

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Reasonableness of Benefits in Relation to Premiums	4-149.005
Actuarial Memorandum and Definitions	4-149.006
Annual Rate Filing Procedures	4-149.007

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: A second rule development workshop is being scheduled concerning these rules. The amendments accomplish the following:

- Update the definition of Loss Ratio**N* – Simplify the definition of loss ratio**N* to make the test more efficient and effective. The amendments do not change the loss ratio test, but only the mechanism of demonstrating compliance.
- Technical corrections
- Clarify that rates do not have to be reduced if the loss ratio tests are not met within a 15% margin
- Add some definitions to help clarify the rules
- Enhance annual rate certification filings
- Add provision to allow an updating of the original duration loss ratio table

SPECIFIC AUTHORITY: 624.308(1), 627.410(6)(b),(d),(e) FS.

LAW IMPLEMENTED: 627.410, 627.410(1),(2),(6), 627.410(6)(d),(e), 627.411(1)(e), 627.9175 FS.

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

TIME AND DATE: 10:00 a.m., July 24, 2002

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Frank Dino, Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, (850)413-5014

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-149.005 Reasonableness of Benefits in Relation to Premiums.

(1) No change.

(2) A premium schedule is not excessive if the following are true:

(a) For a new ~~p~~Policy ~~F~~Form, ~~g~~Group or ~~i~~Individual, the ~~a~~Anticipated ~~L~~Loss ~~R~~Ratio, as defined in Rule 4-149.006(3)(b)20., F.A.C., is not less than the indicated appropriate adjusted entry in the loss ratio tables, in subsection (4), below.

~~(b)1. For an individual forms, and group policy forms other than annually rated group Ppolicy Fforms, approved on or after 2/1/94 or issued on or after 6/1/94, the Premium Schedule satisfies the following 1. through 3., below:~~

~~a.1. An Anticipated Loss Ratio test such that the present value of projected claims is not less than the present value of expected claims over the entire future lifetime of the form. This is equivalent to the present value of the future A/E ratio not being less than 1.0; The current Anticipated Loss Ratio is not less than the greater of the initial filed loss ratio and the weighted average of the Anticipated Loss Ratios * N, as defined in Rule 4-149.006(4)(b), where the weights are the present value of premiums over the entire future lifetime by policy year or issue year; and~~

~~b.2. The current Llifetime LLoss RRatio, as defined in Rule 4-149.006(3)(b)24., F.A.C., is not less than the initial filed loss ratio for the form; and~~

~~3. The Actual to Expected Claims Ratios, as defined in Rule 4-149.006(4)(a), for the Policy Form are, both in pattern and aggregate value, consistently at or in excess of .85.~~

(c) through (d) No change.

(3) through (4) No change.

(5)(a) Group conversion insurance, other than long-term care and Medicare supplement insurance, issued on either a group or an individual basis, is exempt from the loss ratios required above.

(b) The loss ratio for group conversion insurance shall not be less than 120%.

(c) The insurer may charge the excess of the group conversion loss ratio over that required for group insurance on active lives to the experience for insurance on active lives.

(d) The premium to be charged for group conversion insurance subject to Section 627.6675, Florida Statutes, shall may not exceed the limits of Section 627.6675(3), Florida Statutes based on the standard risk rates as established in Part X of this rule chapter.

(6) through (9) No change.

(10) Prohibitions. ~~The Department has determined that certain rating activities are against the public policy of this state and are therefore prohibited because the activities may result in premium escalations which are not viable for the policyholder or in unfair discrimination in sales practices, an example of which is inappropriate risk selection criteria.~~

(a) For all long term care policy forms and other ~~p~~Policy ~~f~~Forms under which more than fifty percent (50%) of the policies/certificates are issued to persons age 65 or older, ~~a~~Attained ~~a~~Age ~~p~~Premium ~~s~~Structures, as defined in Rule 4-149.006(4)(c), F.A.C. are prohibited. Only premium structures which prefund the aging component of future claim costs are allowed.

(b) Select and Ultimate Premium Schedules, as defined in Rule 4-149.006(4)(~~t~~)(~~p~~), F.A.C. are prohibited.

(c) Attained age premium schedules where the slope by age is substantially different from the slope of the ultimate claim cost curve are prohibited.

~~(11) For each Individual Policy Form that has been actively offered for sale in the twelve (12) months immediately preceding October 1, 1993, a continuation decision must be provided to the Department on or before May 1, 1994. For existing Policy Forms that will continue to be made available for purchase and for all Policy Forms filed and approved after February 1, 1994, availability for purchase of the Policy Form shall not be discontinued at any future date without penalty. The penalty imposed is that a new Policy Form providing similar benefits cannot be filed for a period of five (5) years from the date of discontinuance, unless the Department determines that a shorter period is appropriate, as provided for in Section 627.410(6)(e), Florida Statutes.~~

Specific Authority 624.308(1), 627.410(6)(b),(d) FS. Law Implemented 627.410(6)(d),(e), 627.411(1)(e), 627.9175 FS. History—New 7-1-85, Formerly 4-58.05, 4-58.005, Amended 4-18-94,_____.

4-149.006 Actuarial Memorandum and Definitions.

(1) through (2) No change.

(3) Descriptions.

(a) No change.

(b) The descriptions, by item number, of the terms listed above in subsection (2) follow:

1. through 19. No change.

20. Anticipated Loss Ratio: ~~This loss ratio is defined as the~~ The present value of future benefits divided by the present value of future annual premiums computed over the eEntire ~~F~~future ~~L~~ifetime of the ~~p~~Policy ~~f~~Form. ~~The assumptions as to persistency and interest used in the present values must be justified and consistent with those used for pricing.~~

a. When claim cost projections include the effect of medical trend, premium projections shall also include the effects of such trend. Projections shall assume future premium schedule increases consistent with benefit projections and medical trend.

b. This section shall also include the aAnticipated ~~L~~oss ~~r~~Ratio and the Anticipated Loss Ratio*N for each policy year and the current approved durational loss ratio table for the form.

(I) If the durational loss ratio table is proposed to be amended, the currently approved table and the table proposed for approval shall be provided, together with a justification for the new table.

(II) The proposed new table shall be consistent with the claim projections contained in the filing.

(III) If approved, the new table will be used in filings made subsequent to the one in which it is being proposed.

(IV) A new table shall produce a lifetime loss ratio at least as great as the lifetime loss ratio developed from the current approved loss ratio table and shall be the lifetime standard for the form.

(V)(A) When the durational loss ratio table or persistency and interest assumptions are changed from those used in prior filings, any rate increase due to the change shall be uniformly implemented over a 3-year period.

(B) The insurer may request a shorter phase-in period if it can be demonstrated that the shorter period is not expected to result in greater than a 5 percent reduction in persistency, or a 25 percent increase in lapse rate, from what had been assumed in the most recently approved rate filing.

(C) At its option, a company may request a new business rate based on the full effect of the new assumptions with the phase-in only applicable to inforce insureds.

(D) When a new business rate is elected, the rate analysis for the form shall be based on the new business rate schedule level.

21. through 22. No change.

23. Experience on the Form (Past and Future Anticipated): This section shall display the actual experience on the form and that expected for the future. Experience from inception (or the last three years for annually rated group coverages, with no separation of experience data by issue year required) shall be displayed, although, with proper interest adjustment, the experience for calendar years more than 5 five years in the past may be combined. For each calendar year and, where appropriate, each policy year or issue year, the following information shall be displayed:

- a. Year,
- ~~b. Collected premium,~~
- ~~b.e. Earned premium,~~
- ~~c.d. Paid claims,~~
- ~~e. Paid loss ratio $(=(d)/(b))$,~~
- ~~d.f. Change in claim liability and reserve,~~
- ~~e.g. Incurred claims $(=(c)+(d))$ $(=(d)+(f))$,~~
- ~~f.h. Incurred loss ratio $(=(e)/(b))$ $(=(g)/(e))$,~~
- ~~g. Expected loss ratio,~~
- ~~h.i. Expected incurred claims,~~
- ~~i.j. Actual-to-expected claims $(=(e)/(h))$ or $(=(f)/(g))$ $((g)/(i))$,~~
- ~~j.k. Active Life Reserves,~~
- k. Earned premium on a manual rate basis, i.e. removing the impact of adjustments to the approved rate manual, such as underwriter adjustments, the impact of any rate limits and experience rating.

l. Earned premium on a constant rate basis.

For future years, all columns except (c) and (d) (e), (g), and (h), shall be displayed. For periods where the actual claim runoff is complete, that data shall be displayed to replace (e)(f). Past experience shall be presented on both an actual basis and a constant premium rate basis. The experience exhibit shall be available to be submitted electronically in an Excel worksheet upon request directly to the assigned analyst.

24. Lifetime Loss Ratio: This is the loss ratio determined over the rating period for annually rated groups. For other forms, the loss ratio is derived by dividing A by B where:

- a. A is the sum of the accumulated incurred claims from the original effective date of the ~~p~~Policy ~~f~~Form to the evaluation date effective date of the revision, and the present value of future incurred claims over the ~~e~~Entire ~~f~~Future ~~l~~Lifetime of the ~~p~~Policy ~~f~~Form; and
- b. B is the sum of the accumulated earned ~~annual~~ premiums from the original effective date of the ~~p~~Policy ~~f~~Form to the evaluation date effective date of the revision, and the present value of future earned ~~annual~~ premiums over the ~~e~~Entire ~~f~~Future ~~l~~Lifetime of the ~~p~~Policy ~~f~~Form.

c. Where the evaluation date is the endpoint of the actual experience review period.

25. through 27. No change.

28. Actuarial Certification:

a. Certification by a qualified actuary that to the best of the actuary's knowledge and judgment;

(I) The entire rate filing is in compliance with the applicable laws of the State of Florida and with the rules of the Department of Insurance;

(II) and Complies with Actuarial Standard of Practice No. 8, "Regulatory Filings for Rates and Financial Projections for Health Plans," as adopted by the Actuarial Standards Board, January, 1989, which standard is hereby adopted and incorporated by reference; and

(III) that The benefits are reasonable in relation to the proposed premiums.

b. In making the certification, the definition of reasonableness means that the premiums are not excessive, not inadequate, and not unfairly discriminatory as these terms are described in Rule 4-149.005, F.A.C.

c. A copy of the standard may be obtained from the Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, Larson Building, Tallahassee, FL 32399-0328.

d. A qualified actuary is one who is member of the Society of Actuaries or the American Academy of Actuaries and who is qualified in the area of health insurance.

e. If the actuary provides a qualified opinion, a detailed explanation and reason for the qualification shall be provided as part of the certification.

f. In providing the actuarial opinion and certification, the actuary shall consider actuarial standards of practice and the qualification standards for prescribed statements of actuarial opinion.

(4) Definitions.

(a)1. Actual-to-Expected (A/E) Claims ratio: The expected claims are the product of the anticipated loss ratio and the earned premium, both on a policy year or issue year basis. The ratio of is actual incurred claims under the policy form divided by expected claims. This is equivalent to the actual or projected annual loss ratio divided by the applicable durational loss ratios.

2. For projected periods, the A/E ratio is the ratio of the projected claims divided by the expected claims.

3. Both the year-by-year pattern of the A/E these ratios and the aggregate past, future, and lifetime inception to date total ratios shall be presented.

(b) Annually Rated Group Policies: Group policies, including major medical coverage, which meet all of the following criteria: Anticipated Loss Ratio*N: For each value of N, this is the anticipated loss ratio with the first (N-1) policy years removed and is read "the anticipated loss ratio star N". The present value calculations use pricing assumptions. These values shall be provided for each policy year for each new policy filing. These shall be updated for each rate filing to reflect any change in the minimum lifetime loss ratio for the policy form.

1. The policies are funded on a 1 year basis to satisfy loss ratio requirements.

2. The policies are expected to be repriced annually based on trend and demographic changes.

3. Effects of underwriting, if any, are part of the composite assumptions so that durational claims experience is incorporated into the composite rate.

4. Aging is not pre-funded, as in a Medicare supplement or long term care policy.

(c) through (d) No change.

(e) Credible Data:

1. If a policy form has 2000 or more policies in force, then full (100%) credibility is given to the experience; if fewer than 500 policies are in force, then zero (0%) credibility is given.

2. Linear interpolation is used for in force amounts between 500 and 2000.

3. For group policy forms, the numbers in this definition refer to group certificates, not policies.

4. A combination of Florida and nationwide data shall be used only if Florida-only data is not fully credible.

5. When the nationwide experience is less than fully credible, the indicated rate increase from the experience shall be weighted with medical trend, for products subject to medical trend, or zero for products not subject to medical trend, for the complement of the experience credibility factor.

6. For policy forms with low expected claims frequency, such as accident and long term care, at least 1,000 claims, over not to exceed the most recent 5 year period, shall be assigned 100% credibility, 200 claims shall be assigned 0% credibility with claims between 200 and 1,000 being linearly interpolated. Specific alternate credibility standards for particular lines of business shall be submitted to the Department by affected insurers no later than 4/1/94. The Department shall consider such alternate standards and commence formal rulemaking no later than 6/1/94. Prior to and ending on the effective date of such rules, alternate credibility standards advanced by any insurer for a particular line of business shall be considered by the Department. In order for those alternate standards to be acceptable, the insurer must demonstrate that the standards are based on sound actuarial principles and that the resulting loss ratios are in substantial compliance with the requirements of rules 4-149.003 and 4-149.006.

(f) Durational Loss Ratio Table: The table of annual loss ratios where:

1. A loss ratio is the ratio of incurred claims divided by earned premium for each policy duration, by policy duration determined from the original actuarial memorandum when the form was first approved or subsequently filed and approved under this chapter:

2.a. The durational loss ratio table is proportionally adjusted by the current lifetime loss ratio standard for the form divided by the new lifetime loss ratio standard for the form that reflects the current average annual premium pursuant to the provisions of Rule 4-149.005(4), F.A.C., at the time of the filing:

b.(I) When the loss ratio is adjusted pursuant to 2.a. above, the lifetime loss ratio standard for the form shall be the prior lifetime standards weighted by the accumulated earned premiums applicable to each standard with the new lifetime loss ratio standard weighted by the present value of projected premiums.

(II) If the company is unable to provide the historical information necessary to calculate the appropriate weighting, the new standard will be the lifetime loss ratio as determined by 2.a. above.

3. The approved durational loss ratio table is the durational loss ratio table contained in the filing when the form was originally approved, or any subsequent durational loss ratio table filed and approved by the department.

(g) Earned Premium:

1. The portion of the total premium paid by the insured attributable to the period of coverage elapsed. This includes all modal loadings, fees, or charges that are required to be paid by the insured.

2. Premium shall be earned uniformly over the period for which coverage is provided.

3. Sections 627.6043(2) and 627.6645(4), Florida Statutes, provide for the company to have a short rate table approved. If approved, the short rate table is used in lieu of uniform earning (pro-rata) for determining refunds upon cancellation and shall not be incorporated for rate filing purposes.

(h)(f) Entire Future Lifetime: This is the maximum period over which the policy would be in effect if not terminated by action of the insurer or the insured.

1. For individual policies, the minimum acceptable period for calculation purposes is the number of years before fewer than 5 percent % of the original policyholders remain in force. This period is determined using the anticipated termination rates for the form.

2. For annually rated group policies, the eEntire fFuture lLifetime is the rating period. Policy Forms which have had rate revisions prior to the effective date of this rule with a projection period shorter than the entire lifetime of the policy shall, for the purposes of computing loss ratios, continue to use the same number of years in the projection period for future rate revisions.

(i) Expected Claims: The actual earned premium, or for projected periods the projected premium, times the applicable policy durational loss ratio from the approved durational loss ratio table which was in effect at the time period covered by the premiums.

(g) through (i) renumbered (j) through (l) No change.

(m) Incurred Claims: Incurred claims are claims occurring within a fixed period, whether or not paid during the same period, under the terms of the policy form.

1. Claims include scheduled benefit payments, reimbursement benefit payments, or services provided by a provider or through a provider network for medical, dental, vision, disability, and similar health benefits.

2. Claims do not include state assessments, taxes, company expenses, or any expense incurred by the company for the cost of adjusting and settling a claim, including the

review, qualification, oversight, management or monitoring of a claim or incentives or compensation to providers for other than the providing of health care services.

3. A company may at its discretion include other costs that are demonstrated to reduce claims, such as a fraud intervention program or case management costs, which are identified in each filing, and are demonstrated to reduce claims costs and do not result in increasing the experience period loss ratio by more than 5 percent.

(j) through (n) renumbered (n) through (r) No change.

~~(s)(t)~~ Renewal Clauses:

1. through 2. No change.

3.a. Guaranteed Renewable ~~means~~ includes:

a. Policy forms where the ~~that~~ renewal cannot be declined by the insurer for any reason other than fraud, misrepresentation, or failure to pay the premium when due, but the insurer can revise rates on a class basis.

b.(I) Policy forms subject to Section 627.6425 or 627.6571, Florida Statutes.

(II) When an insurer discontinues offering a particular policy form for health insurance coverage offered in the individual market pursuant to Sections 627.6425(3)(a) or 627.6571(3)(a), Florida Statutes, the nonrenewal of coverage must occur on the policy anniversary, and the offer of new coverage pursuant to Sections 627.6425(3)(a)2. or 627.6571(3)(a)2., Florida Statutes, shall be considered a renewal of coverage and renewed on the original policy anniversary at the same class basis as the coverage being discontinued. If the forms do not have consistent class definitions, the class shall be determined based on the original application and underwriting status of the individual when the discontinued coverage was first issued.

4. through 5. No change.

~~(t)(p)~~ Select and Ultimate Premium Schedule: This is any premium schedule which has premiums that vary based on the time elapsed since issuance of the policy. These do not include rate schedules that reduce over time due to temporary risk charges, a one-time policy fee, or reducing benefits.

~~(u)(q)~~ No change.

Specific Authority 624.308(1), 627.410(6)(b),(e) FS. Law Implemented 627.410(1),(2),(6), 627.411(1)(e) FS. History—New 7-1-85, Formerly 4-58.06, 4-58.006, Amended 4-18-94, 4-9-95,_____.

4-149.007 Annual Rate Filing Procedures.

(1) This rule applies to every insurer writing health insurance, defined as insurance of human beings against bodily injury, disablement, or death by accident or accidental means, or the expense thereof, or against disablement or expense resulting from sickness, and every insurance appertaining thereto but excluding workers' compensation coverages and noncancelable policies.

(2) Each insurer shall make an annual filing with the Department for each policy form or pooled block of forms no later than 12 months after the date of approval of its previous filing for the policy form, demonstrating the reasonableness of benefits in relation to premium rates.

~~(a) The first such filing for each policy form for each company shall be submitted on or after October 1, 1989, but in no event later than March 1, 1990, or 14 months after the date of its last rate filing approval date preceding October 1, 1989.~~

~~(b) Subsequent rate filings shall be submitted no later than 12 months after the previous filing approval date for each policy form.~~

(3) through (4) No change.

(5) Filing Preparation. Filings shall be prepared in accordance with Rule 4-149.003, and in accordance with either ~~(a)~~ or (b), or (c) below.

~~(a) For significant blocks of business (defined as 500 or more policies or certificates in force nationwide), filings shall be in accordance with either 1., 2., or 3., below:~~

~~(a)1-~~ A rate filing in accordance with Rule 4-149.003, F.A.C., which shall be prepared under the direction of an actuary and which contains documentation that the proposed benefits are reasonable in relation to the premium rates, pursuant to the applicable rating laws and rules adopted by the Department.

~~(b)1.2-~~ If no rate change is proposed and the form is other than Medicare supplement, a filing shall be prepared which consists of:

a. A cover letter indicating the nature of the filing; and

b. A certification by an actuary that benefits are reasonable in relation to premiums currently charged in accordance with the applicable rating laws and rules adopted by the Department.

2. The ~~Such~~ certification shall ~~is to~~ be attached to the applicable standardized data letter, Form DI4-1507 as adopted in Rule 4-149.022, F.A.C.

3. The certification shall comply with Rule 4-149.006(3)(b)28., F.A.C.

(c) For noncredible blocks of business on a nationwide basis, the company may request a waiver of the requirement. The request shall be made annually and be accompanied by a letter indicating the nature of the filing, the type of product, and the reason for the request.

~~(b) For insignificant blocks of business (defined as desired by the company but no greater than 500 policies in force nationwide):~~

~~1. By any of the methods described in paragraph (a), above:~~

~~2. The Department may waive the requirement for a certification of reasonableness so long as the insurer's solvency is not affected.~~

~~(c) As used in this rule, "actuary" means an individual who is a member of the Society of Actuaries or the American Academy of Actuaries and who is qualified in the area of health insurance.~~

~~(6) Requests for Extension. If a filing is under preparation on the date it is required to be filed, the insurer may apply to the Department for an extension for up to an additional 30 days in which to submit the filing. The request for an extension shall be received by the Department in Tallahassee prior to the date the filing is due.~~

~~(7) Filing Date. A filing is considered to be made with the Department on the date the filing is received by the Department.~~

(6) When a company using a current rate schedule is unable to demonstrate compliance with the loss ratio standards in Rule 4-149.005, F.A.C., it shall reduce rates, enhance benefits, or a combination of both to satisfy the standards. In making the determination under the current rate schedule, the company may assume up to a 15 percent margin in projected claim costs.

Specific Authority 624.308 FS. Law Implemented 627.410 FS. History—New 5-14-92, Amended.

DEPARTMENT OF INSURANCE

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Credit Life and Credit
 Disability Insurance 4-163

RULE TITLES: RULE NOS.:

Applicability 4-163.0015
 Definitions 4-163.0017
 Premium Rates 4-163.002
 Cancellation and Refund Requirements 4-163.003
 Filing Requirements 4-163.0045
 Limits of Coverage; Credit Life 4-163.0055
 Terms and Evidence of Insurance 4-163.0075
 Provisions Required in Group Contracts 4-163.0076
 Rights and Treatment of Debtors 4-163.008
 Determination of Reasonableness of Benefits

 in Relation to Premium Charge 4-163.009
 Credit Life Insurance Rates 4-163.010
 Credit Disability Insurance Rates 4-163.011
 Experience Reports 4-163.012
 Effective Date 4-163.013

PURPOSE AND EFFECT: The purpose and effect is to update prima facie rates regarding credit life and credit disability insurance based on a current study of statewide experience as required by Section 627.67, Florida Statutes. The rule also adds definitions of certain types of new products and details rate filing requirements.

SUBJECT AREA TO BE ADDRESSED: Credit Life and Credit Disability Insurance.

SPECIFIC AUTHORITY: 624.308(1), 627.678 FS.

LAW IMPLEMENTED: 624.307(1), 624.424(1),(6), 627.553, 627.558(1), 627.569, 627.575, 627.676, 627.677, 627.678, 627.678(2), 627.6785, 627.6785(3), 627.681, 627.681(3), 627.682 FS.

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

TIME AND DATE: 9:30 a.m., July 22, 2002

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Yvonne White, (850)413-4214.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Frank Dino, Bureau of L & H Forms & Rates, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, (850)413-5014

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-163.0015 Applicability.

(1) Section 627.677, Florida Statutes, and this rule chapter apply to all insurance sold in conjunction with a credit transaction.

(2) A policy or certificate is deemed to be credit insurance if it:

(a) References the lender or credit transaction within the form;

(b) Has the lender as a beneficiary or assignee of any of the proceeds of the policy; or

(c) Conditions the coverage upon the existence, term or coverage of a credit transaction.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.676, 627.677 FS. History—New

4-163.0017 Definitions.

As used in this rule chapter, the following terms have the following meaning:

(1) Actual Net Debt. Obligation remaining of the principal on a loan at any given time.

(2) Actuarial Assumptions. The value of a parameter, or other choice, having an impact on an estimate of a future cost or other actuarial item under evaluation.

(3) Actuarial Present Value. The value of an amount or series of amounts payable or receivable at various times, determined as of a given date with each value based on the same set of actuarial assumptions.

(4) Actuarially Equivalent. Producing equal actuarial present value, determined as of a given date with each value based on the same set of actuarial assumptions.

(5) Class of Business:

(a) Credit unions;

(b) Commercial and savings banks;

(c) Finance companies;

(d) Motor vehicle dealers;

(e) Other sales finance;

(f) Production credit associates; bank agricultural loans;

(g) All others.

(6) Credibility. The statistical extent to which the past experience of a case can be expected to recur in the future.

(7) Decreasing Gross Coverages. Coverage where the amount of insurance is decreased by the amount of the payment as the debtor makes each monthly payment. This results in the amount of insurance being equal to the sum of the remaining payments during the policy term.

(8) Evidence of Insurability. Any questions other than name, age, address, phone number, etc. which the applicant must answer favorably to the company in order to receive coverage.

(9) Experience. Earned premium, incurred claims, incurred claims count, number of life years insured, and average amount of insurance during the experience period.

(10) Joint Credit Life Or Credit Health. Insurance on the life of the debtor and the spouse of the debtor, partners, or any other legal cosigner.

(11) Prima Facie Rate. Maximum allowable rate pursuant to Section 627.6785(2), Florida Statutes, shall be those contained in Rules 4-163.010 and 4-163.011, F.A.C., for coverage(s) which do not restrict for any pre-existing condition.

(12) Open-End Credit:

(a) Credit extended by a creditor under an agreement in which the creditor reasonably contemplates repeated transactions;

(b) The creditor imposes a finance charge from time to time on an outstanding unpaid balance; and

(c) The amount of credit available to the debtor is self-replenishing as the debtor repays amounts previously drawn.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.575, 627.677, 627.6785 FS. History—New

4-163.002 Premium Rates.

(1)(a) Premium rates for Credit Life and Credit Disability Insurance shall be filed with the Department Insurance Commissioner, and

(b) The creditor (person, firm or corporation) shall not add any additional charge to the premium set by the insurance company and on file with the Department Insurance

Commissioner. In the case of Group Credit Life insurance or Group Credit Disability insurance, the amounts paid by the insured borrowers or purchasers for the insurance shall be consistent with the premiums set by the insurance company. By consistent this Department understands a variation not exceeding two and one-half cents per hundred dollars of original indebtedness per year.

(2) The premium paid for the insurance by the insured borrower or purchaser shall equal the premium based upon the applicable rate or rates filed and approved by the Department. In the case of Franchise Credit Life insurance, the premium paid by the insured borrower or purchaser for the insurance shall not exceed the premium rate filed by the insurance company with the Insurance Commissioner.

(3) In the case of Individual Credit Life insurance and Individual Credit Disability insurance, the premium paid by the insured borrower or purchaser shall not exceed the premium rate filed by the insurance company with the Insurance Commissioner.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 627.307(1), 627.6785 FS. History—Repromulgated 12-24-74, Formerly 4-7.02, 4-7.002, Amended

4-163.003 Cancellation and Refund Requirements.

Cancellation and refunds shall be required in accordance with the following provisions applicable to each classification, in order to best protect the borrower from loss of funds by short-rate cancellation or termination of insurance, and to further avoid duplication or overlapping of insurance coverage when the loan is prepaid, refinanced or renewed.

(1) At the time the indebtedness is discharged, any remaining insurance coverage must be promptly terminated. Group Credit Life insurance and Group Credit Disability insurance — if through prepayment, renewal or refinancing, the indebtedness is discharged prior to its scheduled maturity date, and the insurance coverage is thereby automatically terminated, the return of any unearned premium shall be paid promptly or credited to the person entitled thereto.

(2) Upon termination of the insurance coverage, the company shall promptly return the unearned premium to the insured. Franchise Credit Life insurance — if through prepayment, renewal or refinancing, the indebtedness is discharged prior to its scheduled maturity date, and the insurance coverage is thereby automatically terminated, the return of any unearned premium shall be paid promptly or credited to the person entitled thereto provided that, if Franchise Credit Life insurance is written on a plan under which the insurance coverage is not automatically terminated upon discharge of the indebtedness, cancellation of the insurance then in force shall be mandatory. Provided cancellation of insurance then in force shall not be mandatory if an indebtedness (a) is subject to Sections 516.01 to 516.26 or Sections 519.01 to 519.19, Florida Statutes, discharged by prepayment at any time; or (b) is discharged by prepayment

one year or less prior to its scheduled maturity; or (c) is refinanced by the same creditor and no credit life insurance or credit disability insurance, as the case may be, is written in connection with the refinanced indebtedness.

(3) In addition to the above, a refund of 100% of any payment made in advance of a scheduled payment date subsequent to the date of termination shall be returned to the insured. Individual Credit Life insurance and Individual Credit Disability insurance — if through prepayment, renewal or refinancing, any indebtedness, other than those hereinafter provided for, is discharged prior to the scheduled maturity date, cancellation of the insurance then in force shall be mandatory. Provided, cancellation of the insurance then in force shall not be mandatory if an indebtedness (a) is subject to Sections 516.01 to 516.26 or Sections 519.01 to 519.19, Florida Statutes, is discharged by prepayment at any time; or (b) is discharged by prepayment one year or less prior to its scheduled maturity; or (c) is refinanced by the same creditor and no credit life insurance or credit disability insurance, as the case may be, is written in connection with the refinanced indebtedness. In the event of cancellation, the return of any unearned premium shall be paid promptly or credited to the person entitled thereto.

(4) In the event of Franchise Credit Life insurance or Individual Credit Life insurance, where retention of insurance is permitted, the option to cancel or to retain shall be set forth in writing either as part of the policy or certificate, or as a separate statement furnished to the debtor at the same time as the policy or certificate. NOTE: The following wording is acceptable to this Department for use in Franchise and Individual Credit Life Insurance policies and certificates and Individual Disability Insurance policies:

“This policy may be cancelled or continued by the insured in accordance with the laws and rules and regulations of the State of Florida. In the event of the cancellation of the credit insurance prior to the expiration date, the return premium (or any unearned premium due) shall be paid promptly or credited to the person entitled thereto.”

(5) The formula to be used in computing return premiums (or unearned premiums) shall be filed with and approved by the Insurance Commissioner. The minimum basis adopted by any company shall not be less than the Rule of 78 and its projections; however, if the refund or credit is less than \$1.00, no refund or credit is required.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.553, 627.569, 627.681, 627.678(2) FS. History—Repromulgated 12-24-74, Formerly 4-7.03, 4-7.003, Amended _____.

4-163.0045 Filing Requirements.

(1) All forms of Credit Life and Credit Disability policies, certificates of insurance, statements of insurance, applications for insurance, enrollment forms, binders, endorsements and

riders and the schedules of premium rates pertaining thereto, shall be filed in accordance with Sections 627.6785 and 627.682, Florida Statutes.

(2) A standardized data letter, Form DI4-1507 (1/02), Life and Health Forms and Rates Universal Standardized Data Letter, completed in accordance with Form DI4-1507A (1/02), Life and Health Forms and Rates Universal Standardized Data Letter Instructions, shall accompany each filing and annual rate filing or the filing shall be returned incomplete. Forms DI4-1507 and DI4-1507A are adopted in Rule 4-149.022, F.A.C.

(3) An actuarial memorandum, signed and dated by an actuary, shall be included in each rate and form filing. The memorandum shall identify the following:

(a) Types of coverage: gross, net, decreasing, level, single life, joint life, full term or truncated;

(b) Types of loans to be insured: open end credit, closed end credit;

(c) Durations of the loans and durations of the coverage. Refer to Rules 4-163.005, 006, and 007, F.A.C.;

(d) Methods of premium charge: single premium or monthly outstanding balance;

(e) Schedules of premium rates and formulas for each type of coverage and how the rates relate to prima facie rates;

(f) Methods of refund calculation and formulas for each type of coverage; and

(g) Reserve bases.

(4) Each filing, except prima facie rates, shall be accompanied by the development and justification, including experience and credibility, of the proposed rate together with an opinion by an actuary certifying to the reasonableness of the rate, compliance with applicable laws and this rule chapter, and disclosure of the methods and assumptions used to develop compliance with this rule chapter. Each filing shall also include the company's most recent annual Credit Insurance Experience Exhibit (CIEE) report as provided by the National Association of Insurance Commissioners' Annual Statement and Instructions, as adopted in Rule 4-137.001(4), F.A.C.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.682, 627.6785 FS. History—New _____.

4-163.0055 Limits of Coverage; Credit Life.

(1) The amount of Credit Life insurance for decreasing gross coverage shall be within the limits in Section 627.679, Florida Statutes.

(2) If Credit Life Insurance coverage is written on the actual net debt, the amount of credit life insurance shall not exceed the amount of the loan, and the amount payable at the time of loss shall not be less than the actual net debt, less any payments more than 2 months overdue.

(3)(a) If a premium is assessed to the debtor on a monthly basis and is based on the actual net debt, then the amount of insurance payable at the time of loss shall be the actual net debt.

(b) When the premium for Credit Life insurance is computed on the basis of a balance which does not include accrued past due interest, then the amount payable at the time of loss shall not be less than the actual net debt less any accrued interest more than 2 months past due.

(4) Credit Life Insurance Coverage may, at the option of the insurer, be written for less than the net debt by the following methods:

(a) The amount of insurance may be the lesser of a stated level amount and the amount determined by subsection (2) of this rule; or

(b) The amount of insurance may be a constant percentage of the amount determined by subsection (2) of this rule.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.679, 627.681 FS. History—New

4-163.0075 Term and Evidence of Insurance.

The term of insurance and evidence of insurance shall not exceed ten years subject to the following limitations:

(1) for credit life insurance, coverage may be terminated at age 71;

(2) for credit disability insurance, coverage may terminate at age 66;

(3) credit life insurance shall provide coverage for at least 5 years or the term of the loan if less than 5 years; and

(4) credit disability insurance shall provide for monthly payments which are the lesser of 60 monthly payments or the number of monthly payments for the full term of the loan.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.681, 627.6785(3), 627.681(3) FS. History—New

4-163.0076 Provisions Required in Group Contracts.

All Group Credit Disability contracts shall conform to section 627.558, Florida Statutes, and shall contain the substance of the following statutory provisions (as appropriate):

(1) 627.559 – Grace period.

(2) 627.560 – Incontestability.

(3) 627.561 – Application: statements deemed representations.

(4) 627.562 – Insurability.

(5) 627.563 – Misstatement of age.

(6) 95.11(2)(b) – Limitations other than for the recovery of real property.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.558(1) FS. History—New

4-163.008 Rights and Treatment of Debtors.

(1) In the event of termination, an insurer may, at its option;

(a) Refund unearned premium on a daily pro rata basis, or

(b) may ~~M~~make no charge for credit insurance for the first 15 days of a loan month and charge for a full month ~~may be charged~~ for 16 days or more of a loan month.

(2) Voluntary prepayment of indebtedness.

(a) If a debtor prepays the indebtedness other than as a result of death or through a lump sum disability payment, and if a disability claim under such coverage is in progress at the time of prepayment, the amount of refund ~~shall~~ may be determined as if the prepayment did not occur until the payment of benefits terminates.

(b) No refund ~~shall need~~ be paid during any period of disability for which credit accident and health benefits are payable. A refund shall be computed as if prepayment occurred at the end of the disability period.

(3) Involuntary prepayment of indebtedness. If an indebtedness is prepaid by the proceeds of a credit life insurance policy covering the debtor or by a lump sum payment of a disability claim under a credit insurance policy covering the debtor, then it shall be the responsibility of the insurer to ensure ~~see~~ that the following are paid to the insured debtor, if living, or the beneficiary, other than the creditor, named by the debtor, or to the debtor's estate:

(a) In the case of prepayment by the proceeds of a credit life insurance policy, or by the proceeds of a lump sum total and permanent disability benefit under credit life coverage, an appropriate refund of the credit disability insurance premium in accordance with Rule 4-163.003, F.A.C.

(b) In the case of prepayment by a lump sum disability claim, an appropriate refund of any credit life insurance premium in accordance with Rule 4-163.003, F.A.C.

(c) In ~~the either~~ case of (a) or (b), above, the amount of the benefits in excess of the amount required to repay the indebtedness after reducing the indebtedness by any unearned interest or finance charges.

(d)1. The refund of unearned premium shall be calculated from the date of the event repaying the indebtedness.

2. An accelerated death prepayment is considered to be a prepayment due to the credit life insurance benefit.

3. Refunds due for the premiums of the life benefit shall include the cost of the accelerated death benefit.

(4) Termination of group or franchise credit insurance policy.

(a) If a debtor is covered by a group or franchise credit insurance policy providing for the payment of single premiums to the insurer, ~~then~~ provision shall be made by the insurer that ~~if in the event of termination of the policy is terminated~~ for any reason, insurance coverage with respect to any debtor insured under ~~the such~~ policy shall be continued for the entire period for which the single premium has been paid.

(b) 1. If a debtor is covered by a group or franchise credit insurance policy providing for the payment of premiums to the insurer on a monthly outstanding balance basis, ~~then~~ the policy shall provide that, ~~if the in the event of termination of such policy is terminated~~ for ~~any whatever~~ reason, termination notice ~~thereof~~ shall be given to the insured debtor at least 30 days prior to the effective date of termination, except where replacement of the coverage by the same or another insurer in the same or greater amount takes place without lapse of coverage.

2. The notice required to be given in this paragraph shall be the responsibility of the insurer, but may at the option of the insurer be provided through the creditor.

(5) Refinancing the Debt.

(a) If the debt is discharged due to refinancing prior to the scheduled maturity date, the insurance in force shall be terminated at the earlier of:

1. The issuance of any new insurance in connection with the refinanced debt; and

2. The date the debt is discharged.

(b) 1. In all cases of termination prior to scheduled maturity, a refund of all unearned premium or unearned insurance charges paid by the debtor shall be paid or credited to the debtor.

2. In any refinancing of the debt, the effective date of the coverage provided by any policy or certificate shall be deemed to be the first date on which the debtor became insured under the policy with respect to the debt which was refinanced, at least to the extent of the amount and term of the debt outstanding at the time of refinancing the debt.

~~Remittance of premiums. If the creditor adds identifiable insurance charges or premiums for credit insurance to the indebtedness, and any direct or indirect finance, carrying, credit, or service charge is made to the debtor on such insurance charges or premiums, the creditor must remit and the insurer shall collect such premium within sixty (60) days after it is added to the indebtedness.~~

(6) Maximum Aggregate Provisions. A provision in an individual policy or group certificate that sets a maximum limit on total claim payments shall apply only to that individual policy or group certificate.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.678, 627.6785, 627.682 FS. History--New 5-9-82, Formerly 4-7.08, 4-7.008, Amended.

4-163.009 Determination of Reasonableness of Benefits in Relation to Premium Charge.

~~(1) General Standard. Section 627.682, Florida Statutes, requires that Under the Credit Insurance Law, benefits provided by credit insurance policies must be reasonable in relation to the premium charged. This requirement is satisfied if the premium rate charged, based on a statewide basis or by account, develops or may be reasonably expected to develop a loss ratio of claims incurred to premiums earned of not less than:~~

~~(a) 55% for credit life insurance, and~~

~~(b) 50% for credit accident and health insurance.~~

~~On the basis of relevant experience, use of rates not greater than those contained in Rule 4-163.010 and 4-163.011 ("prima facie rates") shall be deemed currently reasonable premium rates reasonably expected to develop the required loss ratio. An insurer may only file and use rates with such forms which are greater than prima facie rates upon a satisfactory showing to the Commissioner that the use of such rates will not result on a statewide basis for that insurer of a ratio of claims incurred to premiums earned of less than the required loss ratio. Furthermore,~~

~~(2) If the extent to which an actual rate is greater than the prima facie rates, that set forth the actual rate may not exceed the prima facie rates plus the difference between:~~

~~(a) Claims which may be reasonably expected, and~~

~~(b) The product of the required loss ratio and the prima facie rate set forth for the coverage being provided.~~

~~(2) The Commissioner shall, on a triennial basis, review the loss ratio standards set forth in subsection (1), above, and the prima facie rates set forth in Rules 4-163.010 and 4-163.011 and determine therefrom the rate of expected claims on a statewide basis, compare such rate of expected claims with the rate of claims for the preceding triennium determined from the incurred claims and earned premiums at prima facie rates reported in the annual statement supplement, and adopt the adjusted actual statewide prima facie rates to be used by insurers during the next triennium.~~

~~(3) When some rates are based on (1) above and others on the prima facie rate, the expected loss ratios of any business remaining at prima facie rates must meet the minimum loss ratio standard in (1) above. Nonstandard Coverage. If any insurer files for approval of any form providing coverage more restrictive than that described in Rules 4-163.010 and 4-163.011, the insurer shall demonstrate to the satisfaction of the Commissioner that the premium rates to be charged for such restricted coverage shall comply with (1) above or, are less than or equal to rates which are to actuarially consistent with the structure prima facie rates.~~

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.678, 627.682 FS. History--New 5-9-82, Formerly 4-7.09, Amended 6-11-91, Formerly 4-7.009, Amended 3-15-94, Amended.

4-163.010 Credit Life Insurance Rates.

(1) ~~Premium Rate.~~ Rates for decreasing gross coverage Credit life insurance premium rates for the insured portion of an indebtedness repayable in equal monthly installments, where the insured portion of the indebtedness decreases uniformly by the amount of the monthly installment paid, shall not be greater than as set forth in paragraphs (a) and (b) below. Paragraph (c) refers to premium rates for other types of coverage, either alone or in combination with the type of coverages applicable to (a) and (b).

(a) ~~If premiums are payable on a monthly outstanding balance basis.~~ ~~\$0.62 \$0.78~~ per month per \$1,000 of outstanding insured indebtedness ~~if premiums are payable on a monthly outstanding balance basis.~~

(b) If premiums are payable on a single premium basis, the following rates shall be deemed the actuarial equivalent of the above monthly outstanding balance rate.

Coverage Type	Single Premium Rate per \$100 Per Year of Initial Insured Indebtedness
Single Decreasing Life	\$0.40 \$0.50
Joint Decreasing Life	\$0.70 \$0.87

(c) If premiums are payable on a single premium basis when the benefit provided is level term, the following rates shall be deemed the actuarial equivalent of the above outstanding balance rate.

Coverage Type	Single Premium Rate per \$100 Per Year of Initial Insured Indebtedness
Single Level Life	\$0.74 \$0.93
Joint Level Life	\$1.30 \$1.62

(d) Premiums charged for dismemberment insurance in the amount of life insurance in force shall not exceed 10% of the amounts specified above.

(e) If the coverages provided are other than those described in subsection (1) above, rates for such coverages shall be actuarially equivalent consistent with the rates provided in subsection (1) Paragraphs (a) (b) and (c).

(f) The prima facie rate for accelerated death benefit coverage is:

1. For single premium, decreasing term coverage	<u>\$.03/\$100/month</u>
2. For single premium, level term coverage	<u>\$.05/\$100/month</u>
3. For single premium, decreasing term joint life coverage	<u>\$.06/\$100/month</u>
4. For single premium level term joint life coverage	<u>\$.08/\$100/month</u>

(2)(a) The premium rates in subsection (1), above, shall apply to policies providing credit life insurance to be issued with or without evidence of insurability, to be offered to all debtors, and containing:-

~~1.(a)~~ No exclusions other than suicide within ~~6~~ six months of the incurred indebtedness; and

~~2.(b)~~ Either no age restrictions or only age restrictions making ineligible for coverage debtors 71 or over at the time the indebtedness is incurred.

(b) Where coverage is provided subject to evidence of insurability the rates in subsection (1) above shall be reduced by 20% unless some other adjustment is justified by the company by the demonstration of actual experience or other pertinent data.

~~(c) However, the coverage shall be provided, at a minimum, until the earlier of the maturity date of the loan or the loan anniversary at age 71. Where loans are in the form of revolving credit arrangements, an insurer may terminate coverage when the debtor attains the age of 71.~~

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.678, 627.682 FS. History--New 5-9-82, Formerly 4-7.10, Amended 6-11-91, Formerly 4-7.010, Amended.

4-163.011 Credit ~~Disability Accident and Health~~ Insurance Rates.

(1) ~~Premium Rate.~~ Credit ~~disability accident and health~~ insurance premium rates for the insured portion of an indebtedness repayable in equal monthly installments, where the insured portion of the indebtedness decreases uniformly by the amount of the monthly installment paid, shall not be greater than ~~as set forth in paragraphs (a) and (b).~~ Paragraphs (c), (d), and (e) refer to premium rates for other types of coverages either alone or in combination with the type of coverages applicable to (a) and (b).

(a) ~~As set forth in Table I,~~ If premiums are payable on a single-premium basis for the duration of the coverage, ~~or~~

No. of months in which indebtedness is repayable	14-Day Non-Retroactive	30-Day Non-Retroactive	7-Day Retroactive	14-Day Retroactive	30-Day Retroactive
6 or less	<u>\$0.81</u>	<u>\$0.36</u>	<u>\$1.47</u>	<u>\$1.30</u>	<u>\$1.05</u>
7-12	<u>\$1.13</u>	<u>\$0.72</u>	<u>\$1.76</u>	<u>\$1.58</u>	<u>\$1.36</u>
13-18	<u>\$1.46</u>	<u>\$1.08</u>	<u>\$2.05</u>	<u>\$1.87</u>	<u>\$1.67</u>
19-24	<u>\$1.78</u>	<u>\$1.44</u>	<u>\$2.34</u>	<u>\$2.16</u>	<u>\$1.97</u>
25-30	<u>\$2.11</u>	<u>\$1.80</u>	<u>\$2.64</u>	<u>\$2.45</u>	<u>\$2.28</u>
31-36	<u>\$2.43</u>	<u>\$2.16</u>	<u>\$2.93</u>	<u>\$2.74</u>	<u>\$2.58</u>
37-48	<u>\$2.84</u>	<u>\$2.70</u>	<u>\$3.34</u>	<u>\$3.10</u>	<u>\$2.97</u>
49-60	<u>\$3.16</u>	<u>\$2.97</u>	<u>\$3.69</u>	<u>\$3.38</u>	<u>\$3.28</u>
61-72*	<u>\$3.43</u>	<u>\$3.27</u>	<u>\$3.97</u>	<u>\$3.62</u>	<u>\$3.53</u>
73-84*	<u>\$3.61</u>	<u>\$3.47</u>	<u>\$4.18</u>	<u>\$3.79</u>	<u>\$3.70</u>
85-96*	<u>\$3.76</u>	<u>\$3.64</u>	<u>\$4.34</u>	<u>\$3.92</u>	<u>\$3.84</u>
97-108*	<u>\$3.86</u>	<u>\$3.75</u>	<u>\$4.46</u>	<u>\$4.01</u>	<u>\$3.94</u>
109-120*	<u>\$3.95</u>	<u>\$3.85</u>	<u>\$4.55</u>	<u>\$4.09</u>	<u>\$4.02</u>

*Maximum benefit is 60 monthly payments.

TABLE I

No. of months in which indebtedness is repayable	14-Day Non-retroactive	30-Day Non-Retroactive	7-Day Retroactive	14-Day Retroactive	30-Day Retroactive
6 or less	\$0.90	\$0.40	\$1.63	\$1.44	\$1.17
7-12	\$1.26	\$0.80	\$1.95	\$1.76	\$1.51
13-18	\$1.62	\$1.20	\$2.28	\$2.08	\$1.85
19-24	\$1.98	\$1.60	\$2.60	\$2.40	\$2.19
25-30	\$2.34	\$2.00	\$2.93	\$2.72	\$2.53
31-36	\$2.70	\$2.40	\$3.25	\$3.04	\$2.87
37-48	\$3.15	\$3.00	\$3.71	\$3.44	\$3.30
49-60	\$3.51	\$3.30	\$4.10	\$3.76	\$3.64
61-72*	\$3.81	\$3.63	\$4.41	\$4.02	\$3.92
73-84*	\$4.01	\$3.86	\$4.64	\$4.21	\$4.11
85-96*	\$4.18	\$4.04	\$4.82	\$4.35	\$4.27
97-108*	\$4.29	\$4.17	\$4.95	\$4.46	\$4.38
109-120*	\$4.39	\$4.28	\$5.06	\$4.54	\$4.47

*Maximum benefit period is 60 months.

(b) If premiums are paid on the basis of a premium rate per month per thousand of outstanding insured indebtedness, these premiums shall be computed according to the following formula: $OP_n = (20 \times SP_n) / (n + 1)$ using a rate no less than the 24 month rate in table 1 above or according to a formula approved by the Commissioner. A company may submit a different formula for approval which produces rates actuarially equivalent to the single premium rates in Table I:

Where SP_n = Single Premium Rate per \$100 of initial insured indebtedness repayable in equal monthly installments (Table I).

OP_n = Monthly Outstanding Balance Premium Rate per \$1,000.

n = Original repayment period, in months.

(c) Coverage which provides a constant maximum indemnity for a given period of time shall use rates no greater than those rates which are actuarially equivalent to the rates in paragraph (a) or (b). The actuarial equivalent of Paragraphs (a) and (b) shall be used if the coverage provided is a constant maximum indemnity for a given period of time.

(d) An appropriate combination of the premium rate for a constant maximum indemnity for a given period of time and the premium rate for a maximum indemnity which decreases in even amounts per month, if the coverage provided is a combination of a constant maximum indemnity for a given period of time after which the maximum begins to decrease in even amounts per month.

(d)(e) If the coverages provided are other than those described in this subsection (1) above, rates for such coverages shall be actuarially equivalent to the actuarially consistent with rates provided in paragraphs (a), (b) or (c).

(e) Joint coverage rates shall be no greater than 170% of the specific rate for that type of coverage.

(f) The monthly outstanding balance rate for credit accident and health insurance shall may be either a term specified rate or a rate based upon the minimum account payment may be a single composite term rate applicable to all insured loans.

(2) The premium rates in Subsection (1) shall apply to policies providing credit accident and health insurance to be issued with or without evidence of insurability, to be offered to all eligible debtors, and containing:

(a)1. No provision excluding or denying a claim for disability resulting from pre-existing conditions, except for those conditions for which the insured debtor received medical advice, diagnosis, or treatment within six months preceding the effective date of the debtor's coverage, and which caused loss within the 6 six months following the effective date of coverage;

2. provided, however, that Disability commencing after 6 months following the effective date of coverage thereafter resulting from the such condition shall be covered.

3. Coverage with no pre-existing provision limitation Waiver of this provision shall result in an additional premium no greater than 10% of the amounts shown in subsection (1), above.

(b) No other provision which excludes or restricts liability in the event of disability caused in a specific manner, except that it may contain provisions excluding or restricting coverage for intentionally self-inflicted injuries and normal pregnancy.

(c) No provision which requires that the debtor be employed more than thirty (30) hours per week in order to be eligible for insurance coverage.

(d) No age restrictions, or only age restrictions making ineligible for coverage debtors 66 or over at the time the indebtedness is incurred.

(e) However, coverage shall be provided, at a minimum, until the earlier of the maturity date of the loan or the loan anniversary at age 66. Where loans are in the form of revolving credit arrangements, an insurer may terminate coverage when the debtor attains the age of 66.

(e)(f) A daily benefit equal in amount to one-thirtieth of the monthly benefit payable under the policy for the indebtedness.

(f)(g)1. A definition of "disability" which provides that during the first 12 months of disability the insured shall be unable to perform the duties of his occupation at the time the disability occurred, and thereafter the duties of any occupation for which the insured is reasonably fitted by education, training or experience.

2. This paragraph shall not apply to lump sum disability coverage.

3. Where coverage is provided subject to evidence of insurability, the rates in subsection (1) above shall be reduced by 20% unless some other adjustment is justified by the company by the demonstration of actual experience or other pertinent data.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.678, 627.6785, 627.682 FS. History—New 5-9-82, Formerly 4-7.11, Amended 6-11-91, Formerly 4-7.011, Amended _____.

4-163.012 Experience Reports.

(1) Each insurer doing credit insurance business in this state shall maintain information and records so as to be able to complete the reports required by this section for each class of business submit experience reports as provided in this rule for the experience period of each class of business.

(2) “Class of business” means any of the following:

- (a) credit unions;
- (b) commercial and savings banks;
- (c) finance companies;
- (d) motor vehicle dealers;
- (e) other sales finance;
- (f) production credit associations; bank agricultural loans;
- (g) all others.

(2)(3)(a) The reports required by this rule shall be prepared on a calendar year basis no later than June 1 of each year for the immediate preceding calendar year submitted in the manner prescribed by forms set forth below in subparagraphs paragraphs 1. (a) through 5. (e) below.

(b) The Such experience reports shall be maintained by the company and shall be available and submitted within 30 days of a request by the Department, not later than June 1st of each calendar year following the effective date of this rule:

- 1.(a) Form DI4-272 – Credit Life and Disability Insurance Experience Report (A),
- 2.(b) Form DI4-273 – Credit Life Insurance Experience Report Prima Facie Earned Premium (B1),
- 3.(c) Form DI4-274 – Credit Disability Insurance Experience Report, Prima Facie Earned Premium (B2),
- 4.(d) Form DI4-275 – Credit Life Insurance Experience, Reconciliation to State Page (C1),
- 5.(e) Form DI4-276 – Credit Disability Insurance Report, Reconciliation to State Page (C2).

(3)(4) The prescribed forms listed in Ssubsection (2)(3) above are incorporated herein by reference and shall take effect on the effective date of this rule.

(4)(5) Copies of all forms listed in Ssubsection (2)(3) above may be obtained through the Bureau of Life and Health Rates and Forms, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-032832304.

(6) Nothing in this section shall be considered to alter or amend the requirements of insurers to submit credit insurance reports and exhibits in conjunction with their statutory financial statements.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 624.424(1),(6), 627.678, 627.682 FS. History—New 5-9-82, Formerly 4-7.12, 4-7.012, Amended _____.

4-163.013 Effective Date.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.678, 627.682 FS. History—New 5-9-82, Amended 8-19-82, Formerly 4-7.13, 4-7.013, Repealed _____.

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLES: RULE NOS.:
 Temporary Licensure of Colleges 6E-2.001
 Other Types of College Licensure 6E-2.002

PURPOSE AND EFFECT: Substantive amendments to rules are required as a result of amendments to Chapter 246, Florida Statutes, which merged the State Board of Independent Colleges and Universities with the State Board of Nonpublic Career Education to create the Commission for Independent Education. The amended rules will implement the new Chapter 1005, Florida Statutes, and both will become effective at the same time, January 7, 2003.

SUBJECT AREA TO BE ADDRESSED: The subjects to be discussed at this meeting are the new stages of licensure for all independent postsecondary institutions, not limited to colleges. In the new law, Temporary Licensure is changed to Approved Applicant Status; there will no longer be two levels of Provisional Licensure for colleges; and a new type of licensure is created: Licensure by Means of Accreditation.

SPECIFIC AUTHORITY: 1005.31, 1005.32, 1005.33 FS.
 LAW IMPLEMENTED: 1005.21(1), 1005.31, 1005.32, 1005.33 FS.

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

TIME AND DATE: 3:00 p.m., Sunday, July 28, 2002
 PLACE: Marriott Marina, 1881 S. W. 17th Street, Ft. Lauderdale, FL 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sandra Knight, Assistant Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, FL 32301, (850)487-3673

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Base Funding for County
 Emergency Management
 Agencies, Emergency
 Management Competitive
 Grant Program and Municipal
 Competitive Grant Program Rule

9G-19

RULE TITLES: RULE NOS.:

Definitions 9G-19.002
 Competitive Awards Eligibility 9G-19.007
 Procedures for Awarding Competitive Grants 9G-19.008
 Selection Criteria for Competitive Grants 9G-19-009

PURPOSE AND EFFECT: To implement the proper revisions and changes that are needed to identify and clarify rule language in areas of concern from past Competitive Grant cycles. These changes will simplify existing language that will make the grant process easier for all parties involved.

SUBJECT AREA TO BE ADDRESSED: Redefinition of certain rules and requirements to allow clarification within the Competitive Grant process.

SPECIFIC AUTHORITY: 252.35, 252.373 FS.

LAW IMPLEMENTED: 252.35, 252.373, 252.38 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: 8:30 a.m. – 10:30 a.m., Monday, July 22, 2002

PLACE: Director’s Conference Room, Room 120L 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 the Administrative Secretary; Division of Emergency Management, Bureau of Compliance Planning; 2555 Shumard Oak Boulevard, Tallahassee, FL 32399, (850)413-9821, Suncom 293-9821, 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: Debbie Wonsch, Planning Manager, Finance and Logistic Section, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 32399-2100, (850)413-9894 or Suncom 293-9894

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9G-19.002 Definitions.

(1) through (14) No change.

(15) “Administrative Expenses” for purposes of the competitive grant programs only, means the direct costs of staff managing the project and other direct costs for managing the project, as well as the applicant’s indirect rate, if any, applied to those direct costs of management. No more than 5% of the total Emergency Management Preparedness and Assistance program funds awarded for the project may be used for administrative costs as identified herein. The sum total of direct and indirect costs identified herein shall not exceed 5% of the total project costs.

(16) through (22) No change.

(23) “Application,” for purposes of the competitive grant programs only, means the original 15 page summary that will be submitted at or before the published application deadline, and will consist of the transmittal letter, signed title page, table of contents, criteria narrative, and proposed budget only.

(24) “Proposal,” for purposes of the competitive grant programs only, means the full complete presentation inclusive of all attachments or appendix items as referenced or identified in the original application. Applicants who receive notice that they will be receiving an award must submit a complete proposal with all identified documents within presentation that will be completed by all awarded applicants in a specific time frame, to be sent to the Division of Emergency Management with complete documentation.

(25) “Deliverable(s)” for purposes of the competitive grant programs only, means the item(s) that are identified, within the proposed application, which upon submission to the Division of Emergency Management will demonstrate that the project is complete. A complete listing of all applicable items must be submitted with the proposal as identified in subsection 9G-19.002(24), F.A.C.

(26) “Timeline,” for purposes of the competitive grant programs only, means a document outlining the schedule and tasks that the applicant will perform in order to complete the project as identified within the proposed application within the twelve month contract period.

(27) “Critical Facilities” for purposes of the competitive grant programs only, means public hurricane evacuation shelters, emergency operations centers, structures for fire stations, rescue operations, or law enforcement facilities, hospitals, public works facilities, and any similar disaster response facility.

(28) “ARC 4496”, for purposes of the competitive grant programs only, is a publication by the American Red Cross titled Standards for Hurricane Evacuation Shelter Selection (ARC 4496, Rev. January 2002).

Specific Authority 252.35, 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History—New 1-12-94, Amended 6-21-95, 11-13-96, 11-10-97, 10-11-98, 10-11-00,_____.

9G-19.007 Competitive Awards Eligibility.

(1) through (3) No change.

(4) Under the Municipal Competitive Grant Program, each Municipal Emergency Management Program may apply for one competitive grant not to exceed \$50,000. Joint applications by two or more municipalities shall be permitted, however the total award for any municipality application shall be limited to \$50,000.00. Under the Emergency Management Competitive Grant Program, eligible applicants may submit multiple applications, however, no single application shall seek or receive an award in excess of \$300,000. All eligible applicants, with the exception of counties and state agencies ~~Each Florida state or regional planning agency, each private non-profit organization, and each municipality.~~ shall be limited to no more than three (3) application submissions in an application cycle.

(5) through (7) No change.

Specific Authority 252.35, 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History—New 1-12-94, Amended 6-21-95, 11-13-96, 10-14-98, 10-11-00,_____.

9G-19.008 Procedures for Awarding Competitive Grants.

(1) through (2) No change.

(3) The Department hereby adopts by reference the Emergency Management, Preparedness, and Assistance Trust Fund Competitive Grant Program Application Packet, Form No. 007, June 2002 ~~006, May 2000~~ version, which provides forms, instructions, and other information necessary for submission of an application for Competitive Grant funds submitted pursuant to Rule 9G-19.008, F.A.C.

(4) No change.

(5) All applications shall conform to the following requirements, and shall be reviewed for technical conformity in accordance with the following procedures:

(a) All applications shall adhere to the format specified in the Application Packet, Form No. 007, June 2002 ~~006, May 2000~~ Version.

(b) through (e) No change.

(6) No change.

(7) Applications submitted shall be executed by the chief elected official or the chairman of the governing board unless this authority has been delegated to the chief executive officer or other government official, who shall then endorse the application. Evidence of the delegation of authority shall be supplied with the application. If the governmental entity does not have a governing board or chief elected official, then the

application shall be executed by the chief administrative officer and evidence of his or her authority to bind the governmental entity shall be supplied with the application. If the Applicant is not a governmental entity, then the application shall be executed by the governing board, or, if there is no governing board, then the application shall be executed by the chief executive officer. If the application is transmitted electronically on-line, it shall be transmitted not later than three (3) days before the published application deadline. ~~A then a~~ hard copy of the title page containing the original authorized signature must be submitted by mail, and must be received by the Division by the published application deadline date.

(8) No change.

Specific Authority 252.35, 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History—New 1-12-94, Amended 6-21-95, 11-13-96, 11-10-97, 10-14-98, 10-11-00,_____.

9G-19.009 Selection Criteria for Competitive Grants.

(1) No change.

(2) Applications shall be scored by the review committee independently and the scores shall be totaled and averaged. Thereafter, the committee shall evaluate the scores, adjusting them to arrive at preliminary scores and rankings. Preliminary scores and rankings shall be prepared within each category based upon the total number of points earned with the overall highest number of points determining priority for funding. The review committee shall, within 75 ~~60~~ days of the application deadline date, transmit preliminary scores and rankings to all Applicants, along with any administrative proceeding rights. Final scores and rankings shall be transmitted to all Applicants in writing. Funds shall be offered to the Applicant with the overall highest score, then to the Applicant with the next overall highest score, and so on, until all funds have been offered and accepted, or all eligible applications have been funded, or insufficient funds remain to fund an eligible project. The Department may offer to fund all or part of the project or all or part of the amount requested in an application. Applicants shall be given 21 days to accept or reject a proposed award. Written notice of acceptance shall be delivered to the Division offices designated in the notice of award along with a complete proposal, revised budget, timeline and a list of deliverables. In the event that an Applicant fails to accept or reject a proposed award offered for the Emergency Management Competitive Grant Program within the specified time, then the funds offered shall revert to the Trust Fund. In the event that an Applicant fails to accept or reject a proposed award offered for the Municipal Competitive Grant Program within the specified time, then the funds shall be reallocated in accordance with the provisions of subsections ~~Sections~~ 9G-19.006(1)-(3), F.A.C.

(3) through (5) No change.

(6) Applications shall be awarded points and ranked using the following criteria:

(a) through (f) No change.

(g) Extent to which the proposed project addresses an emergency management priority, as identified in the Notice of Fund Availability. [Maximum score 100 points] These points are only available for applications submitted under paragraph 9G-19.009(5)(d), F.A.C.

(7) through (8) No change.

Specific Authority 252.35, 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History--New 1-12-94, Amended 6-21-95, 11-13-96, 10-11-98, 10-11-00, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: News Media Visitors
RULE NO.: 33-104.101
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the definition of news media and the process for arranging news media visits.
SUBJECT AREA TO BE ADDRESSED: News media visits to correctional facilities.
SPECIFIC AUTHORITY: 20.315, 944.09 FS.
LAW IMPLEMENTED: 944.09, 944.23 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-104.101 News Media Visitors.

(1) Permission for visits by bona fide news media representatives shall not be unreasonably withheld. This shall apply for visits to inmates other than those confined under sentence of death. Rules 33-104.201-.204, F.A.C., shall govern procedures for media interviews with inmates under sentence of death. It shall be the responsibility of the news media representatives requesting the visitation to present to the public affairs office ~~warden, or his designee~~, evidence sufficient to establish that such person is a bona fide news media representative, and to provide the information sufficiently in advance that it may be verified.

(a) News media representatives consist of persons whose principal employment is gathering and reporting news for a:

- 1. Radio or television program whose primary purpose is news reporting for a licensee of the Federal Communications Commission;
- 2. Newspaper reporting general interest information news and circulated to the public in the community where it is published;

3. News magazine that has a national circulation, is sold by mail subscriptions, or on newsstands to the general public; and

4. National or international news service.

(b) News media visits to correctional facilities shall be pre-arranged with the public affairs office. News media representatives shall request access to the facility in writing and shall provide the following information:

- 1. Full name, date of birth, race and gender for all persons entering the facility;
- 2. Purpose of visit;
- 3. Identity of staff or offender to be seen, if applicable; and
- 4. Proposed use of camera or other recording devices. The warden must approve possession of news media cameras and recording devices before they are allowed into the facility.

(c) News media representatives must provide positive identification. Foreign media must have an "I" Visa on their passports.

(d) Representatives of news media visiting a facility are subject to search per Rule 33-601.708, F.A.C.

(e) News media representatives must be escorted by staff. Random access not specific to the purpose of the visit is prohibited.

(f) During an emergency, news media representatives will be restricted to a designated media center.

(g) Interviews and photographs of on-duty staff shall be permitted only with prior authorization of the public affairs office and the staff member.

- 1. Department employees are not permitted to accept compensation for on-duty news media interviews.
- 2. Photographing on-duty staff without their permission is prohibited.

(2) No change.

(3) A request from a news media representative for an interview with a specific inmate shall include the name of the inmate and such other identification as the media representative might possess. The request for an interview shall be made to the Department of Corrections Public Affairs Information Services ~~Office~~ in Tallahassee. Interviews may be granted, subject to prior approval of such interview by the inmate. The time and duration of the interview shall be determined by the public affairs office. Such interviews may be refused if:

(a) through (e) No change.

(4) News media representatives desiring to visit must be fully clothed, which includes shoes. Visitors shall not be admitted to the visiting area if they are not appropriately clothed or are dressed in revealing attire. Examples of inappropriate attire are: miniskirts, see-through blouses, bra-less attire, tank tops, swimsuits, shorts, undershirts, and other like attire.

Specific Authority 20.315, ~~944.09~~ ~~945.21~~ FS. Law Implemented ~~944.09~~, ~~944.23~~, ~~945.21~~ FS. History–New 10-6-83, Formerly 33-5.14, Amended 6-20-85, Formerly 33-5.014, Amended.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Basic Training Program Operation
RULE NO.: 33-601.236
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the process for recommendation of modification of sentence for inmates who have satisfactorily completed the basic training program for youthful offenders.
SUBJECT AREA TO BE ADDRESSED: Youthful offender basic training program – modification of sentence.
SPECIFIC AUTHORITY: 20.315, 944.09, 958.045 FS.
LAW IMPLEMENTED: 20.315, 944.09, 958.045 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.236 Basic Training Program Operation.

(1) through (4) No change.

(5) Request for Sentence Modification.

(a) Inmates who have satisfactorily completed ~~60 days of~~ the basic training program will be recommended ~~reviewed for consideration for request of~~ sentence modification.

(b) The inmate management plan team ~~basic training program classification officer~~ will recommend a modification of sentence to the court that will include release to community supervision or placement in a community residential facility as a condition of community supervision.

(c) The inmate management plan team ~~basic training program classification officer~~ shall determine which inmates are suitable for community release based upon the inmate’s employment, residence, family circumstances, and probation or post-release supervision obligations while under community supervision, and submit the packet to the Bureau of Classification and Central Records, Reception and Youthful Offender Services.

(~~d~~)(e) The Bureau of Classification and Central Records Reception and Youthful Offender Services Office shall either approve the inmate management team’s ~~basic training program classification officer’s~~ recommendation, disapprove the recommendation, or refer the matter back to the inmate management plan team ~~basic training program classification officer~~ for additional information.

(~~e~~)(d) If approved by the Bureau of Classification and Central Records, the sentence modification package will be sent to the sentencing authority ~~presented to the court~~ for approval or disapproval.

(e) No change.

(~~6~~) ~~The IMPT shall develop an alternative post release program or plan within 30 days prior to release for those inmates who will not be placed in a community residential facility. The post release plan shall include the following pursuant to Rule 33-601.504, F.A.C.:~~

(~~a~~) ~~Employment;~~

(~~b~~) ~~Residence;~~

(~~c~~) ~~Family situation; and~~

(~~d~~) ~~Probation or post release supervision.~~

(~~6~~)(7) No change.

Specific Authority 20.315, 944.09, 958.045 FS. Law Implemented 20.315, 944.09, 958.045 FS. History–New 2-26-89, Amended 1-25-96, Formerly 33-27.006, Amended 3-13-01, Formerly 33-506.206, Amended 1-17-02, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Procedural
RULE CHAPTER NO.: 40D-1

RULE TITLES: Permit Applications – General and
RULE NOS.:

Noticed General Permits	40D-1.600
Permits Required	40D-1.602
Permit Application Procedures	40D-1.603
Permit Processing Fee	40D-1.607

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to satisfy the statutory requirement that the District establish a process for referring denials of general permits to the Governing Board for final action. The proposed rule amendments will satisfy the statutory requirement by providing that general permits are issued by staff but go before the Governing Board for denial.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments are to the District’s procedural rules. In addition to sending denials of general permits to the Governing Board for final action, these proposed amendments will clarify language in portions of the rules by deleting the term “standard” and making consistent references to either General Permits or Noticed General Permits.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.171, 373.4136, 373.414, 373, 418 FS.

LAW IMPLEMENTED: 373.106, 373.109, 373.116, 373.118, 373.171, 373.216, 373.219, 373.229, 373.308, 373.323, 373.413, 373.414, 373.4136, 373.416, 373.418, 373.426, 380.06(9) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: 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-1.600 Permit Applications – General and Noticed General Permits.

(1) General Permits issued pursuant to Sections 373.118 and 373.414, F.S., under Chapters 40D-2, 40D-4, and 40D-40, ~~and 40D-400~~, Florida Administrative Code, are issued ~~or denied~~ by staff or denied by the Governing Board.

(2) Noticed General Permits are issued or denied by staff ~~as Noticed General and Standard General Permits~~.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.118 FS. History–New 10-1-84, Amended 12-22-94, 7-2-98, _____.

40D-1.602 Permits Required.

Unless expressly exempt by law or District rule, the following permits shall be obtained from the District prior to commencement of the following activities:

(1) through (2) No change.

(3) A Surface Water, Individual, ~~or~~ General, or Noticed General permit under Chapter 40D-4, 40D-40 or 40D-400, must be obtained prior to construction, alteration, abandonment, operation, or removal, of any surface water management system, dam impoundment, reservoir, appurtenant work or works, including dredging or filling, as prescribed by District rules. An Individual Permit is required for the establishment and operation of mitigation banks.

(4) through (6) No change.

Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171, 373.4136, 373.414, 373.418 FS. Law Implemented 373.106, 373.118, 373.171, 373.216, 373.219, 373.308, 373.323, 373.413, 373.4136, 373.416, 373.426, 373.414, 373.418, 380.06(9) FS. History–New 10-1-84, Amended 12-22-94, 10-16-96, 2-14-00, _____.

40D-1.603 Permit Application Procedures.

(1) No change.

(2) No later than 30 days after receipt of an initial or modification of an application for an individual surface water management permit, an individual Environmental Resource Permit or an individual water use permit application for withdrawals of 500,000 gpd annual average daily or greater pursuant to Chapter 40D-2, F.A.C., the District shall publish notice thereof in a newspaper having general circulation as defined in Chapter 50, Florida Statutes. Upon receipt of an application for an initial or modification of a ~~standard~~ general

Environmental Resource Permit pursuant to Chapter 40D-40, F.A.C., a general surface water management permit pursuant to Chapter 40D-40, F.A.C., (January 11, 1993) or a noticed general surface water management permit pursuant to Chapter 40D-400, F.A.C. ~~(January 11, 1993)~~ or for a general water use permit for less than 500,000 gpd annual average daily pursuant to Chapter 40D-2, F.A.C., the District shall post notice thereof in the District’s headquarters and in each of the District’s service offices. In the event that after posting of notice an application for a general permit is modified such that it is an application for an individual permit, notice of the application shall be published in a newspaper as provided above. In addition, the District shall provide a letter giving notice of receipt of the application to any person who has filed a written request within the immediately preceding six months for notification of any pending applications affecting the particular designated area. Each notice and letter shall state that interested persons shall have the opportunity to inspect a copy of the application and submit written comments concerning the application. The District may request persons submitting objections or comments to furnish additional information. In addition, each notice and letter will advise that if notice of agency action or opportunity to request an administrative hearing pursuant to Chapter 120, Florida Statutes, regarding a permit application is desired, a written request referencing the permit application number must be filed with and received by the Processing and Records Section by the date specified in the letter, newspaper notice or the posted notice as applicable pursuant to this subsection. The date specified in such notice or letter to obtain notice of agency action or to request a hearing shall be no less than 14 days from the date of mailing, publication or posting as applicable. Upon request, the District will provide the applicant with a copy of all objections and comments received.

(3) through (7) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.116, 373.118, 373.229, 373.413 FS. History–New 10-1-84, Amended 5-10-88, 12-22-94, 10-19-95, 3-31-96, 12-16-97, 7-2-98, 7-22-99, 11-8-00, _____.

40D-1.607 Permit Processing Fee.

A permit application processing fee is required and shall be paid to the District when certain applications are filed pursuant to District rules. These fees are assessed in order to defray the cost of evaluating, processing, advertising, mailing, compliance monitoring and inspection, required in connection with consideration of such applications. Fees are non-refundable in whole or part unless the activity for which an application is filed is determined by the District to be exempt or the fee submitted is determined by the District to be incorrect. Failure to pay the application fees established herein is grounds for the denial of an application or revocation of a permit. The District’s permit application processing fees are as follows:

(1)(a)1. through 6. No change.

~~7. Application for Noticed General Permit pursuant to Chapter 40D-40, F.A.C. \$200.00~~

~~7.8. Application for Standard General Permit for Minor Surface Water Systems \$200.00~~

~~8.9. Application for Standard General Permit for Minor Surface Water System Modification \$100.00~~

10. through 14. renumbered 9. through 13. No change.

(b) through (c) No change.

(2) through (3)(d) No change.

(e) SINGLE FAMILY DWELLING UNITS: Applications for Chapter 40D-40 ~~Standard~~ General or Chapter 40D-400.475(1)(f) Noticed General Permits for construction of a single family dwelling unit involving wetlands that is not part of a larger common plan of development or sale proposed by the applicant.

(f) No change.

(4) For projects grandfathered pursuant to Section 373.414, F.S., the conceptual, individual or general surface water management permit application fee shall be the same as the conceptual, individual or ~~standard~~ general environmental resource permit application fees listed in this subsection.

(5) through (10) No change.

(11) Chapter 40D-40, F.A.C., ~~standard~~ general site conditions assessment permit:

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

2. Modification to convert to a Chapter 40D-4 or 40D-40, F.A.C., construction permit:

a. When the construction permit applicant is the original permittee for a valid site conditions assessment permit, the processing fee amount due shall be the full application fee for a Chapter 40D-4, F.A.C., individual construction permit or a Chapter 40D-40, F.A.C., ~~standard~~ general construction permit, as applicable; if a construction permit is issued, a credit equal to the basic fee amount paid in connection with the site conditions assessment permit shall be reimbursed after submittal of the project Statement of Completion and as-built information by the original permittee, and operation approval by the District.

b. When the construction permit applicant is not the original permittee, and the applicant has a valid site conditions assessment permit that was transferred, the processing fee amount due shall be the full application fee for a Chapter 40D-4, F.A.C., individual construction permit or a Chapter 40D-40, F.A.C., ~~standard~~ general construction permit, as applicable; but the permit application processing fee credit in subparagraph 2.a. shall not apply.

(12) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.109, 373.421(2) FS. History-Readopted 10-5-74, Amended 12-31-74, 10-24-76, 7-21-77, Formerly 16J-0.111, Amended 10-1-88, 1-22-90, 12-27-90, 11-16-92, 1-11-93, 3-23-94, Formerly 40D-0.201, Amended 12-22-94, 10-19-95, 3-31-96, 7-23-96, 10-16-96, 10-26-00, 3-15-01,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Consumptive Use of Water
 RULE CHAPTER NO.: 40D-2

RULE TITLE: Publications Incorporated by Reference
 RULE NO.: 40D-2.091

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to amend provisions in the District’s water use permitting rules to make them consistent with proposed amendments to the District procedural rules that establish a process for referring denials of general permits to the Governing Board for final action.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments address the application review process set forth in Section 1.6 of the Basis of Review for Water Use Permit Applications which is incorporated by reference into Rule 40D-2.091, F.A.C.

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

LAW IMPLEMENTED: 73.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 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-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Application” _____ April 14, 2002, is hereby incorporated by reference into this Chapter and is available from the District upon request.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History-New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, _____.

Water Use Permit Information Manual Basis of Review

1.6 APPLICATION REVIEW PROCESS

Once the permit application and appropriate information supplements are received, District staff will identify any deficiencies in the application and request any needed information within 30 days of receipt. District staff will

evaluate the application in terms of water needs and potential impact and may request clarification of the information submitted. District staff will work with the Applicant to obtain all of the information necessary to support the application. However, it is the Applicant's responsibility to provide the information requested. Staff will notify the Applicant when all information has been received and the application is complete. Once the application is complete, the District must issue or deny the permit within 90 days. Typically, permits authorizing withdrawals < 500,000 gpd will be issued ~~or denied~~ within 60 days.

The District has established two procedures for issuing permits, based on the quantity of water permitted. The Governing Board must approve all permits authorizing annual average withdrawals ≥ 500,000 gpd. District staff typically issues permits authorizing withdrawals of < 500,000 gpd unless the permit involves unusual circumstances. Permits which do not require Governing Board approval may be issued in a shorter period of time than those which must be approved by the Governing Board.

If a permit requires Governing Board approval, District staff will prepare a staff report and recommendation. This information is delivered to the permit applicant and interested persons and constitutes proposed agency action. Any person whose substantial interest may be affected by action on a permit and objects to it may file a petition for hearing within 14 days of receipt of the proposed agency action. Procedures for filing a petition for hearing are described in Part V of Chapter 40D-1, F.A.C. (See Rules 40D-1.521 and 40D-1.571, F.A.C.). If no objection is filed, the permit will be acted on at the next Governing Board meeting indicated in the notice. If a valid objection is received, a hearing may be scheduled or the objection may be resolved through negotiations.

For permits which do not require Governing Board approval, District staff prepares the permit which constitutes final agency action. Objectors may file a petition for hearing within 14 days of receipt of final agency action. If no request for hearing is timely filed, the permit stands as issued by District staff.

General water use permits may be issued by District staff for applications which meet the following criteria:

1. The average annual daily withdrawal is less than 500,000 gpd;
2. The application meets the Conditions for Issuance set forth in Rule 40D-2.301, F.A.C.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

RULE TITLES:	RULE NOS.:
Definitions	40D-4.021
Permits Required	40D-4.041
Conditions for Issuance of Permits	40D-4.301
Additional Conditions for Issuance of Permits	40D-4.302

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to satisfy the statutory requirement that the District establish a process for referring denials of general permits to the Governing Board for final action.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments will satisfy the statutory requirement by providing that general permits are issued by staff but go before the Governing Board for denial. In addition, the proposed amendments will clarify language in portions of the rules by deleting the term "standard" and making consistent references to either General Permits or Noticed General Permits.

SPECIFIC AUTHORITY: 373.016, 373.044, 373.113, 373.118, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.042, 373.403, 373.409, 373.413, 373.414, 373.416, 373.419, 373.426, 373.427 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-4.021 Definitions.

When used in this Chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) through (14) No change.

(15) "Noticed General Permit" means an Environmental Resource Permit issued or denied by staff.

(16)(15) "General Permit" means an Environmental Resource Permit issued or denied by District staff or denied by the Governing Board. General Permits are issued as either Noticed General or Standard General permits.

(17)(16) "Individual Permit means an Environmental Resource Permit issued or denied by the District Governing Board.

(17) through (21) renumbered (18) through (22) No change.

Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented 373.403, 373.419 FS. History-Readopted 10-5-74, Formerly 16J-4.02, Amended 10-1-84, 3-1-88, 9-11-88, 10-3-95, 7-23-96, 2-27-02.

40D-4.041 Permits Required.

(1) No change.

(2) The District issues the following types of Environmental Resource Permits:

(a)1. ~~Standard~~ General permits are issued pursuant to Chapter 40D-40, F.A.C.

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

(d) Site conditions assessment permits are optional ~~standard~~ general permits issued pursuant to Chapters 40D-4 and 40D-40, F.A.C., and the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District, as the first phase of construction permitting which identify and document the boundaries of certain existing topographic and environmental site conditions existing within a project area. At a minimum, all site conditions assessment permits shall evaluate, and identify if present, the landward extent of wetlands and other surface waters; the level and landward extent of the 100 year floodplain; seasonal high water levels and existing watershed delineations. In the permit application, the applicant may request that the District evaluate additional site conditions boundaries. A site conditions assessment permit does not authorize construction, alteration, operation, or abandonment of a surface water management system or establishment of a mitigation bank. However, a currently valid site conditions assessment permit can be formally modified by the permittee to apply for either an individual or a general construction and operation permit.

(3) No change.

(4) A ~~Standard~~ General Permit for Minor Surface Water Management Systems is required for a surface water management system, otherwise exempt from permitting under subsection 40D-4.051(3) or (4), F.A.C., unless the system is exempt by statute or rule from storm water quality regulation or has received storm water quality review and approval by the District or by a DEP permit, license or certification.

(5) through (6) No change.

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

40D-4.301 Conditions for Issuance of Permits.

(1) In order to obtain a ~~standard~~ general, individual, or conceptual permit under this chapter or Chapter 40D-40, F.A.C., an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal or abandonment of a surface water management system:

(a) through (4) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.042, 373.403, 373.413, 373.416, 373.426, 373.427 FS. History-Readopted 10-5-74, Amended 12-31-74, 6-7-78, Formerly 16J-4.06(3),(4),(5),(6),(8), Amended 10-1-84, 6-2-85, 4-2-87, 3-1-88, 10-3-95, 10-16-96,_____.

40D-4.302 Additional Conditions for Issuance of Permits.

(1) In addition to the conditions set forth in Rule 40D-4.301, F.A.C., in order to obtain a ~~standard~~ general, individual, or conceptual permit under this chapter an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal, and abandonment of a system:

(a) through (2) No change.

Specific Authority 373.016, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.042, 373.409, 373.413, 373.414, 373.416, 373.426 FS. History-New 10-3-95, Amended_____.

Environmental Resource Permitting Manual Basis of Review

CHAPTER ONE – INTRODUCTION

1.2 Application Review Process – The District issues three types of environmental resource permits as authorized by Part IV of Chapter 373, Florida Statutes: individual including conceptual, ~~standard~~ general, and noticed general permits.

Noticed general permits and general permits are issued by staff, while Governing Board action is required for individual permits.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
General Environmental	
Resource Permits	40D-40
RULE TITLES:	RULE NOS.:
Policy and Purpose	40D-40.011
General Environmental Resource Permits	40D-40.040
General Permit for Site Condition Assessment	40D-40.044
Content of Application for General Permits	40D-40.112
Conditions for Issuance of General Permit for Minor Surface Water Management Systems	40D-40.301
Conditions for Issuance of General Permits	40D-40.302
Duration of Permits	40D-40.321
Modification of Permits	40D-40.331
General Conditions	40D-40.381

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to clarify language in portions of the rules by deleting the term “standard” and making consistent references to either General Permits or Noticed General Permits.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments delete the term “standard” from references to General Permits in Rule Chapter 40D-40, F.A.C.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.421(2) FS.

LAW IMPLEMENTED: 373.103(1), 373.117, 373.413, 373.413(1), 373.414, 373.416, 373.419, 373.427, 373.429 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-40.011 Policy and Purpose.

The rules in this chapter grant ~~standard~~ general environmental resource permits for certain specified surface water management systems which have been determined to be not harmful to the water resources of the District and to be not inconsistent with the objectives of the District. The purpose of this chapter is to set forth the requirements for qualifying for a ~~standard~~ general permit and the conditions under which they may be exercised. Non-exempt surface water management systems which do not qualify for a noticed general environmental resource permit pursuant to Chapter 40D-400, F.A.C., or a ~~standard~~ general permit under this chapter are required to obtain individual permits. The District reserves the right to require an individual permit for any surface water management system which: does not comply with the provisions of this chapter; may be harmful to the water resources of the District; or is inconsistent with the overall objectives of the District.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.103(1), 373.413(1), 373.416, 373.419, 373.429 FS. History—New 10-1-84. Amended 3-1-88, 10-3-95, _____.

40D-40.040 ~~Standard~~ General Environmental Resource Permits.

(1) Three types of ~~Standard~~ General Environmental Resource Permits are issued pursuant to this Chapter and Chapter 40D-4, F.A.C. They are:

(a) ~~Standard~~ General Environmental Resource Permit for Minor Surface Water Management Systems. The conditions for issuance for this permit are contained within Rule 40D-40.301, F.A.C.;

(b) ~~Standard~~ General Environmental Resource Permit for Surface Water Management Systems. The conditions for issuance of this permit are contained within Rule 40D-40.302, F.A.C.; and

(c) ~~Standard~~ General Environmental Resource Permit for Site Conditions Assessment. The conditions for issuance of this permit are contained within Rule 40D-40.302, F.A.C.

(2) ~~Standard~~ General Environmental Resource Construction and Operation Permits are required prior to the construction, alteration, removal, maintenance, operation or abandonment of certain surface water management systems.

(3) Site Conditions Assessment Permits are optional ~~standard~~ general permits that are issued as the first phase of construction permitting which identify and document the boundaries of certain existing site conditions found within a project area. At a minimum, all site conditions assessment permits shall evaluate, and identify if present, the landward extent of wetlands and other surface waters; the level and landward extent of the 100 year floodplain; seasonal high water levels; and existing watershed delineations. Additional site conditions boundaries may be requested by the applicant and evaluated for permitting by the District. A site conditions assessment permit does not authorize construction, alteration, operation, or abandonment of a surface water management system or establishment of a mitigation bank, but it can be formally modified by the permittee to apply for either an individual or a general construction and operation permit.

(4) An activity which requires both a ~~standard~~ general environmental resource permit or a permit under subsections 373.414(11)-(16), F.S., and a proprietary authorization under Chapter 253 or 258, F.S., shall be subject to the requirements and procedures in Section 373.427, F.S., Chapters 18-20 and 18-21, F.A.C., and Rules 62-312.065 and 62-343.075, F.A.C.

Specific Authority 373.044, 373.113, 373.118, 373.421(2) FS. Law Implemented 373.413, 373.414, 373.416, 373.419, 373.427 FS. History—New 10-3-95, Amended 7-23-96, 10-16-96, 7-2-98, _____.

40D-40.044 ~~Standard~~ General Permit for Site Conditions Assessment.

(1) This ~~standard~~ general permit identifies and documents the boundaries of certain existing topographic and environmental site conditions within the applicant's project area that are measurably associated with waters, as described in the application.

(2) through (5) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History—New 7-23-96, Amended _____.

40D-40.112 Content of Application for ~~Standard~~ General Permits.

(1) To apply for a ~~standard~~ general permit, including an application for a ~~standard~~ general permit for minor surface water management systems, the applicant shall file with the District the Application form identified in Chapter 40D-1, F.A.C. and other required documents, information and fees.

(2) No change.

(3) A complete application for a ~~standard~~ general permit for construction and operation shall also constitute an application for certification of compliance with state water quality standards where necessary pursuant to Section 401, Public Law 92-500, 33 U.S.C. Section 1341. Issuance of the

construction and operation permit shall constitute certification of compliance with water quality standards unless the permit is issued pursuant to the net improvement provision of paragraph 373.414(1)(b), F.S., or the permit specifically states otherwise.

(4) If a ~~standard~~ general permit application involves activities located in, on, or over wetlands or other surface waters, as delineated by the methodology authorized in subsection 373.421(1), F.S., then, within three business days of receipt of the application, the District shall forward a copy to the appropriate office of the U.S. Army Corps of Engineers unless specifically authorized by the Corps to do otherwise.

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

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History—New 10-1-84. Amended 3-1-88, 10-3-95, 7-23-96, 10-16-96,_____.

40D-40.301 Conditions for Issuance of ~~Standard~~ General Permit for Minor Surface Water Management Systems.

(1) To obtain this ~~standard~~ general permit, an applicant must provide reasonable assurance that the following conditions are met and certify that:

(a) through (j) No change.

(2) Applicants required to obtain a permit by subsection 40D-4.041(4) may obtain this ~~standard~~ general permit if the applicant provides reasonable assurance and certifies that the conditions in paragraphs 40D-40.301(1)(f), (i), (j) and 40D-4.301(4), F.A.C., are met.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.427 FS. History—New 3-1-88, Amended 10-3-95, 10-16-96,_____.

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

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

(1) through (5) No change.

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

40D-40.321 Duration of Permits.

Unless revoked or otherwise modified, the duration of a ~~standard~~ general permit issued pursuant to this Chapter is as specified in Rule 40D-4.321, F.A.C.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.416, 373.419(2) FS. History—New 10-1-84, Amended 3-1-88, 10-3-95, _____.

40D-40.331 Modification of Permits.

A request for modification to renew or extend a permit issued under this chapter shall be made in accordance with this rule. Requests to modify permits shall be made:

(1) In accordance with Rules 40D-4.091, 40D-4.331, 40D-40.040, 40D-40.112, 40D-40.301 and 40D-40.302, F.A.C., for ~~standard~~ general construction and operation permits and as applicable for all site conditions assessment permits; or

(2) By letter for ~~standard~~ general construction and operation permits provided the requested modification does not exceed the conditions of paragraph 40D-4.331(2)(b), F.A.C.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.416(1), 373.429 FS. History—New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96, 4-17-97,_____.

40D-40.381 General Conditions.

The ~~standard~~ general permits issued pursuant to this chapter shall be subject to the following limiting conditions:

(1) through (2) No change.

(3) All ~~standard~~ general permits shall be subject to other reasonable conditions as are necessary to assure that the permitted system will not be inconsistent with the overall objectives of the District and will not be harmful to the water resources of the District.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.117, 373.413, 373.414, 373.416, 373.419 FS. History—New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96,_____.

LAND AND WATER ADJUDICATORY COMMISSION

Bartram Springs Community Development District

RULE CHAPTER TITLE	RULE CHAPTER NO.:
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Bartram Springs Community Development District	42HH-1
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RULE TITLES:	RULE NOS.:
Creation	42HH-1.001
Boundary	42HH-1.002
Supervisors	42HH-1.003

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district (CDD), the Bartram Springs Community Development District (“District”), pursuant to Chapter 190, F.S. The petition to establish the District, filed by SouthStar Development Partners, Inc., requests that the Commission establish by rule the Bartram Springs CDD. A Notice of Receipt of Petition for the District was published in the May 17, 2002, edition of the Florida Administrative Weekly. The land area proposed to be served by the District will consist of approximately 1,025 acres. All proposed lands in the District are within the boundaries of the City of Jacksonville, Florida, a consolidated government which has jurisdiction over and extends to the limits of Duval County. The proposed District is generally located west of U.S. #1, east of Interstate 95, and south of St. Augustine Road in Duval County. There are no out-parcels located within the external boundaries of the parcel of land to

be included within the District. The lands to be included within the proposed District are zoned Planned Unit Development/Multi-Use. The proposed District is bounded by office, commercial, multi-family, and agricultural uses. The future general distribution, location and extent of the public and private land uses under the Planned Unit Development/Multi-Use designation (City of Jacksonville Comprehensive Plan) currently include residential, recreation, and commercial elements. The proposed land uses within the District are subject to the approved Bartram Park Development of Regional Impact (DRI) Development Approval issued by the City of Jacksonville, and, to the extent applicable, the Bartram Park Development of Regional Impact Development Order issued by St. Johns County. The proposed commercial development within the District contemplates the construction of facilities on approximately three acres of land. Approximately 1,400 single-family residential units and 300 multi-family units are presently planned for development within the District. The Petitioner either owns or has written consent to establish the District from the owners of 100% of the real property located within the District. The District, if established, intends to participate in the construction of certain road and entranceway improvements. The District is also expected to provide certain stormwater and recreation amenity improvements for the lands within the District, as well as wetland restoration and funding for a roadway planning, development, and engineering study.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Bartram Springs 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, July 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.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE CHAPTER TITLE: 211 Certification Rule Process
RULE CHAPTER NO.: 59G-11

PURPOSE AND EFFECT: To adopt a rule that will establish the certification process and guidelines for 211 providers in Florida.

SUBJECT AREA TO BE ADDRESSED: Development of the certification process for 211 providers.

SPECIFIC AUTHORITY: Chapter 2002-223, Laws of Florida.

LAW IMPLEMENTED: Chapter 2002-223, Laws of Florida.

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 a.m. – 12:00 Noon, Wednesday, July 31, 2002

PLACE: 2727 Mahan Drive, Conference Room C, Tallahassee, Florida 32308

Other 211 accreditation related matters before the workshop will also be discussed. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Mel Chang, (850)922-5530, at least five calendar days prior to the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mel Chang, Government Analyst II, Agency for Health Care Administration, Medicaid Bureau of Research, Bldg. 3, Suite 2340, Mail Stop #48, 2727 Mahan Drive, Tallahassee, FL 32308-5403, (850)922-5530

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

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE TITLES: Regular Time and Overtime
RULE NOS.: 60L-34.0031

Holidays 60L-34.0032

General Requirements for Leave Earning, Approval, and Use 60L-34.004

Annual Leave 60L-34.0041

Sick Leave 60L-34.0042

Administrative Leave 60L-34.0071

PURPOSE AND EFFECT: To make minor clarifying amendments to attendance and leave rules adopted in January 2002.

SUBJECT AREA TO BE ADDRESSED: Attendance and leave rules governing employees within the State Personnel System.

SPECIFIC AUTHORITY: 110.1055, 110.201, 110.219(5) FS.
 LAW IMPLEMENTED: 110.117, 110.121, 110.122, 110.219, 121.091(13) FS.

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

TIME AND DATE: 3:00 p.m., July 22, 2002

PLACE: Department of Management Services, 4040 Esplanade Way, Suite 301, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Frederick J. Springer, Department of Management Services, Office of General Counsel, 4050 Esplanade Way, Suite 260, Tallahassee, FL 32399-0950, (850)487-1898, springf@dms.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Standards for Approval of Courses

RULE NO.: 64B16-26.601

PURPOSE AND EFFECT: The Board proposes to amend this rule to address the standards and fees for providers of continuing education.

SUBJECT AREA TO BE ADDRESSED: Standards and fees for providers of continuing education.

SPECIFIC AUTHORITY: 465.005, 465.009 FS.

LAW IMPLEMENTED: 465.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Sterile Products and Special

RULE NO.: 64B16-28.820

Parenteral/Enteral Compounding

64B16-28.820

PURPOSE AND EFFECT: The Board proposes to amend this rule to update certain sections to conform with recent rule changes.

SUBJECT AREA TO BE ADDRESSED: Sterile Products.

SPECIFIC AUTHORITY: 465.005, 465.007, 465.022 FS.

LAW IMPLEMENTED: 465.007, 465.018, 465.0196 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Mediation

RULE NO.: 64B19-17.007

PURPOSE AND EFFECT: The Board proposes to review the existing text to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Mediation.

SPECIFIC AUTHORITY: 490.004(4),(5), 456.078 FS.

LAW IMPLEMENTED: 490.009(2)(h),(v),(w), 456.078 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Qualifications to Practice Juvenile

RULE NO.: 64B19-18.0025

Sexual Offender Therapy

64B19-18.0025

PURPOSE AND EFFECT: The Board proposes to review the existing text to see if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Qualifications to Practice Juvenile Sexual Offender Therapy.

SPECIFIC AUTHORITY: 490.004(4), 490.012(8), 490.0145 FS.

LAW IMPLEMENTED: 490.012(8), 490.0145 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton , Executive Director, Board of Psychology,/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Importation of Cervids
RULE NO.: 68A-4.0051

PURPOSE AND EFFECT: The purpose and effect of this proposed rule is to establish criteria for the importation and intrastate movement of wildlife species in the family Cervidae to prevent the introduction of Chronic Wasting Disease (CWD) into the wild deer population in Florida. CWD has been found in captive and free-ranging elk, white-tailed deer, mule deer, and black-tailed deer in a number of Western and Midwestern states. CWD is a progressive neurological disease that belongs to a family of diseases known as transmissible spongiform encephalopathies which attack the brainstem of live animals eventually causing death. The origin, epidemiology, and transmission of CWD is unknown and there is no live animal test, prophylactic or treatment regimen available. Consequently, introduction of CWD into native white-tailed deer has the potential for catastrophic mortality.

SUBJECT AREA TO BE ADDRESSED: Criteria and requirements for importation and intrastate movement of wildlife species in the family Cervidae.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec 9, Fla. Const.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S REGULARLY SCHEDULED PUBLIC MEETINGS AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m. each day, September 4-6, 2002
PLACE: Clarion Suites, 20 Via DeLuna, Pensacola Beach, Florida 32561

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Timothy Breault, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-3831

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Regulations Governing the Operation of Private Hunting Preserves
RULE NO.: 68A-12.010

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to establish or revise rule provisions associated with the operation of private hunting preserves.

SUBJECT AREA TO BE ADDRESSED: The subject area covered in the proposed rules will be regulations pertaining to the release of captive-reared ducks on preserves for shooting purposes.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S PUBLIC MEETING AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m. each day, September 4-6, 2002
PLACE: Clarion Suites, 20 Via DeLuna, Pensacola Beach, Florida 32561

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Timothy E. O'Meara, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

SUMMARY: The proposed amendments to Rule 12-25.031, F.A.C. (Definitions), revise the definition of the term “practitioner(s)” to include those individuals who have successfully completed a training course approved by the Department.

The proposed amendments to Rule 12-25.033, F.A.C. (Eligibility and Qualifications): (1) provide that a qualified practitioner will supervise the subject activities and will no longer be required to be physically on site where the activities are performed; and (2) require a qualified audit firm to receive a timely system review with an “Unqualified Opinion” dated prior to the Request to Participate in the Certified Audit program.

The proposed amendments to Rule 12-25.035, F.A.C. (Responsibility for Program Training, Certification Procedures, and Program Availability), remove the limitation on the number of consecutive temporary recertifications issued to a qualified practitioner.

The proposed amendments to Rule 12-25.037, F.A.C. (Applying for Participation in the Program): (1) incorporate by reference changes to form DR-342000, Request to Participate in the Certified Audit Program, effective May 2002; (2) provide that form DR-835, Power of Attorney, is incorporated by reference in Rule 12-6.0015, F.A.C.; (3) provide that the Department will notify the qualified practitioner when a Request to Participate in the certified Audit program is incomplete or requires clarification; (4) change the extension of time to resubmit a revised Request to Participate and/or supporting documentation from a 15-day period to a 30-day period; and (5) provide that the failure to register for, or file returns for, communications services tax is one of the grounds for Departmental denial of a Request to Participate.

The proposed amendments to Rule 12-25.042, F.A.C. (Withdrawal from the Certified Audit Program), clarify that the Department will conduct an audit of a taxpayer for the same audit period and taxes addressed by the Agreed Upon Procedures when a Certified Audit report is not provided to the Department within 90 calendar days upon approval of the Agreed Upon Procedures.

The proposed amendments to Rule 12-25.047, F.A.C. (Development of Agreed Upon Procedures), and Rule 12-25.048, F.A.C. (Submission of the Certified Audit Report), incorporate by reference the Statements on Standards for Attestation Engagements #10.

The proposed amendments to Rule 12-25.049, F.A.C. (Review of Certified Audit Reports), provide that the criteria for selecting an approved certified audit report for review include: (1) reports that are protested by the taxpayer; (2) reports that are submitted by a qualified practitioner after a previous report that required changes or clarification; (3) reports for audits where the Agreed Upon Procedures for the report were not followed; and (4) reports that indicate an overpayment has been made.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since these proposed amendments to Part II, Rule Chapter 12-25, F.A.C. (Certified Audit Program), only implement statutory provisions, no new regulatory costs are being created. Therefore, no statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 213.06(1), 213.285(7) FS.

LAW IMPLEMENTED: Ch. 98-95, L.O.F., 213.285 FS.

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

TIME AND DATE: 9:00 a.m., July 31, 2002

PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0100

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting: Jamie Phillips, (850)488-0717. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice), 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE FULL TEXT OF THE PROPOSED RULES IS:

12-25.031 Definitions.

(1) through (7) No change.

(8) “Practitioner(s)” means the individual(s) that are on the certified audit engagement team that are not qualified practitioners and who have successfully completed a training course approved by the Department prior to their performance of the subject activities, as described in Rule 12-25.033(1)(b), F.A.C.

(9) through (11) No change.

Specific Authority 213.06(1), 213.285(7) FS. Law Implemented Ch. 98-95, L.O.F., 213.285 FS. History—New 8-23-99, Amended.

12-25.033 Eligibility and Qualifications.

(1)(a) No change.

(b) Any practitioner employed by the qualified audit firm who performs audit analysis, who makes auditing decisions on source documents, taxpayer data, or sales transactions, or who performs agreed-upon procedures, except for the gathering of information for the planning work discussed in Rule 12-25.047(1)(b)1., 2., 4., 5., 6., and 7., scheduling, or

reconciling, must successfully complete a training course approved by the Department prior to his or her ~~their~~ initial performance of the subject activities. The Department will approve the training, including instructional curriculum and materials, and testing, administered and delivered by the contract provider, if the provider meets all the conditions contained in pages 20 through 23 of the contract required to be established by both parties pursuant to Section 213.285(1), F.S., and Section 4 of Chapter 98-95, Laws of Florida. This contract is adopted and incorporated by reference. However, the Department shall grant a waiver of this requirement for a specific certified audit in circumstances where a practitioner working on the subject audit can not complete his or her work due to a documented medical reason or; a documented family emergency, or the practitioner has left the employment of the firm. The training course will, at a minimum, teach the basics of Florida Sales and Use tax law, and it will include a required examination. The Department will be the final authority on the content of the training course and the nature, number, and type of questions on the examination. "Successfully complete" means the participant has met all the requirements for the course and achieved a scaled score of 70 percent. Further, any practitioner performing the subject activities shall be supervised by a qualified practitioner. ~~The subject qualified practitioner will be physically on site where the activities are performed.~~

(c) through (d) No change.

(e) ~~The In addition,~~ The qualified audit firm must have received a timely system review (on-site peer review) dated prior to the date of the Request to Participate and must have received an "Unqualified Opinion" on such system review (on-site peer review). Compliance with these requirements is based on the most recent system review (on-site peer review) received prior to the Request to Participate. If the qualified audit firm at the date of the Request to Participate has not received a system review (~~an~~ on-site peer review) with an unqualified opinion, dated prior to the date of the Request to Participate, then the qualified audit firm is ineligible to participate in the certified audit program. The qualified audit firm can submit a new Request to Participate once the applicable requirements are met.

(2) No change.

Specific Authority 213.06(1), 213.285(7) FS. Law Implemented Ch. 98-95, L.O.F., 213.285 FS. History--New 8-23-99, Amended.

12-25.035 Responsibility for Program Training, Certification Procedures, and Program Availability.

(1) through (3)(a) No change.

(b) The Department shall issue temporary recertification if a previously certified qualified practitioner fails to timely apply for and receive a recertification. These temporary recertifications shall expire 90 consecutive calendar days after the date of issuance. ~~No more than two consecutive temporary recertifications shall be issued to a qualified practitioner.~~

(4) No change.

(5) Continuing professional education is required for practitioners and qualified practitioners as part of the training required pursuant to the directives in s. 213.285(1)(a), F.S., and Section 4 of Chapter 98-95, L.O.F. These laws require the training to be developed and delivered by the FICPA and approved by the Department pursuant to the contract signed by the Department and the FICPA. The Department shall approve the continuing professional education program if it meets all the criteria established in the contract.

(a) Practitioners must complete a continuing professional education program which will not exceed eight hours every two years.

(b) A qualified practitioner must complete a continuing professional education program, approved by the Department for recertification, which will not exceed sixteen hours every two years.

(6) through (8) No change.

Specific Authority 213.06(1), 213.285(7) FS. Law Implemented Ch. 98-95, L.O.F., 213.285 FS. History--New 8-23-99, Amended.

12-25.037 Applying for Participation in the Program.

(1) The following public use form is employed by the Department of Revenue in its dealings with the public, and is hereby incorporated in these rules by reference. Copies of this form are available by one or more of the following methods: 1) writing the Florida Department of Revenue, Forms Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304; or 2) faxing the Forms 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://myflorida.com/dor/>). Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331. When a qualified practitioner has a client who agrees to participate in the program, the qualified practitioner must complete a Request to Participate in the Certified Audit Program (form DR-342000), which includes a Power of Attorney (form DR-835, incorporated by reference in Rule 12-6.0015, F.A.C.), and submit the Request to Participate, including any required supporting information to the Department.

Form Number	Title	Effective Date
DR-342000	Request to Participate in the Certified Audit Program <u>program</u> (r. 05/02 N. 8/99)	8/99

(2) through (3) No change.

(4)(a) If the Request to Participate in the Certified Audit Program ~~program~~ received by the Department is incomplete or requires clarification, ~~it will be returned to the qualified practitioner will be notified.~~ When the Department determines that a request is incomplete returns an incomplete Request and/or supporting documentation to a qualified practitioner, it will notify the qualified practitioner issue a letter, explaining how the Request and/or documentation must be revised, expanded, or clarified.

(b) The qualified practitioner will be given 30 calendar days from the date of notification ~~the letter is issued~~ by the Department to resubmit the revised Request to Participate and/or supporting documentation.

(c) No change.

(5) A qualified practitioner may submit a written request to the Department for a 30-day 15-day extension of the 30-day time period discussed in subsection (4) of this rule. The Department will not accept more than two consecutive written requests for a 30-day 15-day extension for the same Request to Participate.

(6) The Request to Participate is not, by definition, "proper and complete" if the Department requests clarification of submitted information or requests additional information. The Department will, within 10 ten working days of receiving a proper and complete Request to Participate in the Certified Audit program and application, issue written notification to the qualified practitioner:

(a) through (b) No change.

(7) Grounds for departmental denial of a Request to Participate include:

(a) through (b) No change.

(c) The taxpayer has failed to register for, or file the returns for, corporate income tax, intangible personal property tax, fuel taxes, documentary stamp tax, insurance premium tax, communications services tax, or gross receipts tax. The local option surtaxes and fees specific to the type of industry or location of the participating taxpayer will be included with the sales and use tax in the certified audit.

(d) through (f) No change.

(8) through (9) No change.

Specific Authority 213.06(1), 213.285(7) FS. Law Implemented Ch. 98-95, L.O.F., 213.285 FS. History--New 8-23-99, Amended.

12-25.042 Withdrawal from the Certified Audit Program.

(1) No change.

(2) If the taxpayer withdraws from the Certified Audit program subsequent to the Department approval of the Agreed Upon Procedures or if a Certified Audit report is not provided to the Department within 90 calendar days upon approval; of the Agreed Upon Procedures, and the Department denies an

extension of time, then the Department will conduct an audit of the taxpayer for the same audit period and taxes addressed by the Agreed Upon Procedures.

(3) No change.

Specific Authority 213.06(1), 213.285(7) FS. Law Implemented Ch. 98-95, L.O.F., 213.285 FS. History--New 8-23-99, Amended.

12-25.047 Development of Agreed Upon Procedures.

(1)(a) Certified Audits conducted pursuant to the authority of s. 213.285, F.S., are attestation engagements that are conducted under Statements on Standards for Attestation Engagements, #10 #4 – Agreed Upon Procedures, which are adopted and incorporated by reference.

(b) No change.

(2) through (5) No change.

Specific Authority 213.06(1), 213.285(7) FS. Law Implemented Ch. 98-95, L.O.F., 213.285 FS. History--New 8-23-99, Amended.

12-25.048 Submission of the Certified Audit Report.

(1) The certified audit report must meet all the requirements established by Statements on Standards for Attestation Engagements #10 #4.

(2) through (5) No change.

Specific Authority 213.06(1), 213.285(7) FS. Law Implemented Ch. 98-95, L.O.F., 213.285 FS. History--New 8-23-99, Amended.

12-25.049 Review of Certified Audit Reports.

(1) The Department will select certain ~~approved~~ certified audit reports for a ~~post-approval~~ comprehensive review of the supporting work papers and associated documentation.

(2) No change.

(3) The criteria for selecting a an approved certified audit report for review are is:

(a) through (d) No change.

(e) The certified audit report is protested by the taxpayer.

(f) The certified audit report is subsequent to the Department's review of a previous certified audit report submitted by the Qualified Practitioner, in which changes or clarification were required.

(g) The Agreed Upon Procedures for the certified audit report were not followed.

(h) The certified audit report indicates an overpayment has been made.

(4) When a qualified practitioner completes a certified audit and the Department approves the certified audit report, the qualified audit firm must request that the certified audit engagement be included as a part of its their next system review (on-site peer review).

Specific Authority 213.06(1), 213.285(7) FS. Law Implemented Ch. 98-95, L.O.F., 213.285 FS. History--New 8-23-99, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles Strausser, Revenue Program Administrator II, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone number (850)922-4746

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: The proposed rule amendments were noticed for a rule development workshop in the Florida Administrative Weekly on April 19, 2002 (Vol. 28, No. 16, pp. 1739-1742). A rule development workshop was held on May 7, 2002, in Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida. No one appeared to provide comments regarding the proposed changes to Rule Chapter 12-25, F.A.C. No written comments have been received by the Department. Additional changes were made by the Department to the proposed amendments to Rules 12-25.037 and 12-25.049, F.A.C. The proposed amendments to Rule 12-25.037, F.A.C. (Applying for Participation in the Program) provide that form DR-342000, Request to Participate in the Certified Audit Program, will be revised effective May 2002. The proposed amendments to Rule 12-25.049, F.A.C. (Review of Certified Audit Reports), provide that the Department will select certain certified audit reports for a comprehensive review of the supporting work papers and association documentation.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLES: Consumer’s Certificates of Exemption; Exemption Certificates
 RULE NOS.: 12A-1.038

Public Works Contracts 12A-1.094

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.038, F.A.C. (Consumer’s Certificates of Exemption; Exemption Certificates), is to correct reference information.

The purpose of the proposed amendments to Rule 12A-1.094, F.A.C. (Public Works Contracts), is to: (1) incorporate legislative changes to ss. 212.06(14), 212.08(6), and 212.08(7)(bbb), F.S.; (2) remove obsolete and unnecessary guidelines for public works contracts; and (3) provide simple guidelines for taxpayers and tax administrators regarding the taxability of public works contracts for the repair, alteration, improvement, or construction of real property.

SUMMARY: The proposed amendments to Rule 12A-1.038, F.A.C., change the reference to Rule 12A-1.094, F.A.C., for suggested formats of exemption certificates for people mover systems and parts.

The proposed amendments to Rule 12A-1.094, F.A.C.: (1) revise the definition of the terms “contractor,” “governmental entity,” “public works,” and “real property,” as used in the rule; (2) provide that contractors who purchase supplies and materials for sale and for use by the contractor may buy such items tax exempt and remit tax when the items are withdrawn from inventory for use in a public works contract; (3) provide guidelines for when property purchased or manufactured for resale to a governmental entity is exempt from tax; (4) provide that contractors who manufacture asphalt for incorporation into public works projects are liable for tax, as provided in Rule 12A-1.051(12), F.A.C., and s. 212.06(1)(c), F.S.; and (5) provide guidelines regarding the exemption for the purchase of people mover systems, or components of such systems, installed by contractors in public works projects.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since these proposed amendments to Rules 12A-1.038 and 12A-1.094, F.A.C., only implement statutory provisions, no new regulatory costs are being created. Therefore, no statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 95.091(3), 120.57(1),(2), 120.60(3), 120.80(14), 212.02(4), (14),(15),(16), (19),(20),(21), 212.05(1)(j), 212.06(1),(2),(14), 212.07(1), 212.08(6),(7), 212.085, 212.18(2),(3), 212.21(2) FS.

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

TIME AND DATE: 9:00 a.m., July 31, 2002

PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0100

Copies of the agenda for the rule hearing may be obtained from Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips at (850)488-0717. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Linda Bridges, Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)488-7157

THE FULL TEXT OF THE PROPOSED RULES IS:

12A-1.038 Consumer’s Certificates of Exemption; Exemption Certificates.

(1) through (4) No change.

(5) SALES EXEMPT BASED ON THE USE OF THE PROPERTY OR SERVICES.

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

2. As provided in subparagraph (a)2. of this subsection, there are other suggested formats for exemption certificates based on the use of the property or services that are provided in other sections of Rule Chapter 12A-1, F.A.C., and in Taxpayer Information Publications (TIPs) issued by the Department. The following is a list of these suggested formats of exemption and the applicable rule section or TIP number that suggests the exemption certificate format. This list is not intended to be an exhaustive list:

a. through k. No change.

l. People Mover Systems and Parts. See Rule 12A-1.094, F.A.C. TIP 00A01-18, dated July 11, 2000.

m. through n. No change.

(6) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 95.091(3), 120.57(1),(2), 120.60(3), 120.80(14), 212.02(14)(c), 212.05(1)(j), 212.06(1)(c), 212.07(1), 212.08(6),(7), 212.085, 212.18(2),(3), 212.21(2) FS. History—Revised 10-7-68, 6-16-72, Amended 9-28-78, 7-20-82, 4-29-85, Formerly 12A-1.38, Amended 8-10-92, 3-17-93, 9-14-93, 12-13-94, 10-2-01,

12A-1.094 Public Works Contracts.

(1) This rule shall govern the taxability of transactions in which contractors manufacture or purchase supplies and materials for use in public works contracts, as that term is referred to in Section 212.08 (6), F.S. This rule shall not apply to non-public works contracts for the repair, alteration, improvement, or construction of real property, as those contracts are governed under the provisions of Rule 12A-1.051, F.A.C. ~~This rule shall also not apply to contractors who entered into road construction contracts during the period from January 1, 1988, through February 11, 1988, and who chose to remit the tax based on 50 percent of the contract price. See Emergency Rule 12AER88-16 for provisions governing such contracts.~~ In applying this rule, the following definitions are used.

(a)1. “Contractor” is one that supplies and installs tangible personal property that is incorporated into or becomes a part who is engaged in the repair, alteration, improvement or construction of public property or a public facility pursuant to a public works contract with a governmental entity exercising its

authority in regard to the public property or facility real property. Contractors include, but are not limited to, persons engaged in building, electrical, plumbing, heating, painting, decorating, ventilating, paperhanging, sheet metal, roofing, bridge, road, waterworks, landscape, pier or billboard work. This definition includes subcontractors.

2. “Contractor” does not include one that furnishes tangible personal property that is freestanding and can be relocated with no tools, equipment, or need for adaptation for use elsewhere. For example, a vendor that sells a desk, sofas, chairs, tables, lamps, and art prints for the reception area in a new public building is not a public works contractor even if the sales agreement requires the vendor to place the furniture according to a floor plan, plug in the lamps, and hang the art prints.

3. “Contractor” does not include one that provides tangible personal property that will be incorporated into or become part of a public facility if such property will be installed by another party. If a manufacturer produces the structural steel or the prestressed concrete for a public works project and delivers those steel or concrete products but has not contracted to also install those products, that manufacturer is not a contractor for purposes of this rule. The party that has contracted to install those products into the public facility is a contractor for purposes of this rule, regardless of whether or not that party has also contracted to furnish the items to be installed.

(b) “Governmental entity” includes any agency or branch of the United States government, a state, or any county, municipality, or political subdivision of a state. The term includes authorities created by statute to operate public facilities using public funds, such as public port authorities or public-use airport authorities.

(c)~~(b)~~ “Public works” are defined as ~~construction~~ projects for public use or enjoyment, financed and owned by the government, in which private persons undertake the obligation to do a specific piece of work that involves installing tangible personal property in such a manner that it becomes a part of a public facility. The term “public works” is not restricted to the repair, alteration, improvement, or construction of real property and fixed works, although such projects are included within the term where the sale of tangible personal property is made to or by contractors involved in public works contracts. ~~Such contracts shall include, but not be limited to, building, electrical, plumbing, heating, painting, decorating, ventilating, paperhanging, sheet metal, roofing, bridge, road, waterworks, landscape, pier, or billboard contracts.~~

(d)~~(e)~~ “Real property” within the meaning of this rule includes all fixtures and improvements to real property. The status of a project as an improvement or ~~fixture~~ fixture to real property will be determined by reference to the definitions contained in Rule 12A-1.051(2), F.A.C. is determined by the objective and presumed intent of the parties, based on the nature and use of the project and the degree of affixation to

realty. Mobile homes and other mobile buildings are deemed fixtures if they (1) bear RP license tags, or (2) have the mobile features (such as wheels and/or axles) removed, and are placed on blocks or footings and permanently secured with anchors, tie-down straps or similar devices.

(2) The purchase or manufacture of supplies or materials by the contractor for incorporation into a public works project, whether the purchase or manufacture occurs inside or outside Florida, is taxable to the contractor, since the contractor he is the ultimate consumer of all goods and services used to fulfill a public works contract. Contractors that purchase or manufacture such supplies and materials in Florida are liable for sales tax or use tax on such purchases and manufacturing costs. A contractor that purchases property that may be sold as tangible personal property or may be incorporated into a public works project may purchase such tangible personal property without tax by issuing a copy of the contractor's Annual Resale Certificate and accrue and remit tax upon withdrawing items from inventory for use in a public works contract. Contractors that purchase or manufacture such materials outside the State of Florida are liable for use tax, subject to credit for any sales or use tax lawfully imposed and paid in the state of purchase or manufacture. The applicable tax rate shall be determined on the basis of the invoice date, not the date of the contract, as follows:

(a) If invoiced before February 1, 1988, and delivered within a reasonable period of time the tax rate shall be 5 percent.

(b) If invoiced on or after February 1, 1988, the tax rate shall be 6 percent.

(3)(a) The purchase or manufacture of tangible personal property for resale to a governmental entity body is exempt from tax, provided this exemption shall not include sales of tangible personal property made to, or the manufacture of tangible personal property by, public works contractors employed either directly or as agents of the United States Government, a state, or any county, municipality, or political subdivision of a state when such tangible personal property goes into or becomes a part of public works financed or owned by a such governmental entity bodies or political subdivisions pursuant to a contract between the governmental entity and the contractor furnishing that tangible personal property.

(b) With regard to contracts with government entities, the exemption in subsection (3)(a) is appropriate only where the levy would otherwise fall on the government itself, or on an agency or instrumentality so closely connected with that government that the two cannot realistically be viewed as separate entities, at least insofar as the activity being taxed is concerned. A finding of exempt status, however, requires something more than the implication of traditional agency notions, so that to resist a state's taxing power, a private taxpayer must actually stand in the government's shoes as a

principal, rather than as a contractor employed either directly or as the government's agent. A contractor will not be deemed to actually stand in the government's shoes if the contractor has a substantial independent role in making purchases. Accordingly, the fact that title passes directly to the government and payment is made with government funds, in and of itself, cannot characterize the transaction as an exempt purchase if the purchasing entity, in its role as a purchaser, is sufficiently distinct from the government.

(4) The exemption in s. 212.08(6), F.S., subsection (3)(a) is a general exemption for sales made directly to the government. The exception in subsection (2)(a) is a specific exception for sales to contractors. A determination of whether a particular transaction is properly characterized as an exempt sale to a governmental government entity or a taxable sale to or use by a contractor shall be based on the substance of the transaction, rather than the form in which the transaction is cast. The Executive Director or the Executive Director's designee in the responsible program will determine whether the substance of a particular transaction is governed by subsection (2)(a) or is a taxable sale to or use by a contractor or an exempt direct sale to a governmental entity body as provided by subsection (3) of this rule based on all of the facts and circumstances surrounding the transaction as a whole. Special The Executive Director or the Executive Director's designee in the responsible division will give special consideration will be given to factors that which govern the status of the tangible personal property prior to its affixation to real property. The governmental entity must issue its purchase order directly to the vendor supplying the materials the contractor will use and supply the vendor with a copy of the entity's Florida Consumer's Certificate of Exemption. The vendor's invoice must be issued to the governmental entity, rather than to the contractor, and the governmental entity must make payment directly to the vendor using public funds. The entity must take title to and assume the risk of damage or loss of the property at the time of purchase or delivery by the vendor. Such factors include provisions which govern bidding, indemnification, inspection, acceptance, delivery, payment, storage, and assumption of the risk of damage or loss for the tangible personal property prior to its affixation to real property. Assumption of the risk of damage or loss is a paramount consideration. A governmental entity will party may be deemed to have assumed the risk of loss if the governmental entity party either: bears the economic burden of posting a bond or obtaining insurance covering damage or loss; or directly enjoys the economic benefit of the proceeds of such bond or insurance. Other factors that may be considered by the Executive Director or the Executive Director's designee in the responsible division include whether: the contractor is authorized to make purchases in its own name; the contractor is jointly or severally liable to the vendor for payment: purchases

are not subject to prior approval by the government; vendors are not informed that the government is the only party with an independent interest in the purchase; and whether the contractors are formally denominated as purchasing agents for the government. Sales made pursuant to so-called "cost-plus", "fixed-fee", "lump sum", and "guaranteed price" contracts are taxable sales to the contractor unless it can be demonstrated to the satisfaction of the Executive Director or the Executive Director's designee in the responsible division that such sales are, in substance, tax exempt direct sales to the government.

(5) Contractors ~~that who~~ manufacture materials for incorporation into public works shall be liable for tax in the manner provided in Rule 12A-1.051(10), F.A.C.

(6) Contractors ~~that who~~ supply raw materials such as rock, shell, fill dirt, and similar materials for incorporation into public works shall be liable for tax in the manner provided in Rule 12A-1.051(13), F.A.C.

~~(7) Contractors that manufacture and incorporate asphalt into public works projects are liable for tax on their costs, as provided in Rule 12A-1.051(12), F.A.C., subject to a partial exemption, as provided in s. 212.06(1)(c), F.S. Contractors who purchase tangible personal property outside the State of Florida, or inside the State but fail to pay sales tax, and use such property in a public works project shall be presumed to have the beneficial use of such property because the property is being used in furtherance of the contractor's essentially independent commercial enterprise. Accordingly, such contractors shall be liable for the use tax.~~

(8) Contractors that install people mover systems in public works projects are exempt from sales and use tax on their purchases of such systems or components of such systems and on any other costs incurred in the manufacture of such systems that would be taxable under the provisions of Rule 12A-1.051(10), F.A.C.

(a) A "people mover system" includes wheeled passenger vehicles and related control and power distribution systems that form a transportation system owned by a public entity and used by the general public. The vehicles may be operator-controlled, driverless, self-propelled, or externally powered. They may run on roads, rails, guidebeams, or other permanent structures that are an integral part of the system. "Related control and power distribution systems" includes electrical or electronic control or signaling equipment that distributes power or signals from the control center or centers or from the power source throughout the system. Embedded wiring, conduits, or cabling and the roads, rails, guidebeams, or other permanent structures on which the vehicles run are not included within the term "people mover system." A contractor that installs such embedded wiring, conduits, or cabling or that builds such a road, rail, guidebeam, or permanent structure is taxable on the purchase or use of tangible personal property incorporated into the project.

(b) A people mover system contractor should claim the exemption by providing a vendor with a certificate of entitlement to the exemption. The vendor must maintain copies of certificates until tax imposed by Chapter 212, F.S., may no longer be determined and assessed under s. 95.091, F.S. Possession by a vendor of such a certificate from the purchaser relieves the vendor from the responsibility of collecting tax on the sale, and the Department shall look solely to the purchaser for recovery of tax if it determines that the purchaser was not entitled to the exemption. A suggested form of certificate follows:

SUGGESTED PURCHASER'S EXEMPTION
CERTIFICATE

PEOPLE MOVER SYSTEMS AND PARTS

(Purchaser's Name) certifies that the tangible personal property purchased on or after (date) will be used as part of a people mover system that will become a part of a publicly owned facility pursuant to a contract with the United States, a state, a county, a municipality, a political subdivision of a state, or the public operator of a public-use airport as defined in s. 332.004, Florida Statutes. Such contract requires Purchaser to purchase the tangible personal property for use in manufacturing, installing, manufacturing and installing, repairing, or maintaining, all or part of a people mover system operated by the governmental entity as a public facility.

(Purchaser's Name) further certifies: a) that all of the tangible personal property purchased pursuant to this certificate is or will be part of a wheeled passenger vehicle or of related control or power distribution systems that are part of a transportation system for use by the general public; and b) none of the tangible personal property purchased pursuant to this certificate will be used as embedded wiring, conduits, or cabling to transmit signals among the vehicles, control equipment, power distribution equipment, and signaling equipment that make up the people mover system.

The undersigned understands that if such tangible personal property does not qualify for this exemption, the undersigned will be subject to sales and use tax, interest, and penalties. The undersigned further understands that when any person fraudulently, for the purpose of evading tax, issues to a vendor or to any agent of the state a certificate or statement in writing in which he or she claims exemption from the sales tax, such person, in addition to being liable for payment of the tax plus a mandatory penalty of 200% of the tax, shall be liable for fine and punishment provided by law for conviction of a felony of the third degree, as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

Purchaser's Name (Print or Type)

Signature and Title Date Florida Sales Tax Number

Federal Employer Identification Number or Social Security Number Telephone Number

Retain in vendor's records. Do not send to the Department of Revenue.

(c) Contractors that maintain an inventory of parts that may be incorporated into people mover system components that are sold as tangible personal property, may be used in performing real property contracts, and may be incorporated into exempt people mover systems pursuant to a public works contract may purchase such inventory parts by issuing a copy of the contractor's Annual Resale Certificate in lieu of providing a certification of specific eligibility under the people mover system exemption. If appropriate, tax should be remitted upon subsequent taxable sale or use of such parts.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(4),(10),(14),(15),(16),(19),(20),(21), 212.06(1),(2),(14), 212.07(1), 212.08(6),(7)(bbb), 212.085, 212.14(5); 212.18(2) FS. History--New 6-3-80, Amended 11-15-82, Formerly 12A-1.94, Amended 1-2-89, 8-10-92,

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Bridges, Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443; telephone (850)488-7157

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles Strausser, Revenue Program Administrator II, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443; telephone number (850)922-4746

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: The proposed rule amendments were noticed for a rule development workshop in the Florida Administrative Weekly on January 18, 2002 (Vol. 28, No. 3, pp. 140-144). A rule development workshop was held on February 5, 2002, in Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida. No one appeared to provide comments regarding the proposed changes to Rules 12A-1.038 and 12A-1.094, F.A.C. No written comments have been received by the Department.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Procedural RULE CHAPTER NO.: 40D-1

RULE TITLE: Delegation of Authority RULE NO.: 40D-1.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt by reference the Third Amendment to Well Construction Permitting Agreement Between the Southwest Florida Water Management District and Manatee County dated May 21, 2002 and the Third Amendment to the Well Construction Permitting Agreement Between the Southwest Florida Water Management District and Sarasota County dated [effective date].

SUMMARY: The District has a long standing delegation agreement with both Sarasota and Manatee counties for the implementation of the Well Construction Permitting and Inspection Program (permitting, compliance, and inspection). The delegation agreements were extended with several amendments by the Governing Board at its April, 2002 meeting.

In addition to continuing the delegation in effect, the amendments to the Manatee County agreement delete the reference to Rule 40D-1.607, F.A.C., in paragraph 16, and add an additional paragraph clarifying the District's permitting and oversight responsibility for District sanctioned well activities. The Sarasota agreement continues the delegation in effect without modification. The proposed rule revisions will adopt the amended agreements into the District's rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rule 40D-1.002, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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: 373.044, 373.103, 373.113, 373.118, 373.219, 373.309 FS.

LAW IMPLEMENTED: 253.002, 373.103, 373.149, 373.219, 373.223, 373.224, 373.226, 373.308, 373.309, 373.427 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.002 Delegation of Authority.

(1) No change.

(2) The Governing Board hereby incorporates by reference the following documents:

(a) "Third Amendment to Well Construction Permitting Agreement Between the Southwest Florida Water Management District and Manatee County" dated May 21, 2002 ~~May 18, 1999~~.

(b) "Third Amendment to Well Construction Permitting Agreement Between the Southwest Florida Water Management District and Sarasota County" dated _____ ~~May 27, 1999~~.

Specific Authority 373.044, 373.103, 373.113, 373.118, 373.219, 373.309 FS. Law Implemented 253.002, 373.103, 373.149, 373.219, 373.223, 373.224, 373.226, 373.308, 373.309, 373.427 FS. History--New 3-1-84, Amended 3-10-96, 7-22-99, 12-2-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 23, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 28, 2002

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Procedural RULE CHAPTER NO.: 40D-1

RULE TITLE: Forms and Instructions RULE NO.: 40D-1.659

PURPOSE AND EFFECT: To incorporate by reference the Public Supply Well Information and Classification Form, Form No. 42.10-001 (/02), the Wholesale Public Supply Water Use Permit Application, Form No. 46.20-014 (/02) and, A Well Grouting/Abandonment Form, District form number 04.10R-026 (/02) into Rule 40D-1.659, F.A.C.

SUMMARY: The Public Supply Well Information and Classification Form is used by the District to acquire information necessary to properly classify public supply wells. The information is provided to the Florida Department of Environmental Protection or a County, whichever is responsible for permitting the public supply system. The classification of a public supply system determines the level of scrutiny the system will receive by the system permitting entity.

The Wholesale Public Water Supply Water Use Permit Application form requests the information necessary for District staff to determine whether a water use permit should

be issued in accordance with Part II of Chapter 373, Florida Statutes and Chapter 40D-2, Florida Administrative Code. The application and supporting information must be completed by all public water supply providers in a water use caution area that do not have permitted wells or surface water withdrawal facilities and who receive 100,000 GPD or greater of water on a wholesale basis from one or more sources, or that have a per capita rate greater than 150 gallons per person per day.

The amendments to the Well Grouting and Abandonment Form revise certain grout quantities specified for the abandonment of a well and provide for an acknowledgment that the well grouting/abandonment was not observed by District Field Service personnel.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rule 40D-1.659, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

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 (5) No change.

(6) WELL GROUTING/ABANDONMENT FORM FORM NO. 04.10 R-026 (/02) ~~41-10-410 (6/01)~~

(7) No change .

(8) PUBLIC SUPPLY WELL INFORMATION AND CLASSIFICATION FORM FORM NO. 42.10-001 (/02)

(8) through (19) renumbered (9) through (20) No change.

(21) WHOLESALE PUBLIC SUPPLY WATER USE PERMIT APPLICATION FORM NO. 46.20-014 (/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-1.1.901, 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, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 28, 2002

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Regulation of Wells
RULE CHAPTER NO.: 40D-3

RULE TITLE: Abandoned Well Plugging
RULE NO.: 40D-3.531

PURPOSE AND EFFECT: To incorporate by reference A Well Grouting/Abandonment Form, District form number 04.10R-026 (___/02) into Rule 40D-3.531, F.A.C.

SUMMARY: The amendments to the Well Grouting and Abandonment Form revise certain grout quantities specified for the abandonment of a well and provide for an acknowledgment that the well grouting/abandonment was not observed by District Field Service personnel.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District’s determination that the proposed revisions to Rule 40D-3.531, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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: 373.044, 373.113, 373.171, 373.309, 373.337 FS.

LAW IMPLEMENTED: 373.206, 373.207, 373.209, 373.306, 373.308, 373.309 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-3.531 Abandoned Well Plugging.

(1) through (3) No change.

(4) A Well Grouting/Abandonment Form, District form number 04.10R-026 (/02) is incorporated herein by reference.

~~(5)~~(4) An abandonment permit is required for the abandonment of any well including an incomplete well.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.206, 373.207, 373.209, 373.306, 373.308, 373.309 FS. History–New 7-1-90, Amended 9-30-91, 12-31-92, 7-2-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 28, 2002

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE TITLES:	RULE NOS.:
Initial Registration of Credentials Verification Organizations	64B-8.001
Biennial Renewal of Credentials Verification Organization Registration	64B-8.002
Documentation of Accreditation or Certification of a Credentials Verification Organization by a National Accrediting Organization	64B-8.003
Documentation of Liability Insurance Coverage by a Credentials Verification Organization	64B-8.004
Requirement for Notification of Change in Accreditation or Certification Status or Insurance Status	64B-8.005
Fee to Access Core Credentials Data File Forms	64B-8.006 64B-8.009
Prohibitions – Registered Credentials Verification Organizations	64B-8.013

Prohibitions – Subscriber Authorized to Access Core Credentials Data 64B-8.014
 Penalties – Registered Credentials Verification Organizations 64B-8.015
 Definition of “Fully Accredited or Certified as a Credentials Verification Organization” 64B-8.016
 Initial Reporting of Core Credentials 64B-8.017
 Notification of Corrections, Updates, or Modifications to Core Credentials Data 64B-8.018

PURPOSE AND EFFECT: House Bill 59-E, signed into law by the Governor on June 7, 2002, in part repealed section 456.047, FS; Standardized Credentialing for Health Care Practitioners, effective July 1, 2002. Accordingly the Department of Health is proposing the repeal of rules promulgated pursuant to authority found in Section 456.047, F.S., as these rules are no longer needed.

SUMMARY: Chapter 64B-8, FAC., is being repealed in its entirety.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

Any person who wishes to provide information regarding a 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: 456.047 FS.

LAW IMPLEMENTED: 456.047 FS.

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

All written material received by the Department within 21 days of the date of publication of this notice shall be made a part of the official record.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Lola Pouncey, Acting Bureau Chief, 4052 Bald Cypress Way, BIN #C10, Tallahassee, Florida 32399-3260

THE FULL TEXT OF THE PROPOSED RULES IS:

64B-8.001 Initial Registration of Credentials Verification Organizations.

Specific Authority 456.047(8) FS. Law Implemented 456.047(5),(7) FS. History–New 2-8-01, Repealed.

64B-8.002 Biennial Renewal of Credentials Verification Organization Registration.

Specific Authority 456.047(5),(8) FS. Law Implemented 456.047(5) FS. History–New 2-8-01, Repealed.

64B-8.003 Documentation of Accreditation or Certification of a Credentials Verification Organization by a National Accrediting Organization.

Specific Authority 456.047(8) FS. Law Implemented 456.047(2)(b),(l),(5) FS. History–New 2-8-01, Repealed.

64B-8.004 Documentation of Liability Insurance Coverage by a Credentials Verification Organization.

Specific Authority 456.047(8) FS. Law Implemented 456.047(5),(7) FS. History–New 2-8-01, Repealed.

64B-8.005 Requirement for Notification of Change in Accreditation or Certification Status or Insurance Status.

Specific Authority 456.047(8) FS. Law Implemented 456.047(2)(b),(5),(7) FS. History–New 2-8-01, Repealed.

64B-8.006 Fee to Access Core Credentials Data File.

Specific Authority 456.047(8) FS. Law Implemented 456.047(3)(b)3. FS. History–New 12-27-00, Repealed.

64B-8.009 Forms.

Specific Authority 456.047(8) FS. Law Implemented 456.047(3)(b)3.,4.,(c),(5) FS. History–New 2-8-01, Repealed.

64B-8.013 Prohibitions – Registered Credentials Verification Organizations.

Specific Authority 456.047(8) FS. Law Implemented 456.047(3),(4),(5),(7) FS. History–New 2-8-01, Repealed.

64B-8.014 Prohibitions – Subscriber Authorized to Access Core Credentials Data.

Specific Authority 456.047(8) FS. Law Implemented 456.047(3),(4) FS. History–New 2-8-01, Repealed.

64B-8.015 Penalties – Registered Credentials Verification Organizations.

Specific Authority 456.047(8) FS. Law Implemented 456.047(2),(3),(4),(5) FS. History–New 2-8-01, Repealed.

64B-8.016 Definition of “Fully Accredited or Certified as a Credentials Verification Organization.”

Specific Authority 456.047(8) FS. Law Implemented 456.047(5) FS. History–New 2-8-01, Repealed.

64B-8.017 Initial Reporting of Core Credentials.

Specific Authority 456.047(8) FS. Law Implemented 456.047(3) FS. History–New 2-8-01, Repealed.

64B-8.018 Notification of Corrections, Updates, or Modifications to Core Credentials Data.

Specific Authority 456.047(8) FS. Law Implemented 456.047(3) FS. History–New 2-8-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lola Pouncey, Acting Bureau Chief, 4052 Bald Cypress Way, BIN #C10, Tallahassee, Florida 32399-3260

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Amy Jones, Division Director, Department of Health, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3250

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Disciplinary Guidelines
 RULE NO.: 64B8-8.001

PURPOSE AND EFFECT: The proposed rule amendment is intended to ensure that the guidelines do not conflict with statutorily mandated penalties.

SUMMARY: The proposed rule amendment ensures that current guidelines do not conflict with statutorily mandated penalties.

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: 458.331(5), 458.309, 456.079 FS.

LAW IMPLEMENTED: 458.331(5), 456.072, 456.079 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry G. McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.001 Disciplinary Guidelines.

(1) No change.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Section 120.57(1) and 120.57(2), Florida Statutes, the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

RECOMMENDED RANGE OF PENALTY		
VIOLATION	FIRST OFFENSE	SECOND OFFENSE
(a) through (f) No change.		
(g) Failure to perform legal obligation. (458.331(1)(g), F.S.) (456.072(1)(k), F.S.)	(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a letter of concern to revocation or denial and an administrative fine from \$1,000.00 to \$10,000.00, unless otherwise provided by law.	(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00, unless otherwise provided by law.
l. through 9. No change.		
(h) through (oo) No change.		

(3) through (7) No change.

Specific Authority 458.331(5), 458.309, 456.079 FS. Law Implemented 458.331(5), 456.072, 456.079 FS. History--New 12-5-79, Formerly 21M-20.01, Amended 1-11-87, 6-20-90, Formerly 21M-20.001, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, 1-31-01, 7-10-01, 6-4-02.

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 7, 2002

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Continuing Education on Domestic Violence
 RULE NO.: 64B9-5.010

PURPOSE AND EFFECT: To allow specific applicants, who show good cause, six months from the date of licensure to complete the continuing education course on domestic violence.

SUMMARY: The Board proposes to add new language in this rule to set forth the time period for continuing education on domestic violence requirements for specified licensure applicants.

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

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

SPECIFIC AUTHORITY: 456.031, 464.006 FS.

LAW IMPLEMENTED: 456.031 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-5.010 Continuing Education on Domestic Violence.

All licensees must complete a one-hour course on domestic violence, which meets the criteria of Section 456.031(1)(a), F.S. This is in addition to the continuing education hours required for biennial renewal. Applicants for initial licensure, upon showing of good cause by affidavit, shall be given six (6) months from the date of licensure to complete the Domestic Violence course. Good cause includes applicants for endorsement or examination who have been residing outside of Florida or have been on active military service.

Specific Authority 455.587, 456.031, 464.006 FS. Law Implemented 455.587, 456.031 FS. History--New 11-16-95, Formerly 59S-5.010, Amended.

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: June 13, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 17, 2001

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

RULE NO.:

64B9-15.009

PURPOSE AND EFFECT: To promulgate a new rule stipulating the disciplinary grounds and penalties for certified nursing assistants.

SUMMARY: The Board proposes to set forth the disciplinary guideline criteria for certified nursing assistants pursuant to Section 456.072, Florida Statutes.

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: 464.204 FS.

LAW IMPLEMENTED: 456.072, 464.204 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Coble, Executive Director, Board of Nursing /MQA, 4052 Bald Cypress Way, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-15.009 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) The Board is authorized by law to protect the public from certified nursing assistants (CNAs) who do not meet minimum requirements for safe practice or who pose a danger to the public. The suspensions, restrictions of practice, and conditions of probation used by the Board in discharging its duties under Sections 464.204 and 456.072, F.S., shall include, but are not limited to, the following:

(a) Suspension until appearance before the Board or for a definite time period and demonstration of ability to practice safely.

(b) Suspension until appearance before the Board, or for a definite time period, and submission of mental or physical examinations from professionals specializing in the diagnosis or treatment of the suspected condition, completion of counseling, completion of continuing education, demonstration of sobriety and ability to practice safely.

(c) Suspension until fees and fines paid or until proof of Board mandated continuing education completion submitted.

(d) Suspension until evaluation by and treatment in the Intervention Project for Nurses. In cases involving substance abuse, chemical dependency, sexual misconduct, physical or mental conditions which may hinder the ability to practice safely, the Board finds participation in the IPN under a stayed suspension to be the preferred and most successful discipline.

(e) Suspension stayed so long as the registrant complies with probationary conditions.

(f) Probation with the minimum conditions of not violating laws, rules, or orders related to the ability to practice as a CNA safely, keeping the Board advised of the CNA's address and employment, and supplying both timely and satisfactory probation and employer/supervisor reports.

(g) Probation with specified continuing education courses in addition to the minimum conditions. In those cases involving unprofessional conduct or substandard practice, including recordkeeping, the Board finds continuing education directed to the practice deficiency to be the preferred punishment.

(h) Probation with added conditions of random drug screens, abstention from alcohol and drugs, participation in narcotics or alcoholics anonymous, psychological counseling, the prohibition on agency work, or the requirement that work must be under direct supervision on a regularly assigned unit.

(i) Personal appearances before the Board to monitor compliance with the Board's order.

(j) Administrative fine and payment of costs associated with probation or professional treatment.

(2) The Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners and applicants for licensure guilty of violating Chapters 464 and 456, F.S. The purpose of the disciplinary guidelines is to give notice to registrants and applicants of the range of penalties which will normally be imposed upon violations of particular provisions of Chapters 464 and 456, F.S. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of Chapters 464 and 456, F.S., or the rules promulgated thereto, or other unrelated violations will be grounds for enhancement of penalties. All penalties set forth in the guidelines include lesser penalties, i.e., reprimand and or course-work which may be included in the final penalty at the Board's discretion.

(3) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon registrants for violation of the noted statutes and rules:

(a) Being found guilty, regardless of adjudication, of a forcible felony as defined in Chapter 776, F.S. (464.018(1)(d),(1), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
FIRST OFFENSE	\$50 fine	\$150 fine and suspension to be followed by probation
SECOND OFFENSE	\$100 fine and probation	denial of certification or \$1000 fine and revocation

(b) Being found guilty, regardless of adjudication, of a violation of Chapter 812, F.S., relating to theft, robbery, and related crimes. (464.018(1)(d),(2), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
FIRST OFFENSE	\$50 fine	denial of certification or \$100 fine and suspension to be followed probation
SECOND OFFENSE	\$100 fine and probation	denial of certification or \$150 fine and revocation

(c) Being found guilty, regardless of adjudication, of a violation of Chapter 817, F.S., relating to fraudulent practices. (464.018(1)(d),(3), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
FIRST OFFENSE	\$50 fine	denial of certification or \$100 fine and suspension to be followed by probation
SECOND OFFENSE	\$100 fine and probation	denial of certification or \$150 fine and revocation

(d) Being found guilty, regardless of adjudication, of a violation of Chapter 800, F.S., relating to lewdness and indecent exposure. (464.018(1)(d),(4), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
FIRST OFFENSE	\$50 fine, IPN evaluation, and probation	denial of certification or \$100 fine, IPN evaluation, and suspension to be followed by probation
SECOND OFFENSE	\$100 fine, IPN evaluation and suspension to be followed by probation	denial of certification and \$150 fine and permanent revocation

(e) Being found guilty, regardless of adjudication, of a violation of Chapter 784, F.S., relating to assault, battery, and culpable negligence. (464.018(1)(d),(5), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
FIRST OFFENSE	\$50 fine	denial of certification or \$100 fine and suspension to be followed probation
SECOND OFFENSE	\$100 fine and probation	denial of certification or \$150 fine and revocation

(f) Being found guilty, regardless of adjudication, of a violation of Chapter 827, F.S., relating to child abuse. (464.018(1)(d),(6), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
FIRST OFFENSE	\$50 fine	denial of certification or \$100 fine and suspension to be followed by probation
SECOND OFFENSE	\$100 fine and probation \$150 fine and permanent	denial of certification or revocation

(g) Being found guilty, regardless of adjudication, of a violation of Chapter 415, relating to protection from abuse, neglect, and exploitation. (464.018(1)(d),(7), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
FIRST OFFENSE	\$50 fine	denial of certification or \$100 fine and suspension to be followed by probation
SECOND OFFENSE	\$100 fine and probation	denial of certification or \$150 fine and permanent revocation

(h) Being found guilty, regardless of adjudication, of a violation of Chapter 39, F.S., relating to child abuse, abandonment, and neglect. (464.018(1)(d),(8), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
FIRST OFFENSE	\$50 fine	denial of certification or \$100 fine and suspension to be followed by probation
SECOND OFFENSE	\$100 fine and probation	denial of certification or \$150 fine and permanent revocation

(i) Having been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, any offense prohibited under Section 435.03, F.S., or under any similar statute of another jurisdiction; or having committed an act which constitutes domestic violence as defined in Section 741.28, F.S. (464.018(1)(e), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine	denial of certification or \$100 fine and suspension to be followed by probation
SECOND OFFENSE	\$100 fine and probation	denial of certification or \$150 fine and permanent revocation

(j) False, misleading, or deceptive advertising.
(464.018(1)(g), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$25 fine	\$100 fine and probation
SECOND OFFENSE		\$100 fine \$125 fine and suspension to be followed by probation
THIRD OFFENSE	\$125 fine and probation	\$150 fine and suspension to be followed by probation

(k) Engaging or attempting to engage in the possession, sale, or distribution of controlled substances as set forth in Chapter 893, F.S., for any other than legitimate purposes authorized by this part.
(464.018(1)(i), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$25 fine, IPN evaluation, and probation	denial of certification or \$50 fine, IPN evaluation and suspension to be followed by probation
SECOND OFFENSE	\$100 fine, IPN evaluation, and suspension to be followed by probation	denial of certification and \$125 fine and permanent revocation
THIRD OFFENSE	\$125 fine and revocation	\$150 fine and permanent revocation

(l) Failing to report to the department any person who the registrant knows is in violation of this part or of the rules of the department or the board; however, if the registrant verifies that such person is actively participating in a board-approved program for the treatment of a physical or mental condition, the registrant is required to report such person only to an impaired professionals consultant.
(464.018(1)(k), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$25 fine	\$25 fine and probation
SECOND OFFENSE	\$50 fine	\$100 fine and suspension to be followed by probation
THIRD OFFENSE	\$75 fine and probation	\$150 fine and suspension to be followed by probation

(m) Making misleading, deceptive, or fraudulent representations in or related to the practice of the registrant's profession.
(456.072(1)(a), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine	denial of certification or \$100 fine and suspension to be followed by probation
SECOND OFFENSE	\$100 fine and probation	denial of certification or \$150 fine and revocation

(n) Knowingly violating any provision of this part, a rule of the board or the department, or a lawful order of the board or department previously entered in a disciplinary proceeding or failing to comply with a lawfully issued subpoena of the department.
(456.072(1)(b) & 464.018(1)(n), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine and compliance with rule or terms of prior order	\$100 fine and suspension until compliance with rule or terms of prior order
SECOND OFFENSE	\$100 fine and suspension until compliance with rule or terms of prior order	\$125 and suspension until compliance with rule or terms of prior order plus extended probation
THIRD OFFENSE	\$125 fine and suspension until compliance with rule or terms of prior order plus extended probation	\$150 fine and revocation

(o) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of a certified nursing assistant or to the ability to practice as a certified nursing assistant.
(456.072(1)(c), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine	denial of certification or to be followed by probation
SECOND OFFENSE	\$100 fine and suspension	denial of certification or \$150 fine and revocation

(p) Having a license or the authority to practice any regulated profession revoked, suspended, or otherwise acted against, including the denial of licensure or certification, by the licensing authority of any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law.
(456.072(1)(f), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine and same penalty imposed by the other jurisdiction	denial of certification or \$100 fine and suspension followed by probation
SECOND OFFENSE	\$100 fine and same penalty imposed by the other jurisdiction which at a minimum must include a term of probation	denial of licensure or \$150 fine and revocation
THIRD OFFENSE	\$150 fine and same penalty imposed by the other jurisdiction which at a minimum must include a term of suspension	denial of licensure or \$150 fine and permanent revocation

(q) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another registrant.
(456.072(1)(g), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine	denial of certification or \$100 fine and suspension to be followed by probation
SECOND OFFENSE	\$100 fine and probation	denial of certification or \$150 fine and revocation

(r) Procuring or attempting to procure certification to practice as a CNA by bribery, by knowing misrepresentations, or through an error of the department or the board.
(456.072(1)(h), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine and probation	denial of certification or revocation
SECOND OFFENSE	\$150 fine and probation	denial of certification or permanent revocation

(s) Failing to report to the department any person who the registrant knows is in violation of this part or of the rules of the department or the board; however, if the registrant verifies that such person is actively participating in a board-approved program for the treatment of a physical or mental condition, the registrant is required to report such person only to an impaired professionals consultant.
(456.072(1)(i), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine	\$75 fine and probation
SECOND OFFENSE	\$75 fine	\$100 fine and suspension to be followed by probation
THIRD OFFENSE	\$100 fine and probation	\$125 fine and suspension to be followed by probation

(t) Aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to this chapter, the chapter regulating the profession, or the rules of the department or the board.
(456.072(1)(j), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine	denial of certification or to be followed by probation
SECOND OFFENSE	\$100 fine and suspension	denial of certification or \$150 fine and revocation

(u) Failing to perform any statutory or legal obligation placed upon a registrant.
(456.072(1)(k), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine and compliance with legal obligation	\$100 fine and suspension until compliance with legal obligation
SECOND OFFENSE	\$100 fine and suspension until compliance with legal obligation	\$125 and suspension until compliance with legal obligation plus extended probation
THIRD OFFENSE	\$125 fine and suspension until compliance with legal obligation plus extended probation	\$150 fine and revocation

(v) Making or filing a report which the registrant knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, or willfully impeding or obstructing another person to do so.
(456.072(1)(l), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine	\$75 fine and suspension to be followed by probation
SECOND OFFENSE	\$75 fine and probation	\$100 fine and suspension to be followed by probation
THIRD OFFENSE	\$125 fine and suspension	\$150 fine and revocation to be followed by probation

(w) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession.
(456.072(1)(m), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine	denial of certification or \$100 fine and suspension to be followed by probation
SECOND OFFENSE	\$100 fine and probation	denial of certification or \$150 fine and revocation

(x) Exercising influence on the patient or client for the purpose of financial gain of the registrant or a third party.
(456.072(1)(n), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$75 fine and probation	denial of certification or revocation and \$125 fine
SECOND OFFENSE	\$125 fine and probation	denial of certification or permanent revocation and \$150 fine

(y) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the registrant knows, or has reason to know, the registrant is not competent to perform.
(456.072(1)(o), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$75 fine and probation	denial of certification or revocation and \$125 fine
SECOND OFFENSE	\$125 fine and probation	denial of certification or permanent revocation and \$150 fine

(z) Delegating or contracting for the performance of professional responsibilities by a person when the registrant delegating or contracting for performance of such responsibilities knows, or has reason to know, such person is not qualified by training, experience, and authorization when required to perform them.
(456.072(1)(p), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$75 fine and probation	denial of certification or revocation and \$125 fine
SECOND OFFENSE	\$125 fine and probation	denial of certification or permanent revocation and \$150 fine

(aa) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.
(456.072(1)(r), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine	denial of certification or \$100 fine and suspension to be followed by probation
SECOND OFFENSE	\$125 fine and probation	denial of certification or \$150 fine and revocation

(bb) Engaging or attempting to engage in sexual misconduct as defined and prohibited in Section 456.063(1), F.S.
(456.072(1)(u), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$100 fine, IPN evaluation, and probation	denial of certification or \$125 fine, IPN evaluation, and suspension to be followed by probation
SECOND OFFENSE	\$125 fine, IPN evaluation, and suspension to be followed by probation	denial of certification and \$150 fine and permanent revocation

(cc) Failing to comply with the requirements for profiling and credentialing, including, but not limited to, failing to provide initial information, failing to timely provide updated information, or making misleading, untrue, deceptive, or fraudulent representations on a profile, credentialing, or initial or renewal licensure application.

(456.072(1)(v), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine	\$100 fine and suspension to be followed by probation
SECOND OFFENSE	\$125 fine and probation	\$150 fine and suspension to be followed by probation

(dd) Failing to report to the board, or the department if there is no board, in writing within 30 days after the registrant has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction. Convictions, findings, adjudications, and pleas entered into prior to the enactment of this paragraph must be reported in writing to the board, or department if there is no board, on or before October 1, 1999.

(456.072(1)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine and probation	denial of certification or revocation and \$100 fine
SECOND OFFENSE	\$100 fine and probation	denial of certification or permanent revocation and \$150 fine

(ee) Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers or persons involved in accidents pursuant to Section 316.066, F.S., or using information published in a newspaper or other news publication or through a radio or television broadcast that has used information gained from such reports, for the purposes of commercial or any other solicitation whatsoever of the people involved in such accidents.

(456.072(1)(x), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine	\$75 fine and probation
SECOND OFFENSE	\$75 fine	\$100 fine and suspension to be followed by probation
THIRD OFFENSE	\$100 fine and probation	\$150 fine and suspension to be followed by probation

(ff) Being unable to practice as a CNA with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, or chemicals or any other type of material or as a result of any mental or physical condition.

(456.072(1)(y), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine, IPN evaluation, and probation	denial of certification or \$100 fine, IPN evaluation, and suspension to be followed by probation
SECOND OFFENSE	\$100 fine, IPN evaluation, and suspension to be followed by probation	denial of certification and \$125 fine and permanent revocation
THIRD OFFENSE	\$125 fine and revocation	\$150 fine and permanent revocation

(gg) Testing positive for any drug, as defined in Section 112.0455, F.S., on any confirmed preemployment or employer-ordered drug screening when the practitioner does not have a lawful prescription and legitimate medical reason for using such drug.

(456.072(1)(z), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine, IPN evaluation, and probation	denial of certification or \$100 fine, IPN evaluation, and suspension to be followed by probation
SECOND OFFENSE	\$100 fine, IPN evaluation, and suspension to be followed by probation	denial of certification and \$150 fine and permanent revocation

(hh) Performing or attempting to perform health care services on the wrong patient, a wrong-site procedure, a wrong procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise unrelated to the patient's diagnosis or medical condition.

(456.072(1)(aa), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$50 fine	\$75 fine and suspension to be followed by probation
SECOND OFFENSE	\$75 fine and a term of probation	\$100 fine and suspension to be followed by probation
THIRD OFFENSE	\$125 fine and suspension to be followed by probation	\$150 fine and permanent revocation

(4) In licensure and disciplinary matters involving impairment, the applicant or registrant may be referred to IPN in addition to the imposition of the above-outlined disciplinary action.

(5)(a) The Board shall be entitled to deviate from the foregoing guidelines upon a showing of aggravating or mitigating circumstances by clear and convincing evidence, presented to the Board prior to the imposition of a final penalty at informal hearing. If a formal hearing is held, any aggravating or mitigating factors must be submitted to the hearing officer at formal hearing. At the final hearing following a formal hearing, the Board will not hear additional aggravating or mitigating evidence.

(b) Circumstances which may be considered for purposes of mitigation or aggravation of penalty shall include, but are not limited to, the following:

1. The danger to the public.
2. Previous disciplinary action against the registrant in this or any other jurisdiction.
3. The length of time the registrant has practiced.
4. The actual damage, physical or otherwise, caused by the violation.
5. The deterrent effect of the penalty imposed.
6. Any efforts at rehabilitation.
7. Attempts by the registrant to correct or stop violations, or refusal by the registrant to correct or stop violations.
8. Cost of treatment.
9. Financial hardship.
10. Cost of disciplinary proceedings.

(6) In instances when a registrant or applicant is found guilty of any the above offenses involving fraud or making a false or fraudulent representation, the Board shall impose a fine of \$10,000.00 per count or offense.

Specific Authority 464.204 FS. Law Implemented 456.072, 464.204 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: June 13, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 15, 2002

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: RULE NO.:

Standards of Practice for Filling Prescriptions 64B16-27.832
Generated Through the Internet

PURPOSE AND EFFECT: The Board proposes to promulgate a rule to address the standards of practice for filling prescriptions generated through the internet.

SUMMARY: The Board proposes to promulgate a new rule to conform with established Florida medical practitioner-patient relationships in dispensing prescriptions generated through the internet.

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

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

SPECIFIC AUTHORITY: 465.005, 465.0155 FS.

LAW IMPLEMENTED: 465.0155, 465.016, 465.026 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-27.832 Standards of Practice for Filling Prescriptions Generated Through the Internet.

A prescription issued by a practitioner to a patient with whom the practitioner has not established a valid physician-patient relationship is not a valid prescription. The Florida Board of Medicine and the Florida Board of Osteopathic Medicine have stated that prescribing medications based solely on the answers

to an electronic medical questionnaire to a patient without a documented patient evaluation, including a physical examination, is below the standard of practice. The Veterinary Medicine practice act provides that in order to establish a valid veterinarian-client-patient relationship, the veterinarian must be personally acquainted with the keeping and caring of the animal, and has either recently seen the animal or made medically appropriate and timely visits to the premises where the animal is kept. A pharmacist or a pharmacy that knowingly dispenses a prescription that has been issued not in compliance with the applicable prescriber's standard of practice is dispensing outside the course of the professional practice of pharmacy.

Specific Authority 465.005, 465.0155 FS. Law Implemented 465.0155, 465.016, 465.026 FS. History--New

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: June 11, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 10, 2002

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: RULE NO.:

Minor Violations 64B16-30.002

PURPOSE AND EFFECT: The Board proposes to amend this rule to remove obsolete language.

SUMMARY: This rule sets forth what the Board deems minor violations and the penalties therefore consistent with Section 456.073(3), Florida Statutes.

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

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

SPECIFIC AUTHORITY: 456.073(3), 465.005 FS.

LAW IMPLEMENTED: 456.073(3) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-30.002 Minor Violations.

(1) The Board sets forth the following guidelines for use by Department investigators when a licensee is in noncompliance of an initial offense of a minor violation. The Board deems the following violations, depending upon severity, to be consistent with s. 456.073(3), Florida Statutes.

(a) No change.

~~(b) Misbranded or adulterated products held for sale — 499.005, F.S.~~

~~(b)(e)~~ No change.

~~(d) DEA biennial inventory not current or available — 893.07, F.S.~~

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

~~(g) Closed sign missing, prescription department not padlocked — 64B16-28.109.~~

~~(h) Daily hours not posted — 64B16-28.404.~~

~~(i) Failure to notify the board of change in prescription department manager — 465.018.~~

(j) through (k) renumbered (e) through (f) No change.

~~(l) Failure to notify the Board of change in Consultant Pharmacist — 64B16-28.501.~~

(m) through (n) renumbered (g) through (h) No change.

~~(o) Policy and procedure manual not current or available for inspection — 64B16-28.602(1), 64B16-28.702(5), 64B16-28.800(3).~~

(p) through (s) renumbered (i) through (l) No change.

(2) No change.

Specific Authority 456.073(3), 465.005 FS. Law Implemented 456.073(3) FS. History—New 11-12-90, Formerly 21S-17.002, 21S-30.002, 61F10-30.002, 59X-30.002, Amended 12-9-98,_____.

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: June 11, 2002

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

DEPARTMENT OF HEALTH

Board of Pharmacy

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

PURPOSE AND EFFECT: The Board proposes to amend this rule to add violations with accompanying fines that may be disposed of by citation.

SUMMARY: The Board proposes to add additional criteria for dispensing prescriptions in a manner not authorized by §465.019(6) or §465.025, Fla. Stat.

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

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

SPECIFIC AUTHORITY: 456.077, 456.073, 465.005 FS.

LAW IMPLEMENTED: 456.077 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-30.003 Citations.

(1) through (2) No change.

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

(a) through (g) No change.

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

1. No allegation of harm or ill effects is present;

2. The licensee has no prior disciplinary history; and

3. The event did not result in or pose a significant threat to the health and safety of the patient or the public.

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

(4) through (5) No change.

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

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: June 11, 2002

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

Section III
Notices of Changes, Corrections and
Withdrawals

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE NO.: 3F-6.009
RULE TITLE: Permanent Identification on Outer Burial Containers

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 15, May 12, 2002, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE NO.: 4A-60.006
RULE TITLE: Manufactured and Prototype Buildings

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 17, April 26, 2002 of the Florida Administrative Weekly.

Subsection 4 is changed to read:

(4)(e) This subsection does not apply to factory built school buildings. Each master plan for the factory built school buildings to be built according to such plan shall be reviewed by a firesafety inspector certified pursuant to Section 633.081(2), Florida Statutes, conducting an inspection pursuant to Section 633.081(1), Florida Statutes, or Section 235.06, Florida Statutes, who shall note or cause to be noted on the face of the plans the following:

The remainder of the rule reads as previously published.

DEPARTMENT OF REVENUE

RULE NO.: 12-28.003
RULE TITLE: Enrollment Procedures

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed amendments to Rule 12-28.003, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., as originally published in the Florida Administrative Weekly (Vol. 28, No. 19, pp. 2129-2132). These changes are in response to written comments received from the Joint Administrative Procedures Committee of the Florida Legislature.

A) In response to comments received by the Department regarding the proposed amendments to Rule 12-28.003, F.A.C., the first sentence of paragraph (4)(a) has been changed, so that, when adopted, this subsection will read as follows:

(4)(a) The Department prescribes Form DR-653W, Internet Registration/Authorization Agreement (August, 2002), as the form to be used for the purpose of this chapter and hereby incorporates this form by reference.

B) In response to comments received by the Department regarding Form DR-653W, the revision date on the form has been changed to "R. 08/02". Also, the notarized affirmation statement at the bottom of Form DR-653W has been eliminated.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NOS.: 19B-5.001, 19B-5.003
RULE TITLES: Contract Types, Contract Requirements

NOTICE OF CORRECTION

The date of the hearing on the proposed changes to Rules 19B-5.001 and 19B-5.003, F.A.C., as published in the June 21, 2002, Vol. 28, No. 25, issue of the Florida Administrative Weekly, is incorrect. The correct date and time of the hearing, if a hearing is requested, will be:

TIME AND DATE: 2:00 p.m., July 18, 2002

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

DEPARTMENT OF CITRUS

RULE CHAPTER NO.: 20-71
RULE CHAPTER TITLE.: Manifests for Processed Products
RULE NOS.: 20-71.005, 20-71.006
RULE TITLES: Manifest Requirements and Statements for In-State Bulk Transports, Manifest Requirements and Statements for Transports of Processed Citrus Products

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), F.S., published in Vol. 28, No. 15, April 12, 2002, issue of the Florida Administrative Weekly:

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

Any time a shipper is transporting bulk 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. A bulk An inter-company or intra-company transport occurs when bulk processed citrus product is transported between registered 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 in bulk inter-company or intra-company as processor grade.

(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 inspected at a receiving facility 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 processing facility 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, as specified in Rule 20-72.009, F.A.C.

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 bulk citrus product shipments inter-company and intra-company transports, as specified in 20-72.009, 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 _____.

DEPARTMENT OF CITRUS

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

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

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), F.S., published in Vol. 28, No. 15, April 12, 2002 issue of the Florida Administrative Weekly:

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. Provided, however, an inspector may issue a certificate of processor grade ~~This rule section does not apply~~ when processed citrus products are transferred in bulk as specified in Rule 20-71.005, F.A.C. between registered processing plants and ~~Such bulk~~ product will be inspected and/or re-graded before final shipment from a receiving registered citrus processing facility 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 and the chain of custody of the processed citrus product is maintained ~~(who may or may not be registered processing plants),~~ subsequent manifests may indicate the prior inspection &/or grade for transportation purposes ~~and further inspection is not required.~~ Provided, however, that the manifests clearly state that grade is certified as processor grade. 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, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE CHAPTER NO.: 61A-3
 RULE CHAPTER TITLE: Vendors and Licensees

RULE NO.: 61A-3.048
 RULE TITLE: Exploitation of Dwarfs

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 20, May 17, 2002, issue of the Florida Administrative Weekly. The rule number is being changed from 61A-3.047 to 61A-3.048 and is necessary due to the fact that Rule Number 61A-3.047 had previously been repealed.

61A-3.0487 Exploitation of Dwarfs.

THE REMAINDER OF THE RULE WILL READ AS PUBLISHED

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
61C-4	Public Food Service Establishments
RULE NO.:	RULE TITLE:
61C-4.023	Food Protection Manager Certification and Public Food Service Employee Training

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 27, No. 33, August 17, 2001, edition of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.:	RULE TITLE:
61J1-4.006	Correspondence Courses for Hardship Cases

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as notice in Vol. 27, No. 45, November 9, 2001, has been withdrawn.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.:	RULE TITLE:
64B8-11.001	Advertising

NOTICE OF PUBLIC HEARING

The Board of Medicine hereby gives notice of a public hearing on the above-referenced rule to be held on July 20, 2002, at 2:00 p.m. or as soon thereafter as can be heard, Hyatt Regency, 50 Alhambra Plaza, Coral Gables, Florida 33134. The hearing is being held in response to a request for a public hearing submitted on behalf of the Florida Chapter of the American College of Physicians – American Society of Internal Medicine and the Florida Society of Plastic Surgeons. The rule was originally published in Vol. 28, No. 20, of the May 17, 2002, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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 Medicine

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

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the paragraph numbering of the Notice of Change previously published with regard to the above-referenced rule in the June 28, 2002, issue of the Florida Administrative Weekly. The correction is as follows:

Paragraph 3., of the Notice of Change refers to a change to subsection (9). The correct subsection should be (10).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.:	RULE TITLE:
64B9-15.001	Definitions
64B9-15.002	Certified Nursing Assistant Authorized Duties
64B9-15.003	Application for Certification
64B9-15.004	Eligibility for Certification
64B9-15.005	Standards for Certified Nursing Assistant Training Programs
64B9-15.006	Standardized Curriculum
64B9-15.007	Approval of Certified Nursing Assistant Training Programs

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 15, April 12, 2002, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.:	RULE TITLE:
64B16-27.831	Standards of Practice for the Dispensing of Controlled Substances for Treatment of Pain

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 19, issue of the Florida Administrative Weekly. Based on comments received from the Joint Administrative Procedures Committee, the Board voted on June 11, 2002 to make the following changes:

1. The paragraph numbering will be changed from (a) through (e) renumbered (1) through (5).

2. Paragraph (2) shall read as follows:

(2) Inadequate pain control may result from pharmacists' lack of knowledge about pain management or an inadequate understanding of addiction. Fears of investigation or sanction by federal, state, and local regulatory agencies may also result in inappropriate or inadequate treatment of chronic pain patients. Pharmacists should not fear disciplinary action from the Board or other state regulatory or enforcement agencies for dispensing controlled substances for a legitimate medical purpose. Accordingly, these guidelines have been developed to clarify the Board's position on pain control, specifically as related to the use of controlled substances, to alleviate pharmacist uncertainty and to encourage better pain management.

3. Paragraph (4) shall read as follows:

(4) An order purporting to be a prescription issued not in the usual course of professional treatment nor in legitimate and authorized research is not a prescription and the pharmacist knowingly filling such a purported prescription shall be subject to penalties for violations of the law. The following criteria should cause a pharmacist to question whether a prescription was issued for a legitimate medical purpose: (1) Frequent loss of controlled substance medications, (2) Only controlled substance medications are prescribed for a patient, (3) One person presents controlled substance prescriptions with different patient names, (4) Same or similar controlled substance medication is prescribed by two or more prescribers at same time, (5) Patient always pays cash and always insists on brand name product. If any of these criteria is met, the pharmacist should insist that the person to whom medication is dispensed provide picture identification and the pharmacist should photocopy such picture identification for the pharmacist's records. If a photocopier is not available, the pharmacist should document on the back of the prescription complete descriptive information from the picture identification. If the person to whom medication is dispensed has no picture identification, the pharmacist should confirm the person's identity and document on the back of the prescription complete information on which the confirmation is based. The pharmacist should also verify the prescription with the prescriber. A pharmacist who believes a prescription for a controlled substance medication to be valid, but who has not been able to verify it with the prescriber, may determine that he or she is unable to supply the full quantity and may dispense a

partial supply, not to exceed a 72 hours supply. After verification by the prescriber, the pharmacist may dispense the balance of the prescription within a 72 hour time period following the initial partial filling, unless otherwise prohibited by law.

4. A new paragraph (6) shall be added to read as follows:

(6) Any pharmacist who believes that a prescriber of controlled substances is involved in the diversion of controlled substances shall report such prescriber to the Department of Health.

5. The following citations shall be added to the law implemented: 456.072(1)(i), 465.016(1)(o) F.S.

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

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE NO.: 64B23-2.001
 RULE TITLE: Documentation for Licensure
 NOTICE OF CHANGE

In accordance with subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rules as published in Vol. 28, No. 20, of the May 17, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the staff of the Joint Administrative Procedures Committee. When changed the rule will read as follows:

64B23-2.001 Documentation for Licensure.

Each applicant for licensure shall make application on Form DH 1274, Application for Licensure as a Medical Physicist, hereby incorporated by reference, which is effective 6-10-99 and shall be provided by the Department. The following items must be submitted with each application:

- (1) One passport style photograph of applicant taken within the last six months; ~~and~~
- (2) Official documentation of board certification; ~~or~~
- (3) Licensure/~~Certification~~ verification sent directly from the agency that issued the license ~~or certification, and~~
- (4) Proof of completion of a two (2) hour course relating to the prevention of medical errors pursuant to the requirements of Section 456.013, F.S.

Specific Authority 456.004, 456.013, 483.901(6)(b) FS. Law Implemented 456.013(4), 483.901(6)(b) FS. History--New 6-10-99, Amended.

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE NO.: 64B23-4.001
 RULE TITLE: Continuing Education
 Requirements

NOTICE OF CHANGE

In accordance with subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rules as published in Vol. 28, No. 20, of the May 17, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the staff of the Joint Administrative Procedures Committee. When changed subsection (1) of the rule will read as follows:

64B23-4.001 Continuing Education Requirements.

(1) For the purpose of renewing or reactivating a license, the licensee must demonstrate to the Department that he or she participated in at least twenty-four (24) hours of approved continuing education, of which two (2) twelve (12) hours must be in a course relating to the prevention of medical errors pursuant to the requirements of Section 456.013, F.S. the specialty in which the license is held.

Specific Authority 456.013, 483.901(6)(a) FS. Law Implemented 483.901(6)(a), 456.013 FS. History—New 6-21-99, Amended.

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN that, on June 19, 2002, the Florida Department of Insurance, Division of State Fire Marshal received a Petition for Variance From, or Waiver of, Rule 4A-2.024, Florida Administrative Code, from Orica USA, Inc. The Petition, in seeking relief from Rule 4A-2.024, Florida Administrative Code, seeks to engage in blasting during hours and days, including Saturday, prohibited by the rule in relation to the Everglades Restoration Project Station 3-4.

The Division will accept comments concerning the Petition for 14 days from the date of publication of this notice.

A copy of the petition may be received from, and comments must be submitted by the end of business of the 14th day to: Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0342, Attn: Terry Hawkins, Safety Program Manager.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on June 3, 2002, South Florida Water Management District (District) received a petition for waiver from Florida Power & Light Company, for

utilization of Works or Lands of the District known as the L-31E Levee, Miami-Dade County. The petition seeks relief from Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-6.091(1), Fla. Admin. Code, which prohibit the placement of culverts through Levee 31 East, to allow installation of 40 operable gate and corrugated aluminum culvert connections.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

On June 17, 2002, DEP received a petition from Ms. Linda T. Reed requesting a waiver pursuant to Section 120.542, F.S., of the ATRP deductible required under paragraph 62-769.800(4)(c), F.A.C.

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

DEPARTMENT OF HEALTH

The Board of Dentistry hereby gives notice that it has received a petition filed on May 29, 2002, from Raed Aloul, seeking a waiver or variance of subsection 64B5-2.0146(2), with respect to Licensure Requirements for Applicants from Non-Accredited Schools or Colleges. Comments on this petition should be filed with Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3254 within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, Board of Dentistry/MQA, at above address or telephone (850)245-4460.

The Board of Medicine hereby gives notice that it has received a petition filed by Nizarali Visram, M.D., on May 30, 2002, seeking a waiver from Rule 64B8-5.001, F.A.C., with regard to the time frame for passage of the USMLE. Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on June 21, 2002, the Board of Occupational Therapy Practice received a Petition for Emergency Variance or Waiver from Elma J. Teeters. The Petition requests a waiver from Continuing Education credits for one year beginning on January 1, 2003. The Board determined that this is not an emergency.

For a copy of the petition, contact: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

The Board of Optometry hereby gives notice that it has received a petition filed on June 18, 2002, on behalf of Kelly Dee Anderson, seeking an emergency temporary waiver from subsection 64B13-4.004(2), F.A.C., with regard to the time frame for submission of the application for examination.

Comments on this petition should be filed with Board of Optometry, MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

For a copy of the petition, contact: Joe Baker, Jr., Executive Director, Executive Director, Board of Optometry, at above address or telephone (850)245-4444.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Health, Bureau of Emergency Medical Services, received a Petition for Waiver or Variance, June 20, 2002 from The District Board of Trustees of Valencia Community College, Orlando, Florida

Applicable Rule: Subparagraph 64E-2.004(4)(k)6., F.A.C.

Requested Action: To grant petitioner a temporary waiver or variance for a period of one year to subparagraph 64E-2.004(4)(k)6., F.A.C., which requires a medical director to be available for 4 hours per month of classroom teaching and to be available for 4 hours per month for field time to include participating as a crew member on an EMS vehicle for a minimum of 10 hours per year and complete 10 hours per year continuing medical education related to prehospital care or teaching or a combination of both. The applicable portion of the rule petitioner seeks a waiver/variance from provides in relevant part "require such medical director to...be available for 4 hours per month for EMS provider field time, participate as a crew member on an EMS vehicle for a minimum of 10 hours per year...".

Any interested person or agency may submit written comments on this petition until close of business July 19, 2002. Comments on or requests for copies of the petition must be

addressed to: Ms. Pam Lesley, Government Analyst, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738.
P.O. G10454

FLORIDA HOUSING FINANCE CORPORATION

Florida Housing Finance Corporation gives notice of the entry of an Amended Order Granting Petition for Variance/Waiver of paragraph 67-21.008(1)(b), F.A.C.

NAME OF THE PETITIONER: Grande Court Kissimmee Assoc., Ltd.

DATE PETITION WAS FILED: November 13, 2001

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT.

Paragraph 67-21.008(1)(b), F.A.C., provides in pertinent part that each Mortgage Loan for a Development made by Florida Housing shall (b) provide for a fully amortized payment of the Mortgage Loan in full beginning on the earlier of 24 months after closing or stabilized occupancy and ending no later than the expiration of the useful life of the property, and in any event, no later than 45 years from the date of the Mortgage Loan.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, November 21, 2001, Vol. 27, No. 47

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: January 10, 2002

THE GENERAL BASIS FOR THE DECISION: Grande Court has demonstrated that the underlying purpose of the statute is achieved and it would violate the principles of fairness not to allow Grande Court to utilize the currently proposed amortization schedule simply because Petitioner applied during the 2001 cycle.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail: Sherry.Green@floridahousing.org.

Florida Housing Finance Corporation gives notice of the entry of an Order Denying Petition for Waiver of subsection 67-44.003(7), F.A.C.

NAME OF THE PETITIONER: North Florida Educational Development Corporation

DATE PETITION WAS FILED: May 15, 2002

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Petitioner requests that FHFC agree to occupy a "shared second" lien priority with the planned LISC mortgage. Such an agreement would require a permanent waiver of the provisions of subsection 67-44.003(7), F.A.C.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, May 31, 2002, Vol. 28, No. 22.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: June 21, 2002

THE GENERAL BASIS FOR THE DECISION: Petitioner has not demonstrated that the literal application of subsection 67-44.003(7), Florida Administrative Code, affects Petitioner in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule, and therefore has not demonstrated that the literal application of the Rule violates the principles of fairness as defined in Section 120.542, Florida Statutes (2001).

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail: Sherry.green@floridahousing.org.

Florida Housing Finance Corporation gives notice of the entry of an Order Granting in Part and Denying in Part Petition for Waiver.

NAME OF THE PETITIONER: Jubilee Community Development Corporation

DATE PETITION WAS FILED: April 12, 2002

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: 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), F.A.C. 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.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, April 12, 2002, Vol. 28, No. 15

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: June 21, 2002

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver of the other four Rules will further this purpose. The Petition was denied as to paragraph 67-47.080(3)(c), F.A.C., the request to increase Jubilee's developer fee from 10 percent to 15 percent for the reason that the increase is not reasonably calculated, or necessary, to ensure economic feasibility of the development.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail: Sherry.green@floridahousing.org.

Florida Housing Finance Corporation gives notice of the entry of an Order Granting Petition for Waiver from subsection 67-48.004(18), F.A.C.

NAME OF THE PETITIONER: Emerald Palms Apartments Limited Partnership

DATE PETITION WAS FILED: May 22, 2002

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Petitioner seeks a waiver of the requirement found in paragraph 67-48.004(18)(b), F.A.C. (2001), which prohibits changing the name of the developer entity after the application deadline.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, June 14, 2002, Vol. 28, No. 24.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: June 21, 2002

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to encourage development of affordable housing. The waiver of paragraph 67-48.004(18)(b), F.A.C., will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or

inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail: sherry.green@floridahousing.org.

48 hours before the meeting by contacting Don Blancett, (850)487-2980, Ext 131. If you are hearing or speech impaired, please contact the agency by calling TT (850)488-5779.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, Division of Cultural Affairs** announces the following public meetings to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Wednesday, July 17, 2002, 9:00 a.m.

PLACE: South Walton Health Department, Conference Room, 493 North 9th Street, DeFuniak Springs, FL 32433-9401, (850)892-8027

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review Meeting to select artwork for Art in State Buildings Project No. DOH 9966//7050, South Walton County Health Department, Freeport.

COMMITTEE: Art Selection Committee

DATE AND TIME: Tuesday, July 23, 2002, 9:00 a.m.

PLACE: Office of Division Construction, Conference Room 202, Building 3, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)413-6776

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review Meeting to select artwork for Art in State Buildings Project No. DCF 0024/0250, District Two Program Office, in Tallahassee, Leon County.

COMMITTEE: Art Selection Committee

DATE AND TIME: Friday, July 26, 2002, 8:30 a.m.

PLACE: DOT, District Four Office, Executive Conference Room, Third Floor, 3400 West Commercial Boulevard, Ft. Lauderdale, FL 33309-3421, (954)777-4203

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review Meeting to select artwork for Art in State Buildings Project No. DOT 232-858, FDOT Ft. Lauderdale District Office Auditorium, Broward County.

For more information or to obtain a copy of the agenda, please contact: Lee Modica, Arts Administrator, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250, (850)487-2980, Ext 116.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least

DEPARTMENT OF BANKING AND FINANCE

The Florida **Board of Funeral and Cemetery Services** announces a public Board Meeting and all persons are invited to attend.

DATE AND TIME: August 15, 2002, 10:00 a.m. – 5:00 p.m.

PLACE: Hotel Royal Plaza, 1905 Hotel Plaza Blvd., Lake Buena Vista, FL 32830-2203

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 contact: Frances Restifo, Administrative Assistant II, Division of Securities and Finance, 101 East Gaines St., Room 649B, Fletcher Bldg., Tallahassee, FL 32399-0350, (850)410-9853.

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 Financial Management Information System (FFMIS)**, Coordinating Council announces the following public meeting to which all persons are invited.

DATE AND TIME: July 17, 2002, 2:00 p.m.

PLACE: Room 301, State Capitol Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relating to the Florida Financial Management Information System.

A copy of the agenda may be obtained by contacting: Martin Young, Department of Banking and Finance, Division of Accounting and Auditing, FFMIS Design and Coordination Staff, 101 E. Gaines Street, Room 434E, Fletcher Building, Tallahassee, FL 32399-0350, (850)410-9415, Fax (850)410-9934, e-mail: myoung@mail.dbf.state.fl.us.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Notice is hereby given that the Florida **Department of Agriculture and Consumer Services, Division of Food Safety** will conduct a public meeting of the food safety task force to which all interested persons are invited.

DATE AND TIME: 10:00 a.m., July 18, 2002

PLACE: Florida Department of Agriculture and Consumer Services, Conner Complex, George Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, FL, (850)488-0295

GENERAL SUBJECT MATTER TO BE ADDRESSED: Organizational Meeting, discussion of major goals of the Food Safety Task Force.

THE PERSON TO BE CONTACTED REGARDING THE MEETING IS: Dr. Marion Fuller, Director, Division of Food Safety, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-0295

An agenda of the meeting is available at no charge from the contact person listed above.

The **Forestry Arson Alert Association, Inc.** announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, August 14, 2002, 1:00 p.m.

PLACE: Withlacoochee Forestry Center, 15019 Broad St., Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the following agenda items: 1) Arson rewards; 2) Budget; 3) Prevention Items; 4) New Business.

A copy of the agenda may be obtained by writing: Mr. L. Earl Peterson, Division of Forestry, 3125 Conner Blvd., Tallahassee, Florida 32399-1650, (850)488-6111.

DEPARTMENT OF EDUCATION

The **Florida Atlantic Research and Development Authority** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Monday, July 15, 2002, 8:00 a.m. – 9:30 a.m.

PLACE: FAU Research, 3731 FAU Blvd., Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by contacting: C. Scott Ellington, Executive Director, R & D Authority, Florida Atlantic University, Boca Raton, Florida, (561)297-2640.

The **Commission for Independent Education** announces a public meeting to which all persons are invited.

DATE AND TIME: July 29, 2002, 9:00 a.m.

PLACE: Marriott Marina, 1881 S. W. 17th Street, Ft. Lauderdale, Florida 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider licenses for appropriate institutions, cases for licensure as specified in the agenda, Commission Committee meetings, report of discussions from Rules Committee the previous day, and other general Commission business.

Any person who decides to appeal a decision of the Commission with respect to any matter considered at this meeting or hearing may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Commission for Independent Education, Department of Education, Florida Education Center, Tallahassee, Florida 32399.

The **Florida Charter School Review Panel** will meet on:

DATE AND TIME: Thursday, July 11, 2002, 9:00 a.m. – 3:00 p.m.

PLACE: Four Corners Charter School, Middle School Media Center, 9100 Teacher Lane, Davenport, Florida 33837, (407)787-4300

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of the Charter School Review Panel will discuss recent developments regarding Florida charter schools. An agenda will be available one week prior to the meeting.

To obtain a copy of the agenda, please call or write: Choice Office, 325 West Gaines Street, Room 522, Turlington Building, Tallahassee, Florida 32399, (850)414-0780 or Suncom 994-0780.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in this meeting are requested to contact Karen L. Hines-Henry at the above address or telephone numbers.

The **Department of Education, Division of Vocational Rehabilitation**, the Florida Rehabilitation Council, and the Florida Independent Living Council announces a series of public meetings to which all persons are invited and to which all interested individuals are encouraged to attend.

DATE AND TIME: July 16, 2002, 4:00 p.m. – 7:00 p.m. (CST)

PLACE: Gulf Coast Community College, Student Union, East Building, Conference Center, 5230 West Highway 98, Panama City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Information Gathering (Cycle 1).

DATE AND TIME: July 18, 2002, 4:00 p.m. – 7:00 p.m. (EST)

PLACE: DoubleTree Hotel, 4500 West Cypress Street, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Information Gathering (Cycle 1).

DATE AND TIME: August 12, 2002, 4:00 p.m. – 7:00 p.m. (EST)

PLACE: Radisson Riverwalk Hotel, 1515 Prudential Drive, Jacksonville, Florida 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Plan Review (Cycle 2).

DATE AND TIME: August 14, 2002, 4:00 p.m. – 7:00 p.m. (EST)

PLACE: Florida Atlantic University, The Live Oak Pavilion, Conference Rooms C & D (to be accessed through the Student Union Building), 777 Glades Road, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Plan Review (Cycle 2).

STATE PLAN PUBLIC MEETINGS

The first cycle of public meetings will gather information relative to updating the Florida Vocational Rehabilitation Federal/State Plan.

During the second cycle of meetings, share your opinions and recommendations on the proposed draft of the Florida Vocational Rehabilitation Federal/State Plan Update which addresses the needs, services, and employment of Floridians with disabilities.

For further information regarding the meetings, please contact DVR's Office, (850)488-6210 or 1(800)451-4327 (Voice/TDD).

Please note that the following accommodations will be provided: American Sign Language Interpreters, Assistive Listening Devices, Real-Time Captioning, Large Print and Braille materials.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, seven days before the meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

The Department of Community Affairs announces a meeting of the State Energy Program (SEP) Clean Fuel Florida Advisory Board (CFF) to which all interested parties are invited.

SEP CFF MEETING

DATE AND TIME: July 10, 2002, 9:00 a.m. – 4:30 p.m.

PLACE: University of South Florida, Center for Urban Transportation Research, Room CUT – 100, 4202 East Fowler Avenue, Tampa, Florida 33620-5375

ACTIONS TO BE TAKEN: The CFF will consider the following items:

1. Report on State Energy Initiatives.
2. Legislative Outreach Committee Report.
3. Education and Outreach Program.
4. State/Regional/National Transportation Meetings Being Hosted in Florida.

5. CFFAB "Cornerstone" Report.

APPEAL INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public meeting he or she may need a record or transcript of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record may include testimony and evidence relevant to the appeal.

Anyone who wants a copy of the agenda or additional information on this meeting may write or call: Essie Turner, Staff Assistant, Department of Community Affairs, 2255 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2475.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP using the Florida Dual Party System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida Communities Trust announces a Public Meeting of the Governing Body to which all persons are invited.

DATE AND TIME: July 24, 2002, 1:00 p.m. – Until conclusion

PLACE: Kelley Training Center, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review Conceptual Approval Agreement for Project 01-132-FF1, City of Daytona Beach/Daytona Beach Historic Pier and Boardwalk; extend grant contracts for certain funded projects; approve project plans for certain funded projects; other business that the governing board deems necessary.

ACTION TO BE TAKEN: Consideration of above-stated business. To obtain a copy of the agenda, contact the Trust, (850)922-2207.

If any person desires to appeal any decision with respect to any matter considered at the meeting, such person will need a record of the proceeding and may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

Persons requiring a special accommodation for a disability or physical impairment should contact Florida Communities Trust, (850)922-2207, Suncom 292-2207, at least five days prior to the meeting. If hearing or speech impaired, contact Florida Communities Trust using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The **Criminal Justice Professionalism Program** announces the following meeting dates and times for the Criminal Justice Standards and Training Commission and Commission-related meetings: The Quarterly Criminal Justice Standards and Training Commission meeting, Training Center Directors' Committee and Business meetings, Probable Cause Determination Hearings, and presentation of Officer Discipline Cases for final disposition. These meetings are held to discuss issues relating to standards, training, certification, de-certification, record management for law enforcement, correctional, and correctional probation officers, Commission rules, and issues concerning certification and recertification of Commission-certified criminal justice training schools. All parties are invited to attend.

DATE AND TIME: Training Center Directors' Committee Meetings, Tuesday, August 6, 2002, 9:30 a.m.

DATE AND TIME: Training Center Directors' Business Meeting, Tuesday, August 6, 2002, 1:30 p.m.

DATE AND TIME: Probable Cause Determination Hearings, Wednesday, August 7, 2002, 8:30 a.m.

DATE AND TIME: CJS&T Commission meeting business agenda, Thursday, August 8, 2002, 8:30 a.m.

DATE AND TIME: Officer Discipline Case Proceedings, Thursday, August 8, 2002, 1:00 p.m. – Open

PLACE: Marriott at Sawgrass, 1000 PGA Tour Boulevard, Ponte Vedra, Florida 32082. For hotel reservations: Phone (904)285-7777, Fax (904)285-0259

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss standards and training for criminal justice officers, certification and decertification of criminal justice officers, final agency action on officer discipline cases, and certification and re-certification of Commission-certified criminal justice training schools.

COMMISSION MEETING AGENDAS: A copy of the August 8, 2002, Commission Meeting agenda may be obtained by contacting: Donna Hunt, (850)410-8615 or Commission information may be accessed at http://www.fdle.state.fl.us/cjst/commission/cjstc_meeting.html on July 26, 2002. A copy of the Officer Discipline Agenda may be obtained by contacting Brenda Presnell, (850)410-8648.

If you wish to write the Commission for a copy of the above agendas, please write: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Donna Hunt or Brenda Presnell.

If you wish to call or write for a copy of the Training Center Directors' Association agenda, please write or call Training Center Director Association Chairman Ray Newman, Polk Community College, 999 Avenue H, Northeast, Winter Haven, FL 33881-4299, (863)297-1030.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact Donna Hunt, (850)410-8615, at least 5 days prior to the meeting.

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, District 3 announces a public hearing to which all persons are invited.

DATE AND TIME: July 30, 2002, 5:30 p.m. – 7:00 p.m. (CST)

PLACE: Mowat Middle School, Cafeteria, 1903 Highway 390, Lynn Haven, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing is being conducted to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of FDOT Financial ID No. 2178751-32-03, F.A.P. No. 4481 011 U, otherwise known as St. Andrews Boulevard (SR 390). The limits of the project corridor are from SR 368 (23rd St.) to SR 77 (Ohio Avenue). The hearing will include a segment dedicated to a proposed change in access management classification from Access Class 6 to Access Class 5 as described in Rule Chapter 14-97, F.A.C. and Section 335.188, F.S.

The project has been developed in accordance with the Civil Rights Act of 1964 and the Civil Rights Act of 1968. Under Title VI and Title VIII of the United States Civil Rights Acts, any person(s) or beneficiary who believes they have been subjected to discrimination because of race, color, religion, sex, age, national origin, disability or familial status may file a written complaint with the Florida Department of Transportation's Equal Opportunity Office in Tallahassee or contact the District's Title VI/Title VIII Coordinator.

Central Office: Florida Department of Transportation, Equal Opportunity Office, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4753.

District 3: Florida Department of Transportation, District 3, Title VI/VIII Coordinator, P. O. Box 607, Chipley, Florida 32428-0607, (850)638-0250, Ext. 511.

Persons with disabilities who may require special accommodations at the hearing pursuant to the Americans with Disabilities Act of 1990 should contact Mr. Ed Chadwell, FDOT, Project Manager, (850)638-0250, at least seven days before the meeting. Persons with questions about the hearing or the project should contact Mr. Chadwell or Mr. Tommie Speights, Public Information Director, (850)638-0250.

A copy of the agenda may be obtained by writing: Ms. Regina Battles, P.E., District Environmental Management Engineer, Department of Transportation, P. O. Box 607, Chipley, Florida 32428.

The **Department of Transportation**, Florida's Turnpike Enterprise announces a public hearing to which all persons are invited.

DATE AND TIMES: July 30, 2002, Open House, 6:00 p.m.; Formal Presentation, 6:30 p.m.

PLACE: Christa McAuliffe Middle School, Cafeteria, 6500 LeChalet Boulevard, Boynton Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The hearing is being conducted pursuant to the provisions of Rule Chapter 14-97, Florida Administrative Code, and Section 335.18, Florida Statutes. This hearing is being held in accordance with Federal-Aid Highway Act of 1968, as amended, 23 U.S.C. 128, 40 C.F.R., 1500-1508 C.F.R. 771, and Section 339.155 Florida Statutes, and is also consistent with the Americans With Disabilities Act of 1990. This hearing is also in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, as amended.

This hearing is being held to afford interested persons the opportunity to express their views concerning the proposed project Financial Project Number 406092-1-22-01 otherwise known as the widening of Florida's Turnpike from Atlantic Avenue to the Lantana Toll Plaza. Potential encroachment on wetlands and floodplains may be given special consideration under Executive Orders 11990 and 11988.

Anyone needing project or public hearing information may contact: Carl Gibilaro, P.E., Project Manager, Florida's Turnpike Enterprise, by calling (407)532-3999, Extension 3412 or by writing Mr. Gibilaro, Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069.

Anyone requesting special accommodations under the Americans with Disabilities Act of 1990 should contact Catherine Bradley, P.E., Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069, (407)532-3999, Extension 3802. Special accommodation requests under the Americans with Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Mr. Carl Gibilaro, P.E., Project Manager, Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069.

DEPARTMENT OF CITRUS

The **Department of Citrus** announces an emergency meeting via telephone conference of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: Wednesday, June 26, 2002, 2:30 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Florida Citrus Commission to finalize the Florida Department of Citrus contract with the Department of Agriculture and Consumer Services. The

contracts were received June 26, 2002, and must be signed by June 30, 2002, or there will be a loss of \$965,000.00 to the Florida Department of Citrus. In addition to the above facts, Executive Director Bob Crawford is leaving the country at the end of business and must have Commission approval before he can execute the contracts.

As a member of the public that cannot attend the meeting at the Florida Department of Citrus, but wishes to appear by telephone, they may make arrangements to do so by contacting: Office of the General Counsel, (863)499-2529.

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: Wednesday, July 17, 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.

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 items and revisions, contracts, advertising programs, balance scorecards, licensing, rulemaking, modifying the Department's symbol program and other matters that are addressed during monthly meetings of the Commission. The Commission will also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to address issues related to the Equalization Tax litigation. 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, W. Lindsay Raley, Jr., Daniel R. Richey, Nancy J. Schafer, Ray Smith, Andrew R. Taylor, Bob Crawford, Hank B. Campbell, Esq., Monterey Campbell, Esq., Eric Taylor, 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 at (863)499-2510.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

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

PLACE: Building C, 2601 Blairstone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Commission Business Meeting.

A copy of the agenda and subsequent agenda, if any, may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450, Attention: Monica David, Commissioner-Secretary.

If you need an accommodation in order to participate in this process, please notify the Commission in advance.

PUBLIC SERVICE COMMISSION

NOTICE OF CANCELLATION – The Florida **Public Service Commission** hereby gives notice of the cancellation of the prehearing and hearing previously scheduled in the following docket:

DOCKET NO.: 011333-WU – Petition of City of Bartow to modify territorial agreement or, in the alternative, to resolve territorial dispute with Tampa Electric Company in Polk County.

The prehearing was scheduled to take place on:

DATE AND TIME: June 27, 2002, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, Florida

The hearing was scheduled to take place on:

DATE AND TIME: July 18, 2002, 1:30 p.m.

PLACE: The Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

If rescheduled, a subsequent notice of prehearing and hearing will be issued.

The Florida **Public Service Commission** announces a Customer Meeting to be held in the following docket, to which all interested persons and parties are invited to attend.

DOCKET NO.: 020010-WS – Application for Staff-Assisted Rate Case in Highlands County by The Woodlands of Lake Placid, L.P.

DATE AND TIME: Monday, July 15, 2002, 6:00 p.m.

PLACE: The Woodlands of Lake Placid, Community Center, 239 Shoreline Drive, Lake Placid, FL 33852

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit customers to give testimony regarding the rates and service of The Woodlands of Lake Placid, L.P.

A copy of the agenda for this meeting may be obtained by writing: Division of Commission Clerk and Administrative Services, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the meeting. Any person who is speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

DOCKET NO.: 020099-TP – Complaint of ALEC, Inc. for enforcement of interconnection agreement with Sprint-Florida, Incorporated and request for relief.

DATE AND TIME: July 22, 2002, 1:30 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** will consider at its July 23, 2002, Agenda Conference, Docket No.: 011345-GU, Application by Florida Division of Chesapeake Utilities Corporation (Chesapeake or Company) for Authorization to Issue Common Stock, Preferred Stock, and Secured and/or Unsecured Debt and to Exceed Limitation Placed on Short-Term Borrowings in 2002. The Company filed an Application by Chesapeake Utilities Corporation for Modification of Authority to Issue Secured and/or Unsecured Debt During the Twelve Months Ended December 31, 2002, on June 20, 2002, in which it requested authority to enter into Interest Rate Swap Products with financial institutions so long as the notional principal amount does not, in the aggregate, exceed the sum of \$30 million.

DATE AND TIME: Tuesday, July 23, 2002, 9:30 a.m., Agenda Conference, although the time at which this item will be heard cannot be determined at this time.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action in **DOCKET NO.:** 011345-GU.

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 Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: July 23, 2002, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy. (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting: Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing to the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: July 23, 2002, Immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the meeting. 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).

THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Guardian Ad Litem Program Working Group** announces a public meeting, via telephone, to which all persons are invited.

DATE AND TIME: Wednesday, July 10, 2002, 12:10 p.m. – 1:45 p.m.

PLACE: Teleconference Number (850)487-8587, Suncom 277-8587

REGIONAL PLANNING COUNCILS

The District I, **Local Emergency Planning Committee** (LEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2002, 10:00 a.m. (CDT)

PLACE: North Bay Fire District, Conference Room, 1024 White Point Road, Niceville, FL 32578

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the District I, Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: The Executive Director, West Florida Regional Planning Council, P. O. Box 9759, Pensacola, Florida 32513-9759.

The District 5, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

COMMITTEE NAME: Training Subcommittee

DATE AND TIME: Wednesday, July 17, 2002, 9:00 a.m.

COMMITTEE NAME: Local Emergency Planning Committee

DATE AND TIME: Wednesday, July 17, 2002, 10:30 a.m.

PLACE: City of Ocala Fire Rescue, Fire Station #4, 3300 Southwest 20th St. (Behind Central Florida Community College), Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chairman report, Committee updates, and other organizational matters regarding the committees.

If a person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you have any questions regarding the meeting you may contact: Charlotte Neupauer, (352)732-1315.

The District 5, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

COMMITTEE NAME: Training Subcommittee

DATE AND TIME: Wednesday, July 17, 2002, 9:00 a.m.

COMMITTEE NAME: Local Emergency Planning Committee

DATE AND TIME: Wednesday, July 17, 2002, 10:30 a.m.

PLACE: City of Ocala Fire Rescue, Fire Station #4, 3300 Southwest 20th St. (Behind Central Florida Community College), Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chairman report, Committee updates, and other organizational matters regarding the committees.

If a person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you have any questions regarding the meeting you may contact: Charlotte Neupauer, (352)732-1315.

The **Withlacoochee Regional Planning Council** announces a meeting of its Budget Committee.

DATE AND TIME: Thursday, July 18, 2002, 6:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 Southwest 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To formulate the Council's Budget for Fiscal Year 2002-2003.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, July 18, 2002, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 Southwest 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

NOTICE OF CANCELLATION – The Southwest Florida Regional Planning Council announces that its regular meeting has been canceled:

DATE AND TIME: July 18, 2002, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, Conference Room, 4th Floor, 4980 Bayline Drive, North Fort Myers, Florida 33917

The next regular meeting is scheduled for August 8, 2002, 9:30 a.m.

The **South Florida Regional Planning Council** announces a public meeting on the Strategic Regional Policy Plan to which all persons are invited.

DATE AND TIME: Thursday, July 11, 2002, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Blvd., Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss a draft illustration for the update of the Strategic Regional Policy Plan.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the South Florida Regional Planning Council 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.

The **South Florida Regional Planning Council** announces a public meeting on the Strategic Regional Policy Plan to which all persons are invited.

DATE AND TIMES: Friday, July 19, 2002, 10:00 a.m. – 12:00 Noon; 2:00 p.m. – 4:00 p.m.

PLACE: City of Key Colony Beach, Auditorium, 600 West Ocean Drive, Key Colony Beach, Florida 33051-0141

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss the update of the Strategic Regional Policy Plan.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the South Florida Regional Planning Council 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.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: July 19, 2002, 9:30 a.m.

PLACE: Ramada Inn, 1200 S. Federal Highway, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Council.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

The District II, **Local Emergency Planning Committee** (LEPC) announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment(s) received in a timely manner.

DATE AND TIME: July 17, 2002, 10:00 a.m. (Eastern Time), 9:00 a.m. (Central Time)

PLACE: Leon County Health Department, Division of Emergency Management, 372 West Orange Avenue, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regularly scheduled LEPC meeting.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue, East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices, (850)674-4571 prior to the meeting.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

COMMISSION ON ETHICS

The Florida **Commission on Ethics** announces that the following emergency workshop was held:

DATE AND TIME: Friday, June 21, 2002, 10:00 a.m.

PLACE: Office of Ethics Commission Member Joel Gufstafson, Holland & Knight Law Firm, Suite 1300, One East Broward Boulevard, Fort Lauderdale, FL 33301

REASONS WHY AN EMERGENCY MEETING WAS NECESSARY: At the June 6, 2002 meeting of the Florida Commission on Ethics, the Chair appointed a Subcommittee on Financial Disclosure Appeals and charged it with formulating recommendations on procedures for the handling and disposition of financial disclosure appeals. The Subcommittee was further instructed to include its recommendations in materials to be mailed on July 10, 2002, for the meeting of the Commission scheduled for July 25, 2002, as the appeals involved Filing Year 2000 and Filing Year 2001 is already underway. In order to meet this deadline, the members of the Subcommittee agreed to meet on June 21, 2002, but did not have time to publish 7-day notice in the Florida Administrative Weekly. Therefore, the workshop was

noticed in the Fort Lauderdale Sun-Sentinel on June 15, 2002, and a copy of the notice was distributed to members of the state-wide media affiliated with the Florida Press Center.

ACTION TAKEN: The Subcommittee agreed to recommend that the Commission continue to handle appeals on a case-by-case basis but to emphasize that the goal is compliance. Draft orders will include findings on whether the appellant's disclosure has been filed and whether there was compliance during previous years but will not include an automatic fine recommendation. Commission staff will also correspond with appellants and advise them that their history of compliance will be considered by the Commission when their appeal is heard.

METROPOLITAN PLANNING ORGANIZATIONS

The **Metropolitan Planning Organization for the Orlando Urban Area** announces the following public meetings of its Governing Board and Executive Committee to which all persons are invited:

DATE AND TIMES: Wednesday, July 10, 2002, 9:00 a.m. and 11:00 a.m., respectively

PLACE: Metroplan Orlando, Suite 355, 315 East Robinson Street, Orlando, FL 32801

Purpose: Regularly Scheduled Meetings.

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Call to Order
2. Chairman's Announcements
3. Executive Director's Announcements
4. Consent Items
5. Action Items
6. Other Business
7. Executive Director's Report
8. Board Member Comments
9. Public Comments
10. Adjournment

A detailed copy of the agenda may also be obtained by contacting: Ms Lewis-Whittington, Metroplan Orlando, Suite 355, 315 East Robinson Street, Orlando, FL 32801, (407)481-5672, Ext. 314.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Metroplan Orlando, (407)481-5672, at least 48 hours before the meeting.

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** (SWFMWD) announces the following public meeting to which all interested persons are invited:

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT GOVERNING BOARD AND TAMPA BAY WATER BOARD OF DIRECTORS JOINT WORKSHOP

DATE AND TIME: Monday, July 15, 2002, 9:00 a.m. (Alternate date, if cancelled, would be Monday, July 22, 2002, same time and location.)

PLACE: Bayfront Center, Sun Pavillion Room, 400 First Street, South, St. Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water management issues of mutual concern.

These are public meetings and agendas are available by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4604, TTD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **South Florida Water Management District** 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: Thursday, July 31, 2002, 9:00 a.m. – 4:00 p.m. or earlier

PLACE: South Florida Water Management District, Headquarters, Auditorium, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: SFWMD Governing Board Budget and Planning Workshop.

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: Aaron Basinger, Budget Director, District Headquarters, 3301 Gun Club Road, MSC 6260, 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: August 15, 2002, 8:50 a.m.

PLACE: The South Florida Water Management, Headquarters, Auditorium, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Acquisition of certain lands contained within the Save Our Rivers Land Acquisition and Management Plan.

A copy of the agenda may be obtained at the (1) District Website <http://www.sfwmd.gov/agenda.html> or (2) by writing: South Florida Water Management District, Mail Stop 2130, Post Office Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Blair R. Littlejohn, III, Deputy Department Director, District Headquarters, Land Acquisition, Real Estate Department, 3301 Gun Club Road, Mail Stop Code 3310, West Palm Beach, FL 33406, (561)682-6206.

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: Tuesday, July 30, 2002, 1:00 p.m. – completion

PLACE: Radisson Hotel Orlando, 5780 Major Boulevard, Orlando, Florida, (407)351-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the regular business of the Commission for the Transportation Disadvantaged.

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.

The Florida **Commission for the Transportation Disadvantaged** announces the 10th Annual Training and Technology Conference to which all persons are invited.

DATES AND TIMES: Tuesday, July 30, 2002, 4:00 p.m. – Friday, August 2, 2002, 10:00 a.m.

PLACE: Radisson Hotel Orlando, 5780 Major Boulevard, Orlando, Florida, (407)351-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the 10th Annual Training and Technology Conference.

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.

REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular monthly board meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, July 17, 2002, 4:30 p.m.

PLACE: Sumter County Courthouse, Commission Meeting Room 222, 209 N. Florida Street, Bushnell, Florida 33513

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

DEPARTMENT OF ELDER AFFAIRS

The **State Long-Term Care Ombudsman Council** announces the following meetings and conference calls to which all persons are invited:

COMMITTEE MEETINGS

DATES AND TIMES: Thursday, August 8, 2002, Times for all committees will be finalized later; Wednesday, July 10 and Thursday, July 11, 2002, 8:30 a.m., Policy and Procedures Committee

GENERAL SESSION

DATE AND TIME: Friday, August 9, 2002, 8:30 a.m.

PLACE: Hilton Tampa Airport, 2225 N. Lois Ave., Tampa, Florida, (813)877-6688

CONFERENCE CALLS

DATE AND TIME: Executive Committee, July 9, 2002, 9:00 a.m.; Ways and Means, July 12, 2002, 11:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program.

You may contact: Office of Long-Term Care Ombudsman Program, (850)488-6190, for more information, including conference call numbers.

The Area Agency on Aging of Pasco-Pinellas, Inc. for Planning and Service Area 5 of the Florida **Department of Elder Affairs**, will present its 2003 Area Plan Update for the distribution of funds under the federal Older Americans Act of 1965, as amended, to projects providing services to the elderly residents of Pasco and Pinellas Counties at the following public hearings:

PINELLAS COUNTY PUBLIC HEARING

DATE AND TIME: Wednesday, July 31, 2002, 9:30 a.m. – 11:00 a.m.

PLACE: Palm Harbor Senior Center, 1500 16th Street, Palm Harbor, FL

GUEST SPEAKER: Representative Gus Bilirakis.

PASCO COUNTY PUBLIC HEARING

DATE AND TIME: Thursday, August 1, 2002, 9:30 a.m. – 11:00 a.m.

PLACE: Elfers Senior Center, 4136 Barker Drive, Elfers, Florida

GUEST SPEAKER: Representative Mike Fasano.

To request more information or accommodations for persons with disabilities, contact: Sharon Thompson-Ayers, Area Agency on Aging, Suite 200, 9455 Koger Boulevard, St. Petersburg, Florida 33702 or call (727)570-9696, Ext 230, TDD (711), no later than July 25, 2002.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Drug Utilization Review Board and Prescribing Pattern Review Panel, to which all interested parties are invited.

DATE AND TIME: Saturday, July 27, 2002, 9:30 a.m. – 2:00 p.m.

PLACE: Marriott Hotel, Tampa International Airport, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review prescribing patterns and drug utilization in Medicaid prescription program.

Any attendee requiring special accommodation because of a disability or physical impairment should contact: Marriott, (813)879-5151, at least five days prior to the meeting.

NOTICE OF CANCELLATION – The **Health Care Access Steering Committee meeting has been cancelled.**

DATE AND TIME: Monday, July 8, 2002, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, Tallahassee, Florida

This meeting will be rescheduled with the new date, time and location properly noticed in the Florida Administrative Weekly.

If you have any questions, please contact: Mr. Mel Chang, Government Analyst II, Agency for Health Care Administration, Office of Medicaid Research, 2727 Mahan Drive, Building 3, Suite 2340, Mail Stop #48, Tallahassee, Florida 32308-5403, (850)922-5530.

NOTICE OF CANCELLATION – The **Agency for Health Care Administration, Rule Development Workshop for the proposed Rule 59G-11 entitled 211 Certification Rule Process scheduled for the following:**

DATE AND TIME: Friday, July 12, 2002, 9:00 a.m. – 12:00 Noon

PLACE: Agency for Health Care Administration, Tallahassee, Florida

This workshop will be rescheduled with the new date, time and location properly noticed in the Florida Administrative Weekly.

If you have any questions, please contact: Mr. Mel Chang, Government Analyst II, Agency for Health Care Administration, Office of Medicaid Research, 2727 Mahan Drive, Suite 2340, Building 3, Mail Stop 48, Tallahassee, Florida 32308-5403, (850)922-5530.

The **Agency of Health Care Administration, Medicaid**, Bureau of Research announces a Health Care Access Steering Committee Meeting to which all interested persons are invited.

DATE AND TIME: July 29, 2002, 10:00 a.m. – 11:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approve the Request For Proposal for pilot selection, and Draft 211 Certification Rule for the July 31 Rule Development Workshop, and general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Mel Chang, (850)922-5530, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Mel Chang, Government Analyst II, Agency for Health Care Administration, Medicaid Bureau of Research, 2727 Mahan Drive, Bldg. 3, Suite 2340, Mail Stop #48, Tallahassee, FL 32308-5403.

DEPARTMENT OF MANAGEMENT SERVICES

The **Correctional Privatization Commission** announces a meeting to which all persons are invited.

DATE AND TIME: Friday, July 19, 2002, 10:00 a.m.

PLACE: South Bay Correctional Facility, 600 U.S. Highway 27, South, South Bay, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of pertinent Commission business relating to the current and upcoming fiscal years.

Any person who decides to appeal a decision of the Correctional Privatization Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made Section 286.0105, Florida Statutes.

A copy of the agenda may be obtained by writing: Correctional Privatization Commission, Office of the Executive Director, 4050 Esplanade Way, Suite 680, Pepper Building, Tallahassee, Florida 32399-0950.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Correctional Privatization Commission, Office of the Executive Director, (850)921-4034, at least five (5) calendar days prior to the meeting.

If you are hearing or speech impaired, please contact the Correctional Privatization Commission, Office of the Executive Director, by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

The **Department of Management Services, State Technology Office** announces a public meeting of the Board of Directors of the Joint Task Force on State Agency Law Enforcement Communications to which all persons are invited.

DATE AND TIME: June 20, 2002, immediately following the workshop

PLACE: Room 124, 2585 Shumard Oak Drive, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take action on the items included in the meeting agenda.

A copy of the agenda may be obtained by writing: Linda Fuchs, Department of Management Services, State Technology Office, 4030 Esplanade Way, Suite 235, Tallahassee, Florida 32399-0950 or Linda.Fuchs@myflorida.com.

If a person decides to appeal any decision made by the Board with respect to any matter considered at the meeting, he/she will need a record of the proceedings and may need to ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring some accommodation at this hearing because of a physical impairment should call the State Technology Office, (850)922-7435, at least five calendar days prior to the meeting. If you are hearing- or speech-impaired, please contact the State Technology Office by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). The conference call number is (850)921-2470 or Suncom 291-2470.

The **Department of Management Services, State Technology Office** announces a workshop on the progress of the Joint Task Force Radio Communications System to which all persons are invited.

DATE AND TIME: July 11, 2002, 1:30 p.m.

PLACE: Department of Management Services, State Technology Office, Room 124, 2585 Shumard Oak Drive, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take action on the items included in the meeting agenda.

A copy of the agenda may be obtained by writing: Linda Fuchs, Department of Management Services, State Technology Office, 4030 Esplanade Way, Tallahassee, Florida 32399-0950 or Linda.Fuchs@myflorida.com.

If a person decides to appeal any decision made by the Board with respect to any matter considered at the meeting, he/she will need a record of the proceedings and may need to ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring some accommodation at this hearing because of a physical impairment should call the State Technology Office, (850)922-7435, at least five calendar days prior to the meeting. If you are hearing- or speech-impaired, please contact the State Technology Office by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). The conference call number is (850)921-2470 or Suncom 291-2470.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces the following meeting to which all persons are invited to participate.

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

PLACE: Department of Business and Professional Regulation, 1940 North Monroe St., Tallahassee, FL. The telephone number is (850)488-5778 or Suncom 278-5778

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 North Monroe St., Tallahassee, FL 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)487-9630, 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 **Electrical Contractors' Licensing Board** announces Official Board Meetings to which all interested persons are invited.

MEETING: Electrical Contractors' Licensing Board

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

PLACE: Access Number: (850)410-0966 or Suncom 210-0966

PLACE: The Department of Business and Professional Regulation, Electrical Contractors' Licensing Board Office, 1940 North Monroe Street, Tallahassee, FL 32399-0771

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct an official meeting of the Electrical Contractors' Licensing Board.

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she 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 to be based.

For further information contact: Florida Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Greg Spence, Electrical Contractors' Licensing Board, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Greg Spence 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 Business and Professional Regulation, Board of Employee Leasing Companies** announces an official telephone conference call meeting regarding change of ownership applications and other business as directed by the Board.

DATE AND TIME: Wednesday, July 17, 2002, 10:00 a.m. or shortly thereafter

PLACE: Meet Me telephone number (850)921-2548 or Suncom 291-2548

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting of the Board regarding Change of Ownership Applications and other business as directed by the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling the Board Office, (850)921-6347.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Board Office, (850)921-6347. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based.

For further information, contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Professional Engineers** announces a Rules Committee meeting to which all persons are invited.

DATE AND TIME: Thursday, July 18, 2002, 1:00 p.m.

PLACE: The Embassy Suites Hotel, 3974 South River Drive, Miami, Florida 33142

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a Legislative Committee meeting to which all persons are invited.

DATE AND TIME: Friday, July 19, 2002, 9:00 a.m.

PLACE: 7935 114th Avenue, Largo, Florida 33773

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida Engineers Management Corporation and the Florida **Board of Professional Engineers** announces a Joint meeting to which all persons are invited.

DATE AND TIME: Thursday, August 1, 2002, 8:30 a.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Boulevard, Ponte Vedra Beach, Florida 32082

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: July 18, 2002, 10:00 a.m. – 5:00 p.m.

PLACE: South Florida Water Management District, Fort Lauderdale Field Station, 2535 Davie Road, Fort Lauderdale, FL 33328

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting to discuss public comments submitted 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, M.S. #705, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Bureau of Personnel Services, (850)488-2996. If you are hearing or speech impaired, please contact the Florida Relay Service by calling 1(800)955-8771 (TDD).

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

The **Department of Environmental Protection** announces a meeting to which all interested persons are invited.

DATES AND TIMES: August 22, 2002, 1:30 p.m., Committee Meeting; August 22, 2002, 4:00 p.m., Full Council; August 23, 2002, 8:30 a.m., Full Council

PLACE: Sawgrass Marriott Resort and Beach Club, Ponte Vedra Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Greenways and Trails Council and its Trail Design, Maintenance, and Monitoring Committee will meet to discuss council business.

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

The **Department of Environmental Protection** gives notice of eight public meetings to solicit public comment and encourage public participation in the development of the verified list(s) of impaired waters for water bodies and water segments within the Group 1 basins, as follow:

STATEWIDE VERIFIED LIST/ALL GROUP 1 BASINS

DATE AND TIME: July 19, 2002, 1:00 p.m.

PLACE: Marco Island Marriott Resort, Quarterdeck 1, Lower Level, Marco Island, Florida

OCHLOCKONEE AND ST. MARKS RIVER BASINS

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

PLACE: Department of Environmental Protection, Room 609, Twin Towers Building, 2600 Blair Stone Road, Tallahassee, Florida

SUWANNEE (INCLUDING AUCILLA, COASTAL, SUWANNEE AND WACCASASSA) AND ORANGE CREEK BASINS

DATE AND TIME: July 22, 2002, 4:00 p.m.

PLACE: Suwannee River Water Management District, Governing Board Room, 9225 County Road 49, Live Oak, Florida

OCHLAWAHA RIVER AND ORANGE CREEK BASINS

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

PLACE: Lake-Sumter Community College, Magnolia Room, 9501 U.S. Highway 441, Leesburg, Florida

TAMPA BAY BASIN

DATE AND TIME: July 24, 2002, 1:00 p.m.

PLACE: Tampa Bay Regional Planning Council, Suite 219, Hendry Building, 9455 Koger Boulevard, St. Petersburg, Florida

LAKE OKEECHOBEE BASIN

DATE AND TIME: July 24, 2002, 3:00 p.m.

PLACE: Everglades Research and Education Center, Room 106, 3200 East Palm Beach Road, Belle Glade, Florida

EVERGLADES WEST COAST BASIN

DATE AND TIME: July 25, 2002, 1:00 p.m.

PLACE: Department of Environmental Protection, South District Office, South Regional Service Center, Room 165C and D, 2295 Victoria Avenue, Ft. Myers, Florida

STATEWIDE VERIFIED LIST/ALL GROUP 1 BASINS, REVISED VERIFIED LIST, PUBLIC COMMENT FROM PRIOR MEETINGS

DATE AND TIME: August 14, 2002, 9:00 a.m.

PLACE: Department of Environmental Protection, Room 609, Twin Towers Building, 2600 Blair Stone Road, Tallahassee, Florida

WRITTEN COMMENTS may be submitted between July 12, 2002 and August 26, 2002, in lieu of, or in addition to, participation in any or all of the eight public meetings. Written comments may be submitted to, and copies of agenda may be requested from: Daryll Joyner, Program Administrator, Department of Environmental Protection, 2600 Blair Stone Road, Bureau of Watershed Management, MS #3510, Tallahassee, Florida 32399-2400 or by calling (850)488-0780. The full text of this notice is published on the Internet at the DEP homepage at <http://www.dep.state.fl.us/> under the link or button entitled "Official Notices."

The Florida **Department of Environmental Protection** announces a public workshop to which all interested persons are invited.

DATE AND TIME: August 7, 2002, 9:00 a.m.

PLACE: Room 538D, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Workshop is being held to present the Department's recommendations and to receive public comment on the intended use of the Fiscal Year 2003 Federal Safe Drinking Water Act appropriations and State matching funds.

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 hearing to which all interested persons are invited.

DATE AND TIME: August 8, 2002, 10:00 a.m.

PLACE: Room 611, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Purpose of the hearing is to adopt the FY 2003 Drinking Water State Revolving Fund Priority List.

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 call: Al Bishop, (850)488-8163.

The **Department of Environmental Protection** announces a public meeting of the Florida Water Conservation Initiative to which all persons are invited:

DATE AND TIME: August 21, 2002, 10:00 a.m. – 4:00 p.m.

PLACE: Orange County Convention Center, Room 304, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide information on the Florida Water Conservation Initiative, and to receive public input on implementation

strategies for increasing water use efficiency. The primary goal of the Initiative is to develop and implement efficiency measures that will result in significant permanent savings of water for all water use sectors. This meeting will discuss implementation of the recommendations contained in the April 2002 Florida Water Conservation Initiative Report, which was developed through a public process over the past year.

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 call: Karl Kurka, (850)921-2279.

DEPARTMENT OF HEALTH

The **Department of Health, Board of Pharmacy** announces a public meeting to which all persons are invited.

DATE AND TIME: August 7, 2002, 9:00 a.m. (EST)

PLACE: Meet-Me Teleconference Call (850)410-0960 or Suncom 210-0960

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will meet to discuss and establish criteria for: encouraging community involvement and other business.

This meeting is open to the public; however, the number of available lines will be limited to the public once committee members and staff have called in.

A copy of the committee agenda which are open to the public may be obtained by writing: John D. Taylor, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, BIN #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Page Merkison, (850)245-4292, Ext. 3600, 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).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Correctional Medical Authority** announces a quarterly Board meeting conference call to which all persons are invited to participate.

DATE AND TIME: July 19, 2002, 8:30 a.m. – 12:30 p.m.

PLACE: Department of Health, Suite 120, Prather Building, 2585 Merchant's Row Boulevard, Tallahassee, Florida 32399, Toll Free 1(800)416-4254, (850)922-2903, Suncom 292-2903

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, BIN #B-04, Tallahassee, FL 32399-1732, (850)245-4044. Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Seminole County Alliance and the **Department of Children and Family Services** announces a special meeting on:

DATE AND TIME: July 17, 2002, 11:30 a.m. – 1:00 p.m.

PLACE: DCF, Reflection Service Center, 532 W. Lake Mary Boulevard, Sanford, FL

Please refer questions to: Dr. Daly, (407)245-0400.

The **Children's Advocacy Center** announces a Workgroup Meeting to which all persons are invited.

DATE AND TIME: July 11, 2002, 9:00 a.m. – 4:00 p.m.

PLACE: Room 232, Building 7, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting/Workgroup of the Children's Advocacy Center Workgroup of the Task Force on Children's Justice. The purpose of the workshop is to learn about the ongoing national study of children's advocacy centers and plan for a study of Florida's centers.

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Fish and Wildlife Conservation Commission** announces a public workshop concerning ballyhoo, to which all interested persons are invited:

DATE AND TIME: July 15, 2002, 6:00 p.m. – 8:00 p.m.

PLACE: Key Largo Library, 101485 Overseas Highway, Key Largo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a workshop to gather public testimony with regard to limiting entry and managing fishing effort in the commercial ballyhoo fishery.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

For further information, contact: Roy Crabtree, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION

The Region XV, Training Advisory Council of the Florida **Criminal Justice Standards and Training Commission** announces a public meeting to which all interested persons are invited:

DATE AND TIME: July 10, 2002, 8:30 a.m.

PLACE: Pat Thomas Law Enforcement Training Academy, U.S. Highway 90, 14 miles west, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled meeting of the Region XV Training Advisory Council of the Florida Criminal Justice Standards and Training Commission. The primary business of the meeting will be to discuss training issues.

A copy of the agenda for the above meeting may be obtained by writing: Robert Anderson, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050.

MIAMI-DADE LAND ACQUISITION AND FACILITIES ADVISORY BOARD

The **Miami-Dade Land Acquisition and Facilities Advisory Board** announces its meeting.

DATE AND TIME: July 15, 2002, 9:00 a.m. – 1:00 p.m.

PLACE: Miami-Dade School Board, Administration Building, 1450 N. E. 2nd Ave., Miami, FL

GENERAL SUBJECT MATTERS TO BE CONSIDERED: The Advisory Board will consider matters relating to Miami-Dade Land Acquisition and Facilities. These matters may include: discussion relating to release of the funds held; relating to possible outsourcing of school district services; relating to the district's construction program, procurement program, facilities program, and other programs. The advisory board may also consider information regarding any recommendations it may make to the school district and the Commissioner of Education, as well as other information pertaining to district operations.

A copy of the agenda can be obtained by contacting: Melissa Crawford, Office of Program Policy Analysis and Government Accountability, 111 West Madison Street, Suite 312, Tallahassee, FL 32399-1475, (850)487-9256.

If special accommodations are needed to attend this meeting because of a disability, please contact the above-mentioned individual in advance of the meeting.

NORTHEAST FLORIDA AREA AGENCY ON AGING

The **Northeast Florida Area Agency on Aging, Inc.** announces a Budget/Finance Committee meeting, and a Board of Directors meeting to which all persons are invited:

DATE AND TIMES: July 17, 2002, Budget and Finance Committee, 1:30 p.m.; Board of Directors Meeting, 2:30 p.m.

PLACE: Flagler Hospital, Houston Conference Room, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business and Recommendations from Personnel Committee and By-Laws Committee.

A copy of the agenda may be obtained by contacting: The Northeast Florida Area Agency on Aging, Inc., 4401 Wesconnett Blvd., 2nd Floor, Jacksonville, FL 32210, (904)777-2106.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority (TRDA)** announces a general meeting of its Board of Directors to which all persons are invited to participate.

DATE AND TIME: July 17, 2002, 2:00 p.m.

PLACE: Technological Research and Development Authority, 5195 South Washington Avenue, Titusville, Florida 32780

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Linda D. Lundy, TRDA, Office Manager, (321)269-6330 or llundy@trda.org.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces a public meeting to which all persons are invited:

CLAIM REVIEW COMMITTEE

DATE AND TIME: Monday, July 29, 2002, 9:00 a.m. – 5:00 p.m.

PLACE: York STB, 2277 Lee Road, Suite One, East, Winter Park, Florida

DATE AND TIME: Tuesday, July 30, 2002, 9:00 a.m. – 5:00 p.m.

PLACE: York STB, 1211 North Westshore Boulevard, #200, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Follow up review for servicing carrier to observe the progress being made.

Additional information may be obtained from: Lisa Blackwell Stoutamire, FAJUA, 1113 East Tennessee Street, Suite 401, Tallahassee, FL 32308, (850)681-2003, fajua@aol.com.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed June 13, 2002, by Jack W. Mosley. The Petition is seeking the Department's interpretation of NFPA 13, Chapter 5-13.8.

Specifically, petitioner requests a declaratory statement on the following question: whether a canopy constructed entirely of non-combustible material used strictly for drop-off must be protected by a fully automatic sprinkler system.

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340.

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed June 14, 2002, by the Broward County Fire Marshal's Office. The Petition is seeking the Department's interpretation of NFPA 415.

Specifically, petitioner requests a declaratory statement on the following question: whether an up-to-an-8 inch gap in the walkway area from a walkway bridge to the entrance door of an aircraft is permissible.

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340.

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed June 21, 2002, by Michael Coutts. The Petition is seeking the Department's interpretation of Sections 633.061, Florida Statutes. Petitioner specifically requests a declaratory statement on the following questions:

1. Must a Fire Equipment Permittee and Licensee have some kind of specific training for the systems they are working on either by the equipment manufacturer or an approved class from the State of Florida?
2. If the manufacturer cannot prohibit a licensee with appropriate training from servicing their system, what is that training?
3. Can a manufacturer prohibit a permittee from servicing their system if he or she has no training?

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340 or faxing the request to (850)922-1235, Attn: Gabriel Mazzeo or calling Kimberly Riordan, (850)413-3170.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

NOTICE IS HEREBY GIVEN THAT the Florida Department of Agriculture and Consumer Services received a Petition for Declaratory Statement on June 7, 2002, from James E. Keim, attorney for the Plaintiff in the case of Schubert v. Hudson Farms Citrus and Cattle, Case No. 01-1750-CA pending in the Circuit Court in Charlotte County, Florida. Plaintiff was injured in a traffic accident and asserts that smoke on the highway from a non-certified controlled burn was the cause. The Petitioner seeks a Declaratory Statement that the gross negligence protections of §590.125(3)(c), F.S., are not available to the Defendant in this situation, and that a person who violates the provisions of §590.125(2), F.S., during a non-certified burn is liable for the results of his or her ordinary negligence.

A copy of the Petition may be obtained by contacting: Agency Clerk, Department of Agriculture and Consumer Services, Mayo Building, Room 509, Tallahassee, Florida 32399-0800.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on June 20, 2002, from Prakash S. Lodha, P.E., Allied Universal Corporation. The Petition requests that the Commission clarify whether bleach storage tanks in excess of 500 gallons must comply with the requirements for Hazardous Occupancy-Group H pursuant to Section 308, Florida Building Code, Building Volume. It has been assigned the number DCA02-DEC-190.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on June 21, 2002, from Cristine A. White, Custom Drafting, Inc. requesting an interpretation and clarification of Chapter 34, Florida Building Code, Building Volume as it pertains to window replacements and additions. It has been assigned the number DCA02-DEC-191.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a final order In Re: Petition for Declaratory Statement, Erwin Neumann, Unit Owner, Marlboro Estates, A Condominium, Petitioner; Docket Number CD2002-023.

The petition was denied because it is outside the scope of the Division's authority to resolve conflicting provisions in the declaration of condominium.

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

A meeting to review and evaluate proposals received in response to the Request for Proposals (RFP) #2002-26, Development of the Florida Comprehensive Assessment Test (FCAT), will be held July 15-18, 2002, 8:30 a.m. – 4:30 p.m., in the Turlington Building, Room 1721/25. To obtain additional information and request an agenda for this meeting, please contact Dr. Judith Keck by calling (850)488-8198.

CALL FOR BIDS

made by the University of North Florida Board of Trustees, a public body corporate.

PROJECT: Fine Arts Complex – Landscape

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

DATE AND TIME: August 6, 2002, until 2:00 p.m. (Local Time)

PLACE: University of North Florida, Building No. 6, Training Room 1225, 4567 St. Johns Bluff Road, South, Jacksonville, Florida, at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer: Rink Reynolds Diamond Fisher Wilson Architects, P.A. 1301 Riverplace Blvd., Jacksonville, Florida 32227, Telephone (904)396-6353.

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is encouraged to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: July 23, 2002, 2:00 p.m. (Local Time)

PLACE: University of North Florida, Building No. 6, Training Room 1225, 4567 St. Johns Bluff Road, South, Jacksonville, Florida.

DEPOSIT: \$50.00 per set of drawings and Project Manual is required with a limit of three (2) sets per general contractor or prime bidder.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders, who after having examined the drawings and specifications submit a bona fide bid and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the Architect/ Engineer's office and local plan rooms. Full sets may be purchased through Coastal Reprographics Inc. 7999 Philips Highway, Suite 202, Jacksonville, Florida 32256, Phone (904)448-1600, Fax (904)448-6804. For \$50.00 per set of drawings and Project Manual for the printing and handling cost. Partial sets may be purchased at \$1.62 per sheet of the drawings (Full binders may be purchased for \$.90 per sheet) and \$.10 per side for copies 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.

DEPARTMENT OF REVENUE

Invitation to Bid

The Florida Department of Revenue (FDOR), Child Support Enforcement (CSE) Program, is soliciting bids for an attorney to provide Quality Assurance Review (QAR) and oversight assessment services on the performance of eight (8) Legal Service Provider (LSP) attorneys assigned to the LSP pilot contract in the following counties: Charlotte, Collier, Glades, Hendry, Lee and Palm Beach. Qualifications and experience: 1) A minimum of 15 years experience as a practicing attorney, 2) A minimum of 5 years litigation experience and court room skills, 3) A minimum of 5 years experience in Florida Family Law and/or Child Support, 4) Excellent communication skills (Verbal and/or Written), and 5) Must be an attorney licensed to practice law in the State of Florida and a current member in good standing with the Florida Bar Association. Bid documents may be obtained after July 8, 2002 by accessing the Vendor Bid System (VBS) through myflorida.com on the Internet. Contact David Donaldson, (850)922-9561 or Bo Searce, (850)922-2994 for assistance. Bids will be received and processed by the FDOR Purchasing office, located at 501 South Calhoun Street, Carlton Building, Room 143, Tallahassee, Florida 32399-0100 until 3:00 p.m., August 7, 2002.

Any person with a qualified disability shall not be denied equal access and effective communication regarding any proposal document or attendance at any related meeting or proposal opening. If accommodations are needed because of a disability, please contact the FDOR Purchasing office, (850)488-2625.

STATE BOARD OF ADMINISTRATION

INVITATION TO NEGOTIATE

The Florida Prepaid College Board is accepting proposals in response to an Invitation to Negotiate, ITN #02-01, to select a qualified firm(s) to serve as the Fixed Income Investment Manager for the Florida College Savings Program.

Copies of the Invitation to Negotiate, ITN #02-01, are available on or after July 5, 2002, by submitting a written request to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, facsimile number (850)488-3555. All information received in regard to this ITN must be sent to the above named address.

There is no bidder's conference. Only written inquiries concerning the ITN will be accepted. No written inquiries will be accepted after 5:00 p.m. (Eastern Time), July 12, 2002. The original unbound copy and five (5) copies of each response to the ITN must be received by 12:00 Noon (Eastern Time), July 23, 2002, at the Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308. Proposals must be submitted in full accordance with the requirements and mandatory criteria of the ITN.

The Board reserves the right to reject any and all proposals or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening 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 bid opening.

INTENT TO NEGOTIATE

The Florida Prepaid College Board is accepting proposals in response to an Invitation to Negotiate, ITN #02-02, to select a qualified firm to serve as the Value-Oriented Large Capitalization Domestic Equity Investment Manager for the Florida College Savings Program.

Copies of the Invitation to Negotiate, ITN #02-02, are available on or after July 5, 2002, by submitting a written request to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, facsimile number (850)488-3555. All information received in regard to this ITN must be sent to the above named address.

There is no bidder's conference. Only written inquiries concerning the ITN will be accepted. No written inquiries will be accepted after 5:00 p.m. (Eastern Time), July 12, 2002. The original unbound copy and five (5) copies of each response to the ITN must be received by 12:00 Noon (Eastern Time), July 23, 2002, at the Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308. Proposals must be submitted in full accordance with the requirements and mandatory criteria of the ITN.

The Board reserves the right to reject any and all proposals or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening 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 bid opening.

INVITATION TO NEGOTIATE

The Florida Prepaid College Board is accepting proposals in response to an Invitation to Negotiate, ITN #02-03, to select a qualified firm to serve as the Growth-Oriented Large Capitalization Domestic Equity Investment Manager for the Florida College Savings Program.

Copies of the Invitation to Negotiate, ITN #02-03, are available on or after July 5, 2002, by submitting a written request to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, facsimile number (850)488-3555. All information received in regard to this ITN must be sent to the above named address.

There is no bidder's conference. Only written inquiries concerning the ITN will be accepted. No written inquiries will be accepted after 5:00 p.m. (Eastern Time), July 12, 2002. The original unbound copy and five (5) copies of each response to the RFP must be received by 12:00 Noon (Eastern Time), July 23, 2002, at the Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308. Proposals must be submitted in full accordance with the requirements and mandatory criteria of the ITN.

The Board reserves the right to reject any and all proposals or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening 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 bid opening.

INVITATION TO NEGOTIATE

The Florida Prepaid College Board is accepting proposals in response to an Invitation to Negotiate, ITN #02-04, to select a qualified firm to serve as the Core S&P 500 Large Capitalization Domestic Equity Investment Manager for the Florida College Savings Program.

Copies of the Invitation to Negotiate, ITN #02-04, are available on or after July 5, 2002, by submitting a written request to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, facsimile number (850)488-3555. All information received in regard to this ITN must be sent to the above named address.

There is no bidder's conference. Only written inquiries concerning the ITN will be accepted. No written inquiries will be accepted after 5:00 p.m. (Eastern Time), July 12, 2002. The original unbound copy and five (5) copies of each response to the RFP must be received by 12:00 Noon (Eastern Time), July 23, 2002, at the Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308. Proposals must be submitted in full accordance with the requirements and mandatory criteria of the ITN.

The Board reserves the right to reject any and all proposals or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening 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 bid opening.

INVITATION TO NEGOTIATE

The Florida Prepaid College Board is accepting proposals in response to an Invitation to Negotiate, ITN #02-05, to select a qualified firm to serve as the Money Market Investment Manager for the Florida College Savings Program.

Copies of the Invitation to Negotiate, ITN #02-05, are available on or after July 5, 2002, by submitting a written request to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, facsimile number (850)488-3555. All information received in regard to this ITN must be sent to the above named address.

There is no bidder's conference. Only written inquiries concerning the ITN will be accepted. No written inquiries will be accepted after 5:00 p.m. (Eastern Time), July 12, 2002. The original unbound copy and five (5) copies of each response to

the RFP must be received by 12:99 Noon (Eastern Time), July 23, 2002, at the Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308. Proposals must be submitted in full accordance with the requirements and mandatory criteria of the ITN.

The Board reserves the right to reject any and all proposals or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening 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 bid opening.

INVITATION TO NEGOTIATE

The Florida Prepaid College Board is accepting proposals in response to an Invitation to Negotiate, ITN #02-06, to select a qualified firm to serve as the Trustee and Securities Lending Services for the Florida College Savings Program.

Copies of the Invitation to Negotiate, ITN #02-06, are available on or after July 5, 2002, by submitting a written request to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, facsimile number (850)488-3555. All information received in regard to this ITN must be sent to the above named address.

There is no bidder's conference. Only written inquiries concerning the ITN will be accepted. No written inquiries will be accepted after 5:00 p.m. (Eastern Time), July 12, 2002. The original unbound copy and five (5) copies of each response to the RFP must be received by 12:00 Noon (Eastern Time), July 23, 2002, at the Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308. Proposals must be submitted in full accordance with the requirements and mandatory criteria of the ITN.

The Board reserves the right to reject any and all proposals or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening 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 bid opening.

REGIONAL TRANSPORTATION AUTHORITIES

REQUEST FOR PROPOSAL NO. 02-710 GENERAL COUNSEL LEGAL SERVICES

Tri-County Commuter Rail Authority (TCRA or Tri-Rail), an agency of the State of Florida, operates a 71 mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward, and Palm Beach Counties.

THE PURPOSE of this Request for Proposal (RFP) is to enter into an Agreement with a qualified law firm to provide General Counsel legal services for Tri-County Commuter Rail Authority. The Agreement between TCRA and the General Counsel shall be considered a personal service contract. TCRA legal services shall be performed, managed and supervised by a designated General Counsel Representative and such partners, associates and employees of General Counsel assigned by the designated General Counsel's Representative to TCRA matters.

A REQUEST FOR DOCUMENTS should be directed to Mr. Robert Becker, Tri-Rail, 800 N. W. 33 Street, Suite 100, Pompano Beach, Florida 33064, (954)788-7909. The cost of the solicitation document is Two Hundred Fifty Dollars (\$250.00), non-refundable. Checks or money orders made payable to Tri-Rail should be forwarded to Mr. Becker at the address above. Proposers from the previously cancelled RFP for these services will be provided a copy of RFP 02-710 at no charge. Solicitation documents will be available on or about July 1, 2002.

A PRE-PROPOSAL CONFERENCE will be held in the Tri-Rail Board Room at the address above on July 12, 2002, 10:00 a.m. The purpose of the conference will be for Tri-Rail to respond to questions from RFP document holders and clarify requirements in an open forum. Attendance is not mandatory but is recommended.

RECEIPT OF SEALED PROPOSALS: All proposals must be received in a sealed envelope no later than 5:00 p.m., July 22, 2002, at the TCRA Office, 800 N. W. 33 Street, Suite 100, Pompano Beach, Florida 33064.

TCRA reserves the right, at its sole discretion, to postpone, accept, or reject any and all proposals at any time during the RFP process. All Proposers must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All proposals must remain in effect for One Hundred Eighty (180) days from the RFP submission due date.

DBE PARTICIPATION: TCRA solicits and encourages Disadvantaged Business Enterprise (DBE) participation. DBEs will be afforded full consideration of their responses and will not be subject to discrimination.

SPACEPORT FLORIDA AUTHORITY**REQUEST FOR PROPOSALS**

The Authority is soliciting proposals to provide an Environmental Impact Statement for the International Space Research Park at the John F. Kennedy Space Center, Florida. This solicitation will result in a Contract, the total price is expected to exceed \$200,000, however, no minimum price has been established. Selection will be based on technical qualifications and relevant experience in environmental assessments.

The expression should include the qualifications of individuals or teams, and resumes, along with a list of previous clients. The project consists of approximately 400 acres of land on the Kennedy Space Center, Florida where a research park will be developed over the next 10 to 20 years. Additional information regarding the Park is accessible at <http://researchpark.ksc.nasa.gov> or through www.floridaspaceauthority.com.

Organizations desiring to provide such services should request a copy of "Request for Proposal-Environmental Support". This RFP outlines the scope of service and all general and specific conditions associated with this project. All proposals submitted must be prepared in accordance with the RFP. The RFP will be available July 1, 2002 or through our website at www.floridaspaceauthority.com, Notices/Solicitations.

Requests for copies of the RFP should be addressed to: Rebecca Hauser, Manager, Contracts, Florida Space Authority, 100 Spaceport Way, Cape Canaveral, FL 32920, telephone (321)730-5301. Questions should be addressed to Rebecca Hauser any time during business hours at the Authority. Responses to the RFP must be received by 12:00 Noon (Eastern Time Zone), July 16, 2002, at the address provided in the RFP. The Authority reserves the right to reject any and all proposals received.

DEPARTMENT OF ELDER AFFAIRS**Request for Information (RFI)**

The Area Agency on Aging for North Florida, Inc. is seeking sources interested in achieving Lead Agency designation under the Community Care for the Elderly Act (s. 430.202, F.S.). Lead Agencies are designated to provide case management and to coordinate various community-based services to eligible individuals within a specified Community Care Service Area (CSA). For the purpose of this Request for Information (RFI), a CSA is defined as a county. Counties include: Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla and Washington Counties. Prospective sources must demonstrate the ability to work with individuals age 60 and older. If a contract is awarded for this effort, the Area Agency on Aging for North Florida, Inc. anticipates duration of not more than one year with two, one-year renewal options pending continued funding availability. Responsibilities include, but are not limited to:

- Provision of case management;
- Provision or coordination of core services;
- Coordination with Home Care for the Elderly, Alzheimer Disease Initiative, and Medicaid Waiver Home and Community-Based Services programs;
- Responding to Adult Protective Services referrals classified as high risk and in need of services to prevent further harm;
- Responding to CARES Nursing Home Pre-Admission Screening Team referrals for persons at imminent risk of institutional placement;
- Achievement of established outcome measures;
- Hiring and maintenance of qualified staff;
- Recruitment, maintenance, and utilization of volunteers;
- Development of a disaster preparedness/response plan;
- Management and development of elder resources;
- Quality assurance and evaluation of client satisfaction;
- Maintenance of client records; and
- Input of client data in local and statewide databases.

All services must be provided in accordance with established guidelines set forth by the State of Florida Department of Elder Affairs Client Services Manual, draft date December 1998, and contracts between the Area Agency on Aging for North Florida, Inc. and State of Florida Department of Elder Affairs.

Deadline: Written responses to this RFI are due to the Area Agency on Aging for North Florida, Inc. no later than 3:00 p.m. (EST), July 19, 2002. Only written responses will be accepted.

Contact: Area Agency on Aging for North Florida, Inc.
Attention: Lisa Bretz
2639 North Monroe Street, Suite 145-B
Tallahassee, Florida 32303

This RFI is a preliminary step to the release of a Request for Proposal (RFP) package on or around August 26, 2002. Receipt of a "no response" by the deadline specified in this notice shall constitute as a "not interested" response. The responses to this RFI will be used to identify those organizations who are interested in being a Lead Agency for the Area Agency on Aging for North Florida, Inc. in Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla or Washington Counties. A response is due for each CSA of interest. In addition, individual RFP's will be required to be submitted for each CSA. The Area Agency on Aging for North Florida, Inc. does not intend to award a contract on the basis of this request for information or to otherwise pay for the information solicited.

Notice of Request for Proposal

Contingent upon the availability of funds, the Area Agency on Aging for Planning and Service Area 5 (Pasco and Pinellas Counties), will be contracting and is soliciting sealed proposals for services for the period January 1, 2003 – December 31,

2003. Services are to be provided to persons 60+ years of age and older. Proposals are solicited for Adult Day Care, Chore, Counseling, Emergency Alert Response, Homemaker, Legal Services, Home Delivered Meals, Congregate Meals and Senior Center Administration in Pinellas County. In Pasco County proposals are solicited for Adult Day Care, Chore, Counseling, Emergency Alert Response, Homemaker, Legal Services, Home Delivered Meals and Congregate Meals, Specifications for proposals may be obtained at the bidder's conference on:

August 8, 2002, 1:30 p.m. – 3:00 p.m.
 Area Agency on Agency
 Conference Rooms A&B
 9455 Koger Blvd.
 St. Petersburg, FL 33702

or from Sally D. Gronda at the Area Agency on Aging office beginning July 31. Letters of Intent to submit a proposal are due on August 15, 2002. Sealed proposals are due by 3:00 p.m., September 10, 2002, with openings immediately following. The Area Agency on Aging reserves the right to reject any and all proposals not complying with specifications and requested information.

DEPARTMENT OF MANAGEMENT SERVICES

ELECTRONIC POSTING

Pursuant to Section 287.042(3)(b)2. of the Florida Statutes, the Department of Management Services, hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

FLORIDA KEYS AQUEDUCT AUTHORITY

Florida Keys Aqueduct Authority announces all notices of Bids for Commodities/Services, Contracts, Invitations to Negotiate, and awards of same will be posted on its web site at www.fkaa.com.

TOWN OF MICANOPY

REQUEST FOR PROPOSALS

The Town of Micanopy requests proposals from qualified firms or individuals to provide Application Preparation and Project Administration Services for a Florida Recreation Development Assistance Program (FRDAP) project. Application preparation services will include but are not limited to: research and design of proposed improvements, coordinating public hearings on the project, application assembly and transmittal. Administration services will include but are not limited to: coordination of site planning, obtaining

necessary approvals, coordination of bid processes for the various elements of the project, construction monitoring and all program reporting requirements.

A consulting agreement with the Town will be contingent upon award of the FRDAP grant and will be for the term of the FRDAP grant. Proposals will be considered on an equal, competitive basis. Procurement and contracting of all services shall conform to the Town's Procurement Policy. Additional information may be obtained from Karen L. Strobls, Town Administrator, (352)466-3121.

Proposals shall be formatted to permit ready evaluation using the following criteria (listed in order of relative importance):

1. Familiarity or ability to become familiar with local conditions;
2. Management Plan including approach to the task(s) and staffing plan;
3. Technical Qualifications;
4. Successful experience with similar programs;
5. References
6. Fee

The Town of Micanopy is an Equal Opportunity Employer. Minority and Women-Owned businesses are encouraged to respond. In the event of a tie in the ranking of proposals a Minority and Woman-Owned business shall be ranked above the other firm(s) involved in the tie.

One original and seven copies of proposals shall be submitted in a sealed package and marked clearly "SEALED PROPOSAL FOR FRDAP APPLICATION AND ADMINISTRATION SERVICES".

Sealed proposals must be received by 5:00 p.m., Monday, July 15, 2002, at the Micanopy Town Hall Office, 706 Northeast Cholakka Boulevard, (P. O. Box 137), Micanopy, FL 32667.

Proposals received after that time will not be accepted. Faxed proposals will not be accepted. Sealed Proposals received on time will be reviewed and ranked by the Town Administrator and Town Attorney and a recommendation made to the Micanopy Town Commission for final selection.

The Town reserves the rights to request clarification of any information submitted by proposers, to reject any and all proposals, to waive informalities in the bid procedure and to award contract(s) in the best interest of the Town. Contracts are subject to grant award and release of funds by the funding agency.

OFFICE OF PROGRAM POLICY ANALYSIS AND GOVERNMENT ACCOUNTABILITY

REQUEST FOR PROPOSALS

Statement of Work: The Florida Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA) is requesting proposals for two separate Best Financial Management Practices Reviews to be conducted as described in the Sharpening the Pencil Act (Chapter 2001-86,

Laws of Florida) passed by the 2001 Florida Legislature. These two reviews will occur during the same time period in the Alachua County School District and the Sarasota County School District. Interested private firms may submit proposals to conduct one or both reviews, but a separate proposal must be submitted for each school district.

The purpose of Best Financial Management Practices Reviews is to improve Florida school district management and use of resources and to identify cost savings. The review must: 1) determine whether the district is using the best practices adopted by the Florida Commissioner of Education; 2) identify opportunities for the district to save funds, improve management, and increase efficiency and effectiveness; and, 3) develop recommendations and detailed action plans to improve district operations within two years.

Proposals: Proposals must be submitted in accordance with the content set forth in the "Request for Proposals for a Best Financial Management Practices Review of the Alachua County School District," and the "Request for Proposals for a Best Financial Management Practices Review of the Sarasota County School District," dated July 8, 2002. Copies of these documents are available from the contact person.

Firms that have already registered with OPPAGA to receive the RFPs for each Best Financial Management Practices Review will receive the document without an additional request. Firms that have not registered with OPPAGA may do so on-line at the following Internet address: http://www.oppaga.state.fl.us/school_districts/contractorlist.html.

Contact Person: Ms. Melissa Crawford, Office of Program Policy Analysis and Government Accountability, 111 West Madison Street, Suite 312, Tallahassee, Florida 32399-1475, telephone number (850)488-0021.

Dates: For each school district review, all interested consultants are required to submit a mandatory but non-binding letter of intent to propose, which must be received by OPPAGA no later than 3:30 p.m. (Eastern Time), July 16, 2002. OPPAGA will have further communications after that date only with those persons who indicate their initial intent to submit a proposal on each project. The closing date and time to receive proposals is 3:30 p.m. (Eastern Time), August 6, 2002. The contact person must receive the written proposal prior to the closing date and time. Proposals that for any reason are not so received will not be considered. OPPAGA reserves the right to reject any and all proposals. Unless all proposals are rejected, it is anticipated the contract will be awarded in August 2002.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

REQUEST FOR PROPOSALS #2002-HC-04

The Florida Developmental Disabilities Council, Inc. (FDDC) announces the availability of a Request for Proposals. This RFP is being issued to enhance the information base necessary

for the FDDC continued efforts to improve the delivery of oral health services to the state's children and adults with developmental disabilities. The Council's Health Care and Prevention Task Force is committed to developing and improving systems of care for individuals with developmental disabilities. This RFP seeks to develop three pilot programs on the delivery of oral health services to this population group.

Oral health care for persons with developmental disabilities is inadequate and services in many areas of Florida are non-existent. Lack of oral health care may affect a person's general health, employability and self-esteem as well as causing many health problems. Recent research links chronic oral infections with a number of serious health problems, such as lung and heart diseases.

In an effort to address this issue, the FDDC is looking for innovative approaches that demonstrate the delivery of quality, effective, affordable oral health services to this population.

The objectives of this project are:

1. To develop one pilot project in each area of North, Central and South Florida, for recruiting, educating and training practicing oral health professionals to serve individuals with developmental disabilities.
2. To organize and deliver services to a selected number of individuals in the selected geographic areas.
3. To evaluate the pilot program for effectiveness in recruitment, networking, quality of services, cost and consumer satisfaction.
4. To develop a referral structure in the each region and a network of oral health professionals that will serve individuals with developmental disabilities.

Individuals, not-for-profit and for-profit agencies may submit proposal in response to this RFP. The approximate amount of funds available for project awarded based on this RFP will be up to \$100,000.00. The exact amount of this contract will be developed during contract negotiations.

Copies of this RFP will be available from the Florida Developmental Disabilities Council, Inc., 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free 1(888)488-8633. The deadline for submitting letters of intent and written questions is 4:00 p.m. (EST), July 26, 2002. The deadline for submitting proposals is 4:00 p.m. (EST), September 6, 2002.

Section XII Miscellaneous

DEPARTMENT OF STATE

NOTICE IS HEREBY GIVEN that at 3:30 p.m., July 26, 2002, the Department of State, Division of Elections, pursuant to Section 105.041, Florida Statutes, will determine the order of candidates on the primary ballot for circuit judge seats created by Chapter 2002-388, Laws of Florida. The determination will

be conducted in a drawing by lot in the Division of Elections, Training Room, Room 112, The Collins Building, 107 West Gaines Street, Tallahassee, Florida. Any persons wishing additional information or directions may contact L. Clayton Roberts, Director, Division of Elections, (850)245-6200.

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application and/or other notice. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Rule 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., July 26, 2002):

APPLICATIONS TO MERGE

Constituent Institutions: United Heritage Bank, Orlando, Florida and United Interim Bank, Orlando, Florida

Resulting Institution: United Interim Bank

With Title Of: United Heritage Bank

Received: June 25, 2002

Constituent Institutions: Community Interim Bank, Lake Mary, Florida and Community National Bank of Mid-Florida, Lake Mary, Florida

Resulting Institution: Community Interim Bank

With Title Of: Community United Bank of Florida

Received: June 25, 2002

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Coast to Coast Credit Union, 8916 Sabal Industrial Boulevard, Tampa, Florida 33619-1326

Expansion Includes: Employees of Brockington Group, Ocala, Florida.

Received: June 21, 2002

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIVR-1102-006
 DATE RECEIVED: June 21, 2002
 DEVELOPMENT NAME: BROWARD GENERAL MEDICAL CENTER
 DEVELOPER/AGENT: North Broward Hospital District
 DEVELOPMENT TYPE: 28-24.017, 28-24.020, 28-24.031, F.A.C.
 LOCAL GOVERNMENT: Broward County
 FILE NO.: BLIM-0102-004
 DATE RECEIVED: June 24, 2002
 DEVELOPMENT NAME: ROSEMARY BEACH
 DEVELOPER/AGENT: Rosemary Beach Land Development Co.
 DEVELOPMENT TYPE: 28-24.023, 28-24.026, 28-24.031, F.A.C.
 LOCAL GOVERNMENT: Walton County

DCA Final Order No.: DCA02-OR-192

In re: CITY OF LAYTON LAND DEVELOPMENT REGULATIONS ADOPTED BY CITY OF LAYTON ORDINANCE NO. 2002-04-01

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 City of Layton Ordinance No. 2002-04-01 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 Layton is a local government within the Florida Keys Area.
2. On May 18, 2002, the Department received for review City of Layton Ordinance No. 2002-04-01 which was adopted by the City of Layton on May 9, 2002 ("Ord. 2002-04-01"). Ord. 2002-04-01 amends Section 30.05 of the Land Development Regulations to add a definition for the term "freeboard" which is "the vertical distance above Base Flood Elevation to which the lowest floor of residential structures and all utilities including ductwork must be elevated and the vertical distance above the Base Flood Elevation that non-residential structures and all utilities including ductwork must be elevated or floodproofed."
3. Ord. 2002-04-01 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 the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).

5. The City of Layton 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.
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. 2002-04-01 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 (the "Principles"). § 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. § 380.0552(7), Fla. Stat. (2001).
8. Ord. 2002-04-01 promotes and furthers the following Principles in § 380.0552(7):
 - (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.
9. Ord.2002-04-01 is not inconsistent with the remaining Principles. Ord. 2002-04-01 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 2002-04-01 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 June, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:
Carol MacLaren, Mayor
City of Layton
P. O. Box 778
Long Key, FL 33001
Skip Haring, City Administrator
City of Layton
P. O. Box 778
Long Key, FL 33001
Gail Ueland, City Clerk
City of Layton
P. O. Box 778
Long Key, FL 33001
By Hand Delivery or Interagency Mail:
Jim Quinn, Bureau of State Planning, DCA Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office
Richard A. Lotspeich, Assistant General Counsel, DCA Tallahassee

DEPARTMENT OF MANAGEMENT SERVICES

CONVICTED VENDOR LIST

Section 287.133(3)(d), Florida Statutes, provides that the Department of Management Services shall maintain a list of the names and addresses of those who have been disqualified from the public contracting and purchasing process under this section.

The list includes:

NAME	PLACED ON LIST
Gary Benkovitz Bay Drum & Steel Company P. O. Box 879 Coleman, Florida	May 17, 2001
Mr. & Mrs. Paul Barcia PAS Consultants, Inc. Rt. 2 Box 8484 Fort White, Florida	May 17, 2001
Mr. Stephan Kasper Cone Constructors of Miami, Inc.	May 17, 2001
Mr. Michael L. Cone Tampa, Florida	August 9, 2001
Cone Constructors, Inc. Tampa, Florida	September 7, 2001
For additional information on the above, call the Office of the General Counsel, (850)487-1082.	
J.D. Miller and Sons Trucking Inc. 10441 N. Harney Rd. Thonotosassa, Florida	June 4, 2002
Mr. John Miller 10441 N. Harney Rd. Thonotosassa, Florida	June 4, 2002
Tarand Transport, Inc. P. O. Box 69 Land O' Lakes, Florida	June 4, 2002

Mr. Randy W. Blankenship June 4, 2002
P. O. Box 69
Land O' Lakes, Florida

Ms. Tammy J. Blankenship June 4, 2002
P. O. Box 69
Land O' Lakes, Florida

For additional information, call the Office of the Inspector General, (850)488-5285.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION

The Florida Department of Environmental Protection has determined, under the State Revolving Fund program, that Lee County's water facilities construction and improvement project will not adversely affect 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 call: Al Bishop, (850)488-8163.

DEPARTMENT OF HEALTH

On June 20, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Melodye A. O'Brian, C.N.A. O'Brian holds certificate number 0197263374003. O'Brian last known address is 3080 Emerald Lane, Lantana, Florida 33462. 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.

On June 24, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Rheannon Crenshaw, C.N.A. Crenshaw holds certificate number 7000024346. Crenshaw's last known address is 127 Fetting Avenue, Ft. Walton Beach, Florida 32547. 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.

On June 24, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Vernelle Stallings McKennon, R.N. McKennon holds license number RN 1151402. McKennon's last known address is 11826 High Desert Court, Jacksonville, Florida 32218. 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.

address is 5762 Talton Lane, Jacksonville, Florida 32244. 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.

On June 24, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Teresa Mort, C.N.A. Mort holds certificate number 7000001399. Mort's last know

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN June 17, 2002
 and June 21, 2002

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF BANKING AND FINANCE

Division of Finance

3D-30.041	6/20/02	7/10/02	28/13	28/21
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Division of Securities and Finance

3E-301.002	6/20/02	7/10/02	28/17	
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DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

9G-2.002	6/18/02	7/8/02	28/18	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF TRANSPORTATION

14-15.002	6/19/02	7/9/02	28/18	
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DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Workers' Compensation

38F-7.020	6/17/02	7/7/02	28/20	
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WATER MANAGEMENT DISTRICTS

South Florida Water Management District

40E-1.607	6/21/02	7/11/02	28/5	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

61G15-35.003	6/17/02	7/7/02	28/20	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Board of Professional Surveyors and Mappers

61G17-9.003	6/21/02	7/11/02	28/20	
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Board of Physical Therapy Practice

64B17-4.003	6/21/02	7/11/02	28/15	28/21
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-4.052	6/18/02	7/8/02	28/18	
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FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

68B-24.003	6/19/02	7/9/02	28/17	
68B-24.004	6/19/02	7/9/02	28/17	
68B-24.006	6/19/02	7/9/02	28/17	
68B-31.017	6/19/02	7/9/02	28/17	
68B-46.002	6/19/02	7/9/02	28/17	

DEPARTMENT OF HEALTH

Board of Chiropractic

64B2-12.017	6/21/02	7/11/02	28/18	
64B2-13.004	6/21/02	7/11/02	28/18	
64B2-13.0049	6/21/02	7/11/02	28/18	

Marine Resources

68E-18.010	6/19/02	7/9/02	28/17	
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Board of Hearing Aid Specialists

64B6-8.003	6/21/02	7/11/02	28/17	
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Board of Nursing

64B9-2.002	6/17/02	7/7/02	28/20	
64B9-7.001	6/17/02	7/7/02	28/20	

Section XIV
List of Rules Affected

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w - Signifies Withdrawal of Proposed Rule(s)
- c - Rule Challenge Filed
- v - Rule Declared Valid
- x - Rule Declared Invalid
- d - Rule Challenge Dismissed
- dw - Dismissed Upon Withdrawal

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
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STATE

1A-35.005	28/18		
1A-35.007	28/18		
1A-36.001	28/10		
1A-36.002	28/10		
1A-36.003	28/10		
1A-36.004	28/10		
1A-36.005	28/10	28/23	
1A-36.006	28/10	28/23	
1A-36.007	28/10		
1A-36.008	28/10	28/23	
1A-36.009	28/10		
1A-36.010	28/10	28/23	
1A-36.011	28/10		
1A-46.001	28/7		
1B-24.002	26/43		
1J2-1.014	28/22		
1J2-2.027	28/22		
1J2-2.031	28/22		
1J2-3.015	28/22		
1J2-5.016	28/22		
1S-1.001	28/9		
1S-1.002	28/9		
1S-1.003	28/9	28/18	
1S-2.003	28/13		28/21
1S-2.0031	28/19		
1S-2.009	28/14	28/23	
1S-2.017	28/14		
1S-2.027	27/40	28/4	28/22
		28/15	28/22
		28/16	28/22
1S-2.029	28/7	28/13	28/21
1S-2.030	28/7	28/12	28/21
		28/13	28/21
1S-2.031	27/40	28/4	28/21
		28/15	28/21
1S-2.032	27/50	28/10	28/22
		28/17	28/22
1S-2.033	28/9	28/15	28/21

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
1S-2.034	28/16	28/21	
1S-5.001	27/52	28/15	28/23
IT-1.001	28/18		

LEGAL AFFAIRS

2ER02-1			28/22
2-37	27/15		

BANKING AND FINANCE

3-1	27/49c		
	28/23c		
3C-1.022	21/25		
3D-20.0021	27/41c		28/22d
3D-20.0022	27/41c		28/22d
	28/22		
3D-20.030(11)	27/41c		28/22d
3D-30.041	28/13	28/21	
3E-301.002	28/17		
3E-600.001	28/17	28/22	
3E-600.002	28/17	28/22	
3E-600.0021	28/17	28/22	
3E-600.003	28/17	28/22	
3E-600.004	28/17	28/22	
3E-600.007	28/17	28/22	
3E-600.0092	28/17	28/22	
3E-600.0093	28/17	28/22	
3E-600.019	28/17	28/22	
3F-5.0016	28/8	28/19	
3F-5.002	28/8		
3F-5.0022	28/8		
3F-5.0025	28/22		
3F-5.004	28/8		
3F-5.005	28/8		
3F-5.006	28/8		
3F-5.007	28/8		
3F-5.008	28/8		
3F-5.009	28/8		
3F-6.009	28/15		

INSURANCE

4-1	27/16c		
	28/23c		
4-5.074	27/15		
4-128.015	27/40c		
4-128.016	27/40c		
4-128.017	27/40c		
4-128.018	27/40c		
4-128.019	27/40c		
4-128.020	27/40c		
4-128.021	27/40c		
4-128.022	27/40c		
4-128.023	27/40c		
4-128.024	27/40c		
4-137.002	28/18		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-141.0016	21/2c			4-149.120	24/3c		
4-144.002	27/35	28/7			24/3c		
4-144.005	27/35	28/7		4-149.121	24/3c		
4-144.010	27/35	28/7			24/3c		
4-144.055(4)(e)	27/43c			4-149.122	24/3c		
4-149	24/3c				24/3c		
	24/3c			4-149.123	24/3c		
4-149.009	28/12				24/3c		
4-149.022		22/10	28/17	4-149.124	24/3c		
	27/49	28/12	28/17	4-149.125	24/3c		
4-149.030	28/12			4-149.126	24/3c		
4-149.031	28/12			4-149.127	24/3c		
4-149.032	28/12			4-149.128	24/3c		
4-149.034	28/12			4-149.129	24/3c		
4-149.037	28/12			4-149.130	24/3c		
4-149.038	28/12				24/3c		
4-149.039	28/12			4-149.131	24/3c		
4-149.040	28/12				24/3c		
4-149.041	28/12			4-149.132	24/3c		
4-149.043	28/12				24/3c		
4-149.044	28/12			4-149.1325	24/20	24/20	
4-149.101	24/3c			4-149.133	24/3c		
	24/3c				24/3c		
4-149.102	24/3c			4-149.190	24/3c		
	24/3c			4-154	27/3		
4-149.103	24/3c			4-154.520	24/3c		
	24/3c			4-167.002	27/14		
4-149.104	24/3c			4-170.135(5)	27/49c		
	24/3c			4-186.011	28/16		
4-149.105	24/3c			4-191.037	27/36	28/18	
	24/3c				27/45c		28/23d
4-149.106	24/3c			4-193.065	26/41		
	24/3c				27/27		
4-149.107	24/3c			4-203.042	28/22		
	24/3c			4-203.045	28/22		
4-149.108	24/3c			4-203.100	28/22		
	24/3c			4-204.001	27/45	28/12	
4-149.109	24/3c			4-204.002	27/45	28/12	
	24/3c			4-204.004		28/12	
4-149.110	24/3c				27/45	28/12	
	24/3c				27/45		
4-149.1105	24/3c			4-204.006	27/45	28/12	
4-149.111	24/3c			4-204.010	27/45	28/12	
	24/3c			4-204.012	27/45		
4-149.112	24/3c			4-204.022	27/45	28/12	
	24/3c			4-204.025	27/45	28/12	
4-149.113	24/3c			4-211.0031	27/11	27/15	
	24/3c			4-211.029	27/44		
4-149.114	24/3c			4-211.030	27/44		
4-149.115	24/3c			4-211.031	27/44		
4-149.116	24/3c			4-211.040	27/44		
4-149.117	24/3c			4-211.041	27/44		
4-149.118	24/3c			4-211.042	27/44		
4-149.119	24/3c			4-211.043	28/16	28/16	
				4-220.001	28/21		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-228.055	26/35			5F-5.001	28/16		
4-231.010	27/44			5F-7.005	28/16		
4-231.020	27/44			5F-11.047(1)	28/22c		
4-231.030	27/44			5L-1.001	28/12		28/21
4-231.080	27/44			5L-1.002	28/12		28/21
4-231.150	27/44			5L-1.004	28/12		28/21
4A-2.024	28/14			5L-1.005	28/12		28/21
4A-3.002	27/12			5L-1.006	28/12		28/21
4A-50.005	28/23			5L-1.007	28/12		28/21
4A-60.006	28/17			5L-1.008	28/12		28/21
4A-62.003	27/6c			5L-1.009	28/12		28/21
4A-62.005	28/18			5L-1.010	28/12		28/21
4C-6.003		24/30	28/23	5L-1.011	28/12		28/21
	27/50	28/16	28/23	5L-1.012	28/12		28/21
4J-1.001	27/49c			5L-1.013	28/12		28/21
4K-1.001	27/8			5M-2.001	28/13		
4K-1.002	27/8			5M-2.002	28/13		28/19w
4K-1.003	27/8	27/12		5M-2.003	28/13		
4K-1.004	27/8			5M-2.004	28/13		
				5M-2.005	28/13	28/19	
				5M-2.006	28/13		
AGRICULTURE AND CONSUMER SERVICES							
5BER01-1	37/34c		27/43w	EDUCATION			
5B-36.001	28/9		28/17	6A-1.09432	28/8		28/17
5B-36.002	28/9		28/17	6A-1.09441	28/21		
5B-36.0024	28/9		28/17	6A-1.099	28/8	28/15	28/21
5B-36.0028	28/9		28/17	6A-1.0996	25/27	25/34	
5B-36.005	28/9		28/17	6A-4.0021	28/19		
5B-58.001	27/29			6A-4.01792	28/6	28/12	28/18
	27/42	27/49		6A-4.0291	28/21		
5B-58.001(16)	27/50c			6A-4.0292	28/21		
5B-59.002	28/14		28/23	6A-4.0323	28/6	28/12	28/18
5CER02-1			28/16	6A-4.03321	28/6	28/12	28/18
5C-13.004	28/4	28/15		6A-4.03019	28/16	28/22	
5E-1.014	28/16			6A-6.080	16/30		
5E-1.025	28/14		28/23	6A-15.0001	28/19		
5E-1.026	28/16			6A-15.001	28/19		
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5E-9.036	28/14		28/23	6A-15.006	28/19		
5E-14.102	28/7	28/17	28/23	6A-15.007	28/19		
5E-14.102(5)	27/37c			6A-15.009	28/19		
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5E-14.105	28/7	28/17		6A-15.011	28/19		
5E-14.108	28/7	28/17	28/23	6A-15.012	28/19		
5E-14.113	28/6		28/17	6A-15.013	28/19		
5E-14.117	28/6		28/17	6A-15.014	28/19		
5E-14.123	28/6		28/17	6A-15.015	28/19		
5E-14.132	28/6		28/17	6A-15.019	28/19		
5E-14.136	28/6		28/17	6A-15.020	28/19		
5E-14.142	28/6		28/17	6A-15.021	28/19		
5E-14.1421	28/7	28/17	28/23	6A-15.022	28/19		
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5F-2.014	28/20	28/22		6A-15.024	28/19		
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6A-15.029	28/19					28/9	28/18
6A-15.030	28/19			9B-72.060	27/31	27/44	28/18
6A-20.05281	26/1					27/51	28/18
6C-600.002	26/33					28/9	28/18
6C1-1.001	Newspaper		28/20	9B-72.070	27/31	27/44	28/18
6C1-1.201	Newspaper		28/20			27/51	28/18
6C1-2.018	Newspaper		28/20			28/9	28/18
6C1-3.007	Newspaper		28/20	9B-72.080	27/31	26/44	28/18
6C1-3.009	Newspaper		28/20			26/51	28/18
6C1-3.0372	Newspaper		28/20			28/9	28/18
6C1-4.013	Newspaper		28/20	9B-72.090	27/31	27/44	28/18
6C1-4.016	Newspaper		28/20			27/51	28/18
6C1-4.021	Newspaper		28/20			28/9	28/18
6C1-7.019	Newspaper		28/20	9B-72.100	27/31	27/44	28/18
6C1-7.025	Newspaper		28/20			27/51	28/18
6C2-2.0131	Newspaper		28/18			28/9	28/18
6C4-3.008	Newspaper		28/19	9B-72.110	27/31	27/44	28/18
6C4-3.009	Newspaper		28/19			27/51	28/18
6C4-4.0023	Newspaper		28/18			28/9	28/18
6D-4.002	28/7		28/19	9B-72.120	27/31	27/44	28/18
6D-4.003	28/7		28/19			27/51	28/18
6D-8.004	28/7		28/19			28/9	28/18
6F-16.001	27/22			9B-72.130	27/31	27/44	28/18
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6L-1.006	28/12					28/9	28/18
6L-1.007	28/12			9B-72.170	27/31	27/44	28/18
6L-1.008	28/12					27/51	28/18
6L-1.009	28/12					28/9	28/18
6L-1.010	28/12			9B-72.180	27/31	27/44	28/18
6L-1.011	28/12					27/51	28/18
6L-1.012	28/12					28/9	28/18
6L-1.013	28/12			9B-72.190	27/31	27/44	28/18
6S-16.026	26/2					27/51	28/18
						28/9	28/18
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		27/41		9B-74.030	27/50		28/17
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9K-7.004	28/13		28/20	12-28.008	28/19		
9K-7.005	28/13		28/20	12-28.009	28/19		
9K-7.006	28/13		28/20	12A-1.001	28/17		
9K-7.007	28/13		28/20	12A-1.007	28/17		
9K-7.008	28/13		28/20	12A-1.037	28/17		
9K-7.009	28/13		28/20	12A-1.041	28/17		
9K-7.010	28/13		28/20	12A-1.056	28/17		
9K-7.011	28/13		28/20	12A-1.060	28/17		
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9K-7.013	28/13		28/20	12A-1.066	28/17		
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9K-8.003	28/13		28/20	12A-1.097	28/17		
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14-112.513	28/20			19-8.029	28/6	28/16	28/22
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14B-1.005	26/3	26/24	28/21w	19B-16.008	28/8		28/21
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14B-1.006	26/3	26/24	28/21w	19B-16.010	28/8		28/21
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27E-4.002	20/11			33-208.507	26/16		
27E-4.003	20/11			33-210.101	28/21		
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27E-4.005	20/11				28/21		
27E-4.006	20/11			33-210.103	28/5		28/18
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28-18.200	27/44	28/8				28/16	
		28/19		33-601.713	28/4		28/21
28-20	27/52c			33-601.714	28/4		28/21
28-20.100	27/44	28/8		33-601.715	28/4		28/21
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29C-5.002	28/11		28/21	33-601.723	28/4		28/21
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33-3.0084	25/35	25/43		33-601.734	28/4		28/21
33-3.0085	25/35	25/43		33-601.736	28/4		28/21
33-3.015	21/43			33-601.737	28/9		28/17
33-3.018	17/14			33-601.738	26/48	27/38	
33-8.0142	19/43			33-602.201		26/34	28/19
33-22.003	17/12					26/38	28/19
33-22.009	17/12				28/12		28/19
33-22.011	17/12			33-602.205	28/12		
33-25.031	20/11c			33-602.210	28/5	28/17	
33-32.021	19/5					28/19	
33-32.022	19/5					28/21	
33-38.001	25/35	25/43		33-602.230	28/8		28/16
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33-38.010	25/35	25/43		38F-8.055	22/4		
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40B-4.3040	28/2c		28/22d	40D-45.341	19/42	20/3	
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40B-400.115		21/33	28/19	40E-1.606	19/4c		
	28/12		28/19	40E-1.607	19/43		
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40E-3.507	28/5			42N-1.002	28/15		28/23
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40E-3.521	28/5			MARINE FISHERIES COMMISSION			
40E-3.525	28/5			46-15.002	21/35		
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62-303.330	27/12	27/19	28/23	62-712.410	21/34		
62-303.340	27/12	27/19	28/23	62-712.420	21/34		
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62-303.380	27/12	27/19	28/23	62-712.810	21/34		
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62-303.430	27/12	27/19	28/23	62-771.300	21/52		
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62-303.470	27/12	27/19	28/23	62B-2.001	28/8		28/18
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62-343.060	21/22			62C-22.004	28/3		28/18
62-343.070	21/22			62C-22.005	28/3		28/18
62-343.080	21/22			62C-22.006	28/3		28/18
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64B2-11.003	28/5		28/18	64B7-27.015	28/22		
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64B2-12.003	28/5		28/18	64B7-27.017	28/22		
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64B2-12.015	28/3	28/17	28/22	64B7-28.003	28/22		
64B2-12.017	28/18			64B7-28.008	28/22		
64B2-13.004	28/18			64B7-28.009	28/22		
64B2-13.0045	28/5		28/18	64B7-28.010	28/18		
64B2-13.0049	28/18			64B7-29.003	28/22		
64B2-16.003	28/5	28/17	28/22	64B7-29.004	28/22		
64B2-16.0075	28/18			64B7-30.002	27/49		
64B3ER02-2			28/11	64B7-30.008	28/22		
64B3-2.001	23/51			64B7-32.001	26/6		
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64B3-2.003	22/34	24/49		64B8-1.007	28/3	28/16	
64B3-3.003	23/51			64B8-2.001	28/17		
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64B3-5.001	28/22			64B8-4.022	28/22c		
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64B3-5.007(2)(a)	26/35c			64B8-9.0075	27/48	28/16	28/22
64B3-6.001	27/5	27/17		64B8-9.008	27/49c		
64B3-7.001	27/52	28/10	28/17	64B8-11.001	28/20		
64B3-9.001	28/1	28/10	28/17	64B8-12.006	28/21		
64B3-9.004	28/5		28/19	64B8-13.004	27/39	28/16	28/22
64B3-9.006	28/5			64B8-13.0045	27/48	28/16	
64B4-3.001	25/22			64B8-13.005	27/39		28/22
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64B8-44.004	27/52			64B13-16.002	28/20		
64B8-45.006	28/20			64B13-16.004	28/20		
64B8-50.008	28/5			64B14-1.003	28/19		
64B8-51.008	28/20			64B14-2.001	28/3		28/19w
64B8-52.003	27/52				28/19		
64B8-54.004	27/41			64B14-2.0015	28/3		28/21
64B8-55.001	28/17			64B14-2.002	28/3		28/21
64B9-2.002	28/20			64B14-2.003	28/3		28/21
64B9-2.011	27/45	28/11	28/17	64B14-2.004	28/3		28/21
64B9-2.012	27/45	28/11	28/20w	64B14-2.005	28/3		28/21
64B9-3.007	25/9			64B14-2.014	28/3		28/21
64B9-5.011	27/45	28/11	28/17	64B14-5.002	28/3	28/22	
64B9-7.001	28/20			64B15-13.001	28/8	28/15	28/21
64B9-8.006	27/51	28/11	28/17	64B15-14.004	28/8		
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64B9-15.002	28/15			64B16-27.831	28/19		
64B9-15.003	28/15			64B16-28.114	28/15		
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64B9-15.005	28/15			64B16-28.140	24/38		
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64B9-15.007	28/15			64B17-1.004	28/9		28/23
64B11-2.005	28/15			64B17-2.002	28/9		28/16
64B11-2.007	28/9	28/19		64B17-3.001	28/22		
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64B11-4.004	28/15		28/23	64B17-4.001	28/22		
64B11-4.006	28/15		28/23	64B17-4.002	28/9		28/16
64B11-5.001	28/3	28/19		64B17-4.003	28/15	28/21	
64B11-6.001	28/15	28/19		64B17-9.001	28/9		28/16
64B12-8.023	28/13			64B18-12.006	28/10		28/18
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64B12-9.003	28/13		28/19		28/19	28/19	
64B12-12.009	28/13			64B18-14.010	27/45	28/19	
64B12-16.003	28/13			64B19-11.004	28/17		
64B12-16.004	28/13			64B19-11.012	28/4	28/19	
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64B12-16.008	28/13			64B19-19.0025	28/7		28/19
64B12-19.002	27/11			64B19-19.005	28/7	28/16	28/22
64B13-3.011	28/19			64B20-2.001	28/7	28/16	28/22
64B13-4.001	28/20			64B20-2.002	25/45	26/30	
64B13-4.002	28/20				27/46		
64B13-4.004	28/20			64B23-2.001	28/20		
64B13-4.008	28/17			64B23-4.001	28/20		
64B13-5.001	28/10		28/18	64B23-5.001	28/20		
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64B13-6.001	28/10		28/18	64B32-1.006	28/2	28/20	
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64B13-6.002	28/17			64B32-3.002	28/21		
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64B13-15.006	28/10		28/17		28/9		28/18
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64B33-5.003	28/12		28/18	65A-1.204	28/2	28/10	28/18
64B33-5.004	28/12		28/18	65A-1.400	25/21c		
64C-4.003(1)(b),(7)	27/25c			65A-1.601	28/11	28/23	
64C-13.018	24/22			65A-1.603	28/20		
64C-23.002	27/17			65A-1.604	28/15		
64C-27.001	27/17			65A-1.711(4)(f)	28/22c		
64C-27.002	27/17			65A-1.716	28/17		
64D-3.011	28/19			65A-1.721	28/9		28/21w
64E-2.003		24/47	28/22	65A-2.022	28/4		28/19
	28/11		28/22	65A-2.033	28/4		28/19
64E-2.008		24/47	28/22	65A-2.036	28/4		28/19
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64E-2.009		24/47	28/22	65A-4.2131	28/3	28/13	28/22
	28/11		28/22	65A-4.216	25/32		
64E-2.0094	27/52		28/16	65A-15.0095	26/4		
	28/11		28/22	65C-21.001	23/20		
64E-2.010	28/11		28/22	65E-2.003	26/20	26/28	
64E-2.018	28/11		28/22	65E-5.170	28/7c		
64E-2.022(3)	28/8c		28/22d	65E-5.2301(1),(3)	28/7c		
64E-2.023	28/11		28/22	NAVIGATION DISTRICTS			
64E-2.024	28/11		28/22	66B-1.004	27/52	28/21	
64E-2.025	28/11		28/22	66B-1.005	27/52	28/21	
64E-2.028	28/11		28/22	66B-1.006	27/52		
64E-2.036	27/52		28/16	66B-1.007	27/52		
64E-2.038	27/52	28/10	28/16	66B-1.008	27/52	28/21	
64E-3.002	28/20			66B-1.009	27/52	28/21	
64E-3.0031	28/20			66B-1.010	27/52		
64E-6.003	28/3		28/16	66B-1.011	27/52		
64E-6.007	25/48			66B-1.012	27/52		
64E-6.009	28/3		28/16	66B-2.004	27/52	28/21	
64E-6.012	28/3		28/16	66B-2.005	27/52	28/21	
64E-6.013	28/3		28/16	66B-2.006	27/52		
64E-6.018	28/3		28/16	66B-2.007	27/52		
64E-6.0181	28/3		28/16	66B-2.008	27/52	28/21	
64E-6.019	28/3	28/10	28/16	66B-2.009	27/52	28/21	
64E-6.020	28/3		28/16	66B-2.010	27/52		
64E-6.021	28/3		28/16	66B-2.011	27/52		
64E-6.023	28/3	28/10	28/16	66B-2.012	27/52		
64E-6.027	28/3		28/16		27/52		
64E-6.030	28/3	28/10	28/16	66B-2.014	27/52	28/21	
64E-17.006	27/50			FLORIDA HOUSING FINANCE CORPORATION			
64F-5.001	28/16			67-1	27/44c		
64F-5.003	28/16			67-4.011	27/6c		
64F-6.007	28/13		28/22	67-11	27/45c		28/22d
64F-6.008	28/13		28/22	67-21.0035	28/22		
64F-8.001	27/35		28/16w	67-21.019	24/46	24/46	
	28/5		28/17				
64F-8.002	27/35		28/16w				
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67-48.005	27/45c			68A-24.006	28/17		
	28/22			68A-25.031	28/9		28/19
67-50.001	28/22			68A-25.032	28/9		28/19
67-50.005	28/22			68A-25.042	28/9		28/19
67-50.010	28/22			68B-13.008	27/31	26/13	
67-50.020	28/22			68B-13.010	28/9	28/16	28/22
67-50.030	28/22			68B-18.003	28/9	28/16	28/22
67-50.040	28/22			68B-21.0015	28/9		28/19
67-50.050	28/22			68B-21.003	28/9		28/19
67-50.060	28/22			68B-21.008	28/9		28/19
67-50.070	28/22			68B-24.0045	28/9	28/16	28/22
67-50.080	28/22			68B-28.0035	28/9		28/19
67-50.090	28/22			68B-28.0036	28/9		28/19
67-50.100	28/22			68B-31.017	28/17		
				68B-46.002	28/17		
				68C-22.006	27/16	27/24	
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					27/25c		
					27/25c		
					27/25c		
				68C-22.018	27/16		
68A-4.001	28/9		28/19	68C-22.021	27/16		
68A-5.005	28/9		28/19	68D-1.001	27/4		
	28/17			68D-23.003	27/4	27/19	
68A-9.002	28/9		28/19	68D-23.101	27/4		
68A-9.004	28/9	28/16	28/22	68D-23.102	27/4		
	28/17			68D-23.103	27/4	27/19	
68A-9.007	28/9		28/19	68D-23.104	27/4	27/19	
68A-13.003	28/9		28/19	68D-23.105	27/4	27/19	
68A-13.004	28/9		28/19	68D-23.106	27/4	27/19	
68A-15.004	28/9	28/16	28/22	68D-23.107	27/4		
68A-15.005	28/9		28/19	68D-23.108	27/4		
68A-15.006	28/9		28/19	68D-23.109	27/4		
68A-15.061	28/9		28/19	68D-23.110	27/4		
68A-15.062	28/9	28/16	28/22	68D-23.111	27/4		
68A-15.063	28/9	28/16	28/22	68D-23.112	27/4	27/19	
68A-15.064	28/9	28/16	28/22	68E-3.004	28/9		28/19
68A-15.065	28/9	28/16	28/22	68E-18.010	28/17		
	28/17						
68A-16.004	28/9		28/19				
68A-16.005	28/9		28/19				
68A-17.005	28/9	28/16	28/22				
68A-20.005	28/9	28/16	28/22				
68A-23.008	28/9		28/19				
68A-24.002	28/9		28/19				