area of one hand, the total of which is greater than the number in the “DEALER’S TOTAL” play area shall entitle the claimant to the corresponding prize shown for that hand. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$500, and \$5,000.

2. In scene 2, a ticket having two cards in the “YOUR CARDS” play area of one hand that total 21 shall entitle the claimant to a prize of double the corresponding prize shown for that hand.

(c) Scene 3.

1. In scene 3 there are four rolls. A ticket having two dice in the “YOUR ROLLS” play area of one roll that total 7 or 11 shall entitle the claimant to the corresponding prize shown for that roll. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$500, and \$5,000.

2. In scene 3, a ticket having two dice in the “YOUR ROLLS” play area of one roll, the total of which matches the number in the SHOOTER’S POINT” play area shall entitle the claimant to double the corresponding prize shown for that roll.

(d) Scene 4.

1. In scene 4 there are four games. A ticket having three like symbols in the play area of one game shall entitle the claimant to the corresponding prize shown for that symbol in the legend. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$50, \$100, \$500, and \$5,000.

2. In scene 4, a ticket having two like symbols and a “crown” symbol in the play area of one game shall entitle the claimant to double the corresponding prize shown for that symbol in the legend.

(e) In scenes 1, 2, 3, and 4, a claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a MONTE CARLO lottery ticket which entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(20) The estimated odds of winning, value, and number of prizes in Instant Game Number 421 are as follows:

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

<u>GAME PLAY</u>	<u>WIN</u>	<u>ODDS OF</u>	<u>NUMBER OF</u>
<u>TICKET</u>	<u>\$1 TICKET</u>	<u>1 IN</u>	<u>WINNERS IN</u>
			<u>42 POOLS OF</u>
			<u>180,000 TICKETS</u>
			<u>PER POOL</u>
\$1	\$1	16.67	453.600
\$1(D)	\$2	50.00	151.200
\$2	\$2	50.00	151.200
\$2 (D)	\$4	75.00	100.800
\$5	\$5	60.00	126.000
(\$2 x 3) + \$2 (D)	\$10	300.00	25.200
\$10	\$10	300.00	25.200
\$5 x 4	\$20	600.00	12.600
(\$5 x 2) + \$5(D)	\$20	600.00	12.600
\$5 + \$10(D)	\$25	818.18	9.240
\$10 x 4	\$40	2,400.00	3.150
(\$10 x 3) + \$20	\$50	13,500.00	560
\$5(D) + (\$20 x 2)	\$50	13,500.00	560
\$100	\$100	37,800.00	200
\$50 x 4	\$200	151,200.00	50
\$100(D)	\$200	151,200.00	50
(\$100 x 3) + \$100(D)	\$500	378,000.00	20
\$500	\$500	756,000.00	10
\$5,000	\$5,000	1,512,000.00	5

(21) The estimated overall odds of winning some prize in Instant Game Number 421 are 1 in 3.82. Some prizes, including the top prizes, may be sold out at the time of ticket purchase.

(22) For reorders of Instant Game Number 421, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(23) By purchasing a MONTE CARLO lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

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

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 3-28-02.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: March 28, 2002

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that the Southwest Florida Water Management District received, on March 21, 2002, a petition from Martin Bezdek, Trustee of the Mar-Dek Pension Plan, seeking a variance of the Rule 40D-4.301(1)(j), F.A.C., condition for operation and maintenance of a surface water management system. This condition specifies that a permit applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal or abandonment of a surface water management system will be conducted by an entity with financial, legal and administrative capability of ensuring that the activity will be undertaken in accordance with the terms and conditions of the applicable Environmental Resource Permit. Petitioner has imposed mutual covenants running with the land that would require the owners of lots within Keene Country Acres Minor Subdivision, to be collectively responsible for ownership and maintenance of the surface water management system serving the lots, thereby avoiding establishment of a subdivision-wide homeowners' association or similar entity. The petition has been assigned OGC case number 200233.

Copies of the petition may be received from, and written comments submitted to, Southwest Florida Water Management District, Office of General Counsel, 2379 Broad Street, Brooksville, Florida 34604-6899; Attention: Christine C. Stretesky, Esq. Comments must be received no later than 14 days from the date of publication of this notice.

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 Americans With Disabilities Act should contact Dianne Lee at (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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Board of Funeral Directors and Embalmers hereby gives notice that it has received a petition, filed on March 21, 2002, from Felipe J. Caballero seeking a waiver of Rules 61G8-18.001(3) and (5) and 61G8-18.002(4) and (5), with respect to embalmer and funeral director internship requirements. Comments on this petition should be filed with the Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, FL 32399-0750, within 14 days of publication of this notice.

For a copy of the petition, contact: Leon Biegalski, Executive Director, Board of Funeral Directors and Embalmers, 1940 N. Monroe Street, Tallahassee, FL 32399-0750 or telephone (850)488-1470.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP received on January 22, 2002, a petition from SRC Environmental Solutions, Inc., for a variance or waiver pursuant to subsection 376.3071(12)(k)5., F.S., of certain record keeping requirements under subsection 376.3071(12)(e), F.S. On February 28, 2002, the Department denied this petition.

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

DEP received on March 21, 2002, a petition from GM National Holding Company for a variance or waiver pursuant to subsection 376.3071(12)(k)5., F.S., of certain record keeping requirements under subsection 376.3071(12)(e), F.S.

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

DEP received on March 18, 2002, a petition from ExxonMobil Corporation for a variance or waiver pursuant to subsection 376.3071(12)(k)5., F.S., of certain record keeping requirements under subsection 376.3071(12)(e), F.S.

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

DEP received on November 9, 2001, a petition from Watson Freeman, for a variance or waiver pursuant to subsection 376.3071(12)(k)5., F.S., from certain record keeping requirements under subsection 376.3071(12)(e), F.S. On February 25, 2002, the Department denied this petition.

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

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on March 12, 2002, a petition from the Indian Trail Improvement District seeking a variance to paragraph 62D-5.056(2)(b), F.A.C., a rule governing Florida Recreation Development Assistance Program (FRDAP) grants, to enable the District to switch a grant request from an acquisition project to a development

project, and to develop lands to which the District obtained site control after the deadline imposed by the Rule. The Office of General Counsel must receive comments no later than 14 days from the date of publication of this notice.

The full text of this notice can be found on the Department's Internet site at www.dep.state.fl.us under the button titled "Official Notices."

DEP received on February 8, 2002, a petition from Tampa Tank, Inc., for a waiver pursuant to Section 120.542, F.S., of equipment approval requirements as required by subsection 62-761.850(2), F.A.C. On March 5, 2002, the petition was withdrawn.

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 has taken action on a petition for variance received from Amerada Hess Corporation on January 28, 2002. The petition requested a variance from the prohibition of the placement of new underground petroleum storage tanks within a wellhead protection area under paragraph 62-521.400(1)(1), F.A.C., so that Amerada Hess Corporation could place underground storage tanks at a proposed gasoline service station, 400 feet from a potable water well owned by a mobile home park in Holiday, Florida, around which exists a 500-foot wellhead protection area. On March 21, 2002, the Department granted a variance to Amerada Hess Corporation in a final order, OGC File No.: 02-0140.

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 final order write or call Donnie McClagherty, Department of Environmental Protection, MS 3575, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; telephone (850)921-9438.

DEP received on March 18, 2002, a petition from Handex of Florida, Inc., pursuant to subsection 376.3071(12)(k)5., F.S., seeking a variance or waiver of subsections 62-773.200(9) and 62-773.300(3), F.A.C.

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

DEP received on March 18, 2002, a petition from ExxonMobil, pursuant to subsection 376.3071(12)(k)5., F.S., seeking a variance or waiver of certain record keeping requirements under subsection 376.3071(12)(e), F.S.

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

NOTICE IS HEREBY GIVEN that on March 22, 2002, the Board of Hearing Aid Specialists received a Petition for emergency variance or waiver from paragraph 64B6-8.002(2)(b), F.A.C., from Jane A. Lopez. The Petition requests a variance from or waiver of the rule that prohibits a licensee who has been disciplined by the Board during the past two years from serving as a sponsor of trainees.

Comments on this petition should be filed with Sue Foster, Board Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice. Contact the Board Executive Director at the foregoing address for a copy of the petition or for information regarding the date and location set for consideration of the petition and/or any comments that are received.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on March 27, 2002, Florida Housing Finance Corporation received a Petition for Waiver of the following paragraphs: 67-47.090(3)(a), 67-47.090(3)(b), 67-47.100(2)(d), subsection 67-47.120(1) and paragraph 67-47.080(3)(c), Florida Administrative Code, from Jubilee Community Development Corporation (the "Petition"). The Petition is seeking a variance from the rules which provide the following: (1) the maximum sales price be current 2002 rather than 1999 prices; (2) loan to value not to exceed 105%; (3) change number of units to add 6 more; (4) allowance of less expensive sources of funding than that submitted in the application; and (5) allow the overhead and profit of the developer to be considered for the current 2002 Rule of 15% rather than the previous 10% under the 1999 Rule. A copy of the Petition can be obtained from Sheila A. Freaney, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on March 27, 2002, Florida Housing Finance Corporation received a Petition for Waiver from/or Waiver of subsection 9I-47.010(29) and paragraph 9I-47.100(1)(b), Florida Administrative Code, from Pompano

Beach Redevelopment Agency Canal Pointe – Phase II (the "Petition"). The Petition is seeking a variance from the rules which provide the following: (1) the maximum sales price not to exceed \$99,000; and (2) change of lot locations. A copy of the Petition can be obtained from Sheila A. Freaney, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

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

DEPARTMENT OF STATE

The **Friends of the Knott House** announces a public meeting to which all persons are invited.

DATE AND TIME: April 30, 2002, 9:00 a.m.

PLACE: R. A. Gray Building, Conference Room, 3rd Floor, 500 South Bronough Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business with the Board of Directors.

A copy of the agenda may be obtained by writing: The Friends of the Knott House, 500 S. Bronough St., Tallahassee, FL 32399.

The **Friends of the Old Florida Capitol** announces a public meeting to which all persons are invited.

DATE AND TIME: April 30, 2002, 11:00 a.m.

PLACE: R. A. Gray Building, Conference Room, 3rd Floor, 500 South Bronough Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Resolution to request Museums of Florida History Foundation, Inc. to transfer funds associated with Friends of the Old Florida Capitol Inc.

A copy of the agenda may be obtained by writing: The Friends of the Old Florida Capitol, Inc., 500 S. Bronough St., Tallahassee, FL 32399.

Should any person wish to appeal any decision made with respect to the above-mentioned meeting, he or she may need to ensure verbatim recording of the proceedings in order to provide a record of judicial review.

Pursuant to Rule 286.26, Florida Statutes, people with disabilities wishing to attend this meeting, should contact the agency at least 48 hours before, in order to request any special assistance.

The **Friends of Historic Properties and Museums**, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: April 30, 2002, 2:00 p.m.

PLACE: R. A. Gray Building, 3rd Floor, Conference Room, 500 South Bronough Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business with the Board of Directors.

A copy of the agenda may be obtained by writing: The Friends of Historic Properties Inc., 500 S. Bronough St., Tallahassee, FL 32399.

Should any person wish to appeal any decision made with respect to the above-mentioned meeting, he or she may need to ensure verbatim recording of the proceedings in order to provide a record of judicial review.

Pursuant to Rule 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours before, in order to request any special assistance.

The **Department of State, Division of Elections** announces a public meeting, to which all persons are invited.

A joint meeting of: Voter Registration Advisory Board of the Florida State Association of Supervisors of Elections, Representatives of the Voter Registration Project Management, Oversight and Budget Team of the Florida Department of State.

DATE AND TIME: April 24, 2002, 10:00 a.m. – 1:00 p.m.

PLACE: Division of Elections Training Room, Room 112, The Collins Building, 107 West Gaines Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Design of a Statewide Voter Registration Database.

The agenda will be a discussion of procedural issues which have not yet been resolved. Questions about this agenda may be directed to: Paul Craft, Division of Elections, Room 231, The Collins Building, 107 West Gaines Street, Tallahassee, FL 32399-0250, pcraft@mail.dos.state.fl.us (850)245-6220.

Pursuant to Chapter 286.26, Florida Statutes, any person requiring special accommodations to participate in this meeting is asked to advise the agency as soon as possible and at least 48 hours before the meeting by contacting Paul Craft, Division of Elections, Room 231, The Collins Building, 107 West Gaines Street, Tallahassee, FL 32399-0250, pcraft@mail.dos.state.fl.us, (850)245-6220.

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Elections Commission** announces a meeting. Parts of the meeting are confidential.

DATES AND TIMES: May 9, 2002, 8:30 a.m. – 5:00 p.m.; May 10, 2002, 8:30 a.m. – 5:00 p.m.

PLACE: Embassy Suites Hotel, Key Largo Meeting Room, 3974 N. W. South River Drive, Miami, Florida 33142

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and adjudication of cases relating to alleged violations of Chapters 104, 106 and Section 105.071, Florida Statutes, and to the late filing of campaign treasurer's reports.

For a copy of the agenda call: Patsy Rushing, (850)922-4539.

If you need an accommodation because of disability in order to participate, please call Patsy Rushing at least 48 hours before the meeting.

If a person decides to appeal any decision of the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and will need to assure that a verbatim record of the proceedings is made.

DEPARTMENT OF BANKING AND FINANCE

The Florida **Board of Funeral and Cemetery Services** announces a public Rules Committee Meeting and all persons are invited to attend.

DATE AND TIME: May 16, 2002, 10:00 a.m. – 3:00 p.m.

PLACE: Room 547, Fletcher Building, 101 E. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Review of Board rules beginning with Rule 3F-6.0054, F.A.C. and/including Rule 3F-8.007, F.A.C., Processing Fee and other business as necessary.

To obtain further information and to obtain a copy of the agenda contact: Frances Restifo, Administrative Assistant II, Division of Finance, Room 649B, Fletcher Bldg., 101 East Gaines St., Tallahassee, FL 32399-0350, (850)410-9853, seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Frances Restifo, (850)410-9853, at least 48 hours before the meeting. If you are hearing or speech impaired, contact Frances Restifo via the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

The Florida **Board of Funeral and Cemetery Services** announces a telephone conference Board Meeting and all persons are invited to attend.

DATE AND TIME: May 21, 2002, 9:00 a.m. – 11:00 a.m.

PLACE: Telephone conference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

To obtain further information on how to participate contact: Frances Restifo, Administrative Assistant II, Division of Securities and Finance, Room 649B, Fletcher Bldg., 101 East Gaines St., Tallahassee, FL 32399-0350, (850)410-9853. An agenda will be available seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Frances Restifo, (850)410-9853, at least 48 hours before the meeting. If you are hearing or speech impaired, contact Frances Restifo via the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

DEPARTMENT OF INSURANCE

The Florida **Department of Insurance** announces a meeting of the Three-Member Panel to which all persons are invited.

DATE AND TIME: Tuesday, April 23, 2002, 1:00 p.m. – 5:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Three-Member Panel will consider adopting changes to the schedule of maximum reimbursement allowances for hospitals and implementation of changes to the schedule of maximum reimbursement allowances for health care providers that were adopted by the panel at its meeting on November 6, 2001.

CONTACT: Shirley Kerns, Bureau Chief, Bureau of Property and Casualty Forms and Rates, Florida Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-5310.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting, please advice the Department at least 5 calendar days before the meeting by contacting Shirley Kerns, (850)413-5310.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Food and Nutrition Advisory Council.

DATES AND TIMES: April 18, 2002, 8:00 a.m. – 5:00 p.m.; April 19, 2002, 8:00 a.m. – 12:00 Noon

PLACE: Wyndham Westshore, 4860 W. Kennedy Boulevard, Tampa, Florida 33609-2591, (813)286-4400 Main, (813)286-4053 Fax

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review the status of food and nutrition programs and initiatives in the State of Florida.

A copy of the agenda can be obtained by contacting: Cathy Quick, 2nd Floor (M39), Mayo Building, 407 S. Calhoun Street, Tallahassee, FL 32399-0800.

If special accommodations are needed to attend this meeting because of a disability, please contact Cathy Quick, (850)487-6694, by April 16, 2002.

DEPARTMENT OF EDUCATION

The **Florida Rehabilitation Council for the Blind**, gives notice that committee meetings and conference calls will be conducted at various times throughout the year. Persons who wish to be notified of such meetings/calls may request to be put on the notification list by writing: Phyllis Dill, Division of Blind Services, Suite A-11, 7209 N. 9th Avenue, Pensacola, FL 32504 or calling (850)484-5030, or through the Florida Telephone Relay System number 711.

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited:

DATE AND TIME: Tuesday, April 16, 2002, 10:00 a.m.

PLACE: Boca Raton Campus, Live Oak Pavilion, 777 Glades Road, Boca Raton, Florida 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presidential Transition; Fort Lauderdale Museum of Art.

PUBLIC COMMENT: A public comment segment is scheduled immediately following the board meeting. Public comment will be taken on items on the board agenda. Presenters will be required to complete a public comment request card prior the public hearing. Comment cards will be available at the meeting.

A copy of the agenda may be obtained by contacting: Dr. Anthony Lombardo, Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431, (561)297-3032.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD via TDD, (561)297-2130.

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited:

DATE AND TIME: Monday, April 22, 2002, 10:00 a.m.

PLACE: Boca Raton Campus, Board of Trustees Room, Kenneth R. Williams Administration Bldg., 777 Glades Road, Boca Raton, Florida 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: Academic/Student Affairs Committee Meeting; BOT Finance and Audit Committee Meeting.

A copy of the agenda may be obtained by contacting: Dr. Richard Osburn (Academic) or Dr. Ken Jessell (Finance), Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431, (561)297-3266 or (561)297-3266.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD via TDD, (561)297-2130.

The **Florida Atlantic University**, Lab School, District 72, School Advisory Board announces a meeting to which all persons are invited:

DATE AND TIME: Wednesday, April 24, 2002, 7:00 p.m.

PLACE: Alexander D. Henderson University Developmental Research School on the campus of Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: University School Business.

A copy of the agenda may be obtained by contacting: Dr. Gregory F. Aloia, Florida Atlantic University, College of Education, 777 Glades Road, Boca Raton, Florida 33458, (561)297-3564.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD via TDD, (561)297-2130.

The **Polk County School Readiness Coalition**, Inc. announces the following meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 17, 2002, 8:30 a.m.

PLACE: Citrus and Chemical Bank, 3rd Floor, 600 N. Broadway Avenue, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regularly scheduled monthly meeting of the Board of Directors to discuss School Readiness issues.

For more information access the following website: www.pcsb.k12.fl.us/parents/coalition.htm.

The **Florida Institute of Phosphate Research** announces a meeting of the Board of Directors to which all persons are invited.

DATE AND TIME: Friday, April 19, 2002, 9:30 a.m.

PLACE: Citrus and Chemical Bank, 3rd Floor, 600 N. Broadway Avenue, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider funding of research proposals and other business pertaining to the operation of the Institute.

A copy of the minutes of the October 21, 2001, Board Meeting may be obtained by writing: Dr. Paul R. Clifford, Executive Director, Florida Institute of Phosphate Research, 1855 West Main Street, Bartow, Florida 33830.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces the following meeting to which all persons are invited.

MEETING OF THE SPECIAL OCCUPANCY TECHNICAL ADVISORY COMMITTEE

DATE AND TIME: April 24, 2002, 9:00 a.m.

PLACE: Florida Department of Community Affairs, Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida, (850)487-1824

GENERAL SUBJECT MATTER TO BE CONSIDERED: To establish subcommittees by content areas.

A copy of the Committee meeting agenda may be obtained by sending a request in writing: Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436 or looking on the website at www.floridabuilding.org.

If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs** announces a meeting of the Affordable Housing Study Commission to which all interested persons are invited.

MEETING

DATES AND TIMES: April 29, 2002, 1:30 p.m. – 5:30 p.m.; April 30, 2002, 8:00 a.m. – 1:00 p.m.

ORIENTATION SESSION FOR NEW COMMISSIONERS

DATE AND TIME: April 29, 2002, 9:00 a.m. – 11:00 a.m. The public is invited to this orientation.

FULL COMMISSION MEETING

DATE AND TIME: April 29, 2002, 1:30 p.m.

PLACE: AmeriSuites, Tampa/Busch Gardens, 11408 North 30th Street, Tampa, Florida

Times are subject to change.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission is charged with developing recommendations to the Governor and Legislature to address the state's acute need for housing for very low-, low-, and moderate-income households. At this meeting the Commission will continue its discussions on the three work topics for the 2001-2002 agenda, including: Design Excellence in Affordable Housing; Funding Infrastructure to Support Affordable Housing; and, NIMBYism

– A Continued Hindrance. In addition, new Commissioners, appointed by the Governor on February 20, 2002 and March 20, 2002, will be introduced.

Any person requiring special accommodations due to a disability or physical impairment should contact Melba Hawkins, (850)922-1460, at least five calendar days prior to the meeting. People who are hearing impaired should contact Ms. Hawkins using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained from: Melba Hawkins, The Affordable Housing Study Commission, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1460.

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement**, Missing Children Information Clearinghouse Advisory Board announces a public meeting to which all persons are invited.

DATE AND TIME: April 29, 2002, 8:30 a.m.

PLACE: FDLE Headquarters Building, 2331 Phillips Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting of the Missing Children Information Clearinghouse Advisory Board.

Call: 1(888)356-4774 (Toll Free) for more information.

A copy of the agenda may be obtained by writing: Gwen Johnson, The Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Gwen Johnson, Missing Children Information Clearinghouse.

A meeting, for the purpose of notice herein, is limited to a gathering for the purpose of conducting public business by members of a collegial body constituting the agency head.

The **Department of Law Enforcement, Medical Examiners Commission** announces a Medical Examiners Commission Meeting.

DATE AND TIME: Wednesday, May 15, 2002, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Jacksonville Regional Operation Center, Building E, 921 North Davis Street, Jacksonville, Florida 32209, (904)360-7100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medical Examiners Commission Meeting.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the Medical Examiners Commission Office, (850)410-8600, at least five (5) working days prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person is responsible for ensuring that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information or a copy of the agenda may be obtained by contacting: Mrs. Victoria G. Marsey, Program and Policy Administrator, Criminal Justice Professionalism Services, Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600.

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

Notice is hereby given that the **Board of Trustees of the Internal Improvement Trust Fund** of the State of Florida, or designee, is proposing the establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes, and will hold a Public Hearing:

DATE AND TIME: April 25, 2002, 7:00 p.m.

PLACE: The Offices of the Santa Rosa Island Authority, 1 Via de Luna, Pensacola Beach, FL 32561

GENERAL SUBJECT MATTER TO BE CONSIDERED: Considering evidence bearing on the location of a proposed Erosion Control Line for the beach erosion control project known as THE PENSACOLA BEACH, FL, BEACH RESTORATION PROJECT. The location of the proposed Erosion Control Line is as follows:

The proposed Erosion Control Line lies along the southern shoreline of Santa Rosa Island in Escambia County, affronting the Gulf of Mexico at the line of mean high water. The Erosion Control Line lies in unsectioned portions of Township 3, South, Range 28 West and Township 3, South, Range 29 West. Written objections to, or inquiries regarding, the proposed Erosion Control Line should be submitted to the Office of Beaches and Coastal Systems, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, prior to the date mentioned above. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida reserves the right to deny establishment of the Erosion Control Line.

BY ORDER OF THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

JEB BUSH, GOVERNOR

STATE BOARD OF ADMINISTRATION

The Investment Committee of The **Florida Prepaid College Program Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, April 23, 2002, 10:00 a.m. or soon thereafter

PLACE: The Hermitage Room, First Floor, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Investment Committee of the Florida Prepaid College Program Board.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, Suite 210, 1801 Hermitage Blvd., Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

The **Florida Prepaid College Program Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, April 23, 2002, 11:30 a.m. or soon thereafter

PLACE: The Hermitage Room, First Floor, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Board.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, Suite 210, 1801 Hermitage Blvd., Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

DEPARTMENT OF CITRUS

NOTICE OF CANCELLATION – The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: April 16, 2002, 9:00 a.m. The Commission will convene for the purposes of standing committee meetings and for the regular monthly meeting of the Florida Citrus Commission. The meeting scheduled for April 17-18, 2002, has been canceled.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues pertaining to budget revisions, contracts, advertising programs, budget items, rulemaking, balance scorecards, licensing, rulemaking, modifying the Department's symbol program and other matters that are addressed during monthly meetings of the Commission. The Commission will also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to address issues resulting from the March 15, 2002, court order in the Tampa Juice, et al v. Department of Citrus. The parties attending the closed session will be John R. Alexander, Walter L. Brewer, Tristan G. Chapman, Harry H. Falk, Christopher W. Gargano, Raymond A. Jackson, William E. Kemper, John M. Luther, W. Lindsay Raley, Jr., Daniel R. Richey, Nancy J. Schafer, Andrew R. Taylor, Bob Crawford, Hank B. Campbell, Esq., Monte Campbell, Esq. and Mia L. McKown, Esq.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

The **Department of Citrus** announces a public meeting of the Blue Ribbon Committee to which all persons are invited.

DATE AND TIME: Tuesday, April 29, 2002, 9:30 a.m.

PLACE: Indian River Citrus League, 7925 20th Street, Vero Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Blue Ribbon Committee will meet to discuss issues, plans and strategies for grapefruit and grapefruit juice. Discussions will include, but not limited to, assimilating, reviewing and formulating strategies in conjunction with consumer and retail research. The Committee will also discuss any other issues that may properly come before the Committee.

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 by telephone at (863)499-2510.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990649B-TP – Investigation into pricing of unbundled network elements (Sprint/Verizon track).

DATES AND TIME: April 29, 2002; April 30, 2002; May 1, 2002, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the investigation into pricing of unbundled network elements (Sprint/Verizon track), 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 April 19, 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).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 020252-TP – Complaint of Florida Digital Network, Inc. against BellSouth Telecommunications, Inc. and request for emergency relief requiring BellSouth to process orders pending resolution of disputes.

DATE AND TIME: April 26, 2002, 3:00 p.m.

PLACE: The Betty Easley Conference Center, Hearing Room 152, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 020252-TP – Complaint of Florida Digital Network, Inc. against BellSouth Telecommunications, Inc. and request for emergency relief requiring BellSouth to process orders pending resolution of disputes.

DATE AND TIME: May 2, 2002, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the complaint of Florida Digital Network, Inc. against BellSouth Telecommunications, Inc. and request for emergency relief requiring BellSouth to process orders pending resolution of disputes, 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 April 26, 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).

REGIONAL PLANNING COUNCILS

The District XI, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 17, 2002, 10:00 a.m.

PLACE: Fire Fighters Memorial Hall, Fire Tower Building, 8000 N. W. 22st Street, Miami, Florida 33122-1605

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC’s ongoing regional hazardous materials training and planning activities for FY 2001/02.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Blvd., Hollywood, FL 33021, or by calling (954)985-4416 in Broward, Suncom 473-4416 or 1(800)985-4416 toll-free statewide.

The **South Florida Regional Planning Council** announces a public meeting of the State Road 7/US 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, May 2, 2002, 1:00 p.m. – 4:00 p.m.

PLACE: City of Ft. Lauderdale, City Hall, Conference Room, 8th Floor, 100 N. Andrews Ave., Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the State Road 7/ U.S. 441 Collaborative Steering Committee to continue to deliberate and explore future actions. 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 State Road 7/U.S. 441 Collaborative Steering Committee with respect to any matter considered at this meeting, will need to

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

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, April 25, 2002, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday at 2822 Remington Green Circle, Suite 101, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Commission at least 48 hours before the meeting by contacting the Commission on Ethics, (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

METROPOLITAN PLANNING ORGANIZATIONS

The Florida **Metropolitan Planning Organization Advisory Council** (MPOAC) announces a meeting of the Staff Directors' Advisory Committee to which all persons are invited:

DATE AND TIME: April 25, 2002, 1:00 p.m. – 3:00 p.m.

PLACE: Florida Department of Transportation Urban Office, 133 South Semoran Blvd., Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state and federal agencies.

A copy of the agenda may be obtained by contacting: Heidi Langston, MPOAC, 605 Suwannee Street, MS #28B, Tallahassee, FL 32399-0450, 1(800)399-5524 or e-mail: heidi.langston@dot.state.fl.us.

The Florida **Metropolitan Planning Organization Advisory Council** (MPOAC) announces a meeting of the Governing Board to which all persons are invited:

DATE AND TIME: April 25, 2002, 4:00 p.m. – 7:00 p.m.

PLACE: Florida Department of Transportation Urban Office, 133 South Semoran Blvd., Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state and federal agencies.

A copy of the agenda may be obtained by contacting: Heidi Langston, MPOAC, 605 Suwannee Street, MS #28B, Tallahassee, FL 32399-0450, 1(800)399-5524 or e-mail: heidi.langston@dot.state.fl.us.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces the following public meetings to which all persons are invited:

DATE AND TIME: April 25, 2002, 10:00 a.m. – 10:30 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Lands Committee meeting to discuss District issues.

DATE AND TIME: April 25, 2002, 10:30 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board meeting to consider District business.

DATE AND TIME: April 25, 2002, 10:45 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing on consideration of Regulatory Matters.

DATE AND TIME: April 25, 2002, 11:00 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing on Consideration of Land Acquisition Matters.

PLACE: District Headquarters, 10 miles West of Tallahassee on U.S. Highway 90, Tallahassee, FL

A copy of the agendas may be obtained by contacting: Carolyn Wise, NFWFMD, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available through the Internet at www.state.fl.us/nwfwmd).

If any person decides to appeal any decision with respect to any matter considered at the above-cited meetings, 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 or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance to these meetings to make appropriate arrangements.

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meeting:

SWFWMD TAMPA FACILITIES MEETING

DATE AND TIME: Thursday, April 18, 2002, 9:00 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Construction options for the Tampa facility. Information will be presented to the Governing Board at their April 23, 2002 meeting for action.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4604, TTD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces a public meeting:

DATE AND TIME: Tuesday, April 23, 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 April 23, 2002 (previously announced in the Florida Administrative Weekly, Vol. 28, No. 14, dated April 5, 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 1(800)231-6103, Fax 352)754-6878, Suncom 663-6878.

The **Southwest Florida Water Management District** announces the following meeting to which all interested parties are invited.

PUBLIC SUPPLY ADVISORY COMMITTEE

DATE AND TIME: Friday, April 19, 2002, 9:30 a.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

A copy of the agenda may be obtained by writing: Community Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the American's with Disabilities Act (ADA) should call 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference, to which all interested parties are invited:

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

PLACE: South Florida Water Management District, Headquarters, Egret Conference Room, 3rd Floor, Northeast End, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Appraisal Review Committee will hold its regular meeting to discuss appraisal issues and, if necessary, select an appraiser from proposals received on upcoming appraisal assignments.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Committee decision require a record of the proceedings. Although Appraiser Review Committee meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information or those wishing to submit written or physical evidence may contact Ken Daw, Chief Appraiser, Real Estate Operations Division, MSC 3330, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: April 24, 2002, 10:00 a.m. – 4:00 p.m.

PLACE: Indian River Community College Dixon-Hendry Campus, Room 111, 2229 N. W. 9th Avenue, Okeechobee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Project Delivery Team (PDT) of the Lake Okechobee Watershed Project, which is included in the Comprehensive Everglades Restoration Plan, will meet to discuss the initial draft of a document outlining the performance measures that will be used in the development of alternative recommendations for the four elements included in this project. A draft inventory of existing conditions, a presentation of a spatial data model and a draft document concerning the hydrological and water quality characterization of the watershed also will be discussed. The public is encouraged to attend and to provide comments at each step of this important process. This PDT meets monthly and all meetings will be advertised in this publication, in addition to announcements in local media outlets.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Persons with disabilities who need assistance may contact Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

For more information, contact Lewis Hornung, Project Manager, (561)682-2007 or Missie Barletto, Public Outreach, 1(800)250-4200, Ext. 3006.

The **South Florida Water Management District** announces a public hearing required under Sections 373.59 and 373.139, Florida Statutes, to which all interested persons are invited:

DATE AND TIME: May 9, 2002, Governing Board Meeting, 8:50 a.m.

PLACE: District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33407

GENERAL SUBJECT MATTER TO BE CONSIDERED: The acquisition of certain lands contained within the Save Our Rivers Land Acquisition and Management Plan which lands are further described as follows:

Part of the CRITICAL CREW (Southern Corkscrew Regional Ecosystem Watershed) project comprised of twenty-three parcels referred to as SFWMD Tract Nos. 09-003-740, 09-003-767, 09-003-771, 09-003-774, 09-003-777, 09-003-780, 09-003-782, 09-003-783, 09-003-785, 09-005-119, 09-005-126, 09-005-132, 09-005-141, 09-005-147, 09-005-149, 09-005-203, 09-005-230, 09-005-231, 09-005-256, 09-005-269, 09-005-279 and 09-005-281 consisting of approximately 531.38 acres and lying in Sections 33, 34 and 35, Township 47 South, Range 26 East, in Lee County, Florida.

FAW Reference No. 3033

Part of the CERP Indian River Lagoon C23/24 North Reservoir Project comprised of two parcels referred to as SFWMD Tract Nos. KE-100-001 and KE-100-002 consisting of

approximately 1,133.0 acres and lying in Sections 19, 20, 29 and 30, Township 35 South, Range 38 East in St. Lucie County, Florida.

FAW Reference No. 3034

Approve a Resolution for using Save Our Everglades Trust Funds for land which is part of the East Coast Buffer, CERP AG Reserve Reservoir Project Area comprised of one parcel referred to as SFWMD Tract No. W9-100-085 consisting of approximately 623.96 acres lying in Sections 12 and 13, Township 46 South, Range 41 East in Palm Beach County, Florida.

FAW Reference No. 3035

Part of the East Coast Buffer, CERP C-9 Stormwater Treatment/Impoundment, and CERP WCA 3A/3B Seepage Management Project Areas comprised of twelve parcels referred to as SFWMD Tract Nos. W9-200-917, W9-200-921, W9-200-931, 12-101-032, 12-101-036, 12-101-037, 12-101-067, 12-101-092, 12-102-012, 12-102-013, 12-102-036 and 12-103-019 consisting of approximately 76.82 acres and lying in Sections 03, 15, 27 and 34, Townships 50, 51, 52 and 53 South, Range 39 East in Broward and Miami-Dade Counties, Florida.

FAW Reference No. 3036

Declare surplus, disposal of, and removal from the asset records, including demolition and salvage, any structures, improvements, and nursery stock located in 8.5 Square Mile Area, Tract Nos. GE-311-409, GE-311-467, GE-317-959, GE-317-969, GE-319-903, GE-322-707, GE-327-438, GE-328-624, GE-328-635, GE-328-657, GE-328-824, GE-328-829 and GE-328-862 in Miami-Dade County.

FAW Reference No. 3037

Part of the Water Conservation Areas comprised of three parcels referred to as SFWMD Tract Nos. 27-100-050, 27-100-051 and 27-100-052 consisting of approximately 250 acres and lying in Sections 01, 03 and 32, Townships 52 and 53 South, Ranges 35 and 37 East in Miami-Dade County.

FAW Reference No. 3038

Part of the East Coast Buffer and Critical C-4 projects comprised of sixteen parcels referred to as SFWMD Tract Nos. W9-311-940, W9-311-948, W9-311-952, W9-311-955, W9-311-957, W9-311-958, W9-311-960, W9-311-961, W9-311-962, W9-311-963, W9-311-971, W9-311-976, W9-311-977, W9-311-979, W9-311-993 and W9-311-999 consisting of approximately 361 acres and lying in Section 04 and Gov. Lot 4, Township 54 South, Range 39 East in Miami-Dade County, Florida.

FAW Reference No. 3039

Part of the East Coast Buffer, CERP WCA 3A/3B Seepage Management Project Areas comprised of twenty-two parcels referred to as SFWMD Tract Nos. W9-311-942, W9-311-943, W9-311-944, W9-311-945, W9-311-953, W9-312-001, W9-312-002, W9-312-003, W9-312-005, W9-312-009, W9-312-011, W9-312-014, W9-312-015, W9-312-017,

W9-312-020, W9-312-025, W9-311-068, W9-311-071, W9-311-078, W9-311-079, W9-311-080 and W9-311-081 consisting of approximately 155 acres and lying in Sections 03, 09 and 10, Township 52 South, Range 39 East in Miami-Dade Counties, Florida.

FAW Reference No. 3040

Part of the Kissimmee River project comprised of ten parcels referred to as SFWMD Tract Nos. 19-103-645, 19-103-646, 19-103-647, all consisting of approximately 0.05 acres, 19-103-648, consisting of approximately 0.21 acres, 19-103-481, consisting of approximately 0.58 acres, 19-103-483, consisting of approximately 0.10 acres, 19-103-485, consisting of approximately 0.23 acres, 19-103-642, consisting of approximately 0.07 acres, 19-103-643, consisting of approximately 0.04 acres and 19-103-644, consisting of approximately 0.03 acres, all in Section 8, Township 36 South, Range 33 East in Highlands County, Florida.

FAW Reference No. 3041

Surplus of part of the Kissimmee River project comprised of one parcel referred to as SFWMD Tract No. 19-103-649, consisting of approximately 0.30 acres, in Section 8, Township 36 South, Range 33 East in Highlands County, Florida.

FAW Reference No. 3042

Part of the Atlantic Ridge Ecosystem project comprised of one parcel referred to as SFWMD Tract No. X1-100-003 consisting of approximately 40 acres plus access easement and lying in Section 24, Township 39 South, Range 41 East in Martin County, Florida.

FAW Reference No. 3043

Part of the Kissimmee Chain of Lakes project comprised of three parcels referred to as SFWMD Tract No. 18-121-001 consisting of approximately 2000 acres lying in Sections 33, 34 and 35, Township 28 South, Range 29 East and Sections 2, 3, 4, 9 and 10, Township 29 South, Range 29 East in Polk County, Florida, SFWMD Tract No. 18-021-002 consisting of approximately 10.1 acres, lying in Sections 2 and 11, Township 29 South, Range 29 East in Polk County, Florida, and SFWMD Tract No. 18-021-003 consisting of approximately 5.5 acres, lying in Section 11, Township 29 South, Range 29 East in Polk County, Florida.

FAW Reference No. 3044

Authorization of design and construction agreements with respect to flood mitigation alternatives for the Kissimmee River project within Sections 16, 21, 22 and 27, Township 36 South, Range 33 East in Okeechobee County, and Sections 8 and 17, Township 36 South, Range 33 East in Highlands County, Florida.

FAW Reference No. 3045

Part of the Kissimmee River project comprised of two (2) parcels referred to as SFWMD Tract No. 19-103-427 consisting of approximately 15 acres and Tract No. 19-103-456

consisting of approximately 0.27 acres, both lying in Section 17, Township 36 South, Range 33 East and in Highlands County, Florida.

FAW Reference No. 3046

Part of the Kissimmee River project comprised of two (2) parcels referred to as SFWMD Tract No. 19-102-137 consisting of approximately 9.6 acres and Tract No. 19-102-138 consisting of approximately 7.5 acres, both lying in Section 13, Township 37 South, Range 31 East and in Highlands County, Florida.

FAW Reference No. 3047

Additional information concerning specific parcels or interests can be obtained from: Blair R. LittleJohn, III, South Florida Water Management District, Post Office Box 24680, West Palm Beach, Florida 33416-4680, (561)686-8800.

Appeals from any South Florida Water Management District Board decision requires a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Paula Moree, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

For additional information, please contact Mr. Blair R. LittleJohn, III, Deputy Department Director, Land Acquisition Department, (561)686-8800.

**COMMISSION FOR THE TRANSPORTATION
DISADVANTAGED**

The Florida **Commission for the Transportation Disadvantaged** announces a Full Commission Meeting to which all persons are invited.

DATE AND TIME: Monday, April 22, 2002, 10:00 a.m. – Completion

PLACE: Orlando Expo Center, 500 West Livingston Street, Orlando, Florida 32801, (407)849-2000, Extension 3111

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the regular business of the Commission for the Transportation Disadvantaged and to discuss unexpected legislation that could create a potential emergency situation in the Orange, Osceola and Seminole service area.

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, FL 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.

DEPARTMENT OF ELDER AFFAIRS

The **Statewide Public Guardianship Office** announces a meeting of the Public Guardian Coalition.

DATE AND TIME: Thursday, April 25, 2002, 10:00 a.m. – 4:00 p.m.

PLACE: Florida Mental Health Institute, University of South Florida Campus, Westside Conference Center, Room E, 13301 Bruce B. Downs Blvd., Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Public Guardian Coalition to discuss issues pertaining to public guardianship.

A copy of the agenda may be obtained by contacting: Gloria Mitchell, (813)974-1649.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting pertaining to regulatory issues for Long Term Care and Adult Living Facilities for all interested persons.

Agenda items should be sent to: robertse@fdhc.state.fl.us by COB, April 15, 2002.

DATE AND TIME: May 13, 2002, 10:00 a.m.

PLACE: The Agency for Health Care Administration, Ft. Knox Complex, Conference Room E, Bldg. 3, 2727 Mahan Drive, Tallahassee, Florida

Contact: Earlean Roberts-Taylor, (850)922-9138.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces the following meetings to which all persons are invited to attend.

DATE AND TIME: May 7, 2002, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings, which may include Architecture committee meeting, Interior Design committee meeting and rules.

DATE AND TIME: May 8, 2002 at 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

PLACE: The Omni Jacksonville, 245 Water Street, Jacksonville, FL 32202, (904)355-6664

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)488-6685, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Funeral Directors and Embalmers** announces the following meeting to which all parties are invited to attend.

DATE AND TIME: May 14, 2002, 2:00 p.m.

PLACE: Sheraton Suites Tampa Airport, 4400 W. Cypress St., Tampa, FL 33607, (813)873-8675

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rules Committee meeting and Finance Committee meeting.

DATE AND TIME: May 15, 2002, 9:00 a.m.

PLACE: Sheraton Suites Tampa Airport, 4400 W. Cypress St., Tampa, FL 33607, (813)873-8675

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board and Business meeting.

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Funeral Directors and Embalmers, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)488-8690, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Pilot Commissioners** announces the following meeting via telephone conference, to which all persons are invited to participate.

DATE AND TIME: Monday, April 22, 2002, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)488-0698. Access Phone #: (850)921-6455 or Suncom 291-6455

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot advancement in Florida port training program.

To obtain further information or submit written or other physical evidence, contact: Board of Pilot Commissioners, 1940 N. Monroe Street, Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)488-0698, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committee which all persons are invited:

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

PLACE: Embassy Suites Hotel, 3705 Spectrum Boulevard, Tampa, Florida 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, Suite 200, 2507 Callaway Road, 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 **Florida Engineers Management Corporation** announces a public meeting to conduct the business of the Corporation to which all persons are invited:

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

PLACE: Embassy Suites Hotel, 3705 Spectrum Boulevard, Tampa, Florida 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Corporation.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, Florida 32303.

If any person decides to appeal and decision made by the Corporation with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting to conduct the business of the Board, including committee business which all persons are invited.

DATES AND TIME: Tuesday, April 23, 2002, 8:30 a.m.; continuing Wednesday, April 24, 2002, if the business of the Board is not concluded

PLACE: Embassy Suites Hotel, 3705 Spectrum Boulevard, Tampa, Florida 33612

A copy of the agenda may be obtained by writing: Board of Professional Engineers, Suite 200, 2507 Callaway Road, 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 Florida **Board of Professional Surveyors and Mappers** announces the following meeting to which all persons are invited to attend.

DATE AND TIME: May 1, 2002, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuing Education Committee meeting, Application Review Committee meeting, followed by a General Business meeting.

DATE AND TIME: May 2, 2002, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probation Committee meeting followed by a General Board and Business meeting.

PLACE: The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, FL 32202, (904)355-6664

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Professional Surveyors and Mappers, 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)413-7480, 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 **Board of Accountancy** announces the following public meetings to which all person are invited:

DATES AND TIMES: Thursday, May 30, 2002, 8:30 a.m., Probable Cause Panel; Friday, May 31, 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: Martha P. Willis, Division Director, Division of Certified Public Accounting, Suite A, 240 N. W. 76th Drive, 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 Martha Willis, (352)333-2500. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: April 16, 2002, 1:30 p.m. or the soonest thereafter. Portions of the probable cause proceedings are not open to the public.

PLACE: Suite 301, North Tower, 400 West Robinson Street, Orlando, Florida

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission** (FREC) announces a meeting to which all persons are invited.

DATE AND TIME: April 17, 2002, 8:30 a.m.

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, Recovery Fund Claims, education issues, petitions for declaratory statement, and disciplinary actions.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required. Probable Cause Panel(s) may also meet during this session. Portions of the Probable Cause are not open to the public.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, Administration Office, Post Office Box 1900, Orlando, Florida 32802-1900.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public hearing to determine whether or not Calpine Construction Finance Company, L.P., Blue Heron Energy Center, Power Plant Siting Application No. 00-42, OGC Case No. 00-2072, is in conformance with existing land use plans and zoning ordinances, pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501, et seq., Florida Statutes.

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

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: April 26, 2002, 11:00 a.m. – 4:00 p.m.

PLACE: University of Central Florida, Key West Room 218 ABCD, Student Union Building, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public hearing on the draft Statewide Invasive Species Management Plan for Florida, a proposed comprehensive plan that coordinates the responsibilities of the state agencies to manage and prevent biological invasions.

A copy of the agenda and draft may be obtained by writing: Don C. Schmitz, Department of Environmental Protection, Division of State Lands, Bureau of Invasive Plant Management, 3900 Commonwealth Boulevard, MS #705, Tallahassee, FL 32399.

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

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

The **Department of Environmental Protection** will hold a public workshop on:

DATE AND TIME: May 7, 2002, 9:30 a.m.

PLACE: Twin Towers Office Complex, Room 609, 2600 Blair Stone Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This one-day public workshop will be used to discuss proposed modifications and amendments to Rule 62-777, Contaminant Cleanup Target Levels and the associated program rules that

are affected by this rule including Chapters 62-770, 62-782 and 62-785, F.A.C. All four rules are scheduled on the agenda to discuss and receive public comments.

The full text of this notice will be published on April 12, 2002, 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 Florida **Board of Medicine**, Probable Cause Panel (North) announces a telephone conference call to be held via meet me number.

DATE AND TIME: April 18, 2002, 2:00 p.m.

PLACE: Meet Me Number: (850)488-8295, Suncom 278-8295

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Department of Health, Board of Nursing** announces public meetings to which all interested persons are invited. CNA Council Meeting

DATE AND TIME: May 13, 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.

DATE AND TIME: July 23, 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.

DATE AND TIME: October 2, 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).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, District 12, Alcohol, Drug Abuse and Mental Health Program Office announces a public meeting to which all persons are invited.

DATE AND TIME: May 15, 2002, 4:00 p.m.

PLACE: Daytona Beach Service Center, Conference Room 148, 210 North Palmetto Avenue, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Re-designation of ACT Corporation/Crisis Stabilization Unit as a Baker Act Receiving Facility.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Kathy Walker, (386)947-4017, 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 **Department of Children and Family Services, Mental Health Program Office** announces a public meeting to which all persons are invited:

DATE AND TIME: April 16, 2002, 4:00 p.m. – 5:00 p.m. (CST)

PLACE: Chappie James Bldg., Room 101, First Floor, 160 Governmental Center, Pensacola, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The department is seeking public input and information regarding the re-designation of the following facilities: Baptist Behavioral Medicine as a private Baker Act receiving facility; and Lakeview Center, Inc. as a public Baker Act receiving facility.

AGENDA:

4:00 p.m. – 4:10 p.m. Chairperson of ADM Planning Coalition

4:10 p.m. – 4:20 p.m. Representative of Baptist Behavioral Medicine

4:20 p.m. – 4:30 p.m. Representative of Lakeview Center, Inc.

4:30 p.m. – 5:00 p.m. Public Comments

5:00 p.m. Adjourn

FOR FURTHER INFORMATION CONTACT: Diovelis D. Stone, (850)595-8369 or Suncom 695-8369.

Comments may be forwarded earlier to: District One Alcohol, Drug Abuse and Mental Health Program Office, Suite 713, 160 Governmental Center, Pensacola, Florida 32501 or turned in at the meeting, or brief presentations may be made.

The **Council on Homelessness** announces a conference call meeting of its Health Care Committee, to which all persons are invited.

DATE AND TIME: Wednesday, April 17, 2002, 2:00 p.m. – 4:00 p.m.

PLACE: Call: (850)921-2470 or Suncom 291-2470

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference call will address the committees' continued development of policy recommendations to accessing supportive services for homeless persons.

A copy of the agenda may be obtained by contacting: Tom Pierce, State Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850, Tom_Pierce@dcf.state.fl.us.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access this meeting who may be in need of special assistance should contact the Office on Homelessness, (850)922-4691, at least 48 hours in advance of the meeting.

The **Council on Homelessness** announces a conference call meeting of its Data Collection Committee, to which all persons are invited.

DATE AND TIME: Thursday, May 2, 2002, 11:00 a.m. – 12:00 Noon

PLACE: Call (850)921-2470 or Suncom 291-2470

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference call will address the committees' continued development of policy recommendations to accessing supportive services for homeless persons.

A copy of the agenda may be obtained by contacting: Tom Pierce, State Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850, Tom_Pierce@dcf.state.fl.us.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access this meeting who may be in need of special assistance should contact the Office on Homelessness, (850)922-4691, at least 48 hours in advance of the meeting.

The **Council on Homelessness** announces their meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 14, 2002, 9:00 a.m.

PLACE: Department of Children and Family Services, Room 232, Building 8, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall receive reports from its committees and shall devote the majority of the meeting to discussing and developing the Council's strategic plan for assuring completion of its policy agenda for submission to the Governor and Legislature for consideration in 2003.

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.

NAVIGATION DISTRICTS

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, April 20, 2002, 8:30 a.m.

PLACE: The Harbourside Inn, 300 Clubhouse Drive, Palm Coast, Flagler County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting and workshop of the Board of Commissioners to conduct the regular business of the District. Additionally, the District's Land Acquisition and Management Committees will meet.

Please contact: District Office, 1314 Marcinski Road, Jupiter, FL 33477, (561)627-3386 for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they 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 based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Fish and Wildlife Conservation Commission** announces a public meeting of the Stone Crab Advisory and Appeals Board to which all interested persons are invited.

DATES AND TIME: April 17-18, 2002, 8:00 a.m. – 5:00 p.m., each day

PLACE: Plantation Inn and Golf Resort, 9301 West Fort Island Trail, Crystal River, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting of the Stone Crab Advisory and Appeals Board is to hear scheduled appeals of initial stone crab trap certificate allocations.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

For further information, contact: Juli Dodson, Suite 201, 2590 Executive Center Circle, East, Tallahassee, Florida 32301, (850)922-4340.

The Florida **Fish and Wildlife Conservation Commission** has scheduled a public meeting.

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

PLACE: Department of Management Services, Training Room 225A, Building 4030, 4030 Esplanade Way, Tallahassee, Florida

PURPOSE: Take action to select an executive director; actions may include, but are not limited to, interviews, deciding on a short list of the top applicants and making a final selection from the list.

A copy of the proposed agenda may be obtained from the Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

If any person decides to challenge any decision with respect to any matter considered at the above meeting, a record of the proceeding will be needed. For this purpose, you may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the challenge is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the workshop or meeting is asked to advise the Commission at least 5 calendar days prior by calling Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling, (850)488-9542.

LEGAL AUTHORITY: Article IV, Section 9, Florida Constitution.

ENTERPRISE FLORIDA

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc.'s Small Business Council Urban Core/Minority Subcommittee Meeting

DATE AND TIME: Tuesday, April 16, 2002, 10:00 a.m. – 3:00 p.m.

PLACE: Enterprise Florida, Inc., Suite 1300, 390 North Orange Avenue, Orlando, Florida 32801, (407)316-4631
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues relevant to growth and vitality of urban core and minority businesses. Subcommittee to provide recommendations for further research on Capital and Mentoring programs available statewide, federally, and locally. If an accommodation is needed for a disability or physical impairment, please contact Doris Nawrocki, (407)316-4631, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces a public meeting where all interested parties are invited:
 DATE AND TIME: Monday, April 22, 2002, 12:00 Noon
 PLACE: Adam's Mark Hotel, Room Cityview 7, 3rd Floor, 225 Coastline Drive, East, Jacksonville, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors and Annual Membership Meeting.
 NOTE: A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, (850)878-1874.

SANTA ROSA ISLAND AUTHORITY

NOTICE IS HERBY GIVEN that the **Santa Rosa Island Authority** will hold a Public Workshop for considering evidence bearing on the merits of an erosion control project known as the PENSACOLA BEACH, FL, BEACH RESTORATION PROJECT. The location of the proposed erosion control project is as follows:
 Unsectioned portions of the Pensacola Beach Gulf of Mexico shorefront, Township 3, South, Range 28 West, and Township 3, South, Range 29 West: Escambia County, Florida
 The Public Workshop will be held:
 DATE AND TIME: April 25, 2002, 6:00 p.m.
 PLACE: Offices of the Santa Rosa Island Authority, 1 Via de Luna, Pensacola Beach, FL 32561
 For further information contact: The Santa Rosa Island Authority, 1 Via De Luna, Pensacola Beach, FL 32561, (850)932-2257.

FLORIDA RESIDENTIAL PROPERTY AND CASUALTY JOINT UNDERWRITING ASSOCIATION

The **Florida Residential Property and Casualty Joint Underwriting Association** announces a teleconference meeting of its Reinsurance Committee to which all interested persons are invited.
 DATE AND TIME: Tuesday, April 30, 2002, 2:00 p.m. (EDT)
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, the 2002 Reinsurance Program.
 For additional information, please call 1(800)807-7647, Extension 3702.

The **Florida Residential Property and Casualty Joint Underwriting Association** announces a meeting of its Investment Committee to which all interested persons are invited.
 DATE AND TIME: Thursday, May 9, 2002, 9:00 a.m. (EDT)
 PLACE: Hilton Miami Airport, 5101 Blue Lagoon Drive, Miami, FL, (305)262-1000
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, year-end investment results.
 For additional information, please call 1(800)807-7647, Extension 3702

The **Florida Residential Property and Casualty Joint Underwriting Association** announces a meeting of its Audit Committee to which all interested persons are invited.
 DATE AND TIME: Thursday, May 9, 2002, 10:30 a.m. (EDT)
 PLACE: Hilton Miami Airport, 5101 Blue Lagoon Drive, Miami, FL, (305)262-1000
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, 2001 audited financial statements and year end loss reserve analysis.
 For additional information, please call 1(800)807-7647, Extension 3702.

The **Florida Residential Property and Casualty Joint Underwriting Association** announces a meeting of its Board of Governors to which all interested persons are invited.
 DATE AND TIME: Thursday, May 9, 2002, 1:00 p.m. (EDT)
 PLACE: Hilton Miami Airport, 5101 Blue Lagoon Drive, Miami, FL (305)262-1000
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, approval of line of credit documents and 2002 reinsurance program.
 For additional information, please call 1(800)807-7647, Extension 3702.

FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION

The Florida Local Government Finance Commission announces a public meeting to which all interested persons are invited.

DATE AND TIME: Friday, April 26, 2002, 10:30 a.m.

PLACE: Suite 1060, 2502 Rocky Point Drive, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Commission relating to its statewide pooled commercial paper program.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The Florida Medical Malpractice Joint Underwriting Association announces a Claims and Underwriting Committee meeting to which all persons are invited.

DATE AND TIME: April 30, 2002, 4:00 p.m.

PLACE: Killlearn Country Club & Inn, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, Suite 201, 1836 Hermitage Blvd., Tallahassee, FL 32308.

The Florida Medical Malpractice Joint Underwriting Association announces a Board of Governors meeting to which all persons are invited.

DATE AND TIME: May 1, 2002, 9:00 a.m.

PLACE: Killlearn Country Club & Inn, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, Suite 201, 1836 Hermitage Blvd., Tallahassee, FL 32308.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BANKING AND FINANCE

NOTICE IS HEREBY GIVEN THAT the Department of Banking and Finance, Division of Securities and Finance, received a Petition for Declaratory Statement from counsel for

PackerKiss Securities, Inc. and PK Advisors, Inc. on March 14, 2002 (File No. 3435-S-3/02). The Petition seeks the Department's position on whether the Petitioners' business of reinvesting the proceeds of housing bonds issued by the Florida Housing Finance Corporation and other local housing authorities requires registration as a dealer or investment adviser pursuant to Section 517.12, Florida Statutes.

A copy of the Petition can be obtained by writing: Agency Clerk, Department of Banking and Finance, Suite 526, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350 or calling (850)410-9896.

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 Miami-Dade County Fire Department, Alfredo Suarez, Fire Marshal on January 8, 2002. The following is a summary of the agency's disposition of the petition:

Question A: Is it the intent of Section 8-15.2.1 of NFPA 1, of the Florida Fire Prevention Code to permit existing occupancies to maintain storage heights of commodities that are in direct violation of the National Fire Protection Association standards in NFPA 13 and 230?

Response to Question A: Yes, because existing buildings were excepted from the provisions of NFPA 13, 230, and 231D.

Question B: If so, does Section 1-5.4 or 1-5.5 allow the authority having jurisdiction to apply the requirements of the appropriate referenced standard, NFPA 13 or 230, to the occupancies in question?

Response to Question B: No, because it was Section 8-15.2.1 which provided the exception for existing buildings to the requirements of NFPA 13, 230, and 231D; therefore, there was no conflict and NFPA 1-5.4 or 1-5.5 would not apply.

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.

DEPARTMENT OF THE LOTTERY

NOTICE IS HEREBY GIVEN THAT the Department of the Lottery has received a Petition for Waiver of Rule 53ER02-12(5), F.A.C., Procedures for Awarding Prizes, from each of the following petitioners:

Petitioner	Date Filed
Jorge E. Gonzalez, Coral Springs, Florida	April 1, 2002
Anne M. Young, Welaka, Florida	April 1, 2002

Emergency Rule 53ER02-12, F.A.C., sets forth the provisions for payment of prizes to players.

A copy of the Petitions can be obtained from: Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

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, received a request to reopen petition for declaratory statement In Re: Petition for Declaratory Statement, Royal Arms Villas Condominium, Inc., Petitioner, on March 25, 2002.

The Petitioner requests an interpretation as to whether the declaration requires unanimous consent of third party mortgage holders to amend the provisions regarding insurance for the units and common elements, and may the unit owners amend the insurance provision through the amendment procedures governing other provisions without the consent of the mortgage holders.

A copy of the Petition for Declaratory Statement, Docket Number CD2001-012, 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. Please refer all comments to Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a final order In Re: Petition for Declaratory Statement, Charlie Adkins, President, Board of Directors, Springwood Village Condominium Association, Petitioner; Docket Number CD2001-043.

The petition was denied because the petitioner did not provide the information requested.

A copy of the final order may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 02L-132, W/O 522346, Norman Hall Classroom Renovation, estimated budget: \$500,000-\$550,000, to be opened April 30, 2002, 1:30 p.m. (Local Time), in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Selective demolition of existing lighting, interior finishes and miscellaneous items. Provide new partitions, interior finishes, panelboards, projector screens, lighting, miscellaneous air distribution and data communications modifications in designated classrooms at Norman hall, Building 101. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, (352)392-1331.

A Mandatory Pre-bid Meeting will be held April 16, 2002, 1:30 p.m., in the Physical Plant Division Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to: A. J. Sontag, C.P.M., Assistant Director, UF Purchasing (352)392-1331 Ext. 306.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

INVITATION TO BID

Sealed bids shall be received by the Florida State University Purchasing Department until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Purchasing Department
Suite A1400, University Center
Florida State University
Tallahassee, FL 32306-2370

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to ensure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid contact the Purchasing Agent identified in the bid.

K 4425-5 Facilities and Maintenance Paper Goods
Public Bid Opening: 2:30 p.m., Thursday, May 2, 2002
Suite A1400, University Center
Bid Documents: Purchasing Department
Florida State University

NOTICE TO PROFESSIONAL CONSULTANTS

The State of Florida, Board of Regents and The University of West Florida announce that professional services for minor projects are required in the following discipline Campus Service Mechanical and Electrical Engineer at The University of West Florida in Pensacola, Florida.

Two firms will be selected.

Minor projects are specific projects for renovations, alterations, utility and electrical projects and studies that have a basic construction budget estimated to be \$1,000,000, or less, or studies for which the fee for professional services is \$100,000, or less. Campus Service Contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1-June 30.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

- 1. A completed Board of Regents "Professional Qualifications Supplement" Revised September 1999.

- 2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An Applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered with the Florida Department of State to operate in Florida.

Submit 6 copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application information will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.017, 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 \$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.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained by contacting:

David Luttrell, Director
Architectural and Engineering Services
Office of Facilities Planning
University of West Florida
11000 University Parkway
Pensacola, Florida 32514
(850)474-2938
Dluttrell@uwf.edu

Submittals must be received in the Office of Architectural and Engineering Services, Building 90, The University of West Florida, by 4:00 p.m., May 16, 2002.

NOTICE TO PROFESSIONAL CONSULTANTS

The State of Florida, and The University of West Florida announce that professional services for minor projects are required in the following discipline Campus Service Environmental Consultant at The University of West Florida in Pensacola, Florida.

Two firms will be selected for this discipline.

Minor projects are specific projects for renovations, alterations and additions that have a basic construction budget estimated to be \$1,000,000, or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service Contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1-June 30. Firms desiring to provide professional services

shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. A completed Board of Regents "Professional Qualifications Supplement" Revised September 1999.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An Applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered with the Florida Department of State to operate in Florida.

Submit 6 copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, will not be considered. Application information will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.017, Florida Statutes, a consultant may not submit a proposal for this project if they are 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 \$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.

Professional Qualification Supplements, descriptive project information and selection criteria may be obtained by contacting:

David Luttrell, Director
Architectural and Engineering Services
University of West Florida
11000 University Parkway
Pensacola, Florida 32514
(850)474-2938
Dluttrell@uwf.edu

Submittals must be received in the Office of Architectural and Engineering Services, Building 90, The University of West Florida, by 4:00 p.m., May 16, 2002.

NOTICE TO PROFESSIONAL CONSULTANTS

The State of Florida, Board of Regents and The University of West Florida announce that professional services for minor projects are required in the following discipline Campus Service Architect at The University of West Florida in Pensacola, Florida.

Two firms will be selected for this discipline.

Minor projects are specific projects for renovations, alterations and additions that have a basic construction budget estimated to be \$1,000,000, or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service

Contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1-June 30.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. A completed Board of Regents "Professional Qualifications Supplement" Revised September 1999.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An Applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered with the Florida Department of State to operate in Florida.

Submit 6 copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application information will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.017, 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 \$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.

Professional Qualification Supplements, descriptive project fact sheet, and selection criteria may be obtained by contacting:

David Luttrell
Director, Architectural and Engineering Services
University of West Florida
11000 University Parkway
Pensacola, Florida 32514
(850)474-2938
Dluttrell@uwf.edu

Submittals must be received in the Office of Architectural and Engineering Services, Building 90, The University of West Florida, by 4:00 p.m., May 16, 2002.

NOTICE TO PROFESSIONAL CONSULTANTS

The State of Florida, Board of Regents and The University of West Florida announce that professional services for minor projects are required in the following discipline Campus Service Civil and Surveying Engineer at The University of West Florida in Pensacola, Florida.

Two firms will be selected.

Minor projects are specific projects for renovations, alterations, utility and electrical projects and studies that have a basic construction budget estimated to be \$1,000,000, or less, or studies for which the fee for professional services is \$100,000, or less. Campus Service Contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1-June 30. Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. A completed Board of Regents "Professional Qualifications Supplement" Revised September 1999.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An Applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered with the Florida Department of State to operate in Florida.

Submit 6 copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application information will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.017, 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 \$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.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained by contacting:

David Luttrell, Director
 Architectural and Engineering Services
 Office of Facilities Planning
 University of West Florida
 11000 University Parkway
 Pensacola, Florida 32514
 (850)474-2938
 dluttrell@uwf.edu

Submittals must be received in the Office of Architectural and Engineering Services, Building 90, The University of West Florida, by 4:00 p.m., on May 16, 2002.

CALL FOR BIDS

PROJECT: INTRAMURAL FIELD SITE IMPROVEMENTS
 FOR: THE UNIVERSITY OF WEST FLORIDA

QUALIFICATIONS: All bidders must be qualified at the time of their bid proposal in accordance with the Invitation to Bid.

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office (formerly certification done by Department of Management Services). Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

PRE-SOLICITATION/PRE-BID MEETING: Each Bidder is strongly encouraged to attend the pre-solicitation/pre-bid meeting. A pre-bid site visit is required. 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 pre-bid meeting is scheduled for:

DATE AND TIME: Thursday, April 18, 2002, 10:00 a.m.

PLACE: Building 20 West, Room 156A, The University of West Florida, 11000 University Parkway, Pensacola, Florida 32514.

Sealed Bids will be received on:

DATE AND TIME: Tuesday, May 7, 2002, until 2:00 p.m. (Local Time)

PLACE: Building 20 West, Room 156A, The University of West Florida, 11000 University Parkway, Pensacola, Florida 32514, at which time and place they will be publicly opened and examined. Mailed bids should be sent to:

Elaine Smith
 Purchasing Department
 Building 20 West
 The University of West Florida
 11000 University Parkway
 Pensacola, FL 32514

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the Specifications, Drawings and all other bidding documents, which may be obtained or examined at the Purchasing Office, on the main campus of The University of West Florida.

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.

NOTICE OF CORRECTION

CALL FOR BIDS

THE FOLLOWING HAS A REVISED BID DATE OPENING PROJECT: REROOFING BUILDINGS 82 and 70

FOR: THE UNIVERSITY OF WEST FLORIDA

QUALIFICATIONS: All bidders must be qualified at the time of their bid proposal in accordance with the Instructions to Bidders, Article B-2, and the following:

1. Prime bidders shall be a State of Florida Certified Roofing Contractor.
2. Prime bidders shall have completed not less than three projects of similar size and scope within the last five years.
3. Prime bidders shall have sufficient existing qualified staff to complete the project.
4. Bidders shall submit evidence of the above qualifications to the Engineer not less than 14 days prior to the bid date.

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office (formerly certification done by Department of Management Services). Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

PRE-SOLICITATION/PRE-BID MEETING: Each Bidder is required to attend the pre-solicitation/pre-bid meeting. Contractors interested in bidding this project must pick up contract documents early in order to submit Attachment A as required at the pre-bid meeting.

Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project.

The pre-bid meeting is scheduled for:

DATE AND TIME: Tuesday, April 2, 2002, 2:00 p.m.

PLACE: Building 20, West, Room 156A, The University of West Florida, 11000 University Parkway, Pensacola, Florida 32514

Sealed Bids will be received on:

DATE AND TIME: Thursday, April 25, 2002, until 2:00 p.m. (Local Time)

PLACE: Building 20, West, Room 158, The University of West Florida, 11000 University Parkway, Pensacola, Florida 32514, at which time and place they will be publicly opened and examined. Mailed bids should be sent to:

Elaine Smith
 Purchasing Department
 Building 20, West
 The University of West Florida
 11000 University Parkway
 Pensacola, FL 32514

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:

ENGINEER:

Carlan Killam Consulting Group
 5111 North 12th Avenue
 P. O. Box 2518
 Pensacola, Florida 32513-2518
 Telephone (850)484-6011

Attention: Dave Dupuis

DEPOSIT: A deposit of \$75.00 per set of Drawings and Project Manual is required with a limit of three (3) sets per Prime Bidder; and two (2) sets of Drawings and Project Manuals for electrical subcontractors.

REFUND: The deposit shall only be refunded to those prime bidders or electrical 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 electrical subcontractors,

and who return the drawings and Project Manuals in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of Bid Documents may be examined at the Engineer's office. Full sets may be purchased through the Engineer for \$75.00 per set for printing and handling cost. Partial sets may be purchased at \$2.50 per sheet of the drawings and \$.25 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.

NOTICE OF CORRECTION

REVISED RESPONSE DUE DATE

CORRECTION TO THE FOLLOWING ADVERTISEMENT THAT WAS PUBLISHED ON April 5, 2002

NOTICE TO PROFESSIONAL CONSULTANTS

Request for Proposal (RFP) – Professional Services

For Annual Contract for Construction Management Services The Office of Facilities Planning and Construction announces that professional services are required for an annual contract for Construction Management Services for Duval County Public Schools. The firm(s) selected under an annual contract will be responsible for assigned projects having estimated construction costs not exceeding the threshold amounts of \$500,000 (construction), provided for in Section 287.055,

Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to:

Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

PROJECT MANAGER: Thomas C. Young
PHONE NO.: (904)390-2279
RESPONSE DUE DATE: May 6, 2002, 4:00 p.m. (Instead of May 5, 2002)

MBE GOALS: 20% Overall
ALL OTHER CONDITIONS REQUIRMENTS REMAIN THE SAME. SEE COMPLETE ADVERTISEMENT PUBLISHED ON April 5, 2002.

PROJECT MANAGER: Thomas C. Young
PHONE NO.: (904)390-2279
RESPONSE DUE DATE: May 6, 2002, 4:00 p.m. (Instead of May 5, 2002)

ALL OTHER CONDITIONS REQUIRMENTS REMAIN THE SAME. SEE COMPLETE ADVERTISEMENT PUBLISHED ON April 5, 2002.

NOTICE OF CORRECTION
REVISED RESPONSE DUE DATE
CORRECTION TO THE FOLLOWING ADVERTISEMENT
THAT WAS PUBLISHED ON April 5, 2002
NOTICE TO PROFESSIONAL CONSULTANTS
Request for Proposal (RFP) – Professional Services
For Annual Contract for Construction Management Services
(For exclusive competition by qualified Minority Business Enterprises (MBEs) only)

The Office of Facilities Planning and Construction announces that professional services are required for an annual contract for Construction Management Services for Duval County Public Schools. The firm selected under an annual contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (study fees) respectively, provided for in Section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to:

Thomas C. Young
Duval County Public Schools
Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

Any party desiring additional information concerning participation on this project should contact:

Duval County Public Schools
Minority Business Affairs Office
1701 Prudential Drive, 4th Floor
Jacksonville, Florida 32207-8182

NOTICE OF CORRECTION
REVISED RESPONSE DUE DATE
CORRECTION TO THE FOLLOWING ADVERTISEMENT
THAT WAS PUBLISHED ON April 5, 2002
NOTICE TO PROFESSIONAL CONSULTANTS
Request for Proposal (RFP) – Professional Services
For Annual Contract for Mechanical Engineering Services
(For exclusive competition by qualified Minority Business Enterprises (MBEs) only)

The Office of Facilities Planning and Construction announces that professional services are required for an annual contract for Mechanical Engineering Services for Duval County Public Schools. The firm selected under an annual contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (study fees) respectively, provided for in Section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to:

Thomas C. Young
Duval County Public Schools
Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

Any party desiring additional information concerning participation on this project should contact:

Duval County Public Schools
Minority Business Affairs Office
1701 Prudential Drive, 4th Floor
Jacksonville, Florida 32207-8182

PROJECT MANAGER: Thomas C. Young
PHONE NO.: (904)390-2279
RESPONSE DUE DATE: May 7, 2002, 4:00 p.m. (Instead of May 5, 2002)

ALL OTHER CONDITIONS REQUIRMENTS REMAIN THE SAME. SEE COMPLETE ADVERTISEMENT PUBLISHED ON April 5, 2002.

NOTICE OF CORRECTION
REVISED RESPONSE DUE DATE
CORRECTION TO THE FOLLOWING ADVERTISEMENT
THAT WAS PUBLISHED ON April 5, 2002
NOTICE TO PROFESSIONAL CONSULTANTS

Request for Proposal (RFP) – Professional Services

For Annual Contract for Mechanical Engineering Services
The Office of Facilities Planning and Construction announces that professional services are required for an annual contract for Mechanical Engineering Services for Duval County Public Schools. The firm(s) selected under an annual contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (study fees) respectively, provided for in Section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to:

Duval County Public Schools
Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

PROJECT MANAGER: Thomas C. Young
PHONE NO.: (904)390-2279
RESPONSE DUE DATE: May 7, 2002 (Instead of May 5, 2002)
MBE GOALS: 15% Overall
ALL OTHER CONDITIONS REQUIRMENTS REMAIN THE SAME. SEE COMPLETE ADVERTISEMENT PUBLISHED ON April 5, 2002.

NOTICE OF CORRECTION
REVISED RESPONSE DUE DATE
CORRECTION TO THE FOLLOWING ADVERTISEMENT
THAT WAS PUBLISHED ON April 5, 2002
NOTICE TO PROFESSIONAL CONSULTANTS

Request for Proposal (RFP) – Professional Services

For Annual Contract for

Mechanical, Electrical and Plumbing Services

The Office of Facilities Planning and Construction announces that professional services are required for an annual contract for Mechanical, Electrical and Plumbing Services for Duval County Public Schools. The firm(s) selected under an annual contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (study fees) respectively, provided for in Section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to:

Duval County Public Schools
Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

PROJECT MANAGER: Thomas C. Young
PHONE NO.: (904)390-2279
RESPONSE DUE DATE: May 8, 2002, 4:00 p.m. (Instead of May 5, 2002)
MBE GOALS: 15% Overall
ALL OTHER CONDITIONS REQUIRMENTS REMAIN THE SAME. SEE COMPLETE ADVERTISEMENT PUBLISHED ON April 5, 2002.

NOTICE OF CORRECTION
REVISED RESPONSE DUE DATE
CORRECTION TO THE FOLLOWING ADVERTISEMENT
THAT WAS PUBLISHED ON April 5, 2002
NOTICE TO PROFESSIONAL CONSULTANTS

Request for Proposal (RFP) – Professional Services

For Annual Contract for Mechanical, Electrical and Plumbing Services (For exclusive competition by qualified Minority Business Enterprises (MBEs) only)

The Office of Facilities Planning and Construction announces that professional services are required for an annual contract for Mechanical, Electrical and Plumbing Services for Duval County Public Schools. The firm selected under an annual contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (study fees) respectively, provided for in Section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to:

Thomas C. Young
Duval County Public Schools
Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

Any party desiring additional information concerning participation on this project should contact:

Duval County Public Schools
Minority Business Affairs Office
1701 Prudential Drive, 4th Floor
Jacksonville, Florida 32207-8182

PROJECT MANAGER: Thomas C. Young
PHONE NO.: (904)390-2279

RESPONSE DUE DATE: May 8, 2002, 4:00 p.m. (Instead of May 5, 2002)
ALL OTHER CONDITIONS REQUIRMENTS REMAIN THE SAME. SEE COMPLETE ADVERTISEMENT PUBLISHED ON April 5, 2002.

provided for in Section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.
Applications are to be sent to:

Duval County Public Schools
Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

NOTICE OF CORRECTION
REVISED RESPONSE DUE DATE
CORRECTION TO THE FOLLOWING ADVERTISEMENT
THAT WAS PUBLISHED ON April 5, 2002
NOTICE TO PROFESSIONAL CONSULTANTS
Request for Proposal (RFP) – Professional Services

PROJECT MANAGER: Thomas C. Young
PHONE NO.: (904)390-2279
RESPONSE DUE DATE: May 9, 2002 (Instead of May 5, 2002)

For Annual Contract for Architectural Roofing Services
The Office of Facilities Planning and Construction announces that professional services are required for an annual contract for Architectural Roofing Services for Duval County Public Schools. The firm(s) selected under an annual contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (study fees) respectively, provided for in Section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

MBE GOALS: 20% Overall
ALL OTHER CONDITIONS REQUIRMENTS REMAIN THE SAME. SEE COMPLETE ADVERTISEMENT PUBLISHED ON April 5, 2002.

Applications are to be sent to:

Duval County Public Schools
Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

PROJECT MANAGER: Thomas C. Young
PHONE NO.: (904)390-2279
RESPONSE DUE DATE: May 9, 2002 (Instead of May 5, 2002)
MBE GOALS: Encouragement Plan Only
ALL OTHER CONDITIONS REQUIRMENTS REMAIN THE SAME. SEE COMPLETE ADVERTISEMENT PUBLISHED ON April 5, 2002.

NOTICE OF CORRECTION
REVISED RESPONSE DUE DATE
CORRECTION TO THE FOLLOWING ADVERTISEMENT
THAT WAS PUBLISHED ON April 5, 2002
NOTICE TO PROFESSIONAL CONSULTANTS

Request for Proposal (RFP) – Professional Services
For Annual Contract for Architectural Services
(For exclusive competition by qualified Minority Business Enterprises (MBEs) only)

The Office of Facilities Planning and Construction announces that professional services are required for an annual contract for Architectural Services for Duval County Public Schools. The firm selected under an annual contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (study fees) respectively, provided for in Section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to:

Thomas C. Young
Duval County Public Schools
Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

Any party desiring additional information concerning participation on this project should contact:

Duval County Public Schools
Minority Business Affairs Office
1701 Prudential Drive, 4th Floor
Jacksonville, Florida 32207-8182

PROJECT MANAGER: Thomas C. Young
PHONE NO.: (904)390-2279

NOTICE OF CORRECTION
REVISED RESPONSE DUE DATE
CORRECTION TO THE FOLLOWING ADVERTISEMENT
THAT WAS PUBLISHED ON April 5, 2002
NOTICE TO PROFESSIONAL CONSULTANTS
Request for Proposal (RFP) – Professional Services

For Annual Contract for Architectural Services
The Office of Facilities Planning and Construction announces that professional services are required for an annual contract for Architectural Services for Duval County Public Schools. The firm(s) selected under an annual contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (study fees) respectively,

RESPONSE DUE DATE: May 9, 2002, 4:00 p.m. (Instead of May 5, 2002)
ALL OTHER CONDITIONS REQUIRMENTS REMAIN THE SAME. SEE COMPLETE ADVERTISEMENT PUBLISHED ON April 5, 2002.

NOTICE OF CORRECTION
REVISED RESPONSE DUE DATE
CORRECTION TO THE FOLLOWING ADVERTISEMENT THAT WAS PUBLISHED ON April 5, 2002
NOTICE TO PROFESSIONAL CONSULTANTS
Request for Proposal (RFP) – Professional Services
For Annual Contract for Civil Engineering Services
(For exclusive competition by qualified Minority Business Enterprises (MBEs) only)

The Office of Facilities Planning and Construction announces that professional services are required for an annual contract for Civil Engineering Services for Duval County Public Schools. The firm selected under an annual contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (study fees) respectively, provided for in Section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to:

Thomas C. Young
Duval County Public Schools
Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

Any party desiring additional information concerning participation on this project should contact:

Duval County Public Schools
Minority Business Affairs Office
1701 Prudential Drive, 4th Floor
Jacksonville, Florida 32207-8182

PROJECT MANAGER: Thomas C. Young
PHONE NO.: (904)390-2279
RESPONSE DUE DATE: May 10, 2002, 4:00 p.m. (Instead of May 5, 2002)

ALL OTHER CONDITIONS REQUIRMENTS REMAIN THE SAME. SEE COMPLETE ADVERTISEMENT PUBLISHED ON April 5, 2002.

NOTICE OF CORRECTION
REVISED RESPONSE DUE DATE
CORRECTION TO THE FOLLOWING ADVERTISEMENT THAT WAS PUBLISHED ON April 5, 2002
NOTICE TO PROFESSIONAL CONSULTANTS
Request for Proposal (RFP) – Professional Services
For Annual Contract for Civil Engineering Services

The Office of Facilities Planning and Construction announces that professional services are required for an annual contract for Civil Engineering Services for Duval County Public Schools. The firm(s) selected under an annual contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (study fees) respectively, provided for in Section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to:

Duval County Public Schools
Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

PROJECT MANAGER: Thomas C. Young
PHONE NO.: (904)390-2279
RESPONSE DUE DATE: May 10, 2002 (Instead of May 5, 2002)

MBE GOALS: 15% Overall
ALL OTHER CONDITIONS REQUIRMENTS REMAIN THE SAME. SEE COMPLETE ADVERTISEMENT PUBLISHED ON April 5, 2002.

NOTICE TO PROFESSIONAL CONSULTANTS
FOR

Request for Proposal (RFP) – Professional Services
The Office of Facilities Planning and Construction announces that Architect/Engineer services are required for a project entitled New ESE Building and Media Center, Remodeling of Administration Building, Plumbing, HVAC, and Window Replacement at Arlington Middle School No. 213, DCSB Project No. C-90910 for Duval County Public Schools. The firm selected will be responsible for design, bid review and construction administration of this project having an estimated construction cost of approximately \$5,000,000. Be advised that this project has been combined with an existing project, No. M-86970, and the design and construction documents for the Plumbing, HVAC, and Window Replacement have been completed by M. V. Cummings Engineers, Inc., having an estimated construction cost of approximately \$2,150,000, for a total project construction budget of approximately \$7,150,000. The firm selected will be required to coordinate with M. V. Cummings Engineers, Inc., for Mechanical System Design.

The project scope shall consist of: 1) A New Free-Standing ESE Building (approximately 16,500 SF) with six (6) classrooms, a pre-vocational lab, administrative support spaces, and site improvements to include separate bus-loop and parent pick-up, 2) A New Free-Standing Media Center Building (approximately 11,500 SF), and 3) Remodeling of Existing Administration Building and Media Center into New Administration with Site Improvements at existing bus-loop and parent pick-up. The construction delivery method for the combined project will be through a Construction Manager.

Applications are to be sent to:

Duval County Public Schools
Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

PROJECT MANAGER: Kevin Trussell
PHONE NO.: (904)390-2279
RESPONSE DUE DATE: May 14, 2002
MBE GOALS: 10% AA, 5% HANA, 5% WBE

INSTRUCTIONS

Submit an original, and (4) copies of the following:

1. Letter of Interest indicating the firm's qualifications, related experience, ability to perform the work and other pertinent data.
2. Completed SF-254.
3. Completed SF-255.
4. Current completed Professional Qualifications Supplement (PQS) OFPC FORM 105-E.
5. Firm's current Florida Professional Registration Certificates.
6. Business Structure (Corporation, Joint Venture, Partnership).
7. 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.
8. Completed MBE Form 1, MBE Form 2A, MBE Form 4, as appropriate, and a description of the applicant's plan for Minority Business Enterprise participation.
9. Firms are required to demonstrate evidence of or the ability to secure Professional Liability Insurance for errors and omissions coverage in the amount of \$1,000,000 annual aggregate, not decreased by Attorney fees and cost.

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. Facsimile (FAX) submittals are not acceptable and will not be considered. 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. Selections will be made in accordance with Florida Statutes.

Applicants are advised that plans and specifications for this project may be reused as a prototype within the District. An appropriate contractual agreement will be made with the selected firm should this be necessary.

The selected firms will be posted in the First Floor, Lobby, Duval County School Board Building, 1701 Prudential Drive, Jacksonville, FL 32207, during regular business hours.

NOTICE TO PROFESSIONAL CONSULTANT

Request for Proposal (RFP) – Professional Services

The Office of Facilities Planning and Construction announces that Architect/Engineer services are required for a project entitled Addition of Two Science Labs at Paxon Middle School No. 75/DCSB Project No. C-90130 for Duval County Public Schools. The firm selected will be responsible for design, bid review and construction administration of this project having an estimated construction cost of approximately \$776,100. The project scope shall consist of construction of two science laboratories (one biology/chemistry and one physics); site improvements.

Applications are to be sent to:

Duval County Public Schools
Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

PROJECT MANAGER: JAMES SCOTT
PHONE NO.: (904)390-2279
RESPONSE DUE DATE: May 14, 2002
MBE GOALS: 20% OVERALL

INSTRUCTIONS

Submit an original, and (4) copies of the following:

1. Letter of Interest indicating the firm's qualifications, related experience, ability to perform the work and other pertinent data.
2. Completed SF-254.
3. Completed SF-255.
4. Current completed Professional Qualifications Supplement (PQS) OFPC FORM 105-E.
5. Firm's current Florida Professional Registration Certificates.
6. Business Structure (Corporation, Joint Venture, Partnership).
7. 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.
8. Completed MBE Form 1, MBE Form 2A, MBE Form 4, as appropriate, and a description of the applicant's plan for Minority Business Enterprise participation.

9. Firms are required to demonstrate evidence of or the ability to secure Professional Liability Insurance for errors and omissions coverage in the amount of \$500,000 annual aggregate, not decreased by Attorney fees and cost.

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. Facsimile (FAX) submittals are not acceptable and will not be considered. 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. Selections will be made in accordance with Florida Statutes.

Applicants are advised that plans and specifications for this project may be reused as a prototype within the District. An appropriate contractual agreement will be made with the selected firm should this be necessary.

The selected firms will be posted in the First Floor, Lobby, Duval County School Board Building, 1701 Prudential Drive, Jacksonville, FL 32207, during regular business hours.

NOTICE TO CONSTRUCTION MANAGEMENT FIRMS

Request for Proposal (RFP)

For Construction Management Services

The Office of Facilities Planning and Construction announces that Construction Management services are required for the following project:

Project Number: C-90910

Project Title: New ESE Building and Media Center, Remodeling of Administration Building, Plumbing, HVAC and Window Replacement

Project Location: Arlington Middle School No. 213

The selected Construction Manager will provide pre-construction services including value engineering, constructability analysis, development of a cost model estimating and will develop a Guaranteed Maximum Price at the applicable Construction Document phase.

The project scope shall consist of: 1) a New Free-Standing ESE Building (approximately 16,500 SF) with six (6) classrooms, a pre-vocational lab, administrative support spaces, and site improvements to include separate bus-loop and parent pick-up, 2) A New Free-Standing Media Center Building (approximately 11,500 SF), 3) Remodeling of Existing Administration Building and Media Center into New Administration with Site Improvements at existing bus-loop and parent pick-up, 4) Campus-wide Plumbing Replacement to include New Domestic Water Supply and Restroom Renovations, 5) HVAC Replacement to include a New Chiller, Piping, and Air Handlers, and 6) Campus-wide Window Replacement. The estimated project construction budget is approximately \$7,150,000. Be advised that this project's scope includes an existing project no. M-86970; where in, the design

and construction documents for the Plumbing, HVAC, and Window Replacement have been completed by M. V. Cummings Engineers, Inc. The additional scope including the ESE Building, New Media Center Building, Remodeling of Administration, and site work is currently advertised for selection of Architect/Engineer Services. The construction manager will coordinate between design teams as required.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability, financial capability, record keeping/administrative ability, critical path scheduling expertise, cost estimating, cost control ability, quality control ability, qualifications of firm's personnel, staff and consultants, and distance from the construction site.

To receive application information and instruction booklet or for additional information contact the Project Manager listed below or visit www.educationcentral.org/facilities.

Applications are to be sent to:

Facilities Planning and
Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

PROJECT MANAGER: Kevin Trussell

PHONE NO.: (904)390-2279

RESPONSE DUE DATE: May 14, 2002

MBE GOALS: 10% AA, 3% HANA, 7% WBE

INSTRUCTIONS

Submit original and four (4) copies of the following:

1. Letter of Interest indicating the firm's qualifications, related experience, ability to perform the work and other pertinent data.
2. Current completed Professional Qualifications Supplement (PQS) OFPC FORM 105-E.
3. Firm's current Florida Professional Registration Certificates.
4. Business Structure (Corporation, Joint Venture, Partnership).
5. 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.
6. Experience Questionnaire and Contractor's Financial Statement.
7. Years in business.
8. Resumes of proposed office and on-site staff.
9. Location(s) of office(s) – distance(s) from the site.
10. Examples of project reporting manuals, schedules, and cost controls.
11. Completed MBE Form 1, MBE Form 2A, MBE Form 4, as appropriate, and a description of the applicant's plan for Minority Business Enterprise participation

- 12. A list of references from prior clients.
- 13. Related building experience.
- 14. Use only ONE of the following>>
 - a. For projects less than \$2,000,000, use:
Firms are required to demonstrate evidence of or the ability to secure Professional Liability Insurance for errors and omissions coverage in the amount of \$500,000 annual aggregate, not decreased by Attorney fees and cost.

OR >>>>>>>>

- b. For projects greater than \$2,000,000 use:
Firms are required to demonstrate evidence of or the ability to secure Professional Liability Insurance for errors and omissions coverage in the amount of \$1,000,000 annual aggregate, not decreased by Attorney fees and cost. 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. Facsimile (FAX) submittals are not acceptable and will not be considered. 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. Selections will be made in accordance with SREF, 1999, Florida Administrative Code. Applicants are advised that plans and specifications for this project may be reused as a prototype within the District. An appropriate contractual agreement will be made with the selected firm should this be necessary.

stand-alone classroom facilities. The District shall utilize annual contracts or other contract methods for site adaptation, connection of utilities, canopies and all other necessary infrastructure. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

DCPS PROJECT MANAGER: THOMAS C. YOUNG
 PHONE NO.: (904)390-2279
 RESPONSE DUE DATE: May 21, 2002, 4:00 p.m.
 MBE GOALS: Encouragement

INSTRUCTIONS

Submit original and four (4) copies of the following (outlined in the Selection of the Design Build Firm on the Basis of Qualifications):

1. Letter of Interest indicating the firm’s qualifications, related experience, ability to perform the work and other pertinent data.
2. Completed SF-254.
3. Completed SF-255.
4. Current completed Professional Qualifications Supplement (PQS) OFPC FORM 105-E.
5. Firm’s current Florida Professional Registration Certificates.
6. Business Structure (Corporation, Joint Venture, Partnership).
7. 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.
8. Experience Questionnaire and Contractor’s Financial Statement.
9. Years in business.
10. Resumes of proposed office and on-site staff.
11. Location(s) of office(s) – distance(s) from the site.
12. Examples of project reporting manuals, schedules, and cost controls.
13. Completed MBE Form 1, MBE Form 2A, MBE Form 4, as appropriate, and a description of the applicant’s plan for Minority Business Enterprise participation.
14. A list of references from prior clients.
15. Related building experience.
16. Firms are required to demonstrate evidence of or the ability to secure Professional Liability Insurance for errors and omissions coverage in the amount of \$500,000 annual aggregate, not decreased by Attorney fees and cost.

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. Facsimile (FAX) submittals are not acceptable and will not be considered. Applications that do not comply with these instructions or

NOTICE TO DESIGN/BUILD FIRMS
 Request for Qualifications (RFQ)
 Selection of the Design/Build Firm
 On the Basis of Qualifications

The Office of Facilities Planning and Construction announces that Design/Build services are required for the project(s) listed below. Applications are to be sent to:

Thomas C. Young, General Director
 Duval County Public Schools
 Facilities Planning and Construction
 1701 Prudential Drive, 5th Floor
 Jacksonville, FL 32207-8182

PROJECT NAME: DISTRICT-WIDE PERMANENT PRECAST CLASSROOMS

PROJECT LOCATION: DUVAL COUNTY

SERVICES TO BE PROVIDED: To provide permanent precast classroom units throughout Duval County Public School District. The units shall be pre-engineered precast concrete wall units to comply with the Florida Building Code, State Requirements for Education Facilities and all other applicable codes. The District intent will be for the manufacturer to provide interior corridors for multiple units as

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. Selections will be made in accordance with Florida Statutes. Applicants are advised that plans and specifications for this project may be reused as a prototype within the District. An appropriate contractual agreement will be made with the selected firm should this be necessary.

SPACEPORT FLORIDA AUTHORITY

**REQUEST FOR EXPRESSIONS OF INTEREST
FOR MEDICAL BENEFITS SERVICES**

The Florida Space Authority is seeking expressions of interests and statements of qualifications by medical insurance carriers interested in participating with the Florida Space Authority in providing healthcare benefits to the Authority.

Medical Support must include general provisions regarding preventive care, office visits, hospital related services, hospital alternative services, approved hospital inpatient and outpatient services, and urgent care services. Miscellaneous health services and prescription medication services should also be included. Prior authorization and concurrent review processes should be included. Exclusions and limitations should be included. Although many premium rates are based upon the number of employees in the organization, rate information should be included to the extent possible.

Interested contractors should submit three (3) copies of their expressions of interest in a sealed envelope entitled "Medical Benefits": Manager, Human Resources, Florida Space Authority, 100 Spaceport Way, Cape Canaveral, FL 32937. NO PHONE CALLS PLEASE.

Letters of Interest should be submitted no later than April 30, 2002.

Florida Space Authority is not obligated to issue any contracts as a result of this solicitation. The Authority will evaluate responses to this solicitation and qualify contractors who may receive future requests for presentations.

**Section XII
Miscellaneous**

DEPARTMENT OF INSURANCE

IN THE MATTER OF:
FLORIDA RESIDENTIAL PROPERTY
AND CASUALTY JOINT
UNDERWRITING ASSOCIATION

CASE NO: 60707-02-CO

_____ /

**ORDER APPROVING AMENDMENT NO. 4 TO FLORIDA
RESIDENTIAL PROPERTY AND CASUALTY JOINT
UNDERWRITING ASSOCIATION AMENDED AND
RESTATED CREDIT AGREEMENT, AS AMENDED**

THIS MATTER came before the Treasurer and Insurance Commissioner for consideration and final agency action upon the request of the Florida Residential Property and Casualty Joint Underwriting Association (the "Association"), pursuant to Section 19(B) of the Association's Plan of Operation, as amended (the "Plan of Operation"), for approval of Amendment No. 4 to the Amended and Restated Credit Agreement, described herein below, which provides for the extension of an existing line of credit available under the Existing Agreement also described herein below.

On February 7, 1997, in Case No. 18190-96-C, the Treasurer and Insurance Commissioner entered an order entitled "Order Approving Florida Residential Property and Casualty Joint Underwriting Association Line of Credit Transaction" (the "1997 Line of Credit Order"). The 1997 Line of Credit Order approved, among other things, a credit agreement to be entered into by the Association and certain banks named therein (the "Original Credit Agreement") and the obtaining of loans by the Association thereunder. By its terms, the Original Credit Agreement would have terminated on May 13, 1999.

On January 20, 1999, in Case No, 27241-99-CO, the Treasurer and Insurance Commissioner entered an order entitled "Order Approving Florida Residential Property and Casualty Joint Underwriting Association Amended and Restated Credit Agreement" (the "1999 Line of Credit Order"). The 1999 Line of Credit Order approved, among other things, an Amended and Restated Credit Agreement among the Association, the Banks, Managing Agents, and Co-Agents party thereto and Morgan Guaranty Trust Company of New York, as Administrative Agent (the "Amended and Restated Credit Agreement"), the extension of the line of credit for a 364 day period and the reduction of the aggregate commitments available thereunder from \$1,500,000,000 to an amount not exceeding \$750,000,000. The Amended and Restated Credit Agreement was amended by Amendment No. 1 dated as of September 2, 1999. By the terms of Amendment No. 1, the Amended and Restated Credit Agreement would have terminated on March 28, 2000.

The Association later desired to extend the line of credit provided under the Amended and Restated Credit Agreement as amended by Amendment No. 1 thereto, and its ability to obtain loans under that same agreement, for an additional 364 day period and to reduce the aggregate commitments available thereunder from \$750,000,000 to \$640,000,000, by amending that same agreement as set forth in that certain Amendment No. 2 to Amended and Restated Credit Agreement among the Association, the Banks, Managing Agents and Co-Agents party thereto and Morgan Guaranty Trust Company of New

York, as Administrative Agent (“Amendment No. 2”). Amendment No. 2 was in substantially the same form as evidenced by the copy thereof attached as an exhibit to the previous order approving the same and was incorporated therein. By the terms of Amendment No. 2, the Amended and Restated Credit Agreement as previously amended would have expired on March 27, 2001.

The Association later desired to extend the line of credit provided under the Amended and Restated Credit Agreement as amended by Amendments No 1 and No. 2 thereto, and its ability to obtain loans under that same agreement, for an additional 364 day period and to reduce the aggregate commitments available thereunder from \$640,000,000 to \$570,000,000, by amending that same agreement as set forth in that certain Amendment No. 3 to Amended and Restated Credit Agreement among the Association, the Banks, Managing Agents and Co-Agents party thereto and Morgan Guaranty Trust Company of New York, as Administrative Agent (“Amendment No. 3”). Amendment No. 3 was in substantially the same form as evidenced by the copy thereof attached as an exhibit to the previous order approving the same and was incorporated therein. By the terms of Amendment No. 3 the Amended and Restated Credit Agreement (as so amended, the “Existing Agreement”) expires on March 26, 2002.

The Association has now requested an additional amendment (No.4) extending the line of credit in an amount not to exceed \$570,000,000 for an additional period of time up to but not past May 14, 2002. As required by Section 19(B) of the Plan of Operation, the Association has filed with the Department of Insurance (the “Department”) a statement of the purpose of the extended line of credit and an estimate of the costs to be incurred by the Association in the procurement of such extended line of credit. The Treasurer and Insurance Commissioner, having read and considered this submission, and being otherwise advised in the premises, hereby finds that:

1. The Treasurer and Insurance Commissioner, as head of the Department, has jurisdiction over the subject matter of, and the parties to, this proceeding pursuant to §627.351(6), Florida Statutes.
2. The extended line of credit, as amended, is for the purpose of providing additional resources to assist the Association in covering claims and expenses attributable to a deficit and is hereby determined to be for a valid purpose under §627.351 (6)(b)3.e., Florida Statutes, and other provisions of said statute. The Existing Agreement, as amended by Amendment No. 4, is hereby deemed to be a “loan agreement” within the meaning of, and is approved for purposes of, Section 19(B) of the Plan of Operation.
3. The Association has authority to enter into Amendment No. 4, pursuant to §627.351(6), Florida Statutes, and Section 19(B) of the Plan of Operation.

IT IS THEREFORE ORDERED:

That the request of the Association to extend the line of credit transaction contemplated by the Existing Agreement as amended by Amendment No. 4, including the obtaining of loans by the Association thereunder, and the pledge by, the Association of the Regular Assessments and Emergency Assessments and other Collateral (as such terms are defined in the Existing Agreement as amended by Amendment No. 4), to secure such loans, is hereby APPROVED.

DONE and ORDERED this 26th day of March, 2002.

 Tom Gallagher
 Treasurer and
 Insurance Commissioner

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla. R. App. P. Review proceedings must be instituted by filing a petition or notice of appeal with the General Counsel, acting as the agency clerk, at 612 Larson Building, Tallahassee, Florida, and a copy of the same with the appropriate district court of appeal within thirty (30) days of rendition of this Order.

DEPARTMENT OF EDUCATION

CM SELECTION RESULTS

The Florida School for the Deaf and the Blind announces that on the date listed below ranking was determined and an intent was issued to negotiate and enter into a contract for Construction Management Services in accordance with the Consultants Competitive Negotiation Act for the following:

DATE: March 19, 2002

NAME OF AGENCY: The Florida School for the Deaf and the Blind

PROJECT NUMBER: FSDB-20020003

PROJECT NAME: McLane Hall Renovation

1. Auld & White Constructors, Inc., Jacksonville
2. Batson-Cook Company, Jacksonville
3. Perry-McCall Construction, Inc., Jacksonville
4. W.G. Mills, Inc., Jacksonville

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA02-OR-083

In re: CITY OF MARATHON LAND DEVELOPMENT

REGULATIONS ADOPTED BY

CITY OF MARATHON ORDINANCE NO. 02-01-07

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
2. On February 11, 2002, the Department received for review City of Marathon Ordinance No. 02-01-07 which was adopted by the City of Marathon City Council on January 8, 2002 ("Ord. 02-01-07").
3. Ord. 02-01-07 amends the City's Land Development Regulations to establish procedures and standards for regulating development within the floodplain.
4. Ord. 02-01-07 is consistent with the City's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).
6. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 02-01-07 are land development regulations.
8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
9. Ord. 02-01-07 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

10. Ord. 02-01-07 is not inconsistent with the remaining Principles. Ord. 02-01-07 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-01-07 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF

ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this __ day of March, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Robert K. Miller
Mayor
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050
Katherine V. Selchan
City Clerk
City of Marathon
210 University Drive
Coral Springs, Florida 33071
Craig Wrathell
City Manager
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050
John R. Herin, Jr.
Weiss, Serota, Helfman, Pastoriza and Guedes, P.A.
City Attorneys
City of Marathon
2665 South Bayshore Drive, Suite 420
Miami, Florida 33133
By Hand Delivery or Interagency Mail:
Michael McDaniel, Growth Management Administrator, DCA
Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office
Richard A. Lotspeich, Assistant General Counsel, DCA
Tallahassee

DCA Final Order No.: DCA02-OR-095
In re: CITY OF KEY WEST LAND DEVELOPMENT
REGULATIONS ADOPTED BY
CITY OF KEY WEST ORDINANCE NO. 02-06

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The City of Key West is a designated area of critical state concern.
- 2. On February 22, 2002, the Department received for review City of Key West Ordinance No. 02-06 which was adopted by the City of Key West City Commission on February 20, 2002 ("Ord. 02-06"). Ord. 02-06 amends Section 5-21.2 of the Land Development Regulations to amend the definition of "transient living accommodations and

transient lodging” and adds a new section 2-7.21 regulating transient living accommodations in residential dwellings.

3. Ord. 02-06 is consistent with the City’s Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in an area of critical state concern. §§ 380.05(6) and (11), Fla. Stat., (2001).
5. The City of Key West is an Area of Critical State Concern. § 380.05, Fla. Stat. (2001) and Rule 28-36.001, Fla. Admin. Code.
6. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 02-06 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the “Principles”). § 380.05(6), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles for the City of Key West Area of Critical State Concern are set forth in Rule 28-36.003, Fla. Admin. Code.
8. Ord. 02-06 promotes and furthers the following Principles in Rule 28-36.003(1):
 - (a) To strengthen local government capabilities for managing land use and development.
 - (h) Protection of the public health, safety, welfare and economy of the City of Key West and the maintenance of Key West as a unique Florida Resource.
10. Ord. 02-06 is not inconsistent with the remaining Principles. Ord. 02-06 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-06 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE.

A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this __ day of March, 2002.

Paula Ford, Agency Clerk

- By U.S. Mail:
- Jimmy Weekly
Mayor of the City of Key West
P. O. Box 1409
Key West, Florida 33041
Cheri Smith
Clerk to the City Commission
P. O. Box 1409
Key West, Florida 33041
- Robert Tischenkel
City Attorney
P. O. Box 1409
Key West, FL 33041
- Julio Avel
City of Key West
P. O. Box 1409
Key West, FL 33041
- By Hand Delivery or Interagency Mail:

- Michael McDaniel, Growth Management Administrator, DCA Tallahassee
- Rebecca Jetton, DCA Florida Keys Field Office
- Richard A. Lotspeich, Assistant General Counsel, DCA Tallahassee

NOTICE OF APPROVAL
FOR PRESERVATION 2000 FUNDS

The Florida Communities Trust (“Trust”) reviewed and approved project plans for land acquisition projects submitted under the Trust Preservation 2000 Program, Series P10 funding cycle. The project plan listed below was approved by the Executive Director under authority delegated from the governing body. The Executive Director is authorized to execute the agreements for acquisition of the project sites and all other documents necessary to close the project and that funds be released as follows:

- Project: 00-071-P10/Pembroke Pines Preserve Expansion
Grantee: City of Pembroke Pines
Amount of Approved Funds: the lesser of 99.00% of the final total project costs or \$2,164,635.00
- Project: 00-082-P10/Russell Harber Landing Expansion
Grantee: City of Milton
Amount of Approved Funds: the lesser of 100.00% of the final total project costs or \$519,800.00

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer’s recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled “Petition for Administrative Proceedings” within 21 calendar days of the publication date of this notice of final agency

action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Indian Motorcycle Company intends to allow the establishment of Arlen Ness Custom Motorcycles, as a dealership for the sale of Indian Motorcycles, at 420 North Beach Street, Daytona (Volusia County), Florida 32114, on or after March 26, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Arlen Ness Custom Motorcycles are dealer operator and principal investor(s): Bruce Rossmeyer, 420 North Beach Street, Daytona Beach, FL 32114.

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: Mr. Ethan B. Bing, Dealer Development Manager, Indian Motorcycle Company, 200 East Tenth Street, Gilroy, CA 95020.

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, Indian Motorcycle Company intends to allow the establishment of Daytona Custom Motorcycles, as a dealership for the sale of Indian Motorcycles, at 18975 N. W. 2nd Avenue, Miami (Dade County), Florida 33169, on or after March 26, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Daytona Custom Motorcycles are dealer operator and principal investor(s): Bruce Rossmeyer, 420 North Beach Street, Daytona Beach, FL 32114.

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: Mr. Ethan B. Bing, Dealer Development Manager, Indian Motorcycle Company, 200 East Tenth Street, Gilroy, CA 95020.

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, American IronHorse Motorcycles Company, intends to allow the establishment of Arlen Ness Motorcycles Miami as a dealership for the sale of American IronHorse motorcycles, apparel and parts, at 18975 N. W. 2nd Avenue, Miami (Dade County), Florida 33169, on or after March 25, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Arlen Ness Motorcycles Miami are dealer operator: Luis Visuetti, 18975 N. W. 2nd Avenue, Miami, FL 33169; principal investor(s): Bruce Rossmeier, 18975 N. W. 2nd Avenue, Miami, FL 33169.

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: Ms. Elizabeth A. Owens, VP/Marketing & Sales, American IronHorse Motorcycle Company, 4600 Blue Mound Road, Ft. Worth, TX 76106.

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 the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that American Honda Motor Co., intends to allow the relocation of AutoNation Imports of Longwood, Inc. d/b/a Courtesy Honda, as a dealership for the sale of Honda motor vehicles, from its present location at 2800 N. U.S. Highway 17-92, Longwood, FL 32750, to a proposed location at 1000 Rinehart Road, Sanford (Seminole County), Florida 32271, on or after March 28, 2002.

The name and address of the dealer operator(s) and principal investor(s) of AutoNation Imports of Longwood, Inc. d/b/a Courtesy Honda are dealer operator: Gregory Rothfeldt, 656 Oak Hollow Way, Altamonte Springs, FL principal investor(s): AutoNation Imports of Longwood, Inc. d/b/a Courtesy Honda, 2800 N. U.S. Highway 17-92, Longwood, FL 32750.

The notice indicates intent to relocate the franchise 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, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Bill Green, Market Planning Manager, American Honda Motor Co., Inc., 1919 Torrance Boulevard, Torrance, CA 90501-2746.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Daimler Chrysler Motors Company, LLC, intends to allow the relocation of Northwest Automotive, LLC d/b/a Miami Chrysler-Jeep, as a dealership for the sale of Chrysler and Jeep vehicles, from its present location at 8345 N. W. 7th

Avenue, Miami, FL 33150, to a proposed location at 1850 Northeast 123rd Street, North Miami (Dade County), Florida 33181 on or after April 1, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Northwest Automotive, LLC d/b/a Miami Chrysler-Jeep are dealer operator: George Psihogios, 8345 N. W. 7th Avenue, Miami, FL 33150; principal investor(s): Planet Automotive Group, Inc., Alan H. Potamkin and Robert M. Potamkin, 2333 Ponce De Leon Blvd., Suite 600, Coral Gables, FL 33134.

The notice indicates intent to relocate the franchise 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, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: J. J. Browne, Zone Manager, Daimler Chrysler Motors Company, LLC, 10300 Boggy Creek Road, Suite 110, Orlando, FL 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF HOSPICE PROGRAM FIXED NEED POOL

The Agency for Health Care Administration has projected a fixed need pool for hospice programs, defined in accordance with Sections 400.601-400.602, Florida Statutes (F.S.) and 408.031-408.045, F.S. Fixed need pool projections are for hospice programs planned for July 2003, pursuant to the provisions of Rule 59C-1.0355, Florida Administrative Code. Letters of intent to apply for Certificates of Need pursuant to

this notice must be filed with the Certificate of Need Program Office, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., April 29, 2002.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of the publication. If the agency concurs in the error, the fixed need pool number will be adjusted prior to or during the grace period for this cycle. Failure to notify the agency of the error during this ten day period waives a person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, F.S. In order to request a proceeding under Section 120.57, F.S., a request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Fort Knox, Building Three, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Hospice Program Net Need

Service Area	Net Need	Service Area	Net Need
District 1	0	Subdistrict 5A	0
Subdistrict 2A	0	Subdistrict 5B	0
Subdistrict 2B	0	Subdistrict 6A	0
Subdistrict 3A	0	Subdistrict 6B	0
Subdistrict 3B	0	Subdistrict 6C	0
Subdistrict 3C	0	Subdistrict 7A	0
Subdistrict 3D	0	Subdistrict 7B	0
Subdistrict 3E	0	Subdistrict 7C	0
Subdistrict 4A	0	Subdistrict 8A	0
Subdistrict 4B	0	Subdistrict 8B	0
Subdistrict 8C	0	Subdistrict 9C	0
Subdistrict 8D	0	District 10	0
Subdistrict 9A	0	District 11	0
Subdistrict 9B	0	Total	0

Purchase Order Number: S5900J00496

**NOTICE OF PEDIATRIC CARDIAC
CATHETERIZATION PROGRAM
FIXED NEED POOL**

The Agency for Health Care Administration has projected a fixed need pool for pediatric cardiac catheterization programs for July 2004, pursuant to the provisions of Rules 59C-1.008 and 59C-1.032, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 351, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., April 29, 2002.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs in the error, the fixed need pool number will be adjusted prior to or during the grace period for this cycle. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee,

Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Pediatric Cardiac Catheterization Program Net Need

	Net		Net
Service Area	Need	Service Area	Need
1	0	4	0
2	0	5	0
3	0	Total	0

Purchase Order Number: S5900J00496

**NOTICE OF OPEN HEART SURGERY PROGRAM
FIXED NEED POOL**

The Agency for Health Care Administration has projected a fixed need pool for open heart surgery programs for July 2004, pursuant to the provisions of Rules 59C-1.008 and 59C-1.033, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 351, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., April 29, 2002.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs in the error, the fixed need pool number will be adjusted prior to or during the grace period for this cycle. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Adult Open Heart Surgery Program Net Need

District	Net Need	District	Net Need
1	0	7	0
2	0	8	0
3	0	9	0
4	0	10	0
5	0	11	0
6	0	Total	0

Pediatric Open Heart Surgery Program Net Need

Service Area	Net Need	Service Area	Net Need
1	0	4	0
2	0	5	0
3	0	Total	0

Purchase Order Number: S5900J00496

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT

The Florida Department of Environmental Protection has determined that the proposed Keystone Heights wastewater facilities will not have a significant adverse affect on the environment.

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 Finding of No Significant Impact, please contact Troy M. Mullis, (850)488-8163.

DEPARTMENT OF HEALTH

On March 29, 2002, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Aldo Mejias, M.D., license number ME 0070558. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.225(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 26, 2002, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Earl Ray Hanshaw, R.Ph., license number PS 20955. Hanshaw's last known address is 905 North Harbor City Boulevard, Melbourne, Florida 321752-1182. This Emergency Order was predicated upon the Secretary's findings of an immediate and

serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

The Florida Fish and Wildlife Conservation Commission announces the availability of permits granting alligator farmers the authority to collect alligator hatchlings pursuant to subsection 68A-25.031(1), F.A.C. Persons wishing to apply for an available permit shall do so in writing within 30 days after original publication of this notice. Late applications shall not be accepted. If all openings are not filled after first 30 days, permits will be granted on a first come first serve basis. Only

persons licensed as alligator farmers pursuant to Section 372.6673, Florida Statutes, may apply, and only one application per person shall be accepted. The available permits shall be assigned by random drawing of qualified applicants. Individuals assigned an available permit shall be notified. Applicants shall have 180 days after notification to meet the eligibility criteria for alligator farm facilities specified in Florida Administrative Code.

The applications should be sent to: The Florida Fish and Wildlife Conservation Commission, Attn: Lieutenant Delmar Teagan, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN March 25, 2002
 and March 29, 2002**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF BANKING AND FINANCE

Division of Banking

3C-560.902	3/28/02	4/17/02	28/3	28/9
3C-560.903	3/28/02	4/17/02	28/3	28/9
3C-560.907	3/28/02	4/17/02	28/3	28/9
3C-560.908	3/28/02	4/17/02	28/3	28/9
3C-560.909	3/28/02	4/17/02	28/3	28/9
3C-560.910	3/28/02	4/17/02	28/3	28/9
3C-560.911	3/28/02	4/17/02	28/3	28/9
3C-560.912	3/28/02	4/17/02	28/3	28/9

Division of Finance

3D-20.0021	3/27/02	4/16/02	27/33	28/8
3D-20.0022	3/27/02	4/16/02	27/33	28/8
3D-20.0026	3/27/02	4/16/02	27/33	
3D-20.030	3/27/02	4/16/02	27/33	28/8
3D-20.036	3/27/02	4/16/02	27/33	
3D-20.040	3/27/02	4/16/02	27/33	

DEPARTMENT OF INSURANCE

4-149.204	3/28/02	4/17/02	28/6	
4-149.205	3/28/02	4/17/02	28/6	
4-149.206	3/28/02	4/17/02	28/6	
4-149.207	3/28/02	4/17/02	28/6	

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

5C-11.015	3/25/02	4/14/02	28/4	
5C-24.003	3/25/02	4/14/02	28/4	

DEPARTMENT OF EDUCATION

State Board of Education

6A-4.0151	3/28/02	7/1/02	28/6	
6A-4.01793	3/28/02	4/17/02	28/6	
6A-4.01795	3/28/02	7/1/02	28/6	
6A-4.01796	3/28/02	7/1/02	28/6	
6A-4.0232	3/28/02	7/1/02	28/6	
6A-4.0243	3/28/02	4/17/02	28/6	
6A-4.0281	3/28/02	7/1/02	28/6	
6A-4.0283	3/28/02	7/1/03	28/6	
6A-4.030	3/28/02	7/1/02	28/6	
6A-4.060	3/28/02	4/17/02	28/6	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF TRANSPORTATION

14-98.001	3/27/02	4/16/02	27/51	
14-98.002	3/27/02	4/16/02	27/51	
14-98.003	3/27/02	4/16/02	27/51	28/9
14-98.004	3/27/02	4/16/02	27/51	
14-98.005	3/27/02	4/16/02	27/51	28/9
14-98.006	3/27/02	4/16/02	27/51	
14-98.007	3/27/02	4/16/02	27/51	
14-98.008	3/27/02	4/16/02	27/51	28/9

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

18-2.018	3/28/02	4/17/02	28/8	
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DEPARTMENT OF CORRECTIONS

33-401.501	3/26/02	4/15/02	27/48	28/4
33-601.314	3/29/02	4/18/02	28/3	28/9

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-2.091	3/25/02	4/14/02	28/6	
40D-2.301	3/25/02	4/14/02	28/6	
40D-2.381	3/25/02	4/14/02	28/6	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

61G2-7.010	3/25/02	4/14/02	28/7	
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Board of Funeral Directors and Embalmers

61G8-21.003	3/26/02	4/15/02	28/6	
61G8-32.002	3/25/02	4/14/02	28/3	28/9

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-620.610	3/28/02	4/17/02	27/51	28/9
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DEPARTMENT OF HEALTH

Board of Psychology

64B19-12.0041	3/27/02	4/16/02	28/7	
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Board of Speech-Language Pathology and Audiology

64B20-7.001	3/25/02	4/14/02	27/46	28/7
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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

65-29.001	3/25/02	4/14/02	27/21	28/4
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