

**Section I**  
**Notices of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Securities and Finance**

RULE TITLES:	RULE NOS.:
Scope	3C-560.101
Applications	3C-560.102
Definitions	3C-560.103
Fees	3C-560.104
Exemptions from the Requirement to Register	3C-560.106
Registration of Locations/Authorized Vendors	3C-560.107
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Scope	3C-560.301
Requirements	3C-560.302
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Definitions	3C-560.502
Examination Fee	3C-560.503
Financial Statement (for Part II Registrants Only)	3C-560.606

**PURPOSE AND EFFECT:** The purpose and effect of these proposed rules and rule amendments is to implement the provisions of Senate Bill 1526 enacted by the legislature during the 2001 legislative session. These rules will provide for application procedures for deferred presentment providers. The rules will also streamline the registration and locations of authorized vendors. Renewal fees will be clarified. Examination fees will be eliminated. Lastly, the rules will provide procedures to meet net worth requirements for the purpose of adding new locations or authorized vendors.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rules and rule amendments address registration requirements for deferred presentment providers and procedures to meet the net worth requirements for adding new locations or authorized vendors.

**SPECIFIC AUTHORITY:** 560.105(3), 560.118(1),(2), 560.205(2), 560.208, 560.209, 560.307, 560.403 FS.

**LAW IMPLEMENTED:** 560.104, 560.118(1),(2), 560.203, 560.204, 560.205(2), 560.206, 560.207, 560.208, 560.209, 560.303(1),(3), 560.304, 560.305, 560.307, 560.308, 560.403 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: Richard White, Financial Administrator, or Mike Ramsden, Financial Examiner/Analyst II, Department of Banking and Finance, 101 East Gaines, Tallahassee, Florida 32399, (850)410-9805  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Securities and Finance**

RULE TITLES:	RULE NOS.:
Applications	3C-560.102
Definitions	3C-560.103
Regulatory Standards for Evaluating Applications	3C-560.105
Requirements	3C-560.201
Regulatory Standards for Evaluating Notices of Change of Control	3C-560.202
Application	3C-560.303
Fees	3C-560.304
Definitions	3C-560.502
Definitions	3C-560.601
Check Cashers	3C-560.602
Foreign Currency Exchangers	3C-560.603
Funds Transmitters	3C-560.604
Payment Instrument Sellers	3C-560.605
Financial Statement (for Part II Registrants Only)	3C-560.606
Check Cashers	3C-560.704
Authorized Vendors	3C-560.706
Post Dated Check	3C-560.803

**PURPOSE AND EFFECT:** Pursuant to Section 560, Florida Statutes, the Department finds that Money Transmitter applicants filing an application pursuant to Part II of the code shall be required to file audited financial statements at the time of application and thereafter annually subject to certain exemptions. The Department further finds that control persons of Money Transmitter firms shall file fingerprint cards with the Department at the time of original application or at such later date as an individual becomes associated with a Money Transmitter firm in such capacity. The proposed rules shall also codify a set of record keeping requirements for check cashers, and repeal a check casher's ability to accept a postdated check. The proposed rules will also provide for a standardized form for the submission of required quarterly reports.

**SUBJECT AREA TO BE ADDRESSED:** These rules address the finger print cards and financial statements required to be submitted by money transmitters to the Department of Banking and Finance pursuant to Chapter 560, Florida Statutes. These rules also address the record keeping requirements for check cashers.

**SPECIFIC AUTHORITY:** 560.105(3), 560.118 FS.

LAW IMPLEMENTED: 560.118(1),(2)(a),(b), 560.205(1), (3)(f), 560.306, 655.86, 560.310, 560.123, 560.210 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: Richard White, Financial Administrator, or Mike Ramsden, Financial Examiner/Analyst II, Division of Securities and Finance, Department of Banking and Finance, 101 East Gaines Street, Tallahassee, Florida 32399, (850)410-9805

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

**DEPARTMENT OF INSURANCE**

**Division of State Fire Marshal**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Adult Family Care Homes	4A-57
RULE TITLES:	RULE NOS.:
Definitions	4A-57.002
Standards of the National Fire Protection	

Association Adopted	4A-57.003
Evacuation Capability	4A-57.005
Inspections	4A-57.007

PURPOSE AND EFFECT: Provide alternative to the three minute evacuation capability by permitting those adult family care homes with greater than three minutes but less than thirteen minutes evacuation time to substitute a sprinkler system in place of the three minutes evacuation capability. Also, the Department of Insurance in Rule 4A-57.007, F.A.C., is taking over the responsibility of the Agency for Health Care Administration for the conduct of firesafety inspections if there is no local authority having jurisdiction to perform such inspections.

SUBJECT AREAS TO BE ADDRESSED: Evacuation capability of adult family care homes and sprinklers and firesafety inspections of adult family care homes.

SPECIFIC AUTHORITY: 400.621(2), 633.01(1) FS.

LAWS IMPLEMENTED: 400.621(2), 633.022(1)(b) FS.

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

TIME AND DATE: 9:00 a.m., August 7, 2001

PLACE: 400 North Congress Avenue, West Palm Beach, Florida 33401

TIME AND DATE: 9:00 a.m., August 8, 2001

PLACE: 3210 South 78th Street, Fire Prevention Office Conference Room, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3620

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Millicent King, (850)413-3619

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4A-57.002 Definitions.

As used in these rules:

(1) through (10) No change.

(11) “Slow” means more than three minutes but not more than 13 minutes for an adult family care home and refers to the ability of a group to move reliably to a point of safety in a timely manner that is equivalent to the capacity of a household in a general population.

Specific Authority 633.01(1), 400.621(2) FS. Law Implemented 633.022, 400.621(2) FS. History–New 2-7-01, Amended.

4A-57.003 Standards of the National Fire Protection Association Adopted.

(1) No change.

(a) through (b) No change.

(c) Each AFCH which does not meet the evacuation capability of prompt but which does meet an evacuation capability of slow shall also comply with the requirements of Subdivisions 32.2.3.5.1, 32.2.3.5.2, and 32.2.3.5.3, Chapter 32, National Fire Protection Association (NFPA) 101, 2000 edition, to be considered to have met the firesafety requirements under Section 4A-57.005, Florida Administrative Code. Subdivisions 32.2.3.5.1, 32.2.3.5.2, and 32.2.3.5.3, Chapter 32, NFPA 101, 2000 edition, are hereby adopted and incorporated by reference.

(d) During each fire exit drill, all occupants should evacuate the building on their own or with staff assistance or any other available assistance, as needed.

(2) No change.

Specific Authority 400.621(2), 633.01(1) FS. Law Implemented 400.621(2), 633.022(10)(b) FS. History–New 2-7-01, Amended.

4A-57.005 Evacuation Capability.

(1) The evacuation capability for each AFCH shall be determined by a series of fire exit drills as “prompt” or “slow”.

(a) An evacuation capability of “prompt” shall measure the ability of a group to move to a point of safety outside the AFCH within a drill time of three minutes or less.

(b) An evacuation capability of “slow” shall measure the ability of a group to move to a point of safety outside the AFCH within a drill time of more than three minutes but less than 13 minutes.

(2) Subject to subsection (4), if ~~if~~ the AFCH does not achieve an evacuation capability of “prompt” during the fire exit drill, a second fire exit drill must be performed within 30 days of the fire exit drill in which the AFCH did not achieve an evacuation capability of “prompt.”

(3) Subject to subsection (4), if ~~if~~ the AFCH does not achieve an evacuation capability of “prompt” during the second fire exit drill, the inspector shall notify the agency that the AFCH can no longer meet the required safety requirements.

(4) If the AFCH does not achieve an evacuation capability of “prompt” during the first fire drill, but the AFCH does receive an evacuation capability of “slow,” and the AFCH is in compliance with Subdivisions 32.2.3.5.1, 32.2.3.5.2, and 32.2.3.5.3, Chapter 32, NFPA 101, 2000 edition, the AFCH shall be deemed to have met the required firesafety requirements and no notification under subsection (3) shall be provided to the agency.

Specific Authority 400.621(2), 633.01(1) FS. Law Implemented 400.621(2), 633.022(1)(b) FS. History—New 2-7-01, Amended.

4A-57.007 Inspections.

(1) through (2) No change.

(3) The AHJ or the Division agency is permitted to require additional firesafety inspections.

(4) through (5) No change.

(6) Any time there is no AHJ to perform a firesafety inspection, the provider shall notify the Division agency in writing. The Division agency shall inspect or cause the facility to be inspected in accordance with Section 633.022, Florida Statutes.

(7) No change.

Specific Authority 400.621(2), 633.01(1) FS. Law Implemented 400.621(2), 633.022(1)(b) FS. History—New 2-7-01, Amended.

**DEPARTMENT OF REVENUE**

**Division of Ad Valorem Tax**

RULE TITLE: RULE NO.:

Reconciliation of Interim Tax Rolls – 12D-1.010  
 Form of Notification

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-1.010, F.A.C., is to remove reference to obsolete provisions.

SUBJECT AREA TO BE ADDRESSED: Interim tax rolls.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 193.1145, 193.122, 197.162, 197.172, 197.322, 197.333, 197.343, 197.344, 197.432, 197.443, 213.05 FS.

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

TIME AND DATE: 10:00 a.m., August 3, 2001

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

Copies of the agenda for the rule development workshop may be obtained from Sharon Gallops, Tax Law Specialist, Department of Revenue, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108.

Persons needing an accommodation to participate in any proceeding before the Technical Assistance and Dispute Resolution Office should call (850)488-8026 (Voice) or 1(800)367-8331 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-1.010 Reconciliation of Interim Tax Rolls – Form of Notification.

(1) through (4) No change.

(5) It shall be the duty and responsibility of the tax collector to compile and furnish to the property appraiser a compilation of the interim or provisional taxes paid on each parcel of property as levied on the ~~1980~~ interim assessment roll. The ~~1980~~ interim roll as certified by the tax collector to the clerk of the circuit court, or a certified copy of such roll shall meet the requirements of this rule. Such compilation shall be furnished to the property appraiser no later than the date the assessment roll is certified to the property appraiser by the value adjustment board, pursuant to the provisions of Section 193.122(2), Florida Statutes.

(6) through (10) No change.

(11) The tax collector shall collect all delinquent ~~1980~~ interim taxes and interest that has accrued pursuant to Section 193.1145(10), Florida Statutes. Discounts will not be allowed on delinquent interim taxes or interest. Discounts shall be authorized on any tax that is the result of an increase in the final assessed valuation on the final approved reconciled tax ~~1980~~ roll. Final ~~1980~~ taxes that become delinquent shall be enforced pursuant to the provisions of Chapter 197, Florida Statutes.

(12) Refunds shall be made to the person who paid the tax originally. Refunds shall be processed as follows:

(a) When the final approved reconciled tax roll indicates that the owner of record is the same as the owner of record on the ~~1980~~ interim tax roll, the tax collector shall forward any refund due directly to the property owner.

(b) When the owner of record on the final approved reconciled tax roll is not the owner of record who apparently paid the ~~1980~~ interim taxes, and after a diligent search the tax collector cannot locate the ~~1980~~ interim taxpayer, the tax collector shall publish a notice at least once each week for two weeks in a newspaper selected by the Board of County Commissioners, that certain taxpayers may be entitled to a refund for the overpayment of ~~1980~~ interim taxes and that the taxpayer may file an application for refund with the tax collector.

(c) No change.

(d) Refunds shall be paid from money collected from the final approved ~~1980~~ reconciled tax roll. If funds are not sufficient to pay all refunds, then the tax collector shall bill each taxing authority for their proportionate share of any refund payable. The tax collector shall commence the refund process within 90 days of the opening of the reconciled tax roll.

(e) Money collected from the final approved ~~1980~~ reconciled tax roll shall not be distributed to the various taxing authorities until the tax collector shall have in his possession adequate funds to process all refundable amounts pursuant to the reconciliation. Interest earned on all amounts collected on the ~~1980~~ final approved reconciled tax roll shall be used by the tax collector to defray any and all costs incurred by his office for collecting the ~~1980~~ reconciled tax roll.

(f) No change.

(13) Any outstanding tax sale certificates sold by the tax collector on delinquent ~~1980~~ interim assessments may be canceled ~~cancelled~~. Tax sale certificates may be canceled ~~cancelled~~ pursuant to Section 197.443, Florida Statutes. If tax sale certificates are canceled ~~cancelled~~, refunds to tax sale certificate holders shall be processed immediately and interest shall be paid according to subsection 197.432(10), Florida Statutes. See subsection 193.1145(10), Florida Statutes.

(14) Delinquent ~~1980~~ interim taxes and interest shall be collected or discharged pursuant to subsections 193.1145(10) and (8), Florida Statutes.

(15) through (19) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 193.1145, 193.122, 197.162, 197.172, 197.322, 197.333, 197.343, 197.344, 197.432, 197.443, 213.05 FS. History—New 11-23-83, Amended 12-26-85, Formerly 12D-1.10, Amended.

**DEPARTMENT OF REVENUE**

**Division of Ad Valorem Tax**

RULE TITLE: Educational Exemption

RULE NO.: 12D-7.015

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-7.015, F.A.C., is to implement the provisions of Chapter 2001-79, Laws of Florida, which provides that the definition of an educational institution includes institutions of higher learning participating in the Higher Educational Facilities Financing Act created under Chapter 2001-79, Laws of Florida.

SUBJECT MATTER TO BE ADDRESSED: Educational institutions.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 196.012, 196.198, 196.1983, 213.05, 402.26 FS., Chapter 2001-79, L.O.F.

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

TIME AND DATE: 10:00 a.m., August 3, 2001

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-7.015 Educational Exemption.

(1) through (4) No change.

(5) An institution of higher education participating in the Higher Educational Facilities Financing Act, created under Chapter 2001-79, Laws of Florida, is considered an educational institution for exemption from ad valorem tax. An institution of higher education, as defined, means an independent nonprofit college or university which is located in and chartered by the state; which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; which grants baccalaureate degrees; and which is not a state university or state community college.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 196.012, 196.198, 196.1983, 213.05, 402.26 FS. Chapter 2001-79, LOE, History--New 10-12-76, Formerly 12D-7.15, Amended 12-30-97, 12-30-99, 1-2-01,\_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Division of Ad Valorem Tax**

RULE TITLES:	RULE NOS.:
Penalties or Interest, Collection on Roll	12D-13.014
Collection of Interest or Penalties on Back Assessments	12D-13.019
Homestead Tax Deferral – Definitions	12D-13.028
Collection of Taxes by Mail; Minimum Tax Bill; Collection Prior to Certified Roll	12D-13.037
Minimum Standards for Ownership and Encumbrance Reports Made in Connection with Tax Deed Applications; Fees	12D-13.061
Notices; Advertising, Mailing, Delivering and Posting of Notice of Tax Deed Sale	12D-13.062
Sale at Public Auction	12D-13.063

**PURPOSE AND EFFECT:** The purpose of the proposed amendments to Rules 12D-13.014 and 12D-13.019, F.A.C., is to clarify the application of discounts to non-ad valorem assessments.

The purpose of the proposed amendment to Rule 12D-13.028, F.A.C., is to include the definition of “income” for purposes of determining eligibility for tax deferral. The purpose of the proposed amendment to Rule 12D-13.037, F.A.C., is to implement the provisions of Chapter 2001-137, Laws of Florida, providing for additional tax notices to be mailed by April 30, and providing that tax notices up to a certain amount are not required to be mailed. The purpose of the proposed amendment to Rule 12D-13.061, F.A.C., is to implement the provisions of Chapter 2001-137, Laws of Florida, which provides specifications for tax collectors’ contracts with title companies for ownership and encumbrance reports. The purpose of the proposed amendment to Rule 12D-13.062, F.A.C., is to implement the provisions of Chapter 2001-252, Laws of Florida, which provides the requirements and exceptions for recording certain records by the clerks of the circuit court in connection with tax deed sales. The purpose of the proposed amendments to Rule 12D-13.063, F.A.C., is to implement the provisions of Chapter 2001-252, Laws of Florida, which provides certain requirements of bidders and clerks of the circuit court in connection with tax deed sales, canceled tax deed sales and tax deed issuance.

**SUBJECT AREA TO BE ADDRESSED:** 12D-13.014 and 12D-13.019 – Penalty and interest collection on non-ad valorem assessments. 12D-13.028 – Definitions for homestead tax deferral purposes. 12D-13.037 – Mailing date of additional tax notices – minimum tax bill. 12D-13.061 – Fees paid for ownership and encumbrance reports. 12D-13.062 – Clerk of Circuit Court requirements for recording certain tax deed

documents in public records. 12D-13.063 – Tax deed sales requirements – cash deposits, documentary stamp tax and recording fees.

**SPECIFIC AUTHORITY:** 193.1145(9), 195.022, 195.027(1), 213.06(1) FS.

**LAW IMPLEMENTED:** 28.24, 193.072, 193.085, 193.092, 193.114, 193.1145, 193.116, 193.122, 194.171, 194.192, 195.002, 195.027, 196.295, 197.122, 197.123, 197.131, 197.152, 197.162, 197.172, 197.212, 197.222, 197.2301, 197.242, 197.243, 197.252, 197.253, 197.263, 197.322, 197.343, 197.3632, 197.443, 197.502, 197.512, 197.522, 197.542, 197.552, 197.562, 197.582, 213.05 FS.

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

**TIME AND DATE:** 10:00 a.m., August 3, 2001

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

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**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Sharon Gallops, Tax Law Specialist, Department of Revenue, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

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

12D-13.014 Penalties or Interest, Collection on Roll.

(1) No change.

(2) In the collection of penalties or interest the tax collector shall collect the entire penalty and interest. If the collection of the tax and non-ad valorem assessment is within the period of time specified for discounts, ~~then~~ the tax collector shall only allow the discounts on the taxes and non-ad valorem assessments.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 193.072, 193.085, 193.114, 193.116, 193.122, 194.192, 195.002, 195.027, 197.122, 197.123, 197.131, 197.162, 213.05 FS. History--New 6-18-85, Formerly 12D-13.14, Amended 12-31-98,\_\_\_\_\_.

12D-13.019 Collection of Interest or Penalties on Back Assessments.

The tax collector shall collect interest due on back assessments listed by the property appraiser on the current tax roll. The tax collector shall compute the interest, if any, on the current tax roll if the current assessment and the back assessments are not

paid prior to April 1 or the date of delinquency, whichever is later. Discounts shall apply to taxes and non-ad valorem assessments only.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 193.072, 193.092, 197.122, 197.152, 197.172, 197.322, 213.05 FS. History--New 6-18-85, Formerly 12D-13.19, Amended.

12D-13.028 Homestead Tax Deferral – Definitions.

For purposes of property tax deferral on homesteads:

(1) No change.

(2) “Income” means the “adjusted gross income,” as defined in s. 62 of the United States Internal Revenue Code, of all members of a household.

(2) through (3) renumbered (3) through (4) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 197.242, 197.243, 197.252, 197.253, 197.263, 213.05 FS. History--New 6-18-85, Formerly 12D-13.28, Amended.

12D-13.037 Collection of Taxes by Mail; Minimum Tax Bill; Collection Prior to Certified Roll.

(1) No change.

(2) The tax collector may mail such additional notices as he or she may deem proper and necessary in order that taxes, both real and personal, may be collected in a timely manner and so that the taxpayer is advised of the amount of taxes due, the due date, discounts, date of delinquency, penalties, interest, and action to be taken if said taxes are not paid. Additional notices shall be mailed to those taxpayers whose payment has not been received at least 30 days prior to the date of delinquency. ~~Effective July 1, 1997, T~~the additional notices shall be mailed by April ~~30~~ ~~40~~. This shall apply to real and personal property taxes.

(3) At the recommendation of the tax collector, the Board of County Commissioners may adopt a resolution instructing the collector not to mail notices to any taxpayer when the tax due as shown on the tax notice is less than an amount up to \$30 five dollars. The resolution shall instruct the property appraiser not to extend taxes on any parcel for which the tax amount is an amount less than \$30, as specified in the resolution ~~will be less than five dollars~~. Said resolution shall remain effective until rescinded and shall apply to all future tax rolls.

(4) No change.

Specific Authority 193.1145(9), 195.022, 195.027(1), 213.06(1) FS. Law Implemented 193.1145, 193.122, 194.171, 196.295, 197.212, 197.222, 197.2301, 197.322, 197.343, 197.3632, 213.05 FS. History--New 6-18-85, Formerly 12D-13.37, Amended 5-23-91, 12-13-92, 12-25-96,\_\_\_\_\_.

12D-13.061 Minimum Standards for Ownership and Encumbrance Reports Made in Connection with Tax Deed Applications; Fees.

(1) through (7) No change.

(8) Fees paid by the tax collector for ownership and encumbrance reports must be collected from the tax deed applicant and added to the opening bid.

Specific Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 197.502, 197.512, 197.522, 213.05 FS. History--New 6-18-85, Formerly 12D-13.61, Amended.

12D-13.062 Notices; Advertising, Mailing, Delivering and Posting of Notice of Tax Deed Sale.

(1) through (4) No change.

(5) Except when land is redeemed, the ~~The~~ clerk of the circuit court shall record his or her certificate of notice together with the affidavit of publisher (proof of publication) in the official records of the county. For the recording of the certificate of notice and affidavit of publisher the clerk shall receive such fees for recordation as specified in Chapter 28, Florida Statutes.

Specific Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 197.502, 197.512, 197.522, 197.542, 197.562, 197.582, 213.05 FS. History--New 6-18-85, Formerly 12D-13.62, Amended.

12D-13.063 Sale at Public Auction.

(1) No change.

(2) The clerk shall hold a public auction at the time and place stated in the notice. The time shall be within the regular office hours of the clerk. The place shall be at one of the courthouse doors or as specified in the advertisement pursuant to Section 197.512, Florida Statutes. The clerk must post notice at the sale location that the highest bidder will be required to post a \$200 non-refundable cash deposit at the time of sale.

(3) through (4) No change.

(5) If there are no bids higher than the statutory opening bid the following procedures shall apply:

(a) If the tax deed applicant is an individual certificate holder:

1. The land shall be sold to the certificate holder. The certificate holder is required to immediately pay to the clerk of the circuit court applicable documentary stamp tax and recording fees ~~provided the certificate holder pays the full amount due.~~

2. through (c) No change.

(6)(a) If there are bids higher than the statutory opening bid, the land shall be sold to the highest bidder. The clerk of the circuit court shall require the successful bidder to post a non-refundable \$200 cash deposit at the time of sale. The deposit shall be applied to the sale price at the time of full payment. The clerk of the circuit court shall require the successful bidder to make full payment in the amount of the highest bid at the sale within 24 hours. If the successful bidder fails to make full payment of the final bid, less the cash deposit, and documentary stamp tax and recording fees within 24 hours, the clerk of the circuit court shall cancel the bids, re-advertise the property and re-sell the property. All costs of the sale shall be paid from the cash deposit with any remaining funds applied toward the opening bid.

(b) If the sale is canceled for any reason, the clerk of the circuit court shall immediately re-advertise the sale to be held no later than 30 days ~~after from~~ the date the sale was canceled. Only one advertisement shall be necessary. No further notice shall be required. The cost to re-advertise shall be added to the statutory (opening) bid.

(7) No change.

(8) The clerk of the circuit court may require bidders at a public sale to demonstrate their willingness and ability to pay the \$200 cash deposit described in subsection (6) of this rule. The clerk of the circuit court shall have the right to refuse to recognize the bid of any person who has previously bid and refused for whatever reason to honor such bid or who cannot demonstrate, to the satisfaction of the clerk of the circuit court, willingness and ability to pay the \$200 cash deposit.

(9) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 28.24, 197.122, 197.3632, 197.443, 197.502, 197.512, 197.522, 197.542, 197.552, 197.562, 197.582, 213.05 FS. History—New 6-18-85, Formerly 12D-13.63, Amended 5-23-91, 12-13-92, 1-2-01, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Division of Ad Valorem Tax**

**RULE TITLE:** Index to Forms  
**RULE NO.:** 12D-16.002  
**PURPOSE AND EFFECT:** The proposed amendments to Rule 12D-16.002, F.A.C., implement forms revisions created in Chapters 2001-137, 2001-204, 2001-208, and 2001-245, Laws of Florida, and incorporate other technical changes made to forms.

**SUBJECT AREA TO BE ADDRESSED:** Forms revisions.

**SPECIFIC AUTHORITY:** 195.027(1), 213.06(1) FS.

**LAW IMPLEMENTED:** 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.114, 193.122, 193.461, 193.625, 194.011, 194.032, 194.034, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1983, 196.1995, 197.222, 197.253, 197.3632, 197.3635, 197.414, 197.432, 197.512, 197.552, 200.065, 213.05, 218.66 FS.

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

**TIME AND DATE:** 10:00 a.m., August 3, 2001

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

Copies of the agenda for the rule development workshop may be obtained from Sharon Gallops, Tax Law Specialist, Department of Revenue, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108.

Persons needing an accommodation to participate in any proceeding before the Technical Assistance and Dispute Resolution Office should call (850)488-8026 (voice) or 1(800)367-8331 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-16.002 Index to Forms.

(1) The following paragraphs list the forms utilized by the Department of Revenue. A copy of these forms may be obtained by writing to: Director, Property Tax Administration Program, Department of Revenue, Post Office Box 3000, Tallahassee, Florida 32315-3000. The Department of Revenue adopts, and hereby incorporates by reference in this rule, the following forms and instructions:

	Form Number	Form Title	Effective Date
(2)	DR-401	Freight Line and Equipment Companies Annual Report (r. <del>11/01 12/00</del> )	<u>11/01</u> <del>1/01</del>
	(3) through (7)(b)	No change.	
(c)	DR-405	Tangible Personal Property Tax Return (r. <del>11/01 12/97</del> )	<u>11/01</u> <del>12/97</del>
	(8) through (14)(a)	No change.	
(b)	DR-422	Certification of Final Taxable Value (r. <del>6/98 1/95</del> )	<u>11/01</u> <del>12/94</del>
	(15) through (21)(a)	No change.	
(b)	DR-474	Notice of Proposed Property Taxes (r. <del>11/01 1/95</del> )	<u>11/01</u> <del>12/95</del>
	(c)	No change.	
(d)	DR-474N	Notice of Proposed Property Taxes and Proposed or Adopted Non-Ad Valorem Assessments (r. <del>11/01 6/98</del> )	<u>11/01</u> <del>12/98</del>
	(22) through (39)	No change.	
(40)(a)	DR-504	Ad Valorem Tax Exemption Application and Return (r. <del>11/01 12/00</del> )	<u>11/01</u> <del>1/01</del>
	(b) through (c)	No change.	
(d)	<u>DR-504HA</u>	<u>Ad Valorem Tax Exemption Application and Return – Homes for the Aged (n. 11/01)</u>	<u>11/01</u>
	(41) through (46)(a)	No change.	

- (b) DR-513 Tax Collector’s Certification  
(r. ~~11/01 42/00~~) 11/01 4/01
- (c) through (51)(a) No change.
- (b) DR-534 Notice and Application for  
Alternative Payment of  
2002 2001 Property Taxes  
(r. ~~11/01 42/00~~) 11/01 4/01
- (b) through (55) No change.
- (56)(a) DR-570 Application for Homestead  
Tax Deferral (r. ~~11/01 4/93~~) 11/01 4/93
- (b) through (61) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.114, 193.122, 193.461, 193.625, 194.011, 194.032, 194.034, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1983, 196.1995, 197.222, 197.253, 197.3632, 197.3635, 197.414, 197.432, 197.512, 197.552, 200.065, 213.05, 218.66 FS. History—New 10-12-76, Amended 4-11-80, 9-17-80, 5-17-81, 1-18-82, 4-29-82, Formerly 12D-16.02, Amended 12-26-88, 1-9-92, 12-10-92, 1-11-94, 12-27-94, 12-28-95, 12-25-96, 12-30-97, 12-31-98, 2-3-00, 1-9-01.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Highway Traffic Safety Program	14-98
RULE TITLES:	RULE NOS.:
Purpose	14-98.001
Definitions	14-98.002
Policy	14-98.003
Funds Availability	14-98.004
Application and Award Procedures	14-98.005
Funds Distribution	14-98.006
Grant Conditions	14-98.007
Forms	14-98.008

PURPOSE AND EFFECT: The rule chapter is being amended to include repeal of Rules 14-98.006 and 14-98.007, revise policy and procedures, revise purpose and definitions, and adopt revised forms.

SUBJECT AREA TO BE ADDRESSED: The rule chapter is amended to include procedural amendments, clarification, repeal of two rules, revised definitions, and the adoption of revised forms related to the Highway Traffic Safety Program.

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

LAW IMPLEMENTED: 334.044(25) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-98.001 Purpose.

~~Section 334.044(24), Florida Statutes, transferred the Highway Traffic Safety Program from the Department of Community Affairs to the Florida Department of Transportation in 1991. The purpose of the Highway Traffic Safety Program is to develop, implement, and manage a data-driven comprehensive traffic safety program aimed at saving lives, preventing injuries, and reducing related costs associated with traffic crashes on Florida’s roadways assist other State and local agencies in the management of the diverse array of activities comprising the State’s total traffic safety resources in a manner that achieves the most effective focus on critical crash problems in accordance with the standards of the National Highway Safety Act of 1966, as amended. The Highway Traffic Safety Program provides for the acceptance of State and Community Highway Safety Funds grant funds provided through the United States Department of Transportation under Section 402, Title 23, United States Code, and Public Law 89-564, as amended, for the State’s implementation of the provisions of the National Highway Safety Act of 1966, as amended. The law statutes establishes broad objectives for the purpose of funds allocation. This Rule Chapter These rules shall be liberally construed by the Department to effectuate the purposes of the statutes, and the National Highway Safety Act of 1966, as amended. It is the intent of the Department that these rules permit maximum flexibility within the limits of the statutes, yet define procedures consistent with sound public funds management principles and consistent with the need to apprise potential applicants, fund recipients, and the public of the Department’s policy governing administration of the program. Funding for the Highway Traffic Safety program is based on the Federal Fiscal Year, from October 1 of each year through September 30 of the following year.~~

Specific Authority ~~420.53(4);~~ 334.044(2) FS. Law Implemented 334.044(25)(24) FS. History—New 12-30-84, Amended 6-10-85, Formerly 9B-32.01, 9B-32.001, 9G-15.001, Amended 12-7-93.

14-98.002 Definitions.

As used in these rules, except where the context clearly indicates a different meaning:

(1) “Activity” means elements of work that accumulate to accomplish subgrant objectives, such as hiring of personnel, purchasing of equipment or materials, conducting surveys, performing specific duties, and ~~or~~ any other duties or acts designated in the subgrant agreement.

~~(2) “Actual” means the attained level of resources expended or accomplishments, as opposed to planned expenditures or accomplishments.~~

~~(2)(3) “Applicant” means a unit of local government entity as defined in Section 11.45, Florida Statutes; or state agency as defined in Section 216.011, Florida Statutes; sheriff; special district; corporation not for profit; or a Florida university that~~



meets the minimum standards established in Rule 6E-1.0045, F.A.C., and is accredited by the Southern Association of Colleges and Schools or some other nationally recognized accreditation board, that requests approval of a Subgrant Application for Highway Safety Funds requesting highway safety funds or a non-governmental not-for-profit or non-profit agency requesting funding for a pilot project.

(3) “Corporation Not for Profit” means as defined in Section 617.01401, Florida Statutes, and shall include foreign corporations defined in that section. For purposes of this rule, the corporation must list in Article III of its Articles of Incorporation at least one purpose related to traffic safety or injury prevention.

(4) “DBE” means disadvantaged business enterprise as defined in rule chapter 14-78.

(5) “CFR” means Code of Federal Regulations.

(4) “Chief Financial Officer” means the employee of the subgrantee agency or the implementing agency who has overall fiscal responsibility for the subgrant.

(5) “Concept Paper” means an initial request for highway safety funding, which includes a statement of the highway safety problem that the applicant has identified, a statement of proposed activities that the applicant will take to address the problem, an estimated budget for conducting the activities, and the name of a contact. Concept papers must be accompanied by a letter of support from the head of the agency that will implement the project, if funded.

(6) “Cost Incurred” means costs are considered incurred on the date that goods or services are received and accepted.

(7) “Department” means Florida Department of Transportation.

(8) “Office” means State Safety Office.

(9) “U.S. DOT” means U.S. Department of Transportation.

(8)(10) “Evaluation” means a process that involves measuring the success or failure of a project in achieving predetermined objectives.

(9)(11) “FFY” means Federal Fiscal Year, the period beginning October 1 and ending September 30 the following year.

(10)(12) “FHWA” means Federal Highway Administration.

(13) “Unit of Local Government” means any municipality, special district, or board of county commissioners or other governing body of a county, however styled, including that of a consolidated or metropolitan government.

(14) “State Agency” means any official, officer, commission, board, authority, council, committee, or department of the executive branch, or the judicial branch of state government as defined in Section 216.011, Florida Statutes.

(11)(15) “Governor’s Highway Safety Representative” means the State official appointed by the Governor of Florida, who is responsible to and represents the Governor in the conduct of the Statewide Highway Traffic Safety Program.

(12)(16) “HSP” means Highway Safety Plan. The HSP is a program document between the U.S. DOT National Highway Traffic Safety Administration, Federal Highway Administration, and the State of Florida. It is a plan to which available federal funds may be obligated. It is the overall funding plan for a given fiscal year.

(13)(17) “Implementing Agency” means the subgrantee’s designee for performing the activity defined in agency responsible for implementation and management of the subgrant.

(18) “Pilot Project” means a special project implemented by either a governmental agency or non-governmental not-for-profit agency to demonstrate, evaluate, or enhance a specific countermeasure.

(14) “MBE” means minority business enterprise, which is a small business concern that is owned or controlled by one or more minorities as defined in 49 C.F.R. Part 23.

(15)(19) “Milestone” means the development of a specific activity within a specific period of time.

(16)(20) “NHTSA” means National Highway Traffic Safety Administration.

(17) “Office” means State Safety Office.

(18)(21) “OMB” means Federal Office of Management and Budget.

(22) “P.L.” means Public Law.

(19)(23) “Program” means the Highway Traffic Safety Program or two or more consecutive traffic safety projects implemented by the same agency in consecutive years, with the succeeding projects being a continuation of the initial project.

(20)(24) “Program Manager” means a staff member of the State Safety Office authorized by the Governor’s Highway Safety Representative to act as the liaison between the State Safety Office, and the subgrantee, and implementing agencies in all matters pertaining to a subgrant agreement.

(25) “Program Period” means the total of one or more project periods not to exceed 36 months without specific written approval from the Department.

(21)(26) “Project” means a specific plan of action being undertaken to improve an identified traffic highway safety problem.

(22)(27) “Project Director” means the person responsible to the implementing agency for the management and operation of the subgrant or contract.

(23)(28) “Project Number” means the identification a number assigned by the State Safety Office to each subgrant or contract.

(29) "Project Period" means the estimated length of time to complete a highway safety project. The project period cannot exceed twelve consecutive months or September 30th, whichever is earlier, without specific written approval from the Department.

(24)(30) "Subgrant" means the approved Subgrant Application for Highway Safety Funds, which constitutes a contract written agreement between the Department and the applicant, unit of local government, state agency, or other eligible recipient in which the applicant recipient agrees to perform certain specified activities toward reaching certain specified objectives in return for certain specified compensation from the Department.

(25)(31) "Subgrantee" means the unit of local government, state agency, or other eligible applicant to whom the Department awards a subgrant or contract.

(26)(32) "Subgrant Period" means the effective time between the beginning and ending date of the subgrant.

(27) "U.S. DOT" means United States Department of Transportation.

(33) "WBE" means Women-owned Business Enterprise.

Specific Authority 334.044(2) FS. Law Implemented 334.044(25)(24) FS. History--New 12-30-84, Amended 6-10-85, Formerly 9B-32.02, 9B-32.002, Amended 11-19-89, Formerly 9G-15.002, Amended 12-7-93,\_\_\_\_\_.

14-98.003 Policy.

(1) Subgrant Applications. Each pProject proposals must be designed to impact one or more address a range of services and activities having a measurable and potentially major impact on the causes of traffic crashes, injuries, and/or fatalities; to evaluate or identify traffic crash problems in Florida; or to increase public awareness of the state's crash problem. Each project must be capable of producing measurable results, which will be used to determine the effectiveness of the project.

(2) Annual Highway Safety Plan. The Department shall formulate an annual HSP which identifies projects that will be funded during the FFY Highway Safety Plan to define programs to achieve goals and objectives for improving highway safety and allocation of federal funds which will most economically and efficiently carry out the assigned mission.

(3) Technical Assistance. The Office Department will provide, within limitations of staff time and budget, training and technical assistance, within limitations of staff time and budget to all eligible applicants, subgrantees and members of other governmental units upon request, or upon a determination by the Department of a subgrantee's need.

(4) Monitoring and Evaluation. The Office Department will perform such activities as may be necessary to monitor subgrantee compliance with sState and sFederal laws, rules, and regulations, to evaluate the fiscal and programmatic effectiveness of the subgrantee's activities, and to confirm the status of fiscal and program activities.

(5) Annual Report. The Office shall prepare an Annual Report that summarizes the activities which took place during the previous FFY. The report shall include a financial summary that shows funds awarded and expended.

(6) Public Awareness. The Office will promote public awareness of traffic safety issues affecting the State by distributing educational and public awareness materials through law enforcement agencies, public health departments, and other traffic safety organizations.

Specific Authority 334.044(2) FS. Law Implemented 334.044(25)(24) FS. History--New 12-30-84, Formerly 9B-32.03, 9B-32.003, Amended 11-19-89, Formerly 9G-15.003, Amended 12-7-93,\_\_\_\_\_.

14-98.004 Funds Availability.

(1) The amount of federal funds available shall be that amount allocated each FFY to the State of Florida by the Federal Government under the National Highway Safety Act of 1966, as amended, and all other applicable sections of Section 402, Title 23, United States Code.

(2) The Office Department shall attempt to distribute all of the funds available in the current FFY, but may distribute part of the funds in a later FFY, when permitted by fFederal law and Florida law Statutes to do so, and if such action, in the judgment of the Department, will meet best carry out the program objectives.

Specific Authority ~~420.53(1)~~, 334.044(2) FS. Law Implemented 334.044(25)(24) FS. History--New 12-30-84, Formerly 9B-32.04, 9B-32.004, 9G-15.004, Amended 12-7-93,\_\_\_\_\_.

14-98.005 Application and Award Procedures.

(1) The Office Department will conduct an annual problem analysis of the traffic crash history of the sState by April 30th of each year, based on the most currently available crash data from the Department of Highway Safety and Motor Vehicles, identifying those counties geographic areas with the most severe traffic problems, in a Traffic Safety Matrix ranked listing.

(2) The selection of potential subgrant recipients will be based, in part, on their position on the Traffic Safety Matrix ranked list for the particular type of highway safety problem. Data from the Department of Highway Safety and Motor Vehicles' annual Uniform Traffic Citation Statistics Report, the Office's annual observational survey of safety belt use, and past subgrant history will also be considered when selecting potential subgrant recipients.

(3) To be eligible for funding, an applicant: to be considered as a potential subgrant recipient, the potential recipient

(a) Cannot have been previously funded for an the proposed activity in the same priority area of the Highway Safety Plan during the three consecutive fiscal years prior to the start of the fiscal year for which funds are being requested in excess of 36 months nor can the proposed activity supplant funds allocated or appropriated for the same activity. The three fiscal year limitation may be exceeded where NHTSA

approves exceeding the limitation or Congress directs funds to be spent for a specific activity. In addition, if the Office funds the start of a program involving positions over two years because of funding availability, a fourth year of funding, limited to partial funding of the position(s) created in year two, may be awarded. Statewide programs for training, coordination, evaluation, or public awareness may exceed the three year limit.

(b) Cannot request funding that would supplant funds previously allocated or appropriated by the applicant for the same activity, nor can funding replace equipment previously purchased with local or federal funds.

(c) Shall not be eligible for funding if it has violated a condition of a previous subgrant.

(3) Each ranking is based on three components:

(a) Magnitude. "Magnitude" is the absolute number of injuries and fatalities in each of four categories: Total Crashes, Alcohol-Related, Pedestrian, and Bicycle. The injuries and fatalities are totaled for a three-year period.

(b) Rate. "Rate" is calculated by dividing the "Magnitude" by a normalizing variable. The total number of vehicle miles travelled in each of the three years is used to normalize "Total Crashes" and "Alcohol-Related" crashes, and average annual population estimates are used to normalize the statistics for "Pedestrian" and "Bicycle" crashes.

(c) Trend. "Trend" is the ratio of a short-term to a long-term moving averages of the "Magnitude" over a seven year period.

(4) Indices are calculated to represent how each county compares to others in each factor. The rankings are based on the composite of these three components: magnitude, rate, and trend.

(4)(5) The Office Department will provide, upon request, information on how to prepare a concept paper for highway safety funding an application package (Instructions for Highway Safety Subgrant Application for Highway Safety Funds, and Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01, 09/94) to any potential local government, state agency, or other eligible applicant. Concept papers will be accepted annually from January 1 through March 31 for the upcoming fiscal year.

(5) The Office will review all concept papers for compliance with state and federal rules and regulations. Concept papers that comply with state and federal rules and regulations will be prioritized on the basis of:

(a) The Concept Paper Evaluation Form, FDOT Form 500-065-17.

(b) Subgrant history.

(c) The Traffic Safety Matrix, and

(d) Analysis of relevant crash data, citation data, and survey results.

The Highway Safety Subgrant Scoring Sheet, FDOT Form 500-065-18 will be used to prioritize all eligible concept papers.

(6) The Office will consider the following factors in determining to what extent concept papers will be funded:

(a) Total federal funds available for the fiscal year.

(b) Amount of funding available for each priority area of the HSP.

(c) Fundability of each request.

(d) Statewide coverage of programs, and

(e) Funding activities in as many counties as possible.

No implementing agency of a government entity, as defined in Section 11.45, Florida Statutes, sheriff, special district, or corporation not for profit shall receive funding in more than three priority areas of the HSP. Further, no implementing agency of a governmental entity, as defined in Section 11.45, Florida Statutes, sheriff, special district, or corporation not for profit shall receive funding in more than two priority areas of the HSP if the total amount of its two highest ranked concept papers exceed \$250,000.

(7) Two copies of the application form, Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01, Rev. 07/01, will be sent to those applicants whose concept papers are selected for funding.

(8)(6) Applicants shall forward one copy three copies of the completed application and a minimum of three signature pages, containing all each with an original signatures, to the Office Department.

(9) Each corporation not for profit applicant shall attach a financial statement to its application form which shows that it has funds equal to the amount of the subgrant award on deposit in a special account designated for project activities only.

(10)(7) The Office Department shall review all applications and will reject any applications not meeting the requirements of these rules and applicable Federal and State laws, within ten working days of receipt of said applications. In the event that an applicant submits a Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01, Rev. 07/01, for an activity that is not included in the Highway Safety Plan, the application shall be rejected. Failure to reject any application within ten days shall not result in automatic grant of an application. All subgrants are subject to funds availability.

(11)(8) Notice of denial of grant award. Notice of the Office's Department's intended action will be provided in accordance with Rule 28-106.111, F.A.C. The Department's action to deny will become final unless a timely petition for a hearing is filed in accordance with Rules 28-106.104, 28-106.201, and 28-106.301, F.A.C. In order to be timely, the petition must be filed with the Department's Clerk of Agency Proceedings within 21 days after receipt of the Department's notice, in accordance with Rule 28-106.111. Provisions of any notice, denial, revocation, or notice of Administrative Hearing

Rights by the Department under this rule shall not constitute, or create, entitlement to an administrative hearing where such right does not otherwise exist.

~~(9) The Department is authorized to select applicants for funding pilot projects for the purpose of demonstrating, evaluating or enhancing the effectiveness of highway traffic safety programs. The National Highway Traffic Safety Administration (NHTSA) shall review each pilot project for compliance with NHTSA program guidelines. No more than 10% of the highway safety funds allocated to the State of Florida under the State and Community Highway Traffic Safety Program in any fiscal year may be awarded to pilot projects in that year. A nongovernmental not-for-profit or non-profit agency may qualify as recipient for a pilot project.~~

~~Specific Authority 334.044(2) FS. Law Implemented 334.044(25)(24) FS. History—New 12-30-84, Amended 6-10-85, Formerly 9B-32.05, 9B-32.005, 11-19-89, Formerly 9G-15.005, Amended 12-7-93, 11-29-94, 1-17-99.~~

14-98.006 Funds Distribution.

~~Specific Authority 120.53(1), 334.044(2) FS. Law Implemented 334.044(25)(24) FS. History—New 12-30-84, Amended 6-10-85, Formerly 9B-32.06, 9B-32.006, 9G-15.006, Repealed~~

14-98.007 Grant Conditions.

~~Specific Authority 334.044(2) FS. Law Implemented 334.044(25)(24) FS. History—New 12-30-84, Amended 6-10-85, Formerly 9B-32.07, Amended 6-3-86, Formerly 9B-32.007, Amended 11-19-89, Formerly 9G-15.007, Amended 12-7-93, Repealed~~

14-98.008 Forms.

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

- (1) Non-Expendable Property Accountability Record – FDOT Form 500-065-09, Rev. 07/01 8/93.
- (2) Statement of Highway Safety Project Costs – FDOT Form 500-065-04, Rev. 07/01 09/94.
- (3) Summary Statement of Personnel ~~Personal~~ Services Cost – FDOT Form 500-065-05, Rev. 07/01 08/93.
- (4) Personnel ~~Personal~~ Services Time Sheet – FDOT Form 500-065-06, Rev. 07/01 08/93.
- (5) Detail of Costs ~~Expense (Except Personal Services Cost)~~ – FDOT Form 500-065-07, Rev. 07/01 08/93.
- (6) Subgrant Application for Highway Safety Funds – FDOT Form 500-065-01, Rev. 07/01 09/94.
- (7) Concept Paper Evaluation Form – FDOT Form 500-065-17, Rev. 07/01.
- (8) Highway Safety Subgrant Scoring Sheet – FDOT Form 500-065-18, Rev. 07/01.

Copies of these forms may be obtained by writing or calling the Florida Department of Transportation, State Safety Office, 605 Suwannee Street, MS-17, Tallahassee, Florida 32399-0450; Telephone (850) ~~(904)~~488-5455.

~~Specific Authority 334.044(2)(25)(24) FS. Law Implemented 334.044(25)(24) FS. History—New 6-10-85, Formerly 9B-32.08, 9B-32.008, Amended 11-19-89, Formerly 9G-15.008, Amended 12-7-93, 6-14-94, 11-29-94.~~

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

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

PURPOSE AND EFFECT: To update the Florida Prepaid College Application and the Florida Prepaid College Program Master Covenant to reflect the current year and to change the effective date of this document.

SUBJECT AREA TO BE ADDRESSED: Updating the Florida Prepaid College Program Application and Master Covenant for the Florida Prepaid College Program.

SPECIFIC AUTHORITY: 240.551(7)(a) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., August 6, 2000

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.001 Application.

These rules apply to purchasers of advance payment contracts for the prepayment of postsecondary registration and/or dormitory residency fees. The application period shall commence and terminate on dates set annually by the Board and published in the Florida Administrative Weekly. Applications for advance payment contracts purchased through the Board's direct support organization, The Florida Prepaid College Foundation, Inc., for purchasers participating in employer participation programs or by purchases pursuant to a court order may be submitted to the Board at any time. After acceptance by the Board of the purchaser's application, a participation and payment schedule and master covenant shall be mailed to the purchaser. The advance payment contract shall be comprised of the application, master covenant and participation and payment schedule. The Florida Prepaid College Program Application, Form No. FPCP 2001 ~~2000-1~~, is hereby incorporated by reference and may be obtained by calling 1-800-552-GRAD (4723) (prompt 1). The effective date of the form is October 15, ~~16~~, 2001. The Florida Prepaid

College Program Master Covenant, Form No. FFCP 2001 2000-2, is hereby incorporated by reference with an effective date of October 15, 16, 2001.

Specific Authority 240.551(7)(a) FS. Law Implemented 240.551 FS. History—New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-4.001, Amended 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-8-00, 5-21-00, 1-7-01, \_\_\_\_\_.

## STATE BOARD OF ADMINISTRATION

### Florida Prepaid College Board

RULE TITLES: Contract Requirements

RULE NO.: 19B-5.003

PURPOSE AND EFFECT: To implement an amendment to s. 240.551(11), F.S., adding nonprofit s. 501(c)(3) organizations operating scholarship programs approved by the Board to the types of organizations that are permitted to not name a qualified beneficiary on advance payment contracts until April 1 of the anticipated enrollment year; and to clarify the procedure the Board will follow when advance payment contract benefits expire.

SUBJECT AREA TO BE ADDRESSED: Permitting s. 501(c)(3) organizations to purchase advance payment contracts without naming the beneficiary until April 1 of the anticipated enrollment year and clarifying the procedures the Board will follow when the benefits of an advance payment contract expire.

SPECIFIC AUTHORITY: 240.551(5) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., August 6, 2001

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-5.003 Contract Requirements.

(1) Purchasers must name the qualified beneficiary in the application, provided, however, that the board's direct support organization and organizations operating scholarship programs pursuant to Rule 19B-5.007 shall be permitted to leave the qualified beneficiary's name blank until April 1 of the anticipated enrollment year.

(2) Only one qualified beneficiary is allowed per contract, and a specific beneficiary can be named in only one contract. In the event duplicate contracts for the same beneficiary are processed, the contract processed first shall be deemed valid and the remaining contract shall be deemed terminated.

(3) The purchaser does not have to designate the postsecondary institution that the beneficiary will attend.

(4) The contract may be used within three years in advance of the selected matriculation date indicated in the application with no penalty or additional cost. However, to utilize a contract prior to the selected matriculation date, the purchaser must pay the contract in full before changing such matriculation date.

(5)(a) The benefits of a contract may be received for up to a ten-year ~~10-year~~ period after the ~~said selected~~ matriculation date. This ten-year limitation may be extended upon application to the Board. Any time spent by the qualified beneficiary in the military service tolls the time for receiving contract benefits under all contract plans. The matriculation projected enrollment date is the projected college enrollment year shall correspond to the age/grade of the qualified beneficiary, based on the information about the qualified beneficiary's age or grade contained in the purchaser's application form, or similar information received subsequently by the Board from the purchaser. The right to use the benefits from a contract shall expire on December 31, ten years after the matriculation date, or any extension thereof.

(b) When the benefits from a contract have not been used on December 31, nine years after the matriculation date or one year prior to the expiration of any extension of the expiration date for the use of contract benefits, the Board shall mail a written notice to the purchaser which indicates:

1. The procedure the purchaser must follow to extend the time period for the use of contract benefits or to obtain a refund for the contract;

2. That the right to use the contract benefits will expire on December 31, ten years after the matriculation date or any extension thereof; and

3. That such benefits and refund will escheat to the Florida Prepaid College Trust Fund on that date.

Such notice shall be mailed not later than 180 days prior to the expiration of the contract benefits. An alphabetical list of the names of purchasers of such accounts shall be posted on the Board's website on the Internet.

(c) The benefits from and any refund associated with a contract for which the benefits have not been used by December 31, ten years after the matriculation date, or any extension thereof, shall escheat to the Florida Prepaid College Trust Fund.

(6) Accounts that are composed of tuition and local fee contracts will only be paid if both the tuition account and local fee account are in good standing. Local fee payments shall not be remitted to pay tuition for any beneficiary.

Specific Authority 240.551(5) FS. Law Implemented 240.551 FS. History—New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-5.003, Amended 5-31-95, 6-20-96, 2-18-99, 6-6-99,\_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE TITLE: Scholarship Programs Operated by Non-Profit Organizations  
 RULE NO.: 19B-5.007

PURPOSE AND EFFECT: To implement s. 240.551(23), F.S., by specifying the application procedure and information that a s. 501(c)(3) organization must submit about its scholarship program to enable the Board to approve programs as eligible to purchase advance payment contracts for organizations scholarship programs.

SUBJECT AREA TO BE ADDRESSED: Details the application procedures a s. 501(c)(3) organization will follow to have its scholarship program approved by the Board so that the organization can purchase advance payment contracts for the scholarship programs.

SPECIFIC AUTHORITY: 240.551(5) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., August 6, 2001

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-5.007 Scholarship Programs Operated by Non-Profit Organizations.

(1) During the open enrollment period, a nonprofit organization may purchase advance payment contracts for a scholarship program operated by the organization provided the Board has approved the scholarship program.

(2) The Board will approve scholarship programs operated by nonprofit organizations upon submission of a written application to the Board that contains:

(a) Evidence that the organization is a nonprofit organization described in s. 501(c)(3) of the Internal Revenue Code;

(b) Evidence that the organization is exempt from taxation pursuant to s. 501(a) of the Internal Revenue Code;

(c) Information describing the scholarship program and its purposes;

(d) A statement that the nonprofit organization operates the scholarship program;

(e) A statement that the nonprofit organization shall comply with the terms of the advance payment contract, s. 240.551, F.S., and the rules of the Board.

(3) An application for approval of a scholarship program may be submitted with an application to purchase one or more advance payment contracts.

(4) After an application is determined by the Executive Director to be complete, the Board will consider and approve the application for the scholarship program at its next meeting.

(5) Approval by the Board of a scholarship program is not and shall not be promoted by the nonprofit organization as an endorsement by the Board of the scholarship program or the sponsoring nonprofit organization.

Specific Authority 240.551(5) FS. Law Implemented 240.551 FS. History—New\_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

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

PURPOSE AND EFFECT: To authorize the Board to waive payment of outstanding late fees in excess of \$70.00 for advance payment contracts that are paid in full and to waive all outstanding late fees when the outstanding late fee balance is \$50.00 or less for advance payment contracts that are paid in full. To repeal the out-of-state transfer fee.

SUBJECT AREA TO BE ADDRESSED: The waiver of late fees for advance payment contracts that are paid in full and repeal of the out-of-state transfer fee.

SPECIFIC AUTHORITY: 240.551(5) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., August 6, 2001

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-6.001 Fee Schedule.

The following fee schedule will apply for all advance payment contract applicants and purchasers:

(1) Application Fee – A forty-two dollar (\$42.00) nonrefundable application fee will be collected at the time the application is submitted.

(2) Termination Fee – Fifty percent (50%) of the amount paid into the plan up to a cap of fifty dollars (\$50.00) will be assessed upon termination of any plan purchased, unless:

- (a) The purchaser or beneficiary dies or is disabled; or
- (b) The beneficiary receives a scholarship which renders the plan unusable; or

(c) The purchaser holds the advance payment contract for a period of at least two years immediately preceding the request for termination and refund. The purchaser shall request a waiver of the termination fee at the time of the refund request. Only one termination fee will be assessed for a single termination request for both the university and dormitory plan. Documentation of one of the above events permitting the fee waiver shall also be submitted with the request.

(3) Cancellation Fee – In verifying the residency of a beneficiary, if the Board discovers that a purchaser has committed fraud, a cancellation fee of one hundred percent (100%) of the amount paid into the plan up to a maximum of two hundred fifty dollars (\$250.00) will be assessed, and the remainder of the amount paid into the plan will be automatically refunded to the purchaser.

(4) Late Fee –

(a) A late fee of ten dollars (\$10.00) will be assessed on each monthly payment received twenty (20) days past the due date. The Board may grant an additional four (4) days grace period when a federal holiday occurs within the twenty (20) days mentioned above. ~~A maximum charge of seventy dollars (\$70.00) in outstanding late fees will be charged against each account upon cancellation.~~ This charge shall be separate from and in addition to any termination fee that might be imposed pursuant to subsection (2) of this rule. If both the tuition and local fee payments are received twenty (20) or more days past the due date, only the tuition account will be assessed a ten dollar (\$10.00) late fee.

(b) When a contract is terminated, not more than seventy dollars (\$70.00) in outstanding late fees may be deducted from the refund for the contract.

(c) When a contract is paid-in-full, the Board will waive:

1. Any outstanding late fees in excess of seventy dollars (\$70.00).

2. The outstanding late fee balance when the outstanding late fee balance is fifty dollars (\$50.00) or less.

(5) Insufficient Funds – Purchasers will automatically be assessed a ten dollar (\$10.00) fee for all payments returned for insufficient funds.

(6) Addition of a dormitory contract – A fee of ten dollars (\$10.00) will be assessed for any purchaser of a tuition plan who subsequently adds a dormitory plan to the previously purchased tuition plan.

(7) Addition of a local fee contract – A fee of ten dollars (\$10.00) will be assessed for any purchaser of a tuition plan who subsequently adds the corresponding local fee plan to the previously purchased tuition plan.

~~(8) Out of State Transfer Fee – A fee of twenty-five dollars (\$25.00) will be assessed for the transfer of benefits to eligible postsecondary institutions outside Florida.~~

~~(8)(9)~~ Outstanding fees – All outstanding fees must be paid by March 1 of the anticipated enrollment year in order for the qualified beneficiary to receive the contract benefits. Fees assessed after March 1 of the anticipated enrollment year and remaining unpaid on February 1 of the succeeding year will result in a suspension of the contract benefits.

~~(9)(10)~~ Reinstatement Fee – A \$42.00 fee shall be assessed for the reinstatement of a voluntarily canceled or involuntarily canceled account. This fee shall be due on each tuition, local fee and dormitory account. The fee shall be due from the purchaser at the time the request for reinstatement is made and shall be in addition to all payments and fees required to bring an account current.

Specific Authority 240.551(5) FS. Law Implemented 240.551 FS. History–New 3-29-89, Amended 2-6-90, 3-19-92, 8-23-92, Formerly 4G-6.001, Amended 12-5-93, 6-20-96, 12-16-97, 2-18-99, 2-8-00, \_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE TITLE: Qualified Individuals  
 RULE NO.: 19B-8.001

PURPOSE AND EFFECT: To implement the recently enacted amendments to s. 529 of the Internal Revenue Code that adds first cousins to the list of persons that can be a substitute beneficiary under an advanced payment contract.

SUBJECT AREA TO BE ADDRESSED: Addition of first cousins as substitute beneficiary under advanced payment contracts.

SPECIFIC AUTHORITY: 240.551(5) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., August 6, 2001

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-8.001 Qualified Individuals.

A purchaser may request transfer of a contract to an eligible substitute beneficiary who is the brother, sister, half brother, half sister, step- brother, ~~or~~ step-sister, or first cousin of the qualified beneficiary. A purchaser who is the grandparent of the qualified beneficiary may request the transfer of a contract to an eligible substitute beneficiary who is a grandchild of the purchaser. The substitute beneficiary must meet the residency requirement of a qualified beneficiary at the time of substitution. Documentation must also be submitted with the transfer request evidencing the relationship of the transferee. The contract purchaser will be required to sign and notarize any request to substitute beneficiaries on an advance payment contract. The substitution must be made prior to the qualified beneficiary using benefits at a postsecondary institution.

Specific Authority 240.551(5) FS. Law Implemented 240.551 FS. History–New 3-29-89, Formerly 4G-8.001, Amended 12-5-93, 6-20-96, 8-18-97, 12-16-97, 3-24-99, 2-8-00, \_\_\_\_\_.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Transfer to In-State Independent College or University

RULE NO.: 19B-9.002

PURPOSE AND EFFECT: This rule modification makes technical changes related to the changes in Rules 19B-9.003 and 19B-11.001, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Transfer of the benefits of advance payment contracts to in-state independent colleges and universities and eligible out-of-state colleges and universities.

SPECIFIC AUTHORITY: 240.551(5) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., August 6, 2001

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-9.002 Transfer to In-State Independent College or University.

In the event the beneficiary matriculates in an independent college or university in Florida, the redemption value will be forwarded to the institution. For purposes of such transfers of

the tuition and local fee plans, the redemption value shall be the average amount of tuition and local fees, respectively, charged by the state universities or community colleges at the time of matriculation. For purposes of such transfers of the dormitory plan, the redemption value shall be the average of the state university dormitory fees charged at the time of matriculation for the number of semesters reflected in each purchaser’s contract.

Specific Authority 240.551(5) FS. Law Implemented 240.551(7)(d) FS. History–New 3-29-89, Amended 2-6-90, Formerly 4G-9.002, Amended 12-5-93, 6-20-96, 10- 20-96, 2-18-99, \_\_\_\_\_.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Transfer to Out-of-State Schools

RULE NO.: 19B-9.003

PURPOSE AND EFFECT: This rule revision implements changes to s. 240.551, F.S., made by the 2001 Legislature that modify the amount allowed to be transferred to eligible out of state colleges and universities.

SUBJECT AREA TO BE ADDRESSED: Transfer of the benefits of advance payment contracts to out-of-state colleges and universities.

SPECIFIC AUTHORITY: 240.551(5) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., August 6, 2001

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-9.003 Transfer to Out-of-State Schools.

A qualified beneficiary may transfer the benefits of an advance payment contract to an eligible out-of-state community college, college or university. The amount transferred shall not exceed the redemption value of the advance payment contract; ~~or the original purchase price plus 5 percent compounded interest, whichever is less, after assessment of a reasonable transfer fee.~~ For purposes of such transfers of the tuition and local fee plans, the redemption value shall be the average amount of tuition and local fees, respectively, charged by the state universities or community colleges at the time of matriculation. For purposes of such transfers of the dormitory plan, the redemption value shall be the average of the state



university dormitory fees charged at the time of matriculation for the number of semesters reflected in each purchaser's contract.

Specific Authority 240.551(5) FS. Law Implemented 240.551 FS. History--New 3-29-89, Formerly 4G-9.003, Amended 12-5-93, 6-20-96, 2-18-99, 1-7-01,\_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE TITLE: General  
 RULE NO.: 19B-11.001

PURPOSE AND EFFECT: This rule revision implements changes made by the 2001 Legislature to revise the amount of a refund allowed a purchaser of an advance payment contract in the event the contract beneficiary is awarded a scholarship or suffers death or total disability.

SUBJECT AREA TO BE ADDRESSED: Refunds to purchasers of an advance payment contract in the event the contract beneficiary is awarded a scholarship or suffers death or total disability.

SPECIFIC AUTHORITY: 240.551(5) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., August 6, 2001

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-11.001 General.

Except as provided herein, refunds shall not exceed the amount paid for any plan bought by the purchaser, except for conversions pursuant to Rule 19B-11.002, F.A.C., and dormitory residence plan refunds due to insufficient housing pursuant to Rule 19B-11.004, F.A.C. Involuntary and voluntary termination pursuant to Rules 19B-10.001 and 19B-10.002, F.A.C., respectively, shall result in a refund to the purchaser after assessment of appropriate fees. Termination of student status after the official drop/add period eliminates the refund option for that semester. However, refunds may exceed the amount paid into the fund in the following circumstances:

(1) If a beneficiary is awarded a scholarship, the terms of which cover the benefits included in the advance payment contracts, moneys paid for the purchase of the advance payment contracts shall be returned to the purchaser in

semester installments coinciding with the matriculation by the beneficiary in an amount not to exceed the redemption value of the advance payment contract amounts of either:

~~(a) The original purchase price plus 5 percent compounded interest, or~~

~~(b) The current rates at State postsecondary institutions, whichever is less.~~

Proof of scholarship shall be given to the Board in such form as specified by the Board from the institution granting the scholarship.

(2) In the event of death or total disability of the beneficiary, moneys paid for the purchase of an advance payment contract shall be returned to the purchaser in lump sum ~~with either:~~ in an amount not to exceed the redemption value of the advance payment contract.

~~(a) The original purchase price plus 5 percent compounded interest, or~~

~~(b) The current rates at State postsecondary institutions, whichever is less.~~

Proof of death or disability shall be in such form as required by the Board.

(3) For purposes of refunds pursuant to Rule 11.001(1) or (2) for tuition and local fee plans, the redemption value shall be the average amount of tuition and local fees, respectively, charged by the state universities or community colleges at the time of the refund request. For purposes of refunds pursuant to Rule 11.001(1) or (2) for the dormitory plan, the redemption value shall be the average of the state university dormitory fees charged at the time of the refund request, for the number of semesters reflected in each purchaser's contract.

Specific Authority 240.551(5) FS. Law Implemented 240.551 FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-11.001, Amended 8-18-97,\_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE TITLE: Florida Prepaid College Foundation, Inc.;

RULE NO.: 19B-15.001

Requirements; Use of Board Property

PURPOSE AND EFFECT: This rule implements s. 240.551(22)(f), F.S. It specifies operational procedures for the Florida Prepaid College Foundation, Inc. and authorizes the Foundation to use the property, personnel, and facilities belonging to the Florida Prepaid College Board.

SUBJECT AREA TO BE ADDRESSED: Operational of the Florida Prepaid College Foundation, Inc. and the use of property, personnel and facilities belonging to the Florida Prepaid College Board by the Prepaid Foundation.

SPECIFIC AUTHORITY: 240.551(22)(f) FS.

LAW IMPLEMENTED: 240.551 FS.

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

TIME AND DATE: 2:00 p.m., August 6, 2001

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-15.001 Florida Prepaid College Foundation, Inc.; Requirements; Use of Board Property.

(1) The Florida Prepaid College Foundation, Inc., a not-for-profit corporation established pursuant to s. 240.551(22), Florida Statutes, shall:

(a) Submit its articles of incorporation and by-laws to the Board annually for approval.

(b) Promptly notify the Board of any amendments to the Foundation's articles of incorporation and by-laws.

(c) Submit its annual budget to the Board not later than May 31 of each year.

(d) Contract with an independent certified public accounting firm for an annual financial and compliance audit of the financial accounts and records of the Foundation.

(e) Establish a fiscal year that will begin on July 1 of each year and end on June 30 of the following year.

(f) Disclose the material provisions of the contract between the Foundation and the Board to donors of gifts, contributions and bequests to the Foundation and in all promotional and fundraising publications of the Foundation.

(g) With the exception of those public records described in ss. 240.551(14), 240.551(22)(a) and 240.554, Florida Statutes, allow inspection and copying of all other documents, papers, letters or other records of the Foundation that are made or received in conjunction with the business of the Foundation in accordance with the requirements of the Florida Public Records Law, s. 119.07, F.S.

(h) Allow the Board, its employees or designees, or other state agencies as provided by law to audit the Foundation upon reasonable notice at the Foundation's offices during normal business hours.

(2) To be eligible to use the Board's property (except money), facilities and personal services, the Foundation shall:

(a) Provide equal employment opportunities to all persons, regardless of race, color, religion, sex, age or national origin.

(b) Make a written request to the Executive Director of the Board specifying the property, facilities and personal services which the Foundation requests that it be allowed to use.

(c) Operate under a written contract with the Board.

Specific Authority 240.551(22)(f) FS. Law Implemented 240.551 FS. History--New

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLE: RULE NO.:

Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances 61G15-19.004

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

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines; range of penalties; aggravating and mitigating circumstances.

SPECIFIC AUTHORITY: 455.227, 471.008, 471.031, 471.033 FS.

LAW IMPLEMENTED: 455.227, 471.031, 471.033 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Natalie Lowe, Administrator, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineering**

RULE TITLE: RULE NO.:

Schedule of Fees Adopted by Board 61G15-24.001

PURPOSE AND EFFECT: The Board intends to revise the fee schedule to eliminate duplication, as well as modify some fee amounts to reflect associated administrative costs.

SUBJECT AREA TO BE ADDRESSED: Schedule of fees adopted by the Board.

SPECIFIC AUTHORITY: 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS.

LAW IMPLEMENTED: 119.07(1)(a), 455.217(3), 471.011, 471.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Natalie Lowe, Administrator, Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 01-37R

RULE CHAPTER TITLE: Surface Water Quality Standards  
 RULE CHAPTER NO.: 62-302

RULE TITLES: Table: Surface Water Quality Criteria  
 RULE NOS.: 62-302.530  
 Everglades Protection Area Phosphorus Criterion 62-302.540

PURPOSE AND EFFECT: To establish a phosphorus water quality criterion for the for the Everglades Protection Area pursuant to the Everglades Forever Act.

SUBJECT AREA TO BE ADDRESSED: Phosphorus water quality criterion for the Everglades Protection Area.

SPECIFIC AUTHORITY: 373.4592(4)(e)2. FS.

LAW IMPLEMENTED: 373.4592(4)(e)2. FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AND WILL BE NOTICED IN FUTURE FLORIDA ADMINISTRATIVE WEEKLYS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Frank Nearhoof, Everglades Technical Support Section, Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 3560, Tallahassee, Florida 32399-2400, Telephone (850)921-5213

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE TITLE: Manner of Application  
 RULE NO.: 64B3-6.001

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

SUBJECT AREA TO BE ADDRESSED: Manner of Application.

SPECIFIC AUTHORITY: 456.013, 483.805(4) FS.

LAW IMPLEMENTED: 456.013, 483.815, 483.823 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-6.001 Manner of Application.

(1) through (4) No change.

(5) With regard to persons who have been issued a social security number by the Federal Government, disclosure of a social security number is mandatory ~~Under the Federal Privacy Act, disclosure of a social security number is voluntary. They are requested~~ pursuant to Sections 456.004(9), 409.2577 and 409.2598, Florida Statutes, and are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations.

(6) No change.

Specific Authority 456.013, 483.805(4) FS. Law Implemented 456.013, 483.815, 483.823 FS. History--New 12-29-93, Formerly 61F3-6.001, Amended 5-29-95, 8-1-95, Formerly 59O-6.001, Amended 8-27-97, 9-20-98, 1-5-00,

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health**

RULE TITLE: Approved Courses for Continuing Education  
 RULE NO.: 64B4-6.002

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

SUBJECT AREA TO BE ADDRESSED: Approved courses for continuing education.

SPECIFIC AUTHORITY: 456.013(6), 491.004(5), 491.0085 FS.

LAW IMPLEMENTED: 456.013(6), 491.0085(1), 491.007(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLES: RULE NOS.:

Inactive Status 64B13-11.001

Delinquent Status License 64B13-11.004

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify the requirements with regard to inactive and delinquent license status.

SUBJECT AREA TO BE ADDRESSED: Inactive and delinquent status.

SPECIFIC AUTHORITY: 456.036, 463.005(1), 463.007, 463.008 FS.

LAW IMPLEMENTED: 456.036, 463.007, 463.008 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-11.001 Inactive Status.

(1) Any licensee may elect at the time of license renewal to place the license into inactive status by ~~filing with the board a complete application for inactive status and~~ paying the inactive status fee of Rule 64B13-6.001(8), F.A.C. ~~For the purpose of this section, a complete application shall be a renewal form provided by the Department of Health on which the licensee affirmatively elects inactive status.~~

(2) An inactive status licensee ~~whose license has been in inactive status for less than two consecutive biennial licensure cycles~~ may change to active status at any time provided the licensee meets the ~~following~~ requirements of Rule 64B13-5.001, F.A.C.:

~~(a) completes continuing education consisting of:~~

~~1. completion of fifteen (15) clock hours per year of continuing professional education which fulfills the requirements of Rule 64B13-5.001, for each year the license was inactive. At least five (5) of the fifteen (15) clock hours must be of "transcript quality" as defined in Rule 64B13-5.001. However, a license which has been inactive for less than one (1) year is not required to satisfy this requirement;~~

~~2. completion of thirty (30) hours of approved continuing professional education which were required for renewal of an active license on the date the license became inactive in the manner provided for in Rule 64B13-5.001;~~

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

(3) An inactive status licensee whose license has been in inactive status for more than two consecutive biennial licensure cycles and who applies for active status may change to active status at any time provided the licensee meets the following requirements:

(a) meets the continuing education requirements of Rule 64B13-5.001 ~~64B13-11.001(2)~~, F.A.C.;

(b) through (f) No change.

~~(g) files with the board a complete application. For the purpose of this section, a complete application shall be the application required for initial licensure or certification.~~

~~(4) Any inactive licensee who elects active status is not eligible to elect to return to inactive status until the next licensure renewal period.~~

~~(4)(5)~~ No change.

Specific Authority 456.036, 463.005(1), 463.007, 463.008 FS. Law Implemented 456.036, 463.007, 463.008 FS. History--New 11-20-86, Formerly 21Q-11.001, 61F8-11.001, Amended 12-22-94, Formerly 59V-11.001, Amended.

64B13-11.004 Delinquent Status License.

(1) through (2) No change.

(3) The delinquent status licensee who applies for active or inactive license status shall:

~~(a) file with the board the complete application for either active or inactive status as defined in rule 64B13-11.001;~~

~~(b) pay to the board either the active status fee of Rule 64B13-6.001(4) or the inactive status license fee of Rule 64B13-6.001(8), the delinquent status license fee of Rule 64B13-6.001(15), and, if applicable, the change of status fee of Rule 64B13-6.001(14).~~

(4) The delinquent status licensee who applies for active status license shall, in addition to complying with (3) immediately above, affirm compliance with the continuing education requirements of Rule 64B13-5.001, F.A.C. ~~64B13-11.001(2).~~

Specific Authority 456.036, 463.005(1) FS. Law Implemented 456.036 FS. History--New 12-22-94, Formerly 59V-11.004, Amended 8-29-99, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE TITLE: RULE NO.:

Continuing Education Credits 64B16-26.103

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text with regard to continuing education in the subject area of risk management.

SUBJECT AREA TO BE ADDRESSED: Continuing education credits.

SPECIFIC AUTHORITY: 456.033, 465.009 FS.

LAW IMPLEMENTED: 456.033, 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 IS: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-26.103 Continuing Education Credits.

(1) through (4) No change.

(5) Five hours of continuing education in the subject area of risk management may be obtained by attending one full day or eight (8) hours of a board meeting at which disciplinary hearings are conducted by the Board of Pharmacy in compliance with the following:

(a) through (b) No change.

(c) The licensee must sign out with the Executive Director or designee of the Board at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. A licensee may receive CE credit in risk management for attending the board meeting only if he or she is attending on that date solely for that purpose; he or she may not receive such credit if appearing at the Board meeting for another purpose. The maximum CE hours allowable per biennium under this paragraph shall be ten (10).

(6) through (7) No change.

Specific Authority 456.033, 465.009 FS. Law Implemented 456.033, 465.009 FS. History—New 3-19-79, Formerly 21S-6.07, Amended 1-7-87, Formerly 21S-6.007, Amended 7-31-91, 10-14-91, Formerly 21S-26.103, 61F10-26.103, Amended 7-1-97, Formerly 59X-26.103, Amended 7-11-00,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE TITLE: Prescription Refills

RULE NO.: 64B16-28.114

PURPOSE AND EFFECT: The Board proposes to amend this rule to clarify the rule text with regard to prescription refills.

SUBJECT AREA TO BE ADDRESSED: Prescription refills.

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

LAW IMPLEMENTED: 465.022 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: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-28.114 Prescription Refills.

No prescription may be refilled for a period in excess of one (1) year from the date of issuance of the original writing dispensing of the prescription.

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

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE TITLE: Unprofessional Conduct; Definition

RULE NO.: 64B32-5.003

PURPOSE AND EFFECT: The Board proposes to revise the existing rule text after considering statutory revisions to Chapter 456, F.S., to make the rule consistent with statutory intent.

SUBJECT AREA TO BE ADDRESSED: Unprofessional Conduct; Definition.

SPECIFIC AUTHORITY: 468.353(1), 468.365(1)(f) FS.

LAW IMPLEMENTED: 468.365(1)(f) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WILL BE HELD AT THE TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B32-5.003 Unprofessional Conduct; Definition.

A licensee is guilty of unprofessional conduct when he commits any of the following:

(1) Violates the confidentiality of information or knowledge concerning a patient.

~~(2) Has inaccurately recorded, falsified, or altered patient records, including, but not limited to, patient charts or medication administration records.~~

~~(2)(3)~~ Has falsely misrepresented the facts on an application for employment as a respiratory therapist or a respiratory therapy technician.

~~(3)(4)~~ Leaves a respiratory therapy assignment before properly advising appropriate personnel.

~~(5) Discriminates on the basis of race, creed, religion, sex, age, or national origin in the rendering of respiratory therapy services as it relates to human rights and the dignity of an individual.~~

~~(6) Impersonates or acts as a proxy for an applicant in any examination required for certification or registration.~~

~~(7) Impersonates another certified or registered practitioner or permits another person to use his certificate or registration for the purpose of practicing respiratory therapy for compensation.~~

~~(4)(8)~~ Has provided false or incorrect information to an employer regarding the status of the certification or registration.

(5) Fails to report another licensee in violation of the laws and/or rules pertaining to the profession.

(6) Uses foul or abusive language in patient care or public areas.

Specific Authority 468.353(1), 468.365(1)(f) FS. Law Implemented 468.365(1)(f) FS. History—New 4-29-85, Formerly 21M-37.02, 21M-37.002, 61F6-37.002, 59R-74.002, 64B8-74.002, Amended.

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE TITLE: RULE NO.:

Citations 64B32-5.007

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

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077 FS.

LAW IMPLEMENTED: 456.077 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WILL BE HELD AT THE TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B32-5.007 Citations.

(1) No change.

(2) The following violations with accompanying penalty may be disposed of by citation with the specified penalty:

(a) Violations of Sections 468.361(2), (3), or (4), ~~or 468.357(3), Florida Statutes:~~ within six months of the date citation is issued, licensee must submit certified documentation of completion of all the CE requirements for the period for

which the citation was issued; prior to renewing the license for the next biennium, licensee must document compliance with the CE requirements for the relevant period; AND

- 1. Failure to document HIV/AIDS continuing education requirement \$100 fine
- 2. Documentation of some but not all of the 24 hours of required continuing education for license renewal \$50 fine for each hour not documented
- 3. Documentation of some but not all of the 20 hours of continuing education required by Section 468.357(3) \$50 fine for each hour not documented

(b) Violation of any portion of Rule 64B32-5.003 for unprofessional conduct \$300 fine.

~~(c)(b)~~ Practicing on a delinquent license, if the license is renewed to active status within 120 days of the date the license should have been renewed: \$50 fine for each month or part thereof.

~~(d)(e)~~ Failure to notify the Board of current address as required by Rule 64B32-1.006, F.A.C.: \$50 \$25 fine.

~~(e)(d)~~ Failure to keep written respiratory care records justifying the reason for the action taken by the certificate holder or registrant on only one patient: \$100 fine.

~~(e) Obtaining certification or registration renewal by fraud or misrepresentation in violation of Section 468.365(1)(a), Florida Statutes: \$1,000 fine.~~

(f) Circulating misleading advertising in violation of Section 468.365(1)(e): \$500 fine.

(g) Exercising influence on a patient to exploit the patient for financial gain by promoting or selling services, goods, appliances or drugs, where the patient has received a refund within 30 days of purchase: \$1,000 fine.

(h) Failure to submit compliance documentation within 45 days from the receipt of the continuing education audit notification. \$150 fine.

(i) Failure to provide satisfaction including the costs incurred within 45 days of receipt of the Department's Notification of a check dishonored for Insufficient funds. \$150 fine.

(3) through (6) No change.

Specific Authority 456.077 FS. Law Implemented 456.072(3), 456.077 FS. History—New 5-19-96, Formerly 59R-74.006, 64B8-74.006, Amended.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation**

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Child Care Standards 65C-22

**PURPOSE AND EFFECT:** The modifications contained in this document will ensure age appropriate child care standards for school age children; will allow for a credentialed director to supervise multiple before-school and after-school sites; and will delete the requirement for documentation of a negative tuberculosis test for child care personnel.

**SUBJECT AREA TO BE ADDRESSED:** Child Care Standards.

**SPECIFIC AUTHORITY:** Chapter 2001-170, LOF, 402.305(2) FS.

**LAW IMPLEMENTED:** Chapter 2001-170, LOF, 402.305(2) FS.

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

**TIME AND DATE:** 10:00 a.m., August 6, 2001

**PLACE:** Conference Room 361, Building 6, 1317 Winewood Blvd., Tallahassee, FL 32399

The purpose of the workshop will be to draft rules in Chapter 65C-22, F.A.C., which will ensure age appropriate child care standards for school age children; will allow for a credentialed director to supervise multiple before-school; and will delete the requirement for documentation of a negative tuberculosis test for child care personnel.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Cindy Brown, Licensing Specialist, Room 389-A, Building 6, 1317 Winewood Blvd., Tallahassee, FL 32399, (850)488-4900

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation**

**RULE TITLE:** Training

**RULE NO.:** 65C-22.003

**PURPOSE AND EFFECT:** The minimum standards in this document will add the training certificate form number which is required to document completion of the Observation of Developmental Behaviors Module, will amend the number of introductory child care training modules that may be exempted by successfully completing module exemption tests, and will amend the minimum passing score required to successfully complete the exemption tests.

**SUBJECT AREA TO BE ADDRESSED:** Child Care Standards.

**SPECIFIC AUTHORITY:** 402.305(2),(3) FS.

**LAW IMPLEMENTED:** 402.305(2),(3) 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., August 3, 2001

**PLACE:** Room 355, Bldg. 6, 1317 Winewood Blvd., Tallahassee, FL 32399

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Cindy Brown, Licensing Specialist, Room 389-A, Building 6, 1317 Winewood Blvd., Tallahassee, FL 32399, (850)488-4900

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

65C-22.003 Training.

- (1) No change.
- (2) Training Requirements.
- (a) through (b) No change.

(c) Documentation. Training certificates are issued by training coordinating agencies upon the completion of training.

1. Part I (Modules I through IV) must be documented on CF-FSP Form 5154, Oct. 96, Part I (Module V) must be documented on CF-FSP 5243, Sept. 2000, the Department's Introductory Child Care Training Course Certificate (Part I), and Part II must be documented on CF-FSP Form 5166, Oct. 96, the Department's Specialized Training Module Certificates (Part II), which are incorporated by reference.

2. No change.

(3) Exemptions from Part I of the Introductory Child Care Course.

(a) Child care personnel can be exempt from any of the five (5) four (4) introductory child care training modules by successfully completing module exemption tests with an seventy (70) eighty (80) percent or better score. Exemption tests will be offered by the training coordinating agency, or its designee.

(b) No change.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 7-2-98, 3-17-99, 7-26-00, \_\_\_\_\_.

**FLORIDA HOUSING FINANCE CORPORATION**

**RULE CHAPTER TITLE:** Multifamily Mortgage Revenue

**RULE CHAPTER NO.:**

Bond Program 67-21

**RULE TITLES:** Definitions 67-21.002

Application and Selection Process for Loans 67-21.003

Applicant Administrative Appeal Process 67-21.0035

Federal Set-Aside 67-21.004

Public Policy Criteria Requirements 67-21.0041

Determination of Method of Bond Sale 67-21.0045

Selection of Qualified Lending Institutions

as Credit Underwriters, Originators

or Servicers 67-21.005

Development Requirements 67-21.006

Fees 67-21.007

Terms and Conditions of Loans 67-21.008

Interest Rate on Mortgage Loans 67-21.009

Issuance of Revenue Bonds	67-21.010
No Discrimination	67-21.011
Advertisements	67-21.012
Private Placements of Multifamily Mortgage Revenue Bonds	67-21.013
Credit Underwriting Procedures	67-21.014
Use of Bonds with other Affordable Housing Finance Programs	67-21.015
Compliance Procedures	67-21.016
Transfer of Ownership	67-21.017
Refundings and Troubled Development Review	67-21.018
Issuance of Bonds for 501(c)(3) Corporations	67-21.019

**PURPOSE AND EFFECT:** The purpose of Rule Chapter 67-21, Florida Administrative Code (F.A.C.), is to establish the procedures by which the Florida Housing Finance Corporation shall administer the application process, determine loan amounts and issue multifamily mortgage revenue bonds for new construction or substantial rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond Program.

**SUBJECT AREA TO BE ADDRESSED:** A Rule Development Workshop will be held to receive comments and suggestions from all interested persons relative to the 2002 proposed Rule, application process and program requirements for the Multifamily Mortgage Revenue Bond Program as specified in Rule Chapter 67-21, F.A.C.

**SPECIFIC AUTHORITY:** 420.507, 420.508 FS.

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

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

**TIME AND DATE:** Immediately following the Florida Housing's Board Meeting on August 9, 2001

**PLACE:** Hyatt Regency, Westshore, 6200 Courtney Campbell Causeway, Tampa, Florida 33607

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

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

**FLORIDA HOUSING FINANCE CORPORATION**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Purpose and Intent	67-48.001
Definitions	67-48.002

Notice of Funding or Credit Availability	67-48.003
Application and Selection Procedures for Developments	67-48.004
Applicant Administrative Appeal Procedures	67-48.005
Compliance and Reporting Requirements	67-48.006
Fees	67-48.007
SAIL General Program Procedures and Restrictions	67-48.009
Additional SAIL Application Ranking and Selection Procedures	67-48.0095
Terms and Conditions of SAIL Loans	67-48.010
Sale or Transfer of a SAIL Development	67-48.0105
SAIL Credit Underwriting and Loan Procedures	67-48.012
SAIL Construction Disbursements and Permanent Loan Servicing	67-48.013
HOME General Program Procedures and Restrictions	67-48.014
Match Contribution Requirement for HOME Allocation	67-48.015
Eligible HOME Activities	67-48.017
Eligible HOME Applicants	67-48.018
Eligible and Ineligible HOME Development Costs	67-48.019
Terms and Conditions of Loans for HOME Rental Developments	67-48.020
Sale or Transfer of a HOME Development	67-48.0205
HOME Credit Underwriting and Loan Procedures	67-48.021
HOME Disbursements Procedures and Loan Servicing	67-48.022
HC General Program Procedures and Requirements	67-48.023
Qualified Allocation Plan	67-48.025
Housing Credit Underwriting Procedures	67-48.026
Tax-Exempt Bond-Financed Developments	67-48.027
Carryover Allocation Provisions	67-48.028
Extended Use Agreement	67-48.029
Sale or Transfer of a Housing Credit Development	67-48.030
Termination of Extended Use Agreement and Disposition of Housing Credit Developments	67-48.031

**PURPOSE AND EFFECT:** The purpose of this Rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.



**SUBJECT AREA TO BE ADDRESSED:** The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2002 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation's 2001 Qualified Allocation Plan (QAP).

**SPECIFIC AUTHORITY:** 420.507 FS.

**LAW IMPLEMENTED:** 420.5087, 420.5089, 420.5099 FS.

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

**TIME AND DATE:** Immediately following the Board Meeting, August 9, 2001

**PLACE:** Hyatt Regency, Westshore, 6200 Courtney Campbell Causeway, Tampa, Florida 33607

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

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

**SUMMARY:** The proposed rule provides an exemption from securities registration requirements of Section 517.07, Florida Statutes, for certain written employer-sponsored compensatory benefit plans or contracts.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** No statement of estimated regulatory cost has been prepared.

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

**SPECIFIC AUTHORITY:** 517.03(1), 517.061(19) FS.

**LAW IMPLEMENTED:** 517.061(19) FS.

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

**TIME AND DATE:** 10:00 a.m., August 13, 2001

**PLACE:** Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Rick White, Financial Administrator, Division of Securities and Finance, Room 550H, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9805

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

3E-500.017 Compensatory Benefit Plan Exemption.

(1) Transactions involving the offer or sale of a security pursuant to a written pension plan, stock plan, profit-sharing plan, compensatory benefit plan (or a written compensation contract) or similar plan established by the issuer for the participation of their employees, directors, general partners, trustees, officers, or consultants and advisors, and their family members who acquire such securities from such persons through gifts or domestic relations orders, are exempt from the registration provisions of Section 517.07, F.S., if:

(a) The sale of the security meets all of the requirements of SEC Rule 701 (17 C.F.R. 230.701) as it existed on November 1, 2000;

(b) The security is sold pursuant to a plan of a type exempt under section 3(a) of the Securities Act of 1933; or

(c) The security is effectively registered under sections 6 to 8 of the Securities Act of 1933 and is offered and sold in compliance with the provisions of section 5 of the Securities Act of 1933.

(2) For the purposes of this rule, the terms "compensatory benefit plan" and "family member," shall have the same meanings as defined in SEC Rule 701 as it existed on November 1, 2000.

(3) The purpose of this rule is to provide an exemption from the registration requirements of Section 517.07, F.S., for securities issued in compensatory circumstances. This

**Section II  
Proposed Rules**

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Securities and Finance**

**RULE TITLE:** Compensatory Benefit Plan Exemption

**RULE NO.:** 3E-500.017

**PURPOSE AND EFFECT:** Pursuant to Section 517.061(19), Florida Statutes, the Department finds that the securities registration provisions of Section 517.07, Florida Statutes, are not necessary for certain employer-sponsored compensatory benefit plans or contracts because of the limited nature of the offering. The proposed rule will provide an exemption from the registration requirements of Section 517.07, Florida Statutes, for certain written employer-sponsored compensatory benefit plans or contracts that: (i) meet the requirements of Securities and Exchange Commission Rule 701 (17 CFR 230.701); (ii) is sold pursuant to a plan of a type exempt under section 3(a) of the Securities Act of 1933; (iii) or the security is registered under sections 6 to 8 of the Securities Act of 1933 and is offered and sold in compliance with section 5 of the Securities Act of 1933.

exemption is not available for plans or schemes to circumvent this purpose, such as to raise capital or to evade the registration provisions of Section 517.07, F.S.

(4) Issuers and persons making offers and sales of securities that are exempt pursuant to this rule are exempt from the registration requirements of Section 517.12, F.S., provided that:

(a) All sales of securities are made by a partner, officer, director, trustee of the issuer, or any person employed by the issuer who primarily performs substantial duties for, on behalf of the issuer, other than in connection with transactions in securities; and

(b) No commission or compensation is paid to any person for the sale of the issuer's securities unless such person is registered as a dealer in this state. For the purposes of this rule, regular compensation paid to employees of the issuer for the performance of duties not in connection with transactions in securities shall not be deemed compensation for the sale of the issuer's securities.

Specific Authority 517.03(1), 517.061(19) FS. Law Implemented 517.061(19) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rick White, Financial Administrator, Division of Securities and Finance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don B. Saxon, Director, Division of Securities and Finance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 2, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2001

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Plant Industry**

RULE CHAPTER TITLE: Citrus Canker  
RULE CHAPTER NO.: 5B-58

RULE TITLE: Citrus Canker Eradication  
RULE NO.: 5B-58.001

PURPOSE AND EFFECT: The purpose and effect is to establish procedures for implementation of the citrus canker eradication program to prevent devastation of Florida's more than \$8 billion citrus industry and dooryard citrus.

SUMMARY: The rule amendment defines the phrases "exposed to infection" and "citrus trees harboring the citrus canker bacteria due to their proximity to infected citrus trees." The rule amendment also establishes the required content of immediate Final Orders and delivery of such Final Orders in connection with the citrus canker eradication program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 570.07(21),(23), 581.031(1),(4),(5), 581.091(1), 581.0101(1), 581.184 FS.

LAW IMPLEMENTED: 570.07(2),(13),(21), 581.031(6),(7),(9),(15),(17), 581.013, 581.0101, 581.131, 581.141, 581.184, 581.211 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Gaskalla, Director, Division of Plant Industry, Department of Agriculture and Consumer Services, P. O. Box 147100, Gainesville, Florida 32614-7100, telephone number (352)372-3505

THE FULL TEXT OF THE PROPOSED RULE IS:

5B-58.001 Citrus Canker Eradication.

(1) Definitions. For the purpose of this rule, the definitions in Sections 581.011 and 581.184, Florida Statutes, and the following definitions shall apply:

(a) through (g) No change.

(h) Exposed to Infection. As set forth in s. 581.184, F.S., exposed to infection shall mean citrus trees harboring the citrus canker bacteria due to their proximity to infected citrus trees, and which do not yet exhibit visible symptoms of the disease but which will develop symptoms over time, at which point such trees will have infected other citrus trees. ~~Determined by the Department to likely harbor citrus canker bacteria because of proximity to infected plants, or probable contact with personnel, or regulated articles, or other articles that may have been contaminated with bacteria that causes citrus canker, but not expressing visible symptoms.~~

(i) through (k) No change.

(l) "Citrus trees harboring the citrus canker bacteria due to their proximity to infected citrus trees" shall mean citrus trees located within 1,900 feet of an infected citrus tree.

(2) through (3) No change.

(4) Quarantine area. An area around a site where an infestation of citrus canker is known to occur will be quarantined. The geographical boundaries of the quarantine shall be established by risk assessment procedures and will be published in a major newspaper of general distribution in each area affected and through other appropriate media. Risk assessment procedures will consider the aggressiveness of the pathogen in the field, the level of disease inoculum, the location and spatial distribution of the infected ~~and exposed~~ plants and plants exposed to infection, the variety and type of plants, the risk of spread to areas growing citrus commercially, maintenance practices, and other relevant information. An area

shall be released from quarantine provided no detections of citrus canker have occurred during a minimum two-year period of intensive survey and a declaration that citrus canker has been eradicated from the area.

(5) Control Procedures.

(a) Risk Assessment. The department shall perform risk assessment procedures to determine the steps necessary to eradicate, control, and prevent the dissemination of citrus canker. The Director shall evaluate the risk assessment requests in consultation with the Citrus Canker Risk Assessment Group Leader to determine the need to engage the services of the Citrus Canker Risk Assessment Group to conduct a full risk assessment. All citrus trees which are infected or infested shall be removed. The decision to remove ~~exposed~~ trees exposed to infection will take into consideration the recommendations of the Citrus Canker Risk Assessment Group. In developing the recommendations, the Citrus Canker Risk Assessment Group will take the following variables into consideration: property type, cultivar, cultivar susceptibility, tree size and age, size of block, tree spacing, horticultural condition, tree distribution, tree density, weather events, wind breaks, movement factors, disease strain, exposure, infection age, infection distribution, disease incidence, Asian citrus leafminer damager, survey access, security of property, sanitation, management practices, closeness of other host properties, and closeness of other infected properties.

(b) Immediate Final Orders. The Department shall issue an Immediate Final Order stating the quarantine and control methods to be implemented on the infected or exposed citrus located on the property. It may be delivered in person, by certified mail or similar common carrier, or attached to a conspicuous place on that posted on the property. Immediate final orders are not required for control action in commercial citrus groves provided the owner agrees voluntarily to the control action and enters into an agreement not to sue with the department. The Immediate Final Orders to be used by the Department in furtherance of the destruction of citrus trees under this rule, Form No. 08314, and Form No. 08315, are hereby incorporated by reference. Simultaneously with the delivery of an Immediate Final Order pursuant to this Section, the Department shall also provide the following information to the property owner:

1. The physical location of the infected tree which has necessitated destruction of the property owner's tree;
2. The diagnostic report which resulted in the infected tree is infected with the citrus canker; and
3. The distance between the infected citrus tree and the property owner's citrus trees.

(6) through (16) No change.

Specific Authority 570.07(21),(23), 581.031(1),(4),(5), 581.091(1), 581.0101(1), 581.184 FS. Law Implemented 570.07(2),(13),(21), 581.031(6),(7),(9),(15),(17), 581.083, 581.0101, 581.131, 581.141, 581.184, 581.211 FS. History--New 1-17-96, Amended 4-9-96, 5-14-97, 8-19-97, 11-19-97, 11-16-99, 7-17-00, 2-22-01,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Constance Riherd, Assistant Director, Division of Plant Industry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard Gaskalla, Director, Division of Plant Industry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 9, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 6, 2001

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

RULE CHAPTER TITLE: Permitting and Inspection

RULE CHAPTER NO.:

Requirements for Amusement Rides 5F-8

RULE TITLES: Qualified Inspectors

RULE NOS.:

5F-8.003

Exempt Nonmotorized or Human Powered

Amusement Rides 5F-8.024

PURPOSE AND EFFECT: Applicable law, Section 616.242,(3)(q)2. and 3., Florida Statutes, requires the Department to identify, by rule, educational programs that will be accepted for certification as a "qualified inspector". Section 616.242(10)(b), Florida Statutes, allows the Department to exempt from inspection and permitting, by rule, certain human powered equipment which might otherwise be classified as amusement rides. The purpose and effect of revising these rules is to identify certain educational programs which will be recognized as meeting education requirements for qualified inspectors and to exempt certain human powered equipment from permitting and inspection as amusement rides.

SUMMARY: Rule 5F-8.003, Florida Administrative Code, is the department rule defining educational requirements for qualified inspectors and Rule 5F-8.024, Florida Administrative Code, is a proposed Department Rule which excludes certain human powered equipment from permitting and inspection as amusement rides by the Department as required by s. 616.242(10)(b), F.S.

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

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

SPECIFIC AUTHORITY: 616.241, 616.242 FS.

LAWS IMPLEMENTED: 616.241, 616.242(3)(q), (4)(b),(10)(b) FS.

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

TIME AND DATE: 10:00 a.m., August 14, 2001

PLACE: Division of Standards Conference Room, 131 Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Isadore Rommes, Bureau Chief, Bureau of Fair Ride Inspections, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650, Phone (850)488-9790, Fax (850)488-9023

THE FULL TEXT OF THE PROPOSED RULES IS:

5F-8.003 Qualified Inspectors.

(1) Each person seeking to perform amusement ride inspections as a qualified inspector for an insurance underwriter and execute the Affidavit of Compliance or Affidavit of Nondestructive Testing required for the annual permit, shall provide the department the following documents:

(a) Written certification from an insurance company that the applicant is an employee or agent of the company and is authorized to act as a qualified inspector for that insurance company, which is insuring the amusement ride; and

(b) Written references verifying employment dates together with names and addresses of employers for such period of time as will demonstrate the required experience in the amusement ride field; at least two years of which were involved in actual ride inspection with an amusement ride manufacturer, government agency, park, carnival or insurance company; and

(c) A written statement or certificate from a school or seminar which demonstrates at least eighty hours of formal education from a school or seminar for amusement ride inspection or ride safety, which is approved by rule of the department, during the past five years. Nondestructive testing training that meets the requirements of American Society of Nondestructive Testing (ASNT), may be substituted for up to half of the required hours of formal education; and

(d) A written statement or certificate from a school or sponsor of a seminar showing thirty two hours per year of continuing education annually at a school or schools, or a seminar, approved by the department. These continuing education hours may include in-service industry or manufacturer updates and seminars. Curriculum subjects considered for credits are ~~only~~ those subjects included in schools or seminars conducted or sponsored by: National Association of Amusement Ride Safety Officials (NAARSO), Amusement Industry Manufacturers and Suppliers International (AIMS), Council for Amusement and Recreational Equipment Safety (CARES), Glenn Barclay and Associates or any nationally recognized amusement ride organization, ride inspector or ride safety training programs conducted or sanctioned by state or local government amusement ride regulatory agencies in any jurisdiction, exempt permanent facilities in the state of Florida, and vocational training programs that reasonably relate to amusement ride

safety or inspection, or other nationally recognized programs relating to amusement ride inspection or ride safety in their respective school. Nondestructive testing training that meets the requirements of ASNT may be substituted for up to half of the required hours of continuing education.

(e) If the applicant possesses the requisite qualifications the department will provide the applicant a letter designating that person as a qualified inspector for the purpose of executing the Affidavit of Compliance and Affidavit of Nondestructive testing required for the annual permit and will assign a qualified inspector number which shall be used when executing the required affidavits. The letter of authorization and qualified inspector number issued by the department to a qualified inspector shall be valid for up to one year, if the applicant continuously possesses the qualifications required by s. 616.242(1), F.S.

(f) The department acknowledges the amusement ride inspection, safety and education programs of NAARSO, AIMS, CNA Insurance, Glynn Barclay and Associates, and the Pennsylvania Amusement Ride Safety Seminar, as educational programs meeting the department's requirements to certify a qualified inspector.

(g) A sponsor or an attendee of any school or seminar that concerns, or is reasonably related to, amusement ride inspection or ride safety may request consideration as an educational program which meets the requirements of this rule by contacting the Bureau Chief, Bureau of Fair Ride Inspections, Suite N, Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, Phone 850/488-9790; FAX: 850/488-9023.

(2) Each person seeking authorization to perform amusement ride inspection as a professional engineer (PE) and execute the Affidavit of Compliance or Affidavit of Nondestructive Testing required for the Annual Permit shall submit to the department a copy of his or her professional engineer's license issued by the Department of Business and Professional Regulation of the State of Florida or the equivalent licensing body in another state. Upon receipt of proof of current licensure the department will provide the applicant a letter of authorization to act as a qualified inspector, and will assign a qualified inspector number which shall be used when executing any required affidavit, for the purpose of executing the Affidavit of Compliance and Affidavit of Nondestructive testing required for the annual permit. The letter of authorization and qualified inspector number shall remain valid for up to one year, or until expiration of the professional engineer's license and may be renewed upon presentation of the new professional engineer's license.

(3) When a qualified inspector or PE ceases to possess the qualifications required by s. 616.242(1), F.S., the letter of authorization from the department shall be void, and that

person shall immediately notify the department, cease to act as a qualified inspector and surrender the letter of authorization back to the department.

Specific Authority 616.165, 616.242(3)(q),(5) FS. Law Implemented 616.242 FS. (2000) History–New 9-15-92, Amended 2-23-94, 2-14-99, \_\_\_\_\_.

5F-8.024 Exempt Nonmotorized or Human Powered Amusement Rides.

The following amusement rides, and those of comparable construction or function, are exempt from permitting and inspection by the Department pursuant to s. 616.242(10)(b), F.S., because they are nonmotorized or human powered.

(1) Orbitron, Gyro Sphere or other comparable equipment that allows the patron to rotate on several axes without mechanical assistance.

(2) Climbing Walls, Rock Climbs or other comparable equipment, which allows the patron to climb a vertical wall without mechanical assistance.

(3) Trampolines, or other comparable equipment, which use elastic cords to prevent a patron from falling from the trampoline. The elastic cords also assist the patron with jumping, but no additional mechanical assistance is provided.

(4) Single carrier “Spin the Apple” ride or other comparable equipment, which is mounted in a stationary position and is not motorized. The patron rotates the carrier by physically pushing against a wheel on the ride center.

(5) A “Swinging Gym” or other comparable equipment where the patron, through physical effort, swings on a frame supported platform and attempts to propel the platform in a 360 degree arc.

(6) “Ore cars” or other comparable equipment which are human powered train cars that are propelled around a flat track by the patron’s physical effort.

Specific Authority 616.165, 616.242 (4)(b),(10)(b) FS. Law Implemented 616.242 FS. (2000) History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Isadore Rommes, Bureau Chief, Bureau of Fair Rides Inspection 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650, Phone (850)488-9790, Fax (850)488-9023

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards, 131 Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, Phone (850)488-0645, Fax (850)922-8971

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 9, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 8, 2001 in Vol. 27, No. 23, FAW

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE: Incorporation by Reference  
 RULE CHAPTER NO.: 14-15

RULE TITLE: Manual on Uniform Traffic Control Devices  
 RULE NO.: 14-15.010

PURPOSE AND EFFECT: This is a fast track amendment to Rule 14-15.010, F.A.C., to adopt Errata No. 1 to the new Millennium Edition (December 2000) *Manual on Uniform Traffic Control Devices*, under the provisions of Section 120.54(6), Florida Statutes.

SUMMARY: This amendment adopts Errata No. 1 to the Millennium Edition (December 2000) *Manual on Uniform Traffic Control Devices*, under the provisions of Section 120.54(6), Florida Statutes.

SPECIFIC AUTHORITY: 316.0745(1), 334.044(2) FS.  
 LAW IMPLEMENTED: 316.0745(2),(3),(7), 335.09, 335.14, 339.05 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), FLORIDA STATUTES.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

14-15.010 Manual on Uniform Traffic Control Devices. The Federal Highway Administration *Manual on Uniform Traffic Control Devices*, Millennium Edition (December 2000), which became effective January 17, 2001, as amended by Errata No. 1 dated June 14, 2001, is hereby incorporated by this rule and made a part of the rules of the Department of Transportation. This federal document is available for downloading from the internet at the Federal Highway Administration’s website as listed as follows: <http://mutcd.fhwa.dot.gov/kno-millennium.htm>. A certified copy has been filed with the Department of State.  
PROPOSED EFFECTIVE DATE: August 15, 2001.

Specific Authority 316.0745(1), 334.044(2) FS. Law Implemented 316.0745(2),(3),(7), 335.09, 335.14, 339.05 FS. History–New 7-15-79, Amended 1-8-81, 8-15-85, Formerly 14-15.10, Amended 11-29-89, 4-25-95, 1-15-99, 4-5-00, 3-7-01, 8-15-01.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Highway Beautification and Landscape Management	14-40
RULE TITLES:	RULE NOS.:
Grant Process	14-40.020
Funding, Construction, and Maintenance of Beautification Projects	14-40.021
Florida Highway Beautification Council Grant Process	14-40.022

PURPOSE AND EFFECT: Part II, Florida Highway Beautification Council, is being amended. Part I, General Provisions, and Part III, Vegetation Management at Outdoor Advertising Signs, are being amended by a separate notice.

SUMMARY: This is an amendment to Part II, Florida Highway Beautification Council Grants.

SPECIFIC AUTHORITY: 334.044(2), 337.2505(1), 339.2405 FS.

LAW IMPLEMENTED: 335.167, 337.405, 339.2405 FS.

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 regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-40.020 Grant ~~Process Procedure~~.

(1) Definitions.

(a) "Applicant" means a local governmental entity, as defined in Section 11.45(1)(d), Florida Statutes, or a local highway beautification council.

(b) "Department" means the Florida Department of Transportation.

(c) "FHBC" means the Florida Highway Beautification Council.

(2)(+) Application Process Procedure.

(a) Applications for highway beautification grants from the Florida Highway Beautification Council (FHBC) ~~must~~ shall be filed and processed in accordance with this Rule Chapter. ~~The grant application procedure shall be administered by the Department District Maintenance Engineers. Applicants should contact the appropriate District Maintenance Office~~

~~prior to beginning the application process to determine if the proposed Highway Beautification Project is within the limits of a proposed Department construction project in the five year work program to avoid conflicts with future proposed construction. Applicants should meet and work with the District during preparation of the application and landscape plan. The specific processing steps to be followed are:~~

1. Prior to submitting a grant request, applicants must prepare a landscape plan and have it reviewed by the District Landscape Manager. Following the review, the applicant must make any plan revisions required by the District Landscape Manager prior to approval. The plan shall be prepared in accordance with this rule chapter. The Department's landscape plan review, revision, and approval process may require up to 120 days.

2.1. After the landscape plan has been approved by the District Landscape Manager, in accordance with subsection 1. above, the applicant ~~must shall~~ submit grant requests on a completed Florida Highway Beautification Council Grant Application, Form 850-060-01, Rev. 04/00 08/97, (hereinafter "grant application") incorporated herein by reference, to the Department District Maintenance Engineer having jurisdiction over the state highway on which the beautification project is proposed. Copies of the grant application form and instructions for completing the grant application may be obtained from Department District Maintenance Offices, District Public Information Offices, Area Maintenance Offices, Central Public Information Office, or by writing to the Environmental Management Office, 605 Suwannee Street, Mail Station 37, Tallahassee, Florida 32399-0450. The grant ~~This~~ application ~~must shall~~ designate the Department fiscal year in which the grant applicant would like the application considered ~~for FHBC action and possible funding~~. The grant application ~~must~~ is to be accompanied by the draft agreements and plans which were approved in accordance with subsection 1. above as described in Rule Section 14-40.003(3).

3.2. The grant application ~~must shall~~ be complete and ~~must shall~~ contain all of the information required in Section 339.2405(11), Florida Statutes. ~~The specific information required shall be documented and explained on the application.~~ The applicant may make corrections, additions, or deletions to the grant applications and resubmit ~~the grant application them~~ at any time prior to the due date as required in ~~s~~Subparagraph ~~4.3.~~ below.

4.3. Grant aApplications may be submitted at any time of the year. In order for the FHBC to consider ~~an~~ a grant application for any Department state fiscal year, ten copies of the completed grant an application must be received by the appropriate District Maintenance Engineer by February 1 of the prior Department fiscal year. When requested by the District Maintenance Engineer, additional copies will be provided. Incomplete grant Any applications will received after the due date for the requested fiscal year shall be returned

to the applicant. An applicant may resubmit any returned grant application for consideration for a future fiscal year. Grant applications which are not accompanied by an approved set of plans will not be considered complete. Accordingly, it is the responsibility of the applicant to submit plans for approval under subsection 1. in time to allow approval prior to the grant application submittal deadline for the appropriate Department fiscal year.

5. In accordance with Section 215.01, Florida Statutes, the Department's fiscal year begins on July 1 and ends on June 30.

~~6.(b) In order to distribute the available funds to the greatest number of applicants, each grant award shall be limited to a maximum of 10% of the total Florida Highway Beautification Council Grants budget, or \$25,000, whichever is greater. Applicants may submit an unlimited number of grant requests, for any number of project sites.~~

~~(2) Processing Applications. Upon receipt of an application, the District Maintenance Engineer, within 90 days, shall review and determine whether the application meets the requirements of this rule.~~

~~(a) The proposal must meet all federal and state regulations and all Department requirements for safety as related to the placement of plant materials within the Department's right of way as contained in Rule Section 14-40.003(3). Copies of the incorporated materials may be obtained by writing to: Environmental Management Office, 605 Suwannee Street, Mail Station 37, Tallahassee, Florida 32399-0450.~~

~~7.(b) The applicant's governing body must have passed a resolution approving the grant application and authorizing the individual who signs the grant application for chief executive officer of the local government to execute agreements and documents associated with the grant request, including a Highway Beautification Grant Agreement. A copy of such resolution shall be included with the application.~~

~~(c) Signing and sealing of landscaping plans submitted for consideration under the grant program shall be in accordance with Part II of Chapter 481, Florida Statutes, Landscape Architecture.~~

~~(d) After the District Maintenance Engineer has determined that the application is sufficient, the District Maintenance Engineer shall sign the application and forward the application to the FHBC staff coordinator. This signature will indicate to the FHBC that the application is sufficient, and that it is ready for action by the FHBC. The Department will return to the applicant any applications which are not sufficient.~~

~~(e) The FHBC staff coordinator shall maintain a file of all sufficient applications received. A report shall also be maintained identifying all applications which have been received, reviewed, and approved by the Department on which the FHBC has not taken action. This report shall be provided to the FHBC Chairman at intervals determined by the FHBC.~~

(3) Award of Grants.

(a) The FHBC ~~must shall~~ provide the Department a list of prioritized projects with recommended funding levels by the first day of the fiscal year. In order to distribute the available funds to the greatest number of applicants, each grant award must be limited to a maximum of 10% of the total FHBC grants budget, or \$25,000, whichever is greater.

(b) Offers of grant awards ~~must shall~~ be made by the Department by certified letter to the applicant named in the grant application, detailing the grant award.

(c) An applicant ~~must shall~~ accept a grant by sending a certified letter of acceptance by certified mail to the Department's District Secretary, with copies to the Department's District Maintenance Engineer and the FHBC staff coordinator, so stating within a period of 15 days from the date of receipt of the offer of the award.

~~(d) The responsible District will execute all necessary agreements or notify the FHBC Staff Coordinator if those agreements cannot be executed. No funds will be released by the Department until the Grant Agreement, and any construction and maintenance agreements, all necessary agreements are executed.~~

(e) All funding of grants is contingent upon legislative appropriations.

(4) Execution of Grant Agreement.

(a) It will be the responsibility of the applicant to ensure that the Grant Agreement, and any other construction and maintenance agreements ~~all agreements~~ associated with the grant proposal, are fully executed by the applicant within a ~~period of~~ 90 days after the agreements are sent to the applicant by the District ~~for execution~~. Failure to comply with this requirement will result in the grant offer being withdrawn. The grant may be awarded to another applicant. Future Grant applications from an this applicant who fails to comply with this subsection will not shall neither be accepted nor ranked for a period of two grant years.

(b) The Grant Agreement between the applicant and the Department must state shall stipulate:

1. ~~The intended use of the~~ What is to be accomplished using grant monies, as described in the grant application.

2. The payment terms for the grant (e.g., lump sum reimbursement or progress payments for long term work).

3. Any ~~penalties or~~ actions which the Department will take in the event of noncompliance by the applicant local government.

4. The methods to be used by the Department to determine compliance with the terms of the grant and the agreement.

Specific Authority 334.044(2), 337.2505(1) FS. Law Implemented 335.167, 337.405, 339.2405 FS. History—New 1-19-99, Amended.

14-40.021 Funding, Construction, and Maintenance of Beautification Projects.

(1) Grant Agreement Required Prior to Funding Project.

(a) A Florida State Highway Beautification Grant requested under this Rule Chapter may not be funded until a Grant Agreement, and any construction and maintenance agreements, have highway beautification grant agreement has been executed between the Department and the applicant appropriate local government entity.

(b) If a Highway Beautification Grant is awarded for a location where a Grant Agreement, or any highway landscape construction and maintenance memorandum of agreements, or a highway landscaping maintenance memorandum of agreement already exists between the Department and a the applicant local government, that location must the area of the Highway Beautification Grant shall be removed from the Grant Agreement and any construction or maintenance agreements area compensated for by the agreement to ensure that no overlapping payments will be provided by the Department.

(2) Review of Landscape Project During and After Construction.

~~(a) The District Secretary shall ensure that the terms of the agreements executed under this Rule Chapter are enforced.~~

~~(a)(b) The FHBC has reserves the right to inspect and/or review landscape projects funded by FHBC grants for completeness, during construction, prior to final acceptance by the Department. The District Maintenance Engineer shall notify the FHBC Staff Coordinator 30 days prior to final acceptance of a project to allow for such a review by the FHBC.~~

~~(b)(e) The Department must FHBC staff coordinator or a designee shall review and approve construction of the landscape project's as a condition of construction prior to final acceptance.~~

~~(c)(d) The individual(s) who signed the agreements on behalf of the grant recipient, or the grant recipient's designee, shall certify that the project is implemented as specified in the Grant Agreement, and any cConstruction and mMaintenance aAgreements, and shall provide a certification of completion before the final invoice is submitted for the project.~~

Specific Authority 334.044(2), 337.2505(1) FS. Law Implemented 335.167, 337.405, 339.2405 FS. History--New 1-19-99, Amended \_\_\_\_\_.

14-40.022 Florida Highway Beautification Council Grant Process Procedure.

This rule sets forth the FHBC's process Florida Highway Beautification Council's procedure for evaluating and ranking applications for grants, pursuant to Section 339.2405(7)(a)4., Florida Statutes.

(1) The FHBC Council will develop a prioritized list, ranked in numerical order, of all applications reported to be sufficient by the Department's of Transportation's District Maintenance Engineer.

(a) The FHBC Council will evaluate the applications based on the following attributes:

1. Appropriateness of the design for the location.

2. Use of desirable native, hybrid native, or naturalized plant materials.

3. Use of wildflowers.

4. Irrigation requirements matched to plant needs and water conservation requirements.

5. Emphasis on low maintenance requirements.

6. Aesthetic values.

7. Contribution to noise abatement, visual screening, and/or the correction of other environmental problems.

8. Evidence of local governmental and community support.

9. Use of imaginative design concepts.

10. Provisions for minimal impacts on traffic safety during maintenance operations.

11. Contribution to an area wide or regional beautification plan.

12. Cost effectiveness.

13. Feasibility of installation and maintenance.

14. Demonstration of the use of environmentally sensitive materials, such as solid yard waste compost as described in Rule 62-709.515, F.A.C., or the use of reuse water, in the construction or maintenance of the project for which a Florida Department of Environmental Protection permit is required, ~~in the construction or maintenance of the project.~~

15. Value to the community.

(b) The FHBC Council will assign a numerical score to each application by:

1. Establishing a range of numbers weighted for each attribute. Each attribute is assigned a value range of ten points, for a total possible score of 150 ~~140~~.

2. Reviewing each application and assigning a numerical score in the established range for each attribute.

3. Summing all the attribute scores for a total application numerical score.

(c) Applications will shall be ranked in priority by numerical score, the highest numerical score being ranked the highest priority.

(d) Applicants Cities and counties that have not maintained their landscape projects according to the terms of a Grant Agreement, and any construction or maintenance agreements highway landscape construction and maintenance memorandum of agreement or a highway landscaping maintenance memorandum of agreement, and have not corrected deficiencies within the allotted time addressed by the agreement, shall not be eligible for a grant for a two-year period.

(2) The FHBC Council will provide the Department ~~of Transportation~~ with a list of prioritized projects, with recommended funding levels, by the first day of the fiscal year in which the funds are available.

Specific Authority 339.2405 FS. Law Implemented 339.2405(7)(a)4. FS. History--New 3-9-99, Amended \_\_\_\_\_.



NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Jeff Caster  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Kenneth Morefield, Assistant  
 Secretary for Transportation Policy, for Thomas F. Barry, Jr.,  
 P.E., Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: July 10, 2001  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: March 30, 2001

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE:                      RULE CHAPTER NO.:  
 Conformance of Nongovernmental                      14-110  
     Entities to Uniform System of  
     Traffic Control Devices

RULE TITLE:    RULE NO.:  
 Conformance of Nongovernmental Entities to  
     Uniform System of Traffic Control Devices                      14-110.001

PURPOSE AND EFFECT: The subject rule is identical to the law implemented, being Section 316.0747(2), Florida Statutes, except for one closing gratuitous and unnecessary sentence. Further the *Manual on Uniform Traffic Control Devices (MUTCD)*, incorporated by reference under Rule 14-15.010, already applies to signs and other traffic control devices in the state.

SUMMARY: The rule, which essentially is the same as Section 316.0747(2), Florida Statutes, needs to be repealed.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 316.0745, 316.0747 FS.

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

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

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: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

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

14-110.001 Conformance of Nongovernmental Entities to Uniform System of Traffic Control Devices.

Specific Authority 334.044(2) FS. Law Implemented 316.0745, 316.0747 FS. History—New 7-6-93, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Jack Brown, State Traffic Operations Engineer  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Kenneth Morefield, Assistant  
 Secretary for Transportation Policy, for Thomas F. Barry, Jr.,  
 P.E., Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: July 10, 2001

**DEPARTMENT OF CORRECTIONS**

RULE TITLES:    RULE NOS.:  
 Food Services – Definitions    33-204.002  
 Food Services – Standards of Operation    33-204.003

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to correct technical matters, add applicable definitions, and clarify procedures relating to food service.

SUMMARY: The proposed rules adds applicable history notes for the rules, clarifies titles of key staff members, updates references to forms, adds definitions for applicable terms, adds provisions relating to the National Child Nutrition Program, and clarifies procedures for substitutions from the master menu.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.; Child Nutrition Act of 1966, 42 USC § 1773, Richard B. Russell National School Lunch Act, 42 USC § 1751 et seq.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Giselle Lysten Rivera, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

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

33-204.002 Food Services – Definitions.

For the purposes of this chapter:

(1) “Master menu” means the menu which is designed to be served at all facilities to provide uniformity in items served to each inmate. The master menu shall be planned under the direction of the department’s master menu committee. It should be certified nutritionally adequate as determined by a licensed registered dietitian. The master menu shall provide all Recommended Dietary Allowances or Dietary Reference Intakes as established by the Food and Nutrition Board of the

National Academy of Sciences. The Recommended Dietary Allowances and Dietary Reference Intakes are incorporated by reference in Rule 33-204.003, F.A.C.

(2) through (3) No change.

(4) "Master Menu Committee" consists of the central office's Bureau of Food Services staff as designated by the bureau chief, the public health nutrition program manager, the field food service ~~managers~~ ~~coordinators~~, the central office food service managers, and the field public health nutrition consultants. The chief of food services has the authority to invite other staff.

(5) "Centers" refers to work release centers, ~~probation and restitution centers~~ and drug treatment centers.

(6) "National Child Nutrition Program." (NCNP), refers to the National School Breakfast Program and School Lunch Program through which reimbursement is received by the department for eligible breakfast and lunch meals. Eligible meals contain specifically required components as defined by the program for the purpose of meeting minimal nutritional requirements. The Food and Nutrition Service, a subdivision of the United States Department of Agriculture, administers the programs which have as their objective the provision of a healthful diet and nutrition in a manner that supports American agriculture and inspires public confidence, pursuant to the Child Nutrition Act of 1966, 42 USC § 1773, and the Richard B. Russell National School Lunch Act, 42 USC § 1751 et seq. The department utilizes the programs to provide enhanced nutrition for qualified and participating inmates under the age of 21 at participating facilities. To qualify and participate, the inmate must be under the age of 21, be housed in an NCNP designated housing, and be located at a participating facility.

(7) "Master Menu Manual" refers to that food service technical manual that provides procedural information, such as daily menus, production sheets, and recipes for the service of the regular menu, the alternate entrée and vegan meal pattern, religious and secular holiday menus, the special management meal, and sack lunches.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS., Child Nutrition Act of 1966, 42 USC § 1773, Richard B. Russell National School Lunch Act, 42 USC § 1751 et seq. History—New 1-18-89, Amended 7-21-97, Formerly 33-30.002, Amended 8-9-00, 11-16-00, \_\_\_\_\_.

### 33-204.003 Food Services – Standards of Operation.

(1) General. Inmates in general population shall receive three meals per day, of which at least two shall be hot meals. The meals shall be provided at regular meal times during each 24-hour period, with a period of no more than 14 hours between the end of the evening meal and the beginning of the morning meal, weather and security permitting. The warden or work release center major shall be allowed to authorize an altered meal schedule of two meals for approved holidays listed in the master menu manual, but both must be hot meals. Holiday substitutions that deviate from the master menu must be approved in advance by the chief of food services or the

central office food service managers ~~coordinator~~. An alternate meal schedule for therapeutic diets shall provide regular meal times during each 24-hour period with no more than 14 hours between the end of the evening and the beginning of the morning meal.

(2) Confinement.

(a) All inmates in confinement shall receive normal institutional meals as are available to the general population, except that if any item on the normal menu or any food utensil might create a security problem in the confinement area, then another item of comparable quality or other appropriate utensils shall be substituted. Substitutions shall be documented on the Daily Record of Segregation ~~confinement~~, Form DC6-229 ~~DC4-815~~. Form DC6-229 ~~DC4-815~~ has been previously incorporated by reference in Rule Section 33-602.220, F.A.C.

(b) Hot food shall be served hot and cold food shall be served cold in accordance with the standards of the State Sanitary Code, Department of Health, Chapter 64E-11, F.A.C.

(c) The provisions of Rule section 33-602.223, F.A.C., shall be utilized in placing inmates on the special management meal.

(d) No change.

(3) Menus. The Recommended Dietary Allowances or the Dietary Reference Intakes of the Food and Nutrition Board – National Academy of Sciences shall serve as the standard for the preparation of menus and the evaluation of menus served. The Recommended Dietary Allowances and the Dietary Reference Intakes of the Food and Nutrition Board are hereby incorporated by reference. A copy of the Recommended Dietary Allowances or the Dietary Reference Intakes may be obtained from the Bureau of Food Services, Office of Administration, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of the Revised Recommended Dietary Allowances is January 18, 1989. The Dietary Reference Intakes were copyrighted in 2001 ~~2000~~.

(a) through (c) No change.

(d) The master menu shall be adhered to except that specific menus and menu items are subject to change by the person in charge of food service at each facility due to production problems, product availability, cost, or security issues. When menu substitutions are required, the substitutions will be from the same food group as the original menu item. Menu substitutions will be initially reviewed and approved by a field food service manager. If menu substitutions are determined to deviate from the list of approved substitutions, they will be referred by the field food service manager to the central office public health nutrition program manager for evaluation and final approval. The master menu manual provides a list of appropriate substitutions within food groups.

(~~e~~) All vegetables shall be prepared without meat, meat fat, meat-based broth or butter so as to be suitable for ~~all~~ religious and strict vegetarian diets.

(4) Sanitation.

(a) All food service areas shall meet the standards of the State Sanitary Code, Department of Health, Chapter 64E-11, ~~F.A.C Florida Administrative Code~~. Food and beverages shall not be consumed in food preparation areas.

(b) Personnel assigned to food service shall meet the standards set by the State Sanitary Code, Department of Health Rule 64E-11.005, ~~F.A.C Florida Administrative Code~~.

(c) The individual responsible for food service at the institution or facility shall be responsible for the following:

1. Writing instructions for the operation and cleaning of the physical plant, equipment and utensils. A current copy of these instructions shall be forwarded to the regional food service ~~manager coordinator~~ for review ~~initially and as revised~~ to check for compliance with the State Sanitary Code, Department of Health Rule 64E-11.005, ~~F.A.C Florida Administrative Code~~.

2. through (5) No change.

(6) Security. The ~~person in charge of food service food service director~~ and ~~correctional officer~~ chief of security shall jointly write and post a plan and schedule for supervision of inmates during meals. The ~~correctional officer~~ chief of security shall be responsible for enforcement of the written plan for control.

(7) Therapeutic Diets. Therapeutic diets for medical or dental reasons shall be provided as ordered by a Department of Corrections ~~credentialed physician, clinical associate (physicians assistant, advanced registered nurse practitioner) or dentist~~. All orders for therapeutic diets shall be in writing utilizing the Diet Prescription/Order, Form DC4-728. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is August 9, 2000. Non-standard ~~therapeutic modified~~ diets shall be approved by the public health nutrition program manager and the regional medical executive director. Therapeutic diets shall be served for a maximum of 90 days. Diets extending for periods longer than 90 days shall require a new diet order from the attending Department of Corrections ~~credentialed physician, clinical associate (physicians assistant or advanced registered nurse practitioner) or dentist~~. Diet prescription orders must be received in food services prior to the expiration of the current prescription to avoid interruption of the ~~therapeutic modified~~ diet. The Bureau of Food Services shall be responsible for providing consultation to health and food service personnel regarding therapeutic diets.

(8) No change.

(9) National Child Nutrition Program.

(a) It is the intent of the department that all institutions that qualify will participate in the National Child Nutrition Program. To qualify, an institution will have a sufficient

number of offenders qualified to be NCNP participants so that adequate revenues will be generated to offset the costs associated with implementing program requirements.

(b) The youthful offender master menu will be utilized to provide enhanced nutrition to program participants who are under the age of 21.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS., Child Nutrition Act of 1966, 42 USC § 1773, Richard B. Russell National School Lunch Act, 42 USC § 1751 et seq. History—New 1-18-89, Amended 7-21-97, Formerly 33-30.003, Amended 8-9-00, 11-16-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kathleen Fuhrman

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore, Secretary, Department of Corrections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 3, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 15, 2001

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Early Termination of Supervision

RULE NO.: 33-302.111

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to establish procedures relating to early termination of supervision.

SUMMARY: The proposed rule establishes eligibility criteria for consideration for early termination and establishes routing and notification procedures for recommendations for early termination.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 948.04 FS.

LAW IMPLEMENTED: 944.09, 948.04 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: Giselle Lylen Rivera, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.111 Early Termination of Supervision.

(1) Correctional probation officers shall consider recommendations for early termination of supervision on offenders who meet the following criteria:

(a) Completion of one-half of the supervision period or at least eighteen months, whichever is greater;

(b) Payment in full of restitution, fines, and court costs;

(c) Cost of supervision is current;

(d) All special conditions of supervision are fulfilled;

(e) An FCIC/NCIC records check reveals no new arrest during the course of supervision of which the sentencing or releasing authority has not been previously notified;

(f) No violations of supervision are pending, and;

(g) The offender has made significant life improvements and is no longer in need of supervision.

(2) The officer will also take into account other factors before recommending an early termination including:

(a) The seriousness of the offense;

(b) The offender's prior record;

(c) Any potential threat to the community resulting from early termination of supervision;

(d) The offender's previous supervision history; and,

(e) Known objection from the victim, victims, or the State Attorney's office in the county from which the sentence originated.

(f) Offenders placed on probation or community control for a violation of Chapter 794 or Chapter 827, F.S., shall be subject to the maximum level of supervision, and that supervision shall continue through the full term of the court imposed probation or community control, as provided in Section 948.04, F.S.

(3) Once a recommendation for early termination is approved by a supervisor, a request must be sent to the State Attorney's Office requesting their approval.

(a) If the offense involved a victim, the officer will request the State Attorney's Office to obtain the victim's consent to the early termination. The Recommendation to Early Terminate Probation or Community Control, Form DC3-272, or a letter that contains the information required in Form DC3-272, shall be forwarded to the State Attorney's office, citing the officer's justification for an early termination of supervision. Form DC3-272 is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.

(b) If the State Attorney's office denies the request, or the victim opposes the early termination, the officer shall notify the offender that the department will not proceed with the early termination recommendation. The officer shall not disclose a victim's objection to the offender.

(4) If the State Attorney's Office approves the recommendation, and the victim does not oppose the early termination, the officer shall prepare a Petition For and Termination of Probation, Form DC3-257, and a letter to the judge outlining the offender's history of supervision and

reasons for recommending the early termination. Form DC3-257 is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.

(5) If the State Attorney's office is unable to contact the victim, the officer shall attempt to contact the victim by telephone or by certified letter to provide the victim with an opportunity to have input on the offender's early termination request. If no response is received from the victim, this shall be reported to the judge in the officer's letter.

(6) The officer shall notify the offender of the judge's decision upon receipt of the judge's response, and if the petition for early termination is granted, the officer will review the restoration of civil rights process with the offender and provide her or him with a copy of Form DC3-257.

Specific Authority 944.09 FS. Law Implemented 944.09, 948.04 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Shari Britton

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 18, 2001

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Funeral Directors and Embalmers**

RULE TITLE: Forms and Instructions  
RULE NO.: 61G8-14.007

PURPOSE AND EFFECT: Rule 61G8-14.007 will set forth changes to the Forms and Instructions.

SUMMARY: The rule amendment is for the purpose of updating the Forms and Instructions.

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: 120.53, 470.005 FS.

LAW IMPLEMENTED: 120.53, 470.006, 470.007, 470.008, 470.009, 470.010, 470.0101, 470.011, 470.012, 470.013, 470.014, 470.015, 470.016, 470.018, 470.023, 470.029 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: Sherry Landrum, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 61G8-14.007 follows. See Florida Administrative Code for present text)

61G8-14.007 Forms and Instructions.

Below are forms which are hereby incorporated by reference and will be effective \_\_\_\_\_, copies of which may be obtained from the Board office.

(1) Application for Direct Disposer Funeral Director Embalmer, DBPR/Funeral/Form.01/Rev. 02/01.

(2) Verification of Licensed Embalmer and/or Funeral Director DBPR/Funeral/Form.02/Rev. 02/01.

(3) Registration for Embalmer/Funeral Director Internship DBPR/Funeral/Form.03/Rev. 02/01.

(4) Notice of Change of Status Form DBPR/Funeral/Form.04/Rev. 03/01.

(5) Intern Training, DBPR/Funeral/Form.05/Rev.02/01.

(6) Licensure of a Funeral Establishment, DBPR/Funeral/Form.06/Rev.02/01.

(7) Application for Approval as a Training Agency, DBPR/Funeral/Form.07/Rev.03/01.

(8) Licensure of a Cinerator Facility, DBPR/Funeral/Form.08/Rev.02/01.

(9) Funeral Establishment, DBPR/Funeral/Form.09/Rev.02/01.

(10) Direct Disposal Establishment, DBPR/Funeral/Form.10/Rev. 02/01.

(11) Cinerator Facility, DBPR/Funeral/Form.11/Rev. 02/01.

(12) Centralized Embalming Facility, DBPR/Funeral/Form.12/Rev. 02/01.

(13) Registraton for Embalmer Apprenticeship, DBPR/Funeral/Form.13/Rev.02/01.

(14) Quarterly Report of Embalmer Apprentice Training, DBPR/Funeral/Form.14/Rev.02/01.

(15) Application for Licensure of a Centralized Embalming Facility, DBPR/Funeral/Form.15/Rev.02/01.

(16) Application for Licensure of a Direct Disposal Establishment, DBPR/Funeral/Form.16/Rev.02/01.

(17) Application for Licensure of a Refrigeration Service, DBPR/Funeral/Form.17/Rev.02/01.

(18) Application for Licensure of a Removal Service, DBPR/Funeral/Form.18/Rev.02/01.

(19) Provider Approval Application, DBPR/Funeral/Form.19/Rev/6/01.

(20) Course Approval Application, DBPR/Funeral/Form 20/rev.6/01.

Specific Authority 120.53, 470.005 FS. Law Implemented 120.53, 470.006, 470.007, 470.008, 470.009, 470.010, 470.0101, 470.011, 470.012, 470.013, 470.014, 470.015, 470.016, 470.018, 470.023, 470.029 FS. History--New 11-11-79, Amended 11-9-82, Formerly 21J-14.07, 21J-14.007, Amended 4-16-95,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Funeral Directors and Embalmers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral Directors and Embalmers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 31, 2001

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Funeral Directors and Embalmers**

RULE TITLE: \_\_\_\_\_ RULE NO.: \_\_\_\_\_

Approval of Continuing Education Courses 61G8-17.0042

PURPOSE AND EFFECT: The board proposes to amend the existing rule by updating the rule text.

SUMMARY: The rule amendments are for the purpose of updating the approval of continuing education courses.

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: 470.005, 470.016, 455.02, 470.005(1), 455.213(7),(8) FS.

LAW IMPLEMENTED: 470.016, 455.02, 455.213(7),(8) 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: Sherry Landrum, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 61G8-17.0042 follows. See Florida Administrative Code for present text)

61G8-17.0042 Approval of Continuing Education Courses.

(1) A Continuing education course shall be approved for a maximum of two (2) years by the Board and issued a course number if the materials submitted are complete and demonstrate that the course covers approved subject matter.

(2) The course provider must submit to the Board, in writing, notice of any changes in the information provided in the initial request for course approval. This notification must be made within 30 days following the date the change is effective.

(3) Approved subject matter includes, as appropriate to the scope of practice of the licensee to whom credit shall be awarded.

(a) Basic theory and practice of funeral directing, embalming, or direct disposal services.

(b) Technical subjects including mortuary sciences, skill and technique development, scientific applications, and other topics specific to the overall practice of funeral directing, embalming, or direct disposal of human remains.

(c) Communicable diseases including transmission, sterilization techniques, risk education methods in practice of professional services, and Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome relative to precautions and risk reduction in the workplace.

(d) Public health and safety subjects including grief management, stress management, risk management, biohazardous and hazardous waste, and pathology.

(e) Subjects dealing with licensees' legal and ethical responsibilities, including the laws and rules governing the practice.

(4) Approved continuing education providers shall submit to the board, an application for approval of each continuing education course on the form referenced in Rule 61G8-14.007.

(5) No retroactive credit shall be granted if a provider improperly offers a course prior to approval, even if the course is subsequently approved.

(6) The application shall include the total number of continuing education hours, the course syllabus, a detailed outline or synopsis of the contents of the course, and the name and qualification of the instructors or authors.

(7) Continuing education courses which appropriately relate to the practice of embalming, funeral directing and direct disposition and which contain sufficient education content to improve the skills, competency and knowledge of the laws and rules which govern the professional duties of licensees, shall be approved.

Specific Authority 470.005(1), 455.213(7),(8) FS. Law Implemented 455.213(7),(8) FS. History--New 4-10-94, Amended 3-14-95, 7-25-95, 9-25-95,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Funeral Directors and Embalmers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral Directors and Embalmers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 9, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 31, 2001

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Surveyors and Mappers**

RULE TITLE: Re-examination  
RULE NO.: 61G17-4.007

PURPOSE AND EFFECT: The Board proposes to strike unnecessary language from this rule.

SUMMARY: This proposed amendment deletes rule text limiting applicants to consecutive examination dates.

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

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

SPECIFIC AUTHORITY: 455.217(2), 472.013 FS.

LAW IMPLEMENTED: 455.217(2), 472.013 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: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-4.007 Re-examination.

An individual who fails to pass or take the examination as scheduled may re-take the examination upon payment of the proper fee at the next regularly scheduled examination. ~~If an applicant fails to take the examination on two consecutive regularly scheduled examination dates, the applicant shall be required to re-apply and pay the appropriate fee.~~

Specific Authority 455.217(2), 472.013 FS. Law Implemented 455.217(2), 472.013 FS. History--New 1-3-80, Formerly 21HH-4.07, 21HH-4.007, Amended 5-30-95,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Surveyors and Mappers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 15, 2001  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2001

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE TITLES:	RULE NOS.:
Signatures on Appraisal Report	61J1-7.006
Employment of Registered Appraisers	61J1-7.007
Registered Appraisers	61J1-7.010

PURPOSE AND EFFECT: Legislation passed in the 2001 Legislative Session (Chapter 2001-274, Laws of Florida) codified these rules, making them no longer necessary.

SUMMARY: Repeals rules relating to employment activities of registered assistant real estate appraisers.

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

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

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.611(1)(l), 475.613(2), 475.624 FS.

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

TIME AND DATE: 9:00 a.m. or as soon thereafter as possible, October 2, 2001

PLACE: Office of the Florida Real Estate Appraisal Board, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Charlotte Hattaway, Regulatory Program Administrator, Division of Real Estate, Office of the Florida Real Estate Appraisal Board, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULES IS:

61J1-7.006 Signatures on Appraisal Report.

Specific Authority 475.614 FS. Law Implemented 475.611(1)(l), 475.613(2), 475.624 FS. History—New 3-4-93, Formerly 21VV-7.006, Amended 7-5-94, Repealed.

61J1-7.007 Employment of Registered Appraisers.

Specific Authority 475.614 FS. Law Implemented 475.611(1)(l), 475.613(2), 475.624 FS. History—New 8-8-93, Amended 7-5-94, Repealed.

61J1-7.010 Registered Appraisers.

Specific Authority 475.614 FS. Law Implemented 475.611(1)(l), 475.624 FS. History—New 12-1-96, Amended 7-23-97, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board

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

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: JUNE 5, 2001

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE TITLE:	RULE NO.:
Fees and License Renewal Application	64B16-26.101

PURPOSE AND EFFECT: The Board proposes to amend this rule to delete rule text that is no longer necessary and to include language for a change of status fee.

SUMMARY: The Board is amending this rule to include a change of status fee, delete rule text that is no longer needed and change the word “proceeding” to “processing”.

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

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

SPECIFIC AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 456.036, 456.064, 465.008 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.101 Fees and License Renewal Application.

(1) No change.

(2) The biennial renewal fee for an active pharmacist license shall be \$245.00. ~~The fee to change a license from active to inactive status (inactive fee) shall be \$245.00.~~ The biennial renewal fee for an inactive pharmacist license shall be \$245.00. The fee for a delinquent status licensee applying for active or inactive status shall be \$245.00. The change of status fee for reactivating an inactive status license to active status shall be \$70.00. The fee for processing ~~proceeding~~ a licensee’s request to change licensure status at any time other than at the beginning of a licensure cycle shall be \$25.00.

(3) through (5) No change.

Specific Authority 465.005 FS. Law Implemented 456.036, 456.064, 465.008 FS. History--New 3-19-79, Formerly 21S-6.05, Amended 1-7-87, 4-21-87, 12-29-88, Formerly 21S-6.005, Amended 7-31-91, 1-10-93, Formerly 21S-26.101, 61F10-26.101, Amended 3-10-96, Formerly 59X-26.101, Amended 12-31-97, 12-3-00, 3-18-01, \_\_\_\_\_.

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 12, 2001  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2001

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE TITLES:	RULE NOS.:
Continuing Education Credits	64B16-26.103
Manner of Application	64B16-26.203
Tripartite Continuing Education Committee	64B16-26.600

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B16-26.103 to update the rule text with regard to continuing education credits. The Board proposes to amend Rule 64B16-26.203 to update the rule text with regard to the requirements for course work on HIV/AIDS. The Board proposes to amend Rule 64B16-26.600 by changing the rule title and incorporating language from Rule 64B16-26.602.

SUMMARY: The Board is amending Rule 64B16-26.103 to expand the continuing education courses an applicant can take to satisfy the continuing education credits prior to renewal of their biennial license. The Board is amending Rule 64B16-26.203 to further clarify the requirements for licensure. The Board is amending Rule 64B16-26.600 by changing the rule title, deleting unnecessary rule text, and incorporating language from Rule 64B16-26.602 as it is currently being repealed.

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

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

SPECIFIC AUTHORITY: 456.033, 465.005, 465.009 FS.

LAW IMPLEMENTED: 456.013(1), 456.033, 465.007, 465.009, 465.022 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B16-26.103 Continuing Education Credits.

(1) through (2) No change.

(3) No biennial renewal of license shall be issued by the Board until the applicant submits proof satisfactory to the Board that during the biennial period preceding the renewal period the licensee has participated in a CE course approved by the Board on HIV/AIDS. The course shall be not less than 1 contact hour and must contain these components:

(a) through (e) No change.

(f) Protocols and procedures applicable to HIV counseling and testing, reporting, the offering of HIV testing to pregnant women, and partner notification issues pursuant to §§381.004 and 384.25, F.S.

Notwithstanding the provisions of Section (2), proof of completion must be returned when submitting the biennial renewal fee. Hours obtained pursuant to Section (3) may be applied to the requirements of Section (1).

(4) through (7) No change.

Specific Authority 456.033, 465.009 FS. Law Implemented 456.033, 465.009 FS. History--New 3-19-79, Formerly 21S-6.07, Amended 1-7-87, Formerly 21S-6.007, Amended 7-31-91, 10-14-91, Formerly 21S-26.103, 61F10-26.103, Amended 7-1-97, Formerly 59X-26.103, Amended 7-11-00, \_\_\_\_\_.

64B16-26.203 Manner of Application.

All applicants for licensure shall complete a course on HIV/AIDS prior to licensure. The course shall be no less than 3 contact hours and shall cover the subjects listed in 64B16-26.103(3). For those applicants who apply within one year following receipt of their pharmacy degree, completed academic course work on HIV/AIDS will be accepted by the Board as an educational course under this section, provided such course work is no less than 3 contact hours and that it covers the subjects listed in Rule 64B16-26.103(3), as evidenced by a letter attesting to subject matter covered from the Dean of the University.

(1) through (3) No change.

Specific Authority 465.005, 456.033 FS. Law Implemented 465.007, 456.033, 456.013(1), 465.022 FS. History--New 10-17-79, Formerly 21S-12.04, 21S-12.004, Amended 7-31-91, 10-14-91, Formerly 21S-26.203, 61F10-26.203, Amended 7-1-97, Formerly 59X-26.203, Amended 8-17-99, \_\_\_\_\_.

64B16-26.600 Tripartite Continuing Education Committee.

The Tripartite Continuing Education Committee will be composed of equal representation from the Board of Pharmacy, each College and School of Pharmacy in the State, and practicing pharmacists within the State. The members of the Committee shall be selected by the Board of Pharmacy and



shall serve for a period of two years. The chairman of the committee shall be selected by the chair of the Board. The Board delegates to the Tripartite Continuing Education Committee the authority to act upon applications to become a qualified continuing education provider as well as the approval of programs or courses submitted by such providers. Course outlines and materials reviewed by the Committee shall be kept on file at the executive offices of the Board in Tallahassee, Florida, for a period of one year members of the committee. This committee is responsible for approval of the content of each program offered by a provider of Continuing Education Credit. In all other matters concerning the approval of Continuing Education providers, the role of the Committee is to advise and submit its recommendation to the Board. The Committee shall hold meetings as may be convened at the call of the Chairman of the Committee.

Specific Authority 465.005, 465.009(5) FS. Law Implemented 465.009 FS. History—New 10-18-79, Amended 7-29-81, Formerly 21S-13.01, 21S-13.001, 21S-26.600, 61F10-26.600, 59X-26.600, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Pharmacy  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pharmacy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2001  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 8, 2001

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE TITLES: RULE NOS.:  
Oral Prescriptions and Copies 64B16-27.103  
Pharmacy Technician 1:1 Ratio 64B16-27.410  
PURPOSE AND EFFECT: The purpose of the rule amendments to Rule 64B16-27.103, is to add the words “a hard copy” and delete the word “writing”. The purpose of the rule amendments to Rule 64B16-27.410 is to update the rule text with regard to pharmacy technicians.

SUMMARY: The Board proposes to amend Rule 64B16-27.103 to notify registered pharmacist or registered pharmacy interns acting under direction supervision of a Florida registered pharmacist, that upon accepting an oral prescription it must immediately be reduced to a hard copy. The Board is amending Rule 64B16-27.410 to add the word “communication” to subsection (5) and strike the words “a phone call” and a new subsection (6) is being added which will expand the functions pharmacy technicians may engage in to assist a licensed pharmacist.

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

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

SPECIFIC AUTHORITY: 465.005, 465.0155, 465.022 FS.

LAW IMPLEMENTED: 465.003(13), 465.014, 465.022 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B16-27.103 Oral Prescriptions and Copies.

Only a Florida registered pharmacist or registered pharmacy intern acting under the direct personal supervision of a Florida registered pharmacist may, in the State of Florida, accept an oral prescription of any nature. Upon so accepting such oral prescription it must immediately be reduced to a hard copy, writing, and only a Florida registered pharmacist or registered pharmacy intern acting under the direct personal supervision of a Florida registered pharmacist may, in the State of Florida, prepare a copy of a prescription or read a prescription to any person for purposes of providing reference concerning treatment of the person or animal for whom the prescription was written, and when said copy is given a notation shall be made upon the prescription that a copy has been given, the date given, and to whom given.

Specific Authority 465.005, 465.0155, 465.022 FS. Law Implemented 465.022, 465.003(13) FS. History—Amended 5-19-72, Repromulgated 12-18-74, Formerly 21S-1.18, 21S-1.018, 21S-27.103, 61F10-27.103, Amended 9-19-94, Formerly 59X-27.103, Amended.

64B16-27.410 Pharmacy Technician 1:1 Ratio.

Pharmacy technicians may assist a Florida licensed pharmacist in performing professional services within a community pharmacy or institutional pharmacy environment provided that no licensed pharmacist shall supervise more than one pharmacy technician unless otherwise permitted by the Florida Board of Pharmacy. A pharmacist’s supervision of a pharmacy technician in a 1:1 ratio working environment requires that a pharmacy technician be under the direct and immediate personal supervision of a Florida licensed pharmacist. All pharmacy technicians shall identify themselves as pharmacy technicians by wearing a type of identification badge that is clearly visible which specifically identifies the employee by name and by status as a “pharmacy technician”, and in the context of telephone or other forms of communication, pharmacy technicians shall state their names and verbally identify themselves (or otherwise communicate their identities)

as pharmacy technicians. Pursuant to the direction of the licensed pharmacist, pharmacy technicians may engage in the following functions to assist the licensed pharmacist:

(1) through (4) No change.

(5) Initiate communication ~~a phone call~~ to a prescribing practitioner or their medical staffs (or agents) regarding patient prescription refill authorization requests. Such pharmacy technician activities allow initiating calls to the practitioner or agent, communicating the refill request and confirming the patient's name, medication, strength, quantity, directions and date of last refill. Any response to the above refill request that indicates a change in the order must be directly received by the pharmacist and/or pharmacy intern.

(6) Under the direction and supervision of a licensed pharmacist, initiate communication to a prescribing practitioner or their medical staff (or agents) to obtain clarification on missing or illegible dates, prescriber name, brand/generic preference, quantity or DEA and/or license numbers. Nothing in this rule shall be construed to allow a technician to obtain information which will result in a change concerning a dosage or directions to the patient.

Specific Authority 465.005 FS. Law Implemented 465.014 FS. History--New 2-14-77, Amended 3-31-81, Formerly 21S-4.02, Amended 8-31-87, Formerly 21S-4.002, Amended 9-9-92, Formerly 21S-27.410, 61F10-27.410, Amended 1-30-96, Formerly 59X-27.410, Amended 2-23-98, \_\_\_\_\_.

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 12, 2001  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 8, 2001

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE TITLES:	RULE NOS.:
Record Maintenance Systems for Community, Special-Limited Community, Special-Closed Systems, Special-Parenteral/Enteral, and Nuclear Permits	64B16-28.140
Modified Class II Institutional Pharmacies	64B16-28.702
Special Pharmacies	64B16-28.800

PURPOSE AND EFFECT: The purpose of the rule amendments to Rule 64B16-28.140 is to further clarify the requirements for record maintenance. The purpose of the amendment to Rule 64B16-28.702 is to delete rule text that is no longer needed. The purpose of the amendments to Rule 64B16-28.800 is to update the rule text with regard to the Policy and Procedure Manual which shall prepared and maintained and will be reviewed subject to approval by the Board of Pharmacy.

SUMMARY: The Board proposes to amend Rule 64B16-28.140 to require prescriptions to be in the form of a hard copy, and other records which are not specifically required by statute shall also be kept in a hard copy and shall be readily retrievable in a data processing system. The Board proposes to amend Rule 64B16-28.702 to delete unnecessary rule text. The Board proposes to amend Rule 64B16-28.800 to require the Policy and Procedure Manual be prepared, maintained and made available upon request of the Board or its agents.

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

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

SPECIFIC AUTHORITY: 465.005, 465.0155, 465.022 FS.

LAW IMPLEMENTED: 465.019(2)(c), 465.0196, 465.022, 465.026, 893.07 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B16-28.140 Record Maintenance Systems for Community, Special-Limited Community, Special-Closed Systems, Special-Parenteral/Enteral, and Nuclear Permits.

(1) Requirements for records maintained in a data processing system.

(a) through (c) No change.

(d) Original prescriptions, including prescriptions received as provided for in Section 64B16-28.130, F.A.C., Transmission of Prescription Orders, shall be reduced to a hard copy writing if not received in written form. All original prescriptions shall be retained for a period of not less than two years from date of last filling. To the extent authorized by 21 C.F.R. Section 1304.04, a pharmacy may, in lieu of retaining the actual original prescriptions, use an electronic imaging recordkeeping system, provided such system is capable of capturing, storing, and reproducing the exact image of the prescription, including the reverse side of the prescription if necessary, and that such image be retained for a period of no less than two years from the date of last filing.

(e) through (h) No change.

(2) through (5) No change.

(6) Any other records, policy and procedure manuals, or reference materials which are not specifically required by statute or rule to be kept in a hard copy may be kept in a readily retrievable data processing system which complies with the provisions of subparagraph (1)(f)1.

Specific Authority 465.005, 465.0155, 465.022 FS. Law Implemented 465.022, 465.026, 893.07 FS. History–New 3-16-94, Formerly 61F10-28.140, Amended 3-12-97, 6-4-97, Formerly 59X-28.140, Amended 10-29-97, 6-15-98, 11-11-98,\_\_\_\_\_.

64B16-28.702 Modified Class II Institutional Pharmacies.

(1) through (4) No change.

(5) A copy of the permittee’s policy and procedure manual as provided herein shall accompany the permit application. The original policy and procedure manual shall be kept within the Modified Class II Institutional Pharmacy and shall be available for inspection by the Agency for Health Care Administration. ~~Changes in the policy and procedure manual shall be approved by the Board of Pharmacy prior to the implementation thereof.~~

(6) through (8) No change.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.019(2)(c) FS. History–New 4-22-82, Amended 11-5-85, Formerly 21S-1.37, Amended 4-16-86, Formerly 21S-1.037, Amended 7-31-91, Formerly 21S-28.702, 61F10-28.702, Amended 9-4-96, Formerly 59X-28.702, Amended\_\_\_\_\_.

64B16-28.800 Special Pharmacies.

(1) through (2) No change.

(3) The Policy and Procedure Manual shall be prepared, maintained, and will be reviewed and is subject to approval by the Board of Pharmacy or its designee prior to the issuance of the permit and the initiation of the operation of the permittee. The policy and procedure manual is reviewed to determine if the operation of the facility will be in compliance with Chapters 465 and 893, F.S., and Chapter 64B16, F.A.C. The Policy and Procedure Manual shall be made available upon request of the Board or its agents. The applicant who requests a special permit shall be subject to inspection prior to the issuance of the permit.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.0196 FS. History–New 2-21-84, Formerly 21S-1.39, 21S-1.039, Amended 7-31-91, 10-14-91, Formerly 21S-28.800, 61F10-28.800, Amended 3-10-96, 6-4-97, Formerly 59X-28.800, Amended 11-11-98,\_\_\_\_\_.

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 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: June 8, 2001

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE TITLE:

RULE NO.:

Continuing Education Required for License Renewal

64B18-17.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to add new rule text with regard to the continuing education required for renewal.

SUMMARY: The Board is amending this rule to add a new subsection (8) which will set forth the requirements for renewal of certification for certified podiatric x-ray assistants.

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

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

SPECIFIC AUTHORITY: 456.013(6), 456.033, 461.005, 461.007(3) FS.

LAW IMPLEMENTED: 456.013(6), 456.033, 461.007 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-17.001 Continuing Education Required for License Renewal.

(1) through (7) No change.

(8) Certified podiatric x-ray assistants must complete the eight hour course set forth in Section 461.0135, F.S., prior to renewal of certification.

Specific Authority 456.013(6), 456.033, 461.005, 461.007(3) FS. Law Implemented 456.013(6), 456.033, 461.007 FS. History–New 11-24-80, Formerly 21T-17.01, Amended 10-14-86, 2-21-88, 5-16-89, Formerly 21T-17.001, Amended 7-6-94, Formerly 61F12-17.001, Amended 1-1-96, 1-2-97, 6-1-97, Formerly 59Z-17.001, Amended 4-25-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Podiatric Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Board of Podiatric Medicine

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: June 8, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: May 4, 2001

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE TITLE: Final Orders  
RULE NO.: 64B32-1.003

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

SUMMARY: The purpose of this repeal is because there is no specific statutory authority for the rule.

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

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

SPECIFIC AUTHORITY: 120.569(1) FS.

LAW IMPLEMENTED: 120.569(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Respiratory Care, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-1.003 Final Orders.

Specific Authority 120.569(1) FS. Law Implemented 120.569(1) FS. History--New 4-29-85, Formerly 21M-33.05, 21M-33.005, 61F6-33.005, 59R-70.005, 64B8-70.005, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Respiratory Care

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 20, 2001

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE TITLE: Citations  
RULE NO.: 64B32-6.003

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

SUMMARY: The purpose of this repeal is because this is a duplicate rule and it is unnecessary.

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

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

SPECIFIC AUTHORITY: 468.353 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: Kaye Howerton, Board Executive Director, Board of Respiratory Care, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-6.003 Citations.

Specific Authority 468.353 FS. Law Implemented 456.077 FS. History--New 1-15-92, Formerly 21M-38.0011, Amended 1-2-94, Formerly 61F6-38.0011, 59R-75.003, 64B8-75.003, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Respiratory Care

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 20, 2001

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE TITLE: Family-Related Medicaid Eligibility  
RULE NO.: 65A-1.704

PURPOSE AND EFFECT: This proposed rule amendment implements simplified Medicaid application procedures for pregnant women.

SUMMARY: For pregnant women only cases, a face-to-face interview will not be required and a mail-in application form specific to applications by pregnant women with attached information/rights and responsibilities must be used.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: An estimate of the regulatory cost was not prepared for this rule.

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.903, 409.904, 409.919 FS.

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

TIME AND DATE: 10:00 a.m., August 13, 2001

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.704 Family-Related Medicaid Eligibility Determination Process.

(1) No change.

(2) Simplified Eligibility for Pregnant Women.

(a) The application form for a pregnant woman applying only for Medicaid for herself based on pregnancy is CF-ES Form 2700, July 2001 (incorporated by reference). This form and attached information/rights and responsibilities (page 2) may be used as a mail-in application form or it may be provided directly to a local Children and Family Services office, health department or other Qualified Designated Provider (QDP). Copies of the mail-in application forms may be made available to pregnant women in health departments and other QDP sites as well as selected doctors' offices designated by each district/regional Economic Self-Sufficiency Program Office. Copies of this form may be obtained by the public from the Department of Children and Family Services, Economic Self-Sufficiency Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700.

(b) A face-to-face interview is not required for a pregnant woman applying only for Medicaid for herself based on pregnancy using CF-ES Form 2700.

(c) The following information must be verified or obtained, as indicated below, prior to approval for Medicaid for a pregnant woman.

1. Pregnancy must be verified.

2. The social security number (SSN) of the pregnant woman may be obtained on the application form or by telephone contact with the household. If the SSN is not provided by telephone or on the application, the information must be obtained by mail. The SSN will be verified by data exchange.

3. The date of birth (DOB) of the pregnant woman may be obtained on the application form or by telephone contact with the household. If the DOB is not provided by telephone or on the application, the information must be obtained by mail.

4. A declaration of citizenship is required. The applicant's statement on the CF-ES 2700 is acceptable as a declaration of citizenship. If the pregnant woman is a non-citizen, she may

provide her Alien Number to the public assistance specialist on the application. If the information is not on the application, it may be obtained by telephone. The pregnant woman's eligibility as a non-citizen will be determined in accordance with Title 11, Section 1137 of the Social Security Act. As a non-citizen, she will be requested to provide verification of her immigration status and the Systematic Alien Verification for Entitlement System (SAVE) will be used to verify this information.

5. Questionable information presented on the application must be resolved prior to approval. Questionable information may be resolved by telephone, if possible. If sufficient information cannot be obtained by telephone, the case will be placed in pending status while written verification is obtained and the client will be provided written notification of this action.

6. Verification of income is not required prior to disposition of the application unless there is reason to question the reported income.

(d) If income is not verified prior to approval, it must be verified following approval using electronic data exchange when ever possible. It can also be verified by sending a request for verification by mail or it may be completed by telephone collateral contact.

(3)(2) Presumptive Eligibility for Pregnant Women.

The period of presumptive eligibility for pregnant women begins when a qualified Medicaid provider determines that the woman is eligible based on her family income. Presumptive eligibility ends when a determination of ongoing eligibility is made or, on the last day of the month following the month the presumptive eligibility determination is made, if an application for ongoing Medicaid coverage is not filed.

(4)(3) No change.

Specific Authority 409.919 FS. Law Implemented 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended 2-7-01,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rodney McInnis, Management Review Specialist

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 5, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2000

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE NO.: RULE TITLE:
3E-500.017 Compensatory Benefit Plan Exemption

NOTICE OF WITHDRAWAL

Notice is hereby given that the Department is withdrawing the above referenced rule, which was originally published in Vol. 27, No. 16, April 20, 2001, issue of the Florida Administrative Weekly.

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE NO.: RULE TITLE:
4A-49.004 Attendant on Duty

AMENDED 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., Florida Statutes, published in Vol. 27, No. 12, March 23, 2001 of the Florida Administrative Weekly:

4A-49.004 Attendant on duty.

(1) All self-service gasoline service stations shall have at least one attendant on duty and present on the premises of the station while the station is operating as a retail outlet where motor fuel is offered for sale, at retail, to the motoring public. The duties of the attendant are specified by subsection (3) of Section 526.141, Florida Statutes, and NFPA 30A, Section 9-4, the edition as adopted in Section 4A-3.012, Florida Administrative Code.

Specific Authority 633.01, 633.022(1)(b), 526.141(7) FS. Law Implemented 633.01, 526.141(7) FS. History--New \_\_\_\_\_.

The remainder of the rule reads as previously published.

DEPARTMENT OF REVENUE

NOTICE OF CABINET AGENDA ON AUGUST 28, 2001

The Governor and Cabinet, on August 28, 2001, sitting as head of the Department of Revenue, will consider the proposed amendments to Rules 12A-1.001, F.A.C. (Specific Exemptions), 12A-1.0161, F.A.C. (Sales and Use Tax on Services; Sale for Resale), 12A-1.038, F.A.C. (Consumer's Certificate of Exemption; Exemption Certificates), 12A-1.039, F.A.C. (Sales for Resale), and 12A-1.097, F.A.C. (Public Use Forms). Notices of Rule Development Workshop were published in the Florida Administrative Weekly editions of December 17, 1999 (Vol. 25, No. 50, pp. 5721-5730); April 7, 2000 (Vol. 26, No. 14, pp. 1612-1625); and, January 19, 2001 (Vol. 27, No. 3, pp. 139-147), and the workshops were held on

January 13, 2000, April 25, 2000, and February 14, 2001, respectively. Comments to the proposed rule text were received at the January 13, 2000 and April 25, 2000, workshops, and changes were incorporated into the proposed rule text and incorporated into subsequent workshop notices in the Florida Administrative Weekly. Comments to Rules 12A-1.038 and 12A-1.039, F.A.C., were received at the February 14, 2001, workshop and written comments were also submitted. In response to these comments received by the Department, changes were made to the proposed rule text of Rules 12A-1.038 and 12A-1.039, F.A.C., and incorporated into the Notice of Proposed Rulemaking. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on April 27, 2001 (Vol. 27, No. 17, pp. 2105-2125), and a public hearing was conducted on May 22, 2001. Comments regarding Rules 12A-1.038, 12A-1.039, and 12A-1.097, F.A.C., were received, including written comments that were submitted by the Joint Administrative Procedures Committee. In response to these comments the Department made changes to Rules 12A-1.038 and 12A-1.097, F.A.C., which will be published in the next available issue of the Florida Administrative Weekly.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.: RULE TITLES:
12A-1.038 Consumer's Certificate of Exemption; Exemption Certificates
12A-1.097 Public Use Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made based on the proposed amendments to Rule 12A-1.038, F.A.C., and Rule 12A-1.097, F.A.C., as published in Vol. 27, No. 17, pp. 2115-2124, April 27, 2001, issue of the Florida Administrative Weekly. These changes are in response to comment received at the public hearing, and comments received from the Joint Administrative Procedures Committee.

In response to these comments, subsection (2)(d) and (e) of Rule 12A-1.038, F.A.C. have been changed, so that when adopted, the rule will read as follows:

(d) In order to challenge the denial of an application for a Consumer's Certificate of Exemption, the applicant receiving a Notice of Intent to Deny must request an administrative hearing under the provisions of s. 120.57, F.S. pursuant to Rule Chapter 28-106, F.A.C. The Request for Hearing must be delivered to:

Office of the General Counsel
Department of Revenue
501 South Calhoun Street
Carlton Building
Post Office Box 6668
Tallahassee, Florida 32314-6668.

(e) The Request for Hearing must contain the information provided in Rule Chapter 28-104, F.A.C.

Also, in response to the comments received by the Department regarding the proposed amendments to Rule 12A-1.038, F.A.C., subparagraph (5)(a)3. has been changed to remove the word “exclusively” from the phrase “exclusively for residential household purposes,” so that, when adopted, that subparagraph will read as follows:

3. The provisions of this subsection do not apply to the tax exempt sale of utilities that are used by the purchaser for residential household purposes. Guidelines regarding the sale of utilities are provided in Rules 12A-1.053 and 12A-1.059, F.A.C.

Also, in response to these comments, subparagraph (5)(d)1. of Rule 12A-1.038, F.A.C., has been changed, so that, when adopted, the rule will read as follows:

(d)1. The following is a suggested format of an exemption certificate to be issued by a purchaser who does not hold a Consumer’s Certificate of Exemption, but who claims that the purchase, rental, lease, or license of the property, or the purchase of the services is for an exempt purpose. Exemption purposes listed on the suggested format that are not relevant to the purchaser may be eliminated from the certificate.

**EXEMPTION CERTIFICATE FOR EXEMPTIONS  
BASED ON THE PROPERTY’S USE**

This is to certify that the tangible personal property purchased, leased, licensed, or rented, or services purchased, on or after \_\_\_\_\_ (date) from \_\_\_\_\_ (Selling Dealer’s Business Name) is purchased, leased, licensed, or rented for the following purpose as checked in the space provided. This is not intended to be an exhaustive list:

( ) Materials, containers, labels, sacks, bags, or similar items intended to accompany a product for sale at other than retail, as provided in s. 212.02(14)(c), F.S., by persons who are not required to be registered under s. 212.18(3), F.S.

( ) Export of tangible personal property for use outside this state, as provided in Rule 12A-1.064(1), F.A.C.

( ) Incorporation into items of tangible personal property manufactured, produced, compounded, processed, or fabricated for one’s own use, as provided in Rule 12A-1.043, F.A.C.

( ) Printing of a publication exempt under the provisions of s. 212.08(7)(w), F.S.

( ) Items, such as paper and ink, that will be incorporated into and become a component part of a publication exempt under the provisions of s. 212.08(7)(w), F.S.

( ) Educational materials that are used in the classroom and not used for its administration by child care facilities outlined in s. 402.305, F.S., that hold a current license under s. 402.308, F.S., hold a current Gold Seal Quality Care designation as provided in s. 402.281, F.S., and provide all employees with basic health insurance as defined in s. 627.6699(12), F.S., as provided in s. 212.08(5)(m), F.S.

( ) Motor vehicle rented or leased by a dealer who will provide the motor vehicle at no charge to a person whose motor vehicle is being repaired, adjusted, or serviced by the dealer, as provided in s. 212.0601(4), F.S.

( ) Other (include description and statutory citation):

I understand that if I use the property or service for any nonexempt purpose, I must pay tax on the purchase or lease price of the taxable property or service directly to the Department of Revenue.

I understand that if I fraudulently issue this certificate to evade the payment of sales tax I will be liable for payment of the sales tax plus a penalty of 200% of the tax and may be subject to conviction of a third degree felony.

The exemption specified by the purchaser may be verified by calling 1(800)352-3671.

Purchaser’s Name \_\_\_\_\_  
Purchaser’s Address \_\_\_\_\_  
Name and Title of Purchaser’s Authorized Representative \_\_\_\_\_

Sales and Use Tax Certificate of Registration No. (if applicable) \_\_\_\_\_

By \_\_\_\_\_  
(Signature of Purchaser or Authorized Representative)

Title \_\_\_\_\_

(Title – only if purchased by an authorized representative of a business entity)

Date \_\_\_\_\_

2. No change to this text as noticed in the April 27, 2001 edition of the Florida Administrative Weekly.

In response to these comments, subsection (5)(a) of Rule 12A-1.097, F.A.C., has been changed, so that, when adopted the rule will read as follows:

12A-1.097 Public Use Forms.

(1) No change.

Form Number	Title	Effective Date
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(2) through (4) No change.

(5)(a)	DR-5	Sales and Use Tax Application for <del>Consumer’s</del> Consumer Certificate of Exemption (r. 10/00 N. 09/87) _____ 08/92
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**DEPARTMENT OF REVENUE**

**NOTICE OF CABINET AGENDA ON AUGUST 28, 2001**

The Governor and Cabinet, on August 28, 2001, sitting as head of the Department of Revenue, will consider the proposed amendments to Rules 12C-2.002, F.A.C. (Property Subject to Tax – Annual and Nonrecurring), 12C-2.003, F.A.C. (Exemptions), 12C-2.004, F.A.C. (Levy of Tax – Annual and Nonrecurring), 12C-2.005, F.A.C. (Due Date – Payment of Tax

– Discounts Allowed), 12C-2.006, F.A.C. (Taxable Situs – Reporting Requirements – Who Shall File a Return), 12C-2.0063, F.A.C. (Intangible Personal Property Held in Trusts), 12C-2.007, F.A.C. (Penalties and Interest), 12C-2.008, F.A.C. (Information Reports), 12C-2.010, F.A.C. (Valuations), 12C-2.0105, F.A.C. (Tax Credits), and 12C-2.0115, F.A.C. (Public Use Forms). A Notice of Rule Development Workshop was published in the Florida Administrative Weekly on February 9, 2001 (Vol. 27, No. 6, pp. 539-546), and the workshop was held on February 27, 2001. No comments were received. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on April 27, 2001 (Vol. 27, No. 17, pp. 2137-2143), and a public hearing was conducted on May 22, 2001. No comments were received. Subsequent to the public hearing the Joint Administrative Procedures Committee submitted comments. In response to these comments the Department made changes to Rule 12C-2.0115, F.A.C., which will be published in the next available issue of the Florida Administrative Weekly.

**DEPARTMENT OF REVENUE**

**Corporate, Estate and Intangible Tax**  
 RULE NO.:                      RULE TITLE:  
 12C-2.0115                    Public Use Forms  
   NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed amendments to Rule 12C-2.0115, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., as originally published in the Florida Administrative Weekly (Vol. 27, No. 17, pp. 2137-2143). These changes are in response to written comments received from the Joint Administrative Procedures Committee.

In response to the comments received by the Department regarding the proposed amendments to Rule 12C-2.0115, F.A.C., subsections (2) and (5) have been changed, so that, when adopted, these subsections will read as follows:

- (2)(4) DR-601-C Intangible Personal Property  
                                   Tax Return  
                                   (Corporation and Partnership)  
                                   (r. 01/01 12/92)                                      \_\_\_ 1/94
- (5) DR-601-G Government Leasehold  
                                   Intangible Tax Return  
                                   (r. 01/01 01/93)                                      \_\_\_ 1/94

The Department has changed the proposed amendments to the Specific Authority and Law Implemented statements for Rule 12C-2.0115, F.A.C., so that, when adopted, these statements will read as follows:

Specific Authority 199.202, 213.06(1) FS. Law Implemented 199.023, 199.032, 199.042, 199.052, 199.062, 199.103, 199.1055, 199.135, 199.232, 199.292, 213.053 FS. History—New 11-21-91, Amended 1-5-94, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.:                      RULE TITLE:  
 33-302.105                    Probation and Parole – Use of Force  
   SECOND NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 26, No. 46, November 17, 2000, and Vol. 26., No. 52, December 29, 2001, issues of the Florida Administrative Weekly:

33-302.105 Probation and Parole – Use of Force.

(1) Physical force shall not be used on offenders under supervision in the performance of duty unless required;

(a) through (2) No change.

~~(3) Use of Force Reports.~~

~~(a) The employee engaged in the use of force shall immediately notify his or her supervisor of the incident. A Community Corrections Report of Force Used, Form DC3-210, shall be prepared, dated and signed by the employee using force and submitted to the circuit administrator within one working days (Monday through Friday) following the incident. If more than one employee was involved in the initial use of force, the circuit administrator will appoint the highest ranking official involved, or the most senior employee, to complete the report. Form DC3-210 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.~~

~~(b) Each additional employee involved in the use of force who agrees with the facts and circumstances as reported shall prepare a Community Corrections Report of Force Used – Staff Supplement, Form DC3-211, and shall submit it to the circuit administrator within one working day (Monday through Friday) following the incident. Form DC3-211 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.~~

~~(c) Any employee involved in a use of force who disagrees with the facts and circumstances as reported on the Community Corrections Report of Force Used shall complete a separate Community Corrections Report of Force Used within one working day following the incident.~~

~~(d) Whenever an employee witnesses a use of force incident, but was not physically involved in the use of force, the employee shall complete an Inspector General’s Office Electronic Mail e-Form.~~

~~(e) The circuit administrator shall review the report and any other statements from the offender or witnesses and process his or her recommendation on whether the appropriate level of force was used in the incident to the inspector general~~



field office for review within five working days (Monday-Friday). The circuit administrator will forward a copy of the information to the Regional Director.

(f) The inspector general field office shall review all reports for accuracy and forward their findings to the Office of the Inspector General in central office within five working days (Monday through Friday).

(g) The Office of the Inspector General in central office shall either approve the action, or if disapproved, refer it for investigation.

(h) If the use of force is approved by the Office of the Inspector General, the original DC3-210 packet will be retained by the Office of the Inspector General and a copy will be returned to the circuit administrator for distribution. The circuit administrator's office will be responsible for distributing copies of the DC3-210 to the locations designated on the form.

(i) The Office of the Inspector General will retain any reports that are associated with incidents referred for a criminal investigation as part of a case file.

(j) When a use of force occurs, the servicing personnel office will complete the Use of Force Log, Form DC2-802, utilizing information from the DC3-210 and DC3-211. The DC2-802 will be the only document maintained in the employee's personnel file tracking the use of force incident. Form DC2-802 is incorporated in Rule 33-602.210(8). The effective date of this form is 2-7-00.

(k) The inspector general shall notify the circuit administrator and regional director of any officer involved in three or more use of force incidents in a 12-month period. The regional director shall review the circumstances for possible reassignment of the officer.

~~(3)~~(4) No change.

~~(4)~~(5) Use of Handcuffs.

(a) through (c) No change.

(d) In any case in which handcuffs are used, an accurate record shall be maintained as to the location and reason for use, and a factual description of the circumstances and the incident. This information shall be reflected on the Community Corrections Report of Force Used, Form DC3-210. The officer who used the handcuffs shall complete the report within five ~~one~~ working days (Monday through Friday) after the incident. Any additional officer(s) physically involved in the handcuffing who agrees with the facts and circumstances as reported on the DC3-210, shall prepare a Community Corrections Report of Force Used - Staff Supplement, DC3-211. Form DC3-211 is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.

~~(5)~~(6) Use of chemical agents.

(a) Chemical agents shall be used only for self defense or defense of another and only after all other reasonable efforts to avoid confrontation with a disorderly person or persons posing an immediate threat of bodily harm to an officer have been exhausted. Chemical agents will never be used to punish an offender. Chemical agents will be used when this level of force is the least likely to cause injuries to all parties involved, and when a lesser level of force or persuasion is ineffective.

(b) No change.

(c) Only those chemical agents containing oleoresin capsicum and that are non-flammable shall be approved for use. Chemical agents may be issued to correctional probation staff including clerical support staff who have received training pursuant to ~~(5)~~(6)(b). Trained support staff are authorized to may, upon request, be issued a chemical agent with less than two (2) ounces. The Receipt of Chemical Agents, Form DC3-254, will be utilized to document the issuance, testing, and return of chemical agents. This form is hereby incorporated by reference. The Chemical Agent Inventory, Form DC3-253, is utilized by the circuit office to maintain control of the chemical agents issued, stored, returned, and disposed of within the circuit. The circuit office will conduct semi-annual chemical agent inventories. This form is hereby incorporated by reference. Copies of Form DC-254 and DC3-253 may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective dates of these forms is \_\_\_\_\_. Staff who have received training may carry chemical agents upon their persons during working hours. Nothing in this rule authorizes staff to carry department issued chemical agents while off duty. Support staff shall store chemical agents safely and securely in the office after working hours. If an employee has a question regarding chemical agents, he or she shall refer to the manufacturer's instructions or shall contact his or her supervisor.

(d) As soon as possible, consistent with continuing efforts to restore control of the situation, decontamination procedures will be initiated, in accordance with measures provided during chemical agent training any part of the body exposed to chemical agents shall be flushed with water and the person should be given an opportunity to shower and change into fresh clothing.

(e) Local law enforcement shall be notified immediately following the use of chemical agents if assistance is needed in every case to assist in gaining control of the situation emergency and in decontamination procedures.

~~(f) The supervisor and circuit administrator shall be notified immediately following the use of chemical agents.~~

~~(f)~~(g) No change.

~~(g)~~(h) In any case in which chemical agents are used, except for training or testing purposes, an accurate record shall be maintained as to what type was used, how much was used, and the location and reason for use, and a factual description of

the circumstances and the incident. This information shall be reflected on the Community Corrections Report of Force Used, Form DC3-210. The employee officer who used the chemical agent shall complete the report within five one working days (Monday through Friday) after the incident. The employee shall notify his or her supervisor within one working day when chemical agents are used and the supervisor shall notify the circuit administrator.

(6)(7) No change.

Specific Authority 944.09 FS. Law Implemented 944.35 FS. History—New 5-28-86, Amended 8-6-90, 2-15-98, Formerly 33-24.017, Amended

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-302.105  
 RULE TITLE: Probation and Parole – Use of Force  
 NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing on the above referenced proposed Rule(s), as noticed in the Florida Administrative Weekly, Vol. 26, No. 46, dated November 17, 2000, will be held at 9:00 a.m., on Thursday, August 2, 2001, at the Department of Corrections Central Office located at 2601 Blair Stone Road, Tallahassee, Florida 32399.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE CHAPTER NO.: 40E-2  
 RULE CHAPTER TITLE: Consumptive Use  
 RULE NO.: 40E-2.301  
 RULE TITLE: Conditions for Issuance of Permits

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules, in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 13, the March 30, 2001 issue of the Florida Administrative Weekly:

The first sentence in Subsection (1)(e) in Rule 40E-2.301 has been changed so that when adopted it will read: “is otherwise a reasonable-beneficial use as defined in subsection 373.019(4), Florida Statutes, with consideration given to the factors set forth in Rule 62-40.410, F.A.C.”

This change was made in response to a comment received from the Joint Administrative Procedures Committee, indicating the citation to Rule 62-40.422, F.A.C. was incorrect.

The first sentence in Subsection (1)(g) in Rule 40E-2.301 has been changed so that when adopted it will read: “is in accordance with the Water Resource Implementation Rule on water transport pursuant to Rule 62-40.422, F.A.C.”

This change was made in response to a comment received from the Joint Administrative Procedures Committee, indicating the citation to Rule 62-40.410, F.A.C. was incorrect.

The first sentence in Subsection (2)(a) in Section 3.9.1 of the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – October 1997” is changed so that when adopted it will read: “Sufficient

additional water has been made available for the new or increased portion of the requested allocation via certification of a project or project phase of the recovery strategies, as certified by the District, pursuant to Rule 40E-8.421(1)(e), F.A.C.”

This is a grammatical change and was made in response to a comment received from the public and intended to clarify the intent of the sentence.

The second sentence in Subsection (2)(a) in Section 3.9.1 of the “Basis of Review for Water use Permit Applications within the South Florida Water Management District – October 1997” is changed so that when adopted it will read: “Water made available from a certified project or project phase of a recovery strategy for new or increased uses will be allocated based on the criteria in the Basis of Review and Chapter 40E-2; or”

This is a grammatical change and was made in response to a comment received from the public and intended to clarify the intent of the sentence.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
40E-8	Minimum Flows and Levels
RULE NOS.:	RULE TITLES:
40E-8.011	Purpose and General Provisions
40E-8.021	Definitions
40E-8.221	Minimum Flows and Levels
	Surface Waters
40E-8.231	Minimum Levels: Aquifers
40E-8.301	Minimum Flows and Levels:
	Surface Waters
40E-8.331	Minimum Levels: Aquifers
40E-8.421	Prevention and Recovery Strategies
40E-8.431	Consumptive Use Permits

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules, in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 13, the March 30, 2001 issue of the Florida Administrative Weekly:

Chapter 40E-8 is given the title, “Minimum Flows and Levels”.

This change was made in response to a comment received from the public, indicating the Chapter had no title.

The following sentence is added after the first sentence to Subsection (4) in Rule 40E-8.011:

“The District would not have adopted the minimum flows and levels set forth in Rules 40E-8.321 and 40E-8.331, F.A.C. for Lake Okeechobee, the Everglades, the Biscayne Aquifer, the Lower West Coast Aquifers, and the Caloosahatchee River without simultaneously adopting their related implementation rules.”

This change is made in response to public comment.

The existing second sentence in Subsection (4) in Rule 40E-8.011 is changed so that when adopted it will read: “If the rules cited above, as they pertain to a specified MFL water body, are found to be invalid, in whole or in part, such specified minimum flow(s) or level(s) in Rule 40E-8.321 or 40E-8.331, F.A.C., (including Lake Okeechobee, Everglades, Biscayne Aquifer, Lower West Coast Aquifers, Caloosahatchee River) (\_\_\_\_\_) shall not be adopted, or if already in effect, shall not continue to be applied, until the District amends the applicable regional water supply plan(s), as necessary, and amends the subject rules, as necessary to address the reason for invalidity consistent with the requirements of Section 373.0421, F.S.”

This change is being made in response to public comment, and is intended to address applicable regional water supply plans.

The cite at the end of Subection (3) in Rule 40E-8.021 is being changed from (62 Stat. 1176) to (Chapter 771).

This change is being made in response to comment received from the Joint Administrative Procedures Committee.

A new Subsection (5) in Rule 40E-8.021 is being added, as follows: “(5) Certification or Certify – means the formal determination by the District, through a validation process consistent with state and federal law, of the total amount of water made available by a project or project phase of a recovery or prevention strategy, as appropriate, for natural systems and other uses.”

The subsequent subsections in Rule 40E-8.021 are being renumbered to account for the addition of the new Subsection (5).

These changes are being made in response to public comment.

The word “defined” in newly renumbered Subsection (23) (previously (22)) in Rule 40E-8.021 is being replaced with “addressed”.

This is a grammatical change being made in response to comment received from the Joint Administrative Procedures Committee.

The word “criteria” in the last sentence of Rule 40E-8.221 is being replaced with “MFL”.

This change is being made in response to comment received from the Joint Administrative Procedures Committee and is intended to clarify the intent of the rule.

“Section 373.223(3)” in Subsection (1)(b) in Rule 40E-8.421 is being changed to “Section 373.223(4)”.

This change is being made in response to comment received from the Joint Administrative Procedures Committee indicating an incorrect citation.

Subsection (1)(e) in Rule 40E-8.421 is being changed so that when adopted it will read: “Upon completion of each project or project phase of a recovery or prevention plan the District will certify the availability of water, as defined in Rule 40E-8.021(5).”

This change is being made in response to public comment.

The phrase “implement a process for updating” in the first sentence in Subsection (1)(f) in Rule 40E-8.421 is being replaced with “update”.

This change is being made in response to comment received from the Joint Administrative Procedures Committee and is intended to clarify the intent.

The word “programmatic” in the fourth sentence in Subsection (2)(b) in Rule 40E-8.421 is being replaced with “Chapter 373, F.S.”

This change is being made in response to comment received from the Joint Administrative Procedures Committee.

Subsection (5)(b) in Rule 40E-8.421 is being amended so that when adopted it will read: “Implement rule criteria to prevent harm through the consumptive use permitting process, including conditions for permit issuance in Rule 40E-2.301, F.A.C.”

This change is being made in response to comment received from the Joint Administrative Procedures Committee to indicate where the criteria can be found.

The figure referenced in Rule 40E-8.421 is as follows:

**INSERT CHART**

This change is being made in response to public comment that the figure was not included in the FAW publication.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

<b>RULE CHAPTER NO.:</b>	<b>RULE CHAPTER TITLE:</b>
40E-21	Water Shortage Plan
<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
40E-21.521	Phase I Moderate Water Shortage
40E-21.531	Phase II Severe Water Shortage
40E-21.541	Phase III Extreme Water Shortage

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules, in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 13, the March 30, 2001 issue of the Florida Administrative Weekly:

Throughout Rules 40E-21.521, 40E-21.531, and 40E-21.541 the term "Lake Okeechobee Agricultural Area" is being changed to "Lake Okeechobee Region".

This change is being made in response to public comment and is being made to more accurately describe the affected area.

The following sentence is added after the last sentence in Subsection 40E-21.541(2)(a)5.:

"In making the determination the District will consider the following:"

This sentence is being added in response to public comment.

The word "any" in the last sentence in Subsection 40E-21.541(2)(a)5.c. is being replaced with "past and projected".

This change is being made in response to public comment.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
40E-22	Regional Water Shortage Plan
RULE NOS.:	RULE TITLES:
40E-22.312	Policy and Purpose
40E-22.322	Geographic Application
40E-22.332	Water Shortage Triggers

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules, in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 13, the March 30, 2001 issue of the Florida Administrative Weekly:

The second sentence in Rule 40E-22.312 is being changed so that when adopted it will read: "The rules in this section apply to the withdrawal of surface water from the Lake Okeechobee Region as depicted on Figure 21-4 and described in Rule 40E-21.691(3), F.A.C., and the Brighton Reservation in accordance with the terms of the Water Rights Compact Among the Seminole Tribe of Florida, the state of Florida, and the South Florida Water Management district ("Seminole Compact")."

This change is being made in response to public comment.

Rule 40E-22.322 is being amended so that when adopted it will read: "This rule shall be applied to the Lake Okeechobee Region described in Rule 40E-21.691(3), F.A.C., and the Brighton Reservation in accordance with the terms of the Seminole Compact. In addition, depending upon particular hydrologic conditions, restrictions imposed under this section may be applied to agricultural users of Lake Okeechobee and its connected canal system that are in areas outside the Lake Okeechobee Region. Such areas will be identified, as appropriate in the specific water shortage order declaring the restrictions."

This change is being made in response to public comment.

The figure referenced in Rule 40E-22.332 is being changed so that when adopted it will be:

INSERT CHART  
1 PAGE OF 1

This change is being made in response to public comment that the figure was not published in FAW.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

<b>RULE CHAPTER NO.:</b>	<b>RULE CHAPTER TITLE:</b>
40E-41	Surface Water Management Basin and Related Criteria
<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
40E-41.001	Policy and Purpose
40E-41.320	Scope, Policy, and Implementation of Part IV
40E-41.321	Definitions
40E-41.323	Water Preserve Area & Water Preserve Area Basin Boundaries
40E-41.333	Implementation
40E-41.343	Application of Part IV
40E-41.360	Permit Thresholds
40E-41.363	Conditions for Issuance of Environmental Resource Permits and Surface Water Management Permits in the Water Preserve Area, Water Preserve Area Basin, or Adjacent to the Protective Levees

**NOTICE OF CORRECTION**

The South Florida Water Management District hereby gives notice of correction to the Notice of Proposed Rules published in the Florida Administrative Weekly, Vol. 27, No. 27, July 6, 2001. The specific correction is as follows:

Figures 1, 2, 3, 4, 5, and 6, which maps identify the subject Water Preserve Areas, Water Preserve Area Basins, Protective Levees, layers of existing natural soil materials within the geographical boundaries of the proposed rule, the Water Preserve Area basin boundaries and the subject drainage basins in Palm Beach and Broward Counties which are effected by this proposed rule, are all components of proposed new rule Part IV Water Preserve Area Basins in Palm Beach & Broward Counties. These figures were inadvertently not published on July 6, 2001, with the text portion of proposed new rule Part IV Water Preserve Area Basins in Palm Beach & Broward Counties. Thus, the publication herein of Figures 1, 2, 3, 4, 5, and 6, complies with the requirements of Subsection 120.54(3)(a), F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Penelope Bell, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6320, (561)682-6320, or pbell@sfwmd.gov.

INSERT MAP  
1 OF 6

INSERT MAP  
2 OF 6



INSERT MAP  
3 OF 6

INSERT MAP  
4 OF 6

INSERT MAP  
5 OF 6

INSERT MAP  
6 OF 6

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE NO.: 61G6-9.005  
 RULE TITLE: Registration of Course Sponsors  
 NOTICE OF CHANGE

The Electrical Contractors' licensing Board gives Notice of Change to the above-referenced rule in response to comments received from the public. The rule was originally published in Vol. 26, No. 31, January 19, 2001, issue of the Florida Administrative Weekly. When changed, subsections (2), (6)(k) and (9) shall read as follows:

(2) The application for registration must be submitted on the ECLB Continuing Education Provider Approval Application, form number, BPR/ECLB/CONT.ED. PROV.APP/REV/4/2001, with instructions, hereby incorporated by reference, copies of which are provided by the Board upon request and must include the name, address, phone number and facsimile number of the course provider. The registration must also include the name and address of each person or entity who has an ownership interest in the course sponsor or who is entitled to receive any portion of the revenues from the course sponsor.

(6)(k) Failure to provide the attendee list to the Department in an electronic format or otherwise violate provisions in rule section 61-6.015.

(9) The provider must comply with the requirements stated in Rule 61-6.015(5) as a condition of approval as a course provider.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE NO.: 61G6-9.006  
 RULE TITLE: Approval of Continuing Education Courses  
 NOTICE OF CHANGE

The Electrical Contractors' licensing Board gives Notice of Change to the above-referenced rule in response to comments received from the public. The rule was originally published in Vol. 27, No. 5, February 2, 2001, issue of the Florida Administrative Weekly. When changed, subsections (1)(a) shall read as follows:

(1)(a) Any registered course provider may submit an application for approval of a continuing education course by filing with the Board a completed ECLB Continuing Education Course Approval Application, Form No.

BRP/ECLB/CONT.ED.COURSE.APP/REV/4/2001 adopted and incorporated herein by reference. Copies of which shall be provided upon request to the board.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

RULE NOS.: 64B-2.001, 64B-2.002, 64B-2.003  
 RULE TITLES: Practitioner Profile, Information Required Upon Renewal, Form  
 NOTICE OF CHANGE

The Department of Health, Division of Medical Quality Assurance announces changes to new rules and rule amendments proposed to Rule Chapter 64B-2, F.A.C., originally noticed in the June 22, 2001, issue of the Florida Administrative Weekly, Vol. 27, No. 25. The changes are in response to comments provided by the Joint Administrative Procedures Committee. The changed rules will read as follows:

64B-2.001 Practitioner Profile.

The Practitioner Profile shall consist of:

(1) through (8) No change.

(9) "Liability Claims Exceeding \$5,000.00" within the previous 10 years shall consist of the nature of the claim, including the incident date, county, judicial case number, settlement date, settlement amount, and policy amount, to the extent available; and the statutory explanation of why a settlement may have occurred. This subsection does not apply to individuals submitting information pursuant to Section 456.0391, F.S.

(10) No change.

Specific Authority 456.044, ~~456.004~~ FS. Law Implemented 456.039, 456.041, 456.042, 456.043, 456.044, 456.045, 456.046, 456.0391 FS. History—New 8-12-99, Amended \_\_\_\_\_.

64B-2.002 Information Required Upon Renewal.

In conjunction with renewal of a license under Chapters 458, 459, 460, and 461, F.S., and under Section 464.012, F.S., an applicant must submit the information required pursuant to Sections 456.039, or 456.0391, F.S., as applicable, by 12:00 midnight on the date the license is set to expire.

Specific Authority 456.004, 456.044 FS. Law Implemented 456.039, 456.0391, 458.319, 459.008, 460.407, 461.007 FS. History—New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

RULE NO.: 64B1-6.005  
 RULE TITLE: Standards for Approval of Continuing Education Credit

AMENDED NOTICE OF PUBLIC HEARING

The Board of Acupuncture hereby gives notice of a public hearing on the above-referenced rule, originally scheduled to be held on August 3, 2001 at 9:00 a.m., at 4042 Bald Cypress Way, Room 301, Tallahassee, Florida, will now be held on August 3, 2001, at 9:00 a.m., at the Tampa Airport Marriott, Tampa International Airport 33607. The rule was originally published in Vol. 26, No. 50, of the December 15, 2000, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Eaton, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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 Clinical Laboratory Personnel

RULE NO.: 64B3-5.002  
 RULE TITLE: Supervisor. Qualifications and Responsibilities

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S. published in the Vol. 27, No. 23 June 8, 2001, issue of the Florida Administrative Weekly. The changes are in response to a rule hearing and suggestions from the prosecutor at the Board Meeting held on June 21, 2001, in Orlando, Florida.

The rule shall now read as follows:

64B3-5.002 Supervisor.

Qualifications and Responsibilities.

(1) Qualification. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or by foreign education equated pursuant to Rule 64B3-6.002(6), F.A.C. In order to be licensed as a supervisor, an applicant shall have four hours of Board approved HIV/AIDS continuing education and one of the following:

(a) An earned doctoral degree in medical technology or clinical laboratory science, one of the licensure categories, or one of the chemical or biological sciences, and one year of pertinent clinical laboratory experience in the categories for which licensure is sought.

(b) A masters degree in medical technology or clinical laboratory science, one of the licensure categories, or one of the chemical or biological sciences, and three years of pertinent clinical laboratory experience in the categories for which licensure is sought, one year of which shall be post masters.

(c) A baccalaureate degree, with eight semester hours of academic biological and chemical science for a total of 24 semester hours of academic science and/or medical laboratory technology, and five years of pertinent clinical laboratory experience in the categories for which licensure is sought, two years of which shall be post baccalaureate, including a minimum of one year in each category for which licensure is sought.

(d) In the categories of cytogenetics, cytology, radioassay, and molecular genetics the experience required in paragraphs (a), (b) and (c) must be in the specific category for which licensure is sought.

(e) For the category of blood gas analysis only, an associate degree in cardiopulmonary function technology or respiratory care, five years of pertinent clinical laboratory experience and be licensed as a technologist in the category of Blood Gases, or as a respiratory care practitioner certified in critical care services or a respiratory therapist pursuant to Chapter 468, Part V, F.S.

(f) For the category of Cytology only, a baccalaureate degree which shall include 16 semester hours of academic science, have completed an accredited or Board approved training program in cytology, be licensed as a clinical laboratory technologist and have five (5) years of pertinent clinical laboratory experience in cytology. If ASCP (American Society of Clinical Pathologists) certified prior to 1985, have an associate degree or equivalent, national certification by the American Society of Clinical Pathologists, and 10 years of pertinent clinical laboratory experience within the past 15 years.

(g) In lieu of one year of experience required by Rule 64B3-5.002(1)(b) and (c), F.A.C., an applicant may substitute Board certification obtained by examination in one or more of the laboratory specialties through the Board of Registry of the American Society of Clinical Pathologists, National Certification Agency of Medical Laboratory Personnel, National Registry of Clinical Chemistry, American Academy of Microbiology, American Medical Technologists, American Board of Bioanalysis, American Board of Clinical Chemistry, American Board of Medical Microbiology, American Board of Medical Genetics, or American Board of Medical Laboratory Immunology, or American Board of Histocompatibility and Immunogenetics.

(h) In the category of histology, one of the following:

1. Board certification gained by examination in histology through the Board of Registry of the American Society of Clinical Pathologists certification at the Histotechnologist (HTL) level.

2. Board certification gained by examination in histology through the Board of Registry of the American Society of Clinical Pathologists certification at the Histotechnician (HT) level, 10 years of pertinent clinical laboratory experience post-certification, and 48 hours continuing education in administration and supervision within five years prior to application for licensure.

3. Florida licensure as a histology technologist, 10 years of pertinent clinical laboratory experience, and 48 hours continuing education in administration and supervision within five years prior to application for licensure.

(i) Be licensed in a specialty as a technologist, meet the experience requirement under Rule 64B3-5.002(1)(a), (b) or (c), F.A.C., and complete 25 hours of Board approved continuing education in the area of administration and supervision, which includes examination(s), accumulated over no longer than five years prior to application for licensure. Course content must include the guidelines set forth in Rule 64B3-3.003(7), F.A.C. This continuing education may not be used to satisfy biennial renewal requirements.

(2) No change.

~~(3) Responsibilities of Supervisors. The supervisor shall:~~

~~(a) Fulfill the responsibilities of the director as assigned by the director.~~

~~(b) Monitor compliance with all applicable laboratory regulations.~~

~~(c) Perform the duties of a technologist in the categories in which licensure is held, as needed.~~

~~(d) Evaluate the competency of technologists and technicians.~~

~~(e) Provide day-to-day supervision of test performance by technologists and technicians.~~

~~(f) Provide for the orientation of clinical laboratory personnel.~~

~~(g) Establish and maintain systems for the accession, identification, transport, storage and disposal of specimens including medico-legal custodial responsibilities.~~

~~(h) Determine the need for, select, and evaluate referral services as appropriate to laboratory resources.~~

~~(i) Establish protocols for performance of confirmatory and additional procedures as indicated.~~

~~(j) Establish a system for providing patients with blood and blood products when in a hospital setting.~~

~~(k) Devise a plan for management and scheduling of clinical laboratory personnel.~~

~~(l) Establish and communicate short term goals and objectives for delivery of clinical laboratory services.~~

~~(m) Implement a quality assurance program to monitor variables which affect the quality of clinical laboratory services.~~

~~(n) Prepare and periodically update policy and procedure manuals.~~

~~(o) Establish and evaluate the preventive maintenance program for instrumentation and equipment.~~

~~(p) Establish and periodically evaluate safety measures in accordance with regulations.~~

~~(q) If supervising cytology, set up a system to document the number of slides screened and the hours devoted during each 24 hour period, as required in Chapter 59A-7, F.A.C.~~

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-2.001                      RULE TITLE: Definitions

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Medicine hereby gives notice of an additional public hearing on the above-referenced rule to be held at the Rules Committee meeting, on August 2, 2001, at 6:00 p.m., at the offices of the Board of Medicine, 4042 Bald Cypress Way, Room 301, Tallahassee, Florida 32399. The rule was originally published in Vol. 27, No. 20, of the May 18, 2001, Florida Administrative Weekly. The additional public hearing is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee with regard to the definition of "community service."

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

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.: 64B8-56.002                      RULE TITLE: Equipment and Devices; Protocols for Laser and Light-based Devices

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Medicine hereby gives notice of an additional public hearing on the above-referenced rule to be held at the Rules Committee meeting, on August 2, 2001, at 6:00 p.m., at the offices of the Board of Medicine, 4042 Bald Cypress Way, Room 301, Tallahassee, Florida 32399. The rule was originally published in Vol. 26, No. 24, of the June 16, 2000, Florida Administrative Weekly. The additional public hearing is in

response to a request for hearing following publication of the Fourth Notice of Change, which appeared in Vol. 27, No. 24, of the June 15, 2001, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

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 Optometry**

RULE NO.: 64B13-4.001      RULE TITLE: Examination Requirements

**NOTICE OF PUBLIC HEARING**

The Board of Optometry hereby gives notice of a public hearing on the above-referenced rule to be held on August 2, 2001, at 4:00 p.m., at the Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316. The rule was originally published in Vol. 27, No. 20, of the May 18, 2001, Florida Administrative Weekly.

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

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-12.007      RULE TITLE: Inactive Status License.

**NOTICE OF CHANGE**

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 26, No. 51, December 22, 2000, issue of the Florida Administrative Weekly. The change is in response to comments received from the Joint Administrative Procedures Committee and from the Board meeting held on June 8, 2001.

Subsection (2) of the rule shall now read as follows:

64B15-12.007 Inactive Status License.

(2) An inactive status licensee may change to active status at any time provided the licensee meets the continuing education requirements of rule 64B15-13.001, pays the reactivation fee and the active status renewal fee. If the request to change licensure status is made at any time other than at the beginning of a licensure cycle, the licensee shall pay the difference between the inactive status renewal fee and the active status renewal fee, the fee to change licensure status and the additional processing fee. However, a licensee whose license has been in inactive status for more than two consecutive biennial licensure cycles shall be required to appear before the board before the license can be placed into active status. The board at the time of the appearance shall impose upon the licensee reasonable conditions necessary to insure that the licensee can practice with the care and skill sufficient to protect the health, safety and welfare of the public. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Taylor, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399.

**DEPARTMENT OF HEALTH**

**School Psychology**

RULE NOS.: 64B21-501.006      RULE TITLES: Reactivation Fee  
64B21-501.0065      Change of Status Fee

**NOTICE OF CHANGE**

The Department of Health, Division of Medical Quality Assurance, in accordance with the provisions of subparagraph 120.54(3)(d)1., F.S., announces changes to new rules and rule amendments proposed to Rule Chapter 64B21-501, F.A.C., originally noticed in the May 25, 2001, issue of the Florida Administrative Weekly, Vol. 27, No. 21. The changes are in response to comments provided by the Joint Administrative Procedures Committee.

The changed rules will read as follows:

64B21-501.006 Reactivation Fee.

The fee for reactivation of an inactive license shall be \$150.00 ~~\$50.00~~. Such fee shall be in addition to the biennial renewal licensure fee as prescribed in Rule 64B21-501.003, F.A.C., ~~the inactive status application fee as prescribed by Rule 64B21-501.008, F.A.C., and any other applicable fees inactive renewal fee as prescribed by Rule 64B21-501.007, F.A.C.~~

Specific Authority ~~120.53(1)~~, 490.015(2), 456.036 ~~490.008(3)~~ FS. Law Implemented 456.036 ~~490.008~~ FS. History--New 3-13-85, Formerly 21U-501.06, Amended 7-10-89, 1-10-91, Formerly 21U-501.006, 61E9-501.006, Amended \_\_\_\_\_.

64B21-501.0065 Change of Status Fee.

If a licensee seeks to change the status of his or her license at any time, a change of status fee of \$50.00, shall be applied.



Specific Authority 490.015(2) FS. Law Implemented 456.036 FS. History—  
New

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## Section IV Emergency Rules

**NONE**

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## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### **DEPARTMENT OF LAW ENFORCEMENT**

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Joseph Hajastron on June 29, 2001, a petition for Waiver of Rule 11B-27.002(3), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the requirement that an officer be employed within four years of completing a Basic Recruit Training Program.

Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel Grace A. Jaye.

A copy of the Petition may be obtained by contacting Assistant General Counsel Grace A. Jaye at the above address, or by calling (850)410-7676.

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### **PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that MHC-DeAnza Financing Limited Partnership d/b/a Buccaneer Water Service's petition for variance from Rule 25-30.320(2), Florida Administrative Code, filed February 23, 2001, in Docket No. 001219-WU, was approved by the Commission at its May 15, 2001 Agenda Conference. Order No. PSC-01-1248-PAA-WU, issued June 5, 2001, memorialized the decision, and was consummated by Order No. PSC-01-1426-CO-WU, issued July 2, 2001. The rule addresses refusal or discontinuance of water or wastewater service. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on March 9, 2001.

A copy of the Order can be obtained from: Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770, Commission's Homepage at <http://www.floridapsc.com>.

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NOTICE IS HEREBY GIVEN that on April 20, 2001, the Florida Public Service Commission received a petition from Florida Power & Light Company, Docket No. 010561-EI, seeking a waiver of Rule 25-6.0438(4)(c), Florida Administrative Code (F.A.C.). The Rule requires a utility to provide written notice to each affected customer of any proposed change in any of its non-firm electric service offerings. Non-firm electric service is service that can be limited or interrupted.

A copy of the Petition may be obtained from: Commission's Division of the Commission Clerk and Administrative Services, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850, or by calling (850)413-6770.

Comments on the petition should be filed with the Commission's Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, within 14 days of publication of this notice.

For additional information, please contact Robert V. Elias, Bureau Chief, Electric and Gas, Division of Legal Services, at the above address or telephone (850)413-6199.

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### **AGENCY FOR HEALTH CARE ADMINISTRATION**

NOTICE IS GIVEN that the Agency for Health Care Administration approved the request for a waiver from Lee Memorial Health System, a political subdivision of the State. Notice of the request was given in the May 11, 2001 edition of the Florida Administrative Weekly, Vol. 27, No. 19, page 2362. The waiver was approved by a letter dated June 29, 2001. The Agency has approved the requested waiver of the elevation requirements set forth in Rule 59A-3.081(55), F.A.C. for the construction of an expansion of the emergency facilities located at Healthpark Medical Center.

A copy may be requested from R. S. Power, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Fort Knox Building 3, Suite 3431, Mail Stop 3, Tallahassee, Florida 32308.

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### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

On November 30, 2000, the Department received a request for variance/waiver pursuant to Section 376.3071(12)(k)(5), F.S. (2000), from Environmental Chemical Corporation requesting a permanent variance/waiver from certain record keeping requirements under subsection 376.3071(12)(e), F.S. The petition was assigned OGC case #00-1108. A Notice of Receipt of Petition for Variance/Waiver was published in the December 22, 2000, F.A.W. On April 10, 2001, the petition was granted for certain documentation that was required from Environmental Chemical Corporation and BTEX Environmental Consultants, Inc. No comments were received.

Copies may be received from: Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, Attn: Lisa Randolph.

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On November 30, 2000, the Department received a request for variance/waiver pursuant to Section 376.3071(12)(k)(5), F.S. (2000), from Environmental Chemical Corporation (EEC) requesting a permanent variance/waiver from certain record keeping requirements under subsection 376.3071(12)(e), F.S. The petition was assigned OGC case #00-1684. A Notice of Receipt of Petition for Variance/Waiver was published in the December 22, 2000, F.A.W. On March 29, 2001, the petition was granted for certain documentation that was required from EEC. No comments were received. Copies may be received from the Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn: Lisa Randolph.

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On November 30, 2000, the Department received a request for variance/waiver pursuant to Section 376.3071(12)(k)(5), F.S. (2000), from Environmental Chemical Corporation requesting a permanent variance/waiver from certain record keeping requirements under subsection 376.3071(12)(e), F.S. The petition was assigned OGC case #00-1685. A Notice of Receipt of Petition for Variance/Waiver was published in the December 22, 2000, F.A.W. On April 10, 2001, the petition was granted for certain documentation that was required from Transoil Incorporated and General Remediation Corporation. No comments were received.

Copies may be received from: Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, Attn: Lisa Randolph.

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On October 30, 2000, the Department received a request for variance/waiver pursuant to Section 376.3071(12)(k)(5), F.S. (2000), from J.A. Jones Environmental Services requesting a permanent variance/waiver from certain record keeping requirements under subsection 376.3071(12)(e), F.S. The petition was assigned OGC case #00-1724. A Notice of Receipt of Petition for Variance/Waiver was published in the February 2, 2001, F.A.W. On May 30, 2001, the petition was granted for certain documentation that was required from J.A. Jones Environmental Services or PDG Environmental Services. No comments were received.

Copies may be received from: Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn: Lisa Randolph.

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NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received on 25 June 2001, a petition from Watson Freeman for a waiver pursuant to subsection 376.3071(12)(k)(5), F.S., of certain record keeping requirements under subsection 376.3071(12)(e), F.S. The petition has been assigned OGC case number 00-2043 and is for the OSO Tire site located at 2994 South Sanford Avenue, Sanford, Florida, FDEP Facility #598516724.

Copies may be received from, and written comments submitted to: Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, Attn: Lisa Randolph.

Comments must be received no later than 14 days from the date of publication of this notice.

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On November 8, 2000, the Department received a request for variance/waiver pursuant to Section 376.3071(12)(k)(5), F.S. (2000), from Tosco Marketing, Inc. requesting a permanent variance/waiver from certain record keeping requirements under subsection 376.3071(12)(e), F.S. The petition was assigned OGC case #00-2117. A Notice of Receipt of Petition for Variance/Waiver was published in the November 22, 2000, F.A.W. On March 2, 2001, the petition was denied because petitioner provided adequate documentation. No comments were received.

Copies may be received from: Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, Attn: Lisa Randolph.

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NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on June 22, 2001, a petition from Paul R. Wagner, seeking a waiver or variance under section 120.542 of the Florida Statutes from the requirement that an operator must meet all the requirements for initial licensure to obtain a license after their previous license has expired under rule 62-602.720(4), Florida Administrative Code. The petitioner had a Class A license to operate water treatment plants that has expired due to failure to renew during two consecutive renewal cycles. The petitioner is asking that the Department either waive the provision of rule 62-602.720(4), Florida Administrative Code, and allow him to renew the expired license; or, grant a variance from the rule and be allowed to sit for the Class A examination and to be licensed as a Class A operator without meeting all the requirements for initial licensure. The petition has been assigned OGC File No.: 01-1082.

Copies may be received from, and written comments submitted to: Department of Environmental Protection, Operator Certification, Mail Station 3505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Attn: Craig Diltz.

Comments must be received no later than 14 days from the date of publication of this notice.

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### DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a petition filed on July 2, 2001, on behalf of Phillip R. Craft, M.D., seeking a variance 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. The Board will consider the petition at its next meeting to be held on August 4, 2001, 8:00 a.m., or as soon thereafter as can be heard at the Senate Office Building, Room 110, Capitol Complex, Tallahassee, Florida 32301.

For a copy of the petition, contact: Tanya Williams, Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

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The Board of Medicine hereby gives notice that it has received a petition filed on July 2, 2001, on behalf of Oscar Farronay, M.D., seeking a variance from Rule 64B8-5.001, F.A.C., with regard to the number of times the USMLE can be taken and 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. The Board will consider the petition at its next meeting to be held on August 4, 2001, 8:00 a.m., or as soon thereafter as can be heard at the Senate Office Building, Room 110, Capitol Complex, Tallahassee, Florida 32301.

For a copy of the petition, contact: Tanya Williams, Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

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The Board of Medicine hereby gives notice that it has received a petition filed on June 14, 2001, by Enrique Tuesta, M.D., seeking a variance 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. The Board will consider the petition at its next meeting to be held on August 4, 2001, 8:00 a.m., or as soon thereafter as can be heard at the Senate Office Building, Room 110, Capitol Complex, Tallahassee, Florida 32301.

For a copy of the petition, contact: Tanya Williams, Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

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### FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Fish and Wildlife Conservation Commission has received a petition from Mark E. Radler ("Radler") for a waiver from the Brevard County manatee protection rule (68C-22.0006, Florida Administrative Code). The petition was received by the Office of General Council on June 4, 2001, and seeks authorization to operate at speeds greater than those allowed by the rule (but less than 20 mph) while conducting commercial crabbing activities within portions of the Banana River (north of Barge Canal and southeast of SR 528).

Copies of the petition may be received from and written comments submitted to: Florida Fish and Wildlife Conservation Commission, Office of General Council, 620 South Meridian Street, Tallahassee, Florida 32399-1600; Attention Ross Burnaman. To be considered, comments must be received no later than 14 days from the date of publication of this notice.

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## Section VI Notices of Meetings, Workshops and Public Hearings

### DEPARTMENT OF STATE

The **Department of State, Division of Cultural Affairs** announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: July 30, 2001, 1:00 p.m.

PLACE: WUSF TV Conference Room, WUSF TV Facility, University of South Florida, USFTampa Campus, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Art in State Buildings Meeting, BR-522.

For more information, please contact: Vincent Ahern, Coordinator of Public Art, University of South Florida Contemporary Art Museum, 4202 E. Fowler Avenue, CAM 101, Tampa, FL 33620, (813)974-4333.

Should any person wish to appeal any decision made with respect to any matter considered in the above-referenced meeting, he/she may need to ensure verbatim recording of the proceedings to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Vincent Ahern at the above listed phone number. If you are hearing or speech impaired, please contact the agency.

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The **Department of State, Division of Cultural Affairs** announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee  
DATE AND TIME: August 3, 2001, 10:00 a.m.  
PLACE: Humanities Council Conference Room, Florida Center for Teachers, University of South Florida, St. Petersburg Campus, St. Petersburg, FL  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Art in State Buildings Meeting, BR-557.

For more information, please contact: Vincent Ahern, Coordinator of Public Art, University of South Florida Contemporary Art Museum, 4202 E. Fowler Avenue, CAM 101, Tampa, FL 33620, (813)974-4333.

Should any person wish to appeal any decision made with respect to any matter considered in the above-referenced meeting, he/she may need to ensure verbatim recording of the proceedings to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs. Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Vincent Ahern at the above listed phone number. If you are hearing or speech impaired, please contact the agency.

The **Department of State, Division of Cultural Affairs** announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee  
DATE AND TIME: August 13, 2001, 1:00 p.m.  
PLACE: WUSF TV Conference Room, WUSF TV Facility, University of South Florida, USFTampa Campus, Tampa, FL  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Art in State Buildings Meeting, BR-522.

For more information, please contact: Vincent Ahern, Coordinator of Public Art, University of South Florida Contemporary Art Museum, 4202 E. Fowler Avenue, CAM 101, Tampa, FL 33620, (813)974-4333.

Should any person wish to appeal any decision made with respect to any matter considered in the above-referenced meeting, he/she may need to ensure verbatim recording of the proceedings to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs. Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Vincent Ahern at the above listed phone number. If you are hearing or speech impaired, please contact the agency.

The **Department of State, Division of Cultural Affairs** announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee  
DATE AND TIME: August 14, 2001, 1:00 p.m.  
PLACE: WUSF TV Conference Room, WUSF TV Facility, University of South Florida, USFTampa Campus, Tampa, FL  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Art in State Buildings Meeting, BR-522.

For more information, please contact: Vincent Ahern, Coordinator of Public Art, University of South Florida Contemporary Art Museum, 4202 E. Fowler Avenue, CAM 101, Tampa, FL 33620, (813)974-4333.

Should any person wish to appeal any decision made with respect to any matter considered in the above-referenced meeting, he/she may need to ensure verbatim recording of the proceedings to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs. Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Vincent Ahern at the above listed phone number. If you are hearing or speech impaired, please contact the agency.

**DEPARTMENT OF LEGAL AFFAIRS**

The Research Committee of the **Florida Commission on the Status of Women** will hold a telephone conference on:

DATE AND TIME: August 21, 2001, 10:00 a.m.  
PLACE: Please call (850)414-3300 for instructions on participation  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

The Women's Hall of Fame/Women's History Committee of the **Florida Commission on the Status of Women** will hold a telephone conference on:

DATE AND TIME: August 21, 2001, 2:00 p.m.  
PLACE: Please call (850)414-3300 for instructions on participation  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

**DEPARTMENT OF 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 14, 2001, 10:00 a.m. – 5:00 p.m.

PLACE: Hotel Royal Plaza, 1905 Hotel Plaza Boulevard, Lake Buena Vista, FL 32830-2203, (407)828-2828

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: LaTonya Bryant, Administrative Secretary, Division of Securities and Finance, 101 East Gaines Street, Fletcher Building, Room 636B, Tallahassee, Florida 32399-0350, (850)410-9898.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise LaTonya Bryant, (850)410-9898, at least 48 hours before the meeting. If you are hearing or speech impaired, contact LaTonya Bryant via the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida **Department of Agriculture and Consumer Services** announces two public workshops to which all interested persons are invited.

DATE AND TIME: August 7, 2001, 6:00 p.m. – 8:00 p.m.

PLACE: Environmental Learning Center, 255 Live Oak Drive, Vero, Florida

DATE AND TIME: August 9, 2001, 6:00 p.m. – 8:00 p.m.

PLACE: Florida Fish and Wildlife Conservation Field Station, 11350 Southwest 153rd Court, Cedar Key, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Agriculture and Consumer Services is amending Chapter 18-21, Florida Administrative Code, to provide for specific duties as they relate to managing aquacultural activities on sovereign submerged lands and water columns. The workshop will address policies and standards relating to aquaculture leases and other authorizations for aquacultural activities on state-owned submerged lands.

A copy of the agenda and the draft rule may be obtained by writing: Division of Aquaculture, 1203 Governor's Square Boulevard, Fifth Floor, Tallahassee, Florida 32301.

ADA NOTICE: If an accommodation is needed for a disability in order to participate in the public workshop, please notify the Bureau of Personnel Management, Department of Agriculture and Consumer Services by calling (850)488-1806, at least seven days prior to the public workshop.

The Florida **Department of Agriculture and Consumer Services**, Office of Agricultural Water Policy announces a meeting of the Soil and Water Conservation Council Meeting to which all persons are invited:

DATE AND TIME: July 27, 2001, 3:30 p.m. – 5:30 p.m.

PLACE: Double Tree Suites Hotel, 2670 East Sunrise Blvd., Ft. Lauderdale, FL 33304, 1(800)222-8733

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agricultural Water Conservation, Agricultural Best Management Practices Cost-Share Programs and a Legislative Update relating to Agricultural Issues.

For more information regarding the agenda, and directions, please contact: Ms. Brenda Howard, Staff Assistant, Office of Agricultural Water Policy, 1203 Governor's Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)488-6249, Email: howardb@doacs.state.fl.us.

The Florida **State Fair Authority** announces a meeting of the Finance Committee.

DATE AND TIME: Thursday, August 2, 2001, 11:00 a.m.

PLACE: Bob Thomas Equestrian Center-Horse Pavilion, Florida State Fairgrounds, Tampa, Florida 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss old and new business of the Finance Committee.

AGENDA: A copy of the agenda may be obtained by contacting Ms. Ann Menchen, Florida State Fairgrounds, P. O. Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact Ms. Ann Menchen, (813)621-7821 as soon as possible.

The Florida **State Fair Authority** announces a meeting of the Full Authority to which all persons are invited:

DATE AND TIME: Thursday, August 2, 2001, 1:00 p.m.

PLACE: Bob Thomas Equestrian Center-Horse Pavilion, Florida State Fairgrounds, Tampa, Florida 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and new business; International Racing Associates.

AGENDA: A copy of the agenda may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, P. O. Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact Ms. Ann Menchen, (813)621-7821 as soon as possible.

**DEPARTMENT OF EDUCATION**

The **Florida A & M University**, Board of Trustees announces its first official meeting.

**DATES AND TIMES:** August 2, 2001, 8:00 a.m. – 5:00 p.m.; August 3, 2001, 8:00 a.m. – 12:00 Noon

**PLACE:** University Grand Ballroom, H. Manning Efferson Student Union Complex

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Board's agenda will include:

1. Organizational Issues
2. Presidential Search Committee
3. General University Business and
4. University Calendar

The **Polk County School Readiness Coalition**, Inc. announces the following meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, July 18, 2001, 8:30 a.m.

**PLACE:** Family Fundamentals (LVIM), 2nd Floor, 1021 Lakeland Hills Blvd., Lakeland, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Board of Directors meeting to consider and discuss business relating to contracting with the state Partnership for School Readiness.

For more information access the following website:  
[www.pcsb.k12.fl.us/information/coalition.htm](http://www.pcsb.k12.fl.us/information/coalition.htm)

The **Florida Community College System** announces a conference call of the Foundation for Florida's Community Colleges, Inc., to which all persons are invited.

**DATE AND TIME:** July 31, 2001, 11:00 a.m. – 12:00 Noon

**PLACE:** (850)488-5776 or Suncom 278-5776

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular business meeting of the Board of Directors.

**NOTE:** If you need special services to attend the meeting or need additional information, write the Division of Community Colleges, 325 West Gaines Street, Suite 1314, Tallahassee, Florida 32399-0400.

The Florida Community College Distance Learning Consortium of the **State Board of Community Colleges** announces the following public meeting to which all persons are invited to participate:

**DATE AND TIMES:** Thursday, August 2, 2001, New Member Orientation, 12:30 p.m. – 1:00 p.m.; Meeting, 1:00 p.m. – 5:00 p.m.

**PLACE:** Manatee Community College, Library, Room 229, 5840 26th Street, West, Bradenton, FL 34207

**DATE AND TIME:** Friday, August 3, 2001, Meeting, 8:00 a.m. – 3:00 p.m.

**PLACE:** Manatee Community College, Library, Room 229, 5840 26th Street, West, Bradenton, FL 34207

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular Quarterly Business Meeting.

**NOTE:** If you need additional information or special services to participate in the meeting, please contact: Florida Community College Distance Learning Consortium, University Center, Building C, Suite C-1100, Tallahassee, FL 32306-2732 or by phone (850)645-4826.

The **Florida Institute of Phosphate Research** announces the quarterly meeting of the Board of Directors to which all persons are invited.

**DATE AND TIME:** Friday, July 27, 2001, 10:00 a.m. – 4:30 p.m.

**PLACE:** Southwest Florida Water Management District, Conference Room, 170 Century Drive, Bartow, FL 33830

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To consider funding of research proposals and other business pertaining to the operation of the Institute.

A copy of the minutes of the January 19, 2001, Board Meeting may be obtained by writing: Paul R. Clifford, Executive Director, Florida Institute of Phosphate Research, 1855 West Main Street, Bartow, Florida 33830.

The **Department of Education** announces a meeting of the Occupational Access and Opportunity Commission State Plan Committee to which all persons are invited and to which all interested individuals are encouraged to attend.

**DATE AND TIME:** August 1, 2001, 10:00 a.m. – 1:00 p.m.

**PLACE:** Division of Vocational Rehabilitation Services' Headquarters, Room 360, 2002 Old Saint Augustine Road, Building A, Tallahassee, Florida 32301, (850)488-0059

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss the regular business of the State Plan Committee.

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**

**DATES AND TIMES:** July 25, 2001, 1:00 p.m. – 4:00 p.m.; July 26, 2001, 9:00 a.m. – 1:00 p.m.

**PLACE:** Florida Solar Energy Center, 1679 Clearlake Road, Cocoa, Florida 32922-5703

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CFF will consider the following items:

- 1) Federal Proposed Legislation
- 2) Legislative Committee Report
- 3) CFF Conference Proposal
- 4) Staffing Updates
- 5) State Energy Program Report
- 6) Center for Urban Transportation Research Expanded Scope of Contract
- 7) Energy 2020 Study Commission Update
- 8) CFF Member Roundtable – What’s new?

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: Emily Cook, Administrative 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 using the Florida Dual Party System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs** announces a meeting of the Community Assistance Advisory Council, and a public hearing to receive input from all interested parties on the CSBG State Administrative Plan for federal fiscal year (FFY) 2002, to which all interested parties are invited.

**COMMUNITY ASSISTANCE ADVISORY COUNCIL MEETING**

DATE AND TIME: Tuesday, August 14, 2001, 9:30 a.m. – 11:30 a.m.

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Randall Kelley Training Center, Room 305, Tallahassee, Florida 32399-2100, (850)488-7541

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Council will review the CSBG Program State Administrative Plan for FFY 2002.

**PUBLIC HEARING FOR THE CSBG STATE PLAN FOR FFY 2002**

DATE AND TIME: Tuesday, August 14, 2001, 1:00 p.m. – 3:00 p.m.

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Randall Kelley Training Center, Room 305, Tallahassee, Florida 32399-2100, (850)488-7541

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain input and recommendations from the public and interested parties concerning the CSBG State Administrative Plan for FFY 2002 which will be submitted to the United States Department of Health and Human Services.

A copy of the state plan and agenda may be obtained by writing: Department of Community Affairs, Hilda S. Frazier, Planning Manager, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, by telephoning (850)488-7541, by Fax (850)488-2488 or by appearing in person at the agency headquarters.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a record of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Any person requiring a special accommodation at this public hearing because of a disability or physical impairment should contact the Community Assistance section, (850)488-7541, at least five calendar days prior to the hearing. If you are hearing impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF TRANSPORTATION**

The **Department of Transportation**, District 5 announces a public hearing to which all persons are invited.

DATE AND TIMES: August 14, 2001, 6:00 p.m. – 7:00 p.m. Open House; 7:00 p.m., Public Hearing

PLACE: Eastmonte Civic Center, 830-A Magnolia Drive, Altamonte Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of Financial Project Number 240233-1-22-01, Federal-Aid Project Number 8791-009-U, otherwise known as SR 434. The limits of the project corridor are along SR 434 from Montgomery/Wekiva Springs Road to US 17/92 in Seminole County, Florida.

Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990 should write: Jack Robinson, Project Manager, Keith and Schnars, 6500 North Andrews Avenue, Fort Lauderdale, Florida 33309 or call toll free, 1(800)488-1255.

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. Harold Webb, Project Manager, Florida Department of Transportation, District 5, MS #542, 719 S. Woodland Boulevard, DeLand, Florida 32720-6834.

The **FSTED Council Project Review Group** announces a meeting in which all interested persons are invited to participate.

DATE AND TIME: August 14, 2001, 9:00 a.m. – 12:00 Noon

PLACE: Florida Department of Transportation, Executive Conference Room, 5th Floor, 605 Suwannee Street, Tallahassee, Florida 32399, (866)374-3368, Extension 2402

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Tara Vercellone, Florida Ports Council, 315 South Calhoun Street, Suite 712, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Tara Vercellone, (850)222-8028.

The **Florida High Speed Rail Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: July 30, 2001, 10:00 a.m. – conclusion

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the newly established Florida High Speed Rail Authority.

Information may be obtained by contacting: Nazih Haddad, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4500.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings are asked to advise the Authority at least 48 hours before the meetings by contacting Betty Sizemore, (850)414-5244.

**FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 1, 2001, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C, Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980).

A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than two working days prior to the proceeding at the address given on the notice, telephone (850)488-3417.

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 8, 2001, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C, Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980).

A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than two working days prior to the proceeding at the address given on the notice, telephone (850)488-3417.

**PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: \*July 23, 2001, 9:30 a.m.

PLACE: Room 140, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.



A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission through the Florida Relay Service by using the following numbers 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

\* In the event of a scheduling conflict, this meeting may be moved to July 24, 2001, immediately following the Commission Conference, in Room 140.

**THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.**

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The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 000604-TL – Request for review of proposed numbering plan relief for the 941 area code.

DATE AND TIME: July 23, 2001, 1:30 p.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 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).

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The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: July 24, 2001, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To consider those matters ready for decision.

**LEGAL AUTHORITY AND JURISDICTION:** Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Rule 25-22.002, F.A.C.), by contacting: 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 the appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

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The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 991437-WU – Application for increase in water rates in Orange County by Wedgefield Utilities, Inc.

DATES AND TIME: July 25-26, 2001, 10:00 a.m. (Customer testimony will be taken on July 25, 2001, 10:00 a.m. and 6:00 p.m.)

PLACE: Wedgefield Golf Club, 20550 Maxim Parkway, Orlando, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To permit parties to present testimony and exhibits relative to the application for increase in water rates in Orange County by Wedgefield Utilities, Inc., and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on July 9, 2001. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any

person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

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The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: \*August 6, 2001, 9:30 a.m.

PLACE: Room 140, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission through the Florida Relay Service by using the following numbers: 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

\* In the event of a scheduling conflict, this meeting may be moved to August 7, 2001, immediately following the Commission Conference, in Room 140.

THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.

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The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 010027-TP – Petition by IDS Telcom, LLC for arbitration of terms of interconnection agreement with BellSouth Telecommunications, Inc.

DATE AND TIME: August 6, 2001, 1:30 p.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 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).

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The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990054-WU – Application for amendment of Certificate No. 106-W to add and delete territory in Lake County by Florida Water Services Corporation.

DATE AND TIME: August 6, 2001, 1:30 p.m.

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 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).

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The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: August 7, 2001, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Rule 25-22.002, F.A.C.), by contacting: 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 the appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

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The Florida **Public Service Commission** announces a staff workshop to which all persons are invited.

UNDOCKETED MATTER: Risk Management for Fuel and Wholesale Energy Transactions

DATE AND TIME: Wednesday, August 8, 2001, 1:30 p.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to provide an opportunity for all interested persons to make informational presentations to the Commission staff and other interested persons concerning risk management policies and procedures related to fuel and wholesale energy transactions. Any person who wishes to make a presentation at this workshop should contact Cochran Keating, (850)413-6193, by the close of business on Wednesday, August 1, 2001.

Commissioners may be present and participate at this workshop. Copies of the agenda for this workshop may be obtained by contacting: Director, Division of the Commission Clerk and Administrative Services, 4075 Esplanade Way, Tallahassee, Florida 32399-0850. Any person with questions concerning this workshop should contact Todd Bohrmann, (850)413-6445.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

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The Florida **Public Service Commission** announces a public meeting or workshop to which all persons are invited.

UNDOCKETED MATTER: Commission review of ten-year site plans of electric utilities

DATE AND TIME: Monday, August 13, 2001, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to afford an opportunity for public comment on the ten-year site plans submitted by Florida's utilities. At the workshop, the utilities will describe their plans, the key assumptions underlying the plans, and the impact of demand-side management goals on the plans. The Florida Reliability Coordinating Council will present the Peninsular Florida Load and Resource Plan and the Peninsular Florida Reliability Assessment.

A copy of the agenda for this workshop may be obtained by contacting: Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. Any person with questions concerning this workshop should contact Michael Haff, (850)413-6684.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

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NOTICE OF RESCHEDULING – The Florida **Public Service Commission** announces a hearing (originally scheduled for August 2, 2001) to be held in the following docket, to which all interested persons are invited.

Docket No. 010283-EI – Calculation of gains and appropriate regulatory treatment for non-separated wholesale energy sales by investor-owned electric utilities.

DATE AND TIME: August 31, 2001, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the calculation of gains and appropriate regulatory treatment for non-separated wholesale energy sales by investor-owned electric utilities, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on July 13, 2001. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any

person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**NOTICE OF RESCHEDULING** – The Florida **Public Service Commission** announces a hearing (originally scheduled for August 3, 2001) to be held in the following docket, to which all interested persons are invited.

Docket No. 990362-TI – Initiation of show cause proceedings against GTE Communications Corporation (n/k/a Verizon Select Services Inc.) for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection.

DATE AND TIME: October 31, 2001, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To permit parties to present testimony and exhibits relative to the initiation of show cause proceedings against GTE Communications Corporation (n/k/a Verizon Select Services Inc.) for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on May 16, 2001. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

#### **EXECUTIVE OFFICE OF THE GOVERNOR**

The **Executive Office of the Governor** announces the following public hearing:

DATE AND TIME: Friday, August 10, 2001, 1:00 p.m.

PLACE: Room 309, Capitol Building, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A hearing regarding a plan for the issuance of up to \$60,000,000 aggregate principal amount of obligations (the “Bonds”) by Florida Educational Loan Marketing Corporation (the “Corporation”) to finance the acquisition and carrying by the Corporation of educational loan notes incurred under the Higher Education Act of 1965, as amended, including, without limitation, financing pursuant to the request of the Governor of the State of Florida to assist the State of Florida by providing an educational loan secondary market and warehousing facility pursuant to the provisions of Section 150(d) of the Internal Revenue Code of 1986, as amended.

Amounts payable on the Bonds will not constitute an indebtedness or liability of the State of Florida or any political subdivision thereof or be a charge against their general credit or their taxing powers, if any, but shall be payable solely from other sources established in connection with issuance of the Bonds.

The public hearing is required by Section 147 of the Internal Revenue Code of 1986, as amended. At the time and place set for the public hearing, interested individuals will be given the opportunity to express their views, both orally and in writing, on the proposed issuance of the Bonds and the plan of financing of educational loans thereby. Written comments may be submitted to the Corporation until and including the date of the hearing.

A copy of the agenda may be obtained by contacting the Corporation at the address or telephone number listed below. The Corporation’s Florida office is located at 10420 S. W. 77th Avenue, Miami, Florida 33156, (305)740-0100. Reasonable requirements may be imposed on individuals who wish to participate in the hearing, including requirements that persons desiring to speak at the hearing so request in writing delivered to the Corporation at the above-referenced address at least 24 hours before the hearing and that oral remarks be limited to ten minutes.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the Corporation at least 48 hours before the hearing by contacting Judith Morris, (305)740-0100 or Barbara Ryan, (480)461-6501.

#### **REGIONAL PLANNING COUNCILS**

The **South Florida Regional Planning Council** announces the following Workshop meeting to which all persons are invited.

**MEETING:** Plenary Session of Regional Housing Action Groups to discuss government support/leadership and possible policy recommendations about affordable housing in South Florida.

DATE AND TIME: Tuesday, July 31, 2001, 1:30 p.m. – 5:30 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The South Florida Regional Planning Council will convene this meeting to address affordable housing issues.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152 (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 at (954)985-4416, at least five calendar days prior to the meeting.

The **South Florida Regional Planning Council** announces a meeting of the Executive Committee to which all persons are invited.

DATE AND TIME: Monday, August 6, 2001, 10:00 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendment for Weston; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for Broward County; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Executive Committee meeting on monthly Council business.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD) if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

## DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

The **Department of Labor and Employment Security, Division of Workers' Compensation** announces the following meeting of an informal rule revision workshop to which the public is invited. The informal workshop will be held to review the proposed changes to the Division's paper and electronic data reporting (EDI) requirements.

DATES AND TIMES: Thursday, August 9, 2001, 8:30 a.m. – 5:00 p.m., Claims Rules; Friday, August 10, 2001, Medical Rules, 8:30 a.m. – 12:00 Noon, Proof of Coverage Rules, 1:30 p.m. – 5:00 p.m.

PLACE: Hyatt Sarasota, 1000 Blvd. of the Arts, Sarasota, FL 34236, (941)953-1234

ACCOMMODATIONS: A block of rooms has been reserved for attendees at the Hyatt Sarasota 1(800)233-1234, for a rate of \$93.00 per night. When making reservations please ask for the block of rooms reserved under the Florida Division of Workers' Compensation meeting rate.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this two-day meeting is to conduct an informal review of the proposed changes to Division Rule 38F-3, F.A.C.; the proposed Claims EDI filing and mandate rules; the proposed Proof of Coverage EDI filing and mandate rules; the proposed changes to Division Rule 38F-7.602, F.A.C.; and the proposed medical/re-employment data EDI filing and mandate rules.

Attendees should RSVP by Friday, August 3, 2001 to Tiffany Lindsey, (850)488-6241, Ext. 163 or by e-mail at [Lindset@wcpst.fdes.state.fl.us](mailto:Lindset@wcpst.fdes.state.fl.us). Agendas will be provided upon RSVP.

Persons with a disability or handicap requiring reasonable accommodations should contact Tiffany Lindsey in writing 2012 Capital Circle, S. E., Room 200, Hartman Building, Tallahassee, FL 32399-0682 or by phone (850)488-6241, ext. 163, at least three business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Tiffany Lindsey using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TTD).

## WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces the following tour. Governing Board Members, Catherine Walker and Ann Moore will be participating in a tour of Indian River County and its Stormwater and Wetland Treatment Projects.

DATE AND TIME: August 1, 2001, 9:00 a.m.

PLACE: Commissioner Ruth Stanbridge, Indian River County Administration Building, 1840 26th Street, Vero Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To familiarize the Governing Board Members with Indian River County Projects, specifically the proposed East Indian River Water Control District Stormwater Management Plan.

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 Linda Lorenzen, (386)329-4262. If you are hearing or speech impaired, please contact the agency by calling (386)329-4450 (TDD).

NOTE: If any person decides to appeal any decision with respect to any matter considered by the St. Johns River Water Management District's Governing Board, such person may need to ensure that a verbatim record of the meeting is made to include the testimony and evidence upon which appeal is to be based.

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meeting to which all interested persons are invited:

**BASIN BOARD EDUCATION COMMITTEE MEETING**  
DATE AND TIME: Tuesday, July 31, 2001, 9:30 a.m. – 11:30 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Committee business.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4604, TTD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited:

**HILLSBOROUGH RIVER BASIN BOARD MEETING**  
DATE AND TIME: Wednesday, August 1, 2001, 1:00 p.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2002 final millage and budget.

**NORTHWEST HILLSBOROUGH BASIN BOARD MEETING**

DATE AND TIME: Thursday, August 2, 2001, 9:00 a.m.  
PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2002 final millage and budget. Basin Board members may attend an optional tour of Northwest Hillsborough County to observe basin features and project sites.

**WITHLACOCHEE RIVER BASIN BOARD MEETING**  
DATE AND TIME: Tuesday, August 7, 2001, 8:30 a.m.

PLACE: SWFWMD, Lecanto Service Office, 3600 W. Sovereign Path, Lecanto, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2002 final millage and budget.

**COASTAL RIVERS BASIN BOARD MEETING**  
DATE AND TIME: Tuesday, August 7, 2001, 1:00 p.m.

PLACE: SWFWMD, Lecanto Service Office, 3600 W. Sovereign Path, Lecanto, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2002 final millage and budget.

**PINELLAS-ANCLOTE RIVER BASIN BOARD MEETING**  
DATE AND TIME: Wednesday, August 8, 2001, 9:00 a.m.

PLACE: West Pasco Government Center, 7530 Little Road, New Port Richey, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2002 final millage and budget.

**ALAFIA RIVER BASIN BOARD MEETING**  
DATE AND TIME: Thursday, August 9, 2001, 9:00 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301 N., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2002 final millage and budget.

**PEACE RIVER BASIN BOARD MEETING**  
DATE AND TIME: Friday, August 10, 2001, 9:30 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2002 final millage and budget.

**LAKE PANASOFFKEE RESTORATION COUNCIL MEETING**

DATE AND TIME: Monday, August 13, 2001, 5:00 p.m.  
PLACE: Sumter County Court House Commission Chambers, 209 North Florida Street, Bushnell, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Council business.

**MANASOTA BASIN BOARD MEETING**  
DATE AND TIME: Wednesday, August 15, 2001 10:00 a.m.

PLACE: City of Palmetto, 516 8th Avenue, West, Palmetto, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2002 final millage and budget.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4604, TTD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces the following meetings to which all interested parties are invited.

**GREEN INDUSTRY ADVISORY COMMITTEE**  
DATE AND TIME: Thursday, August 2, 2001, 9:30 a.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

AGRICULTURAL ADVISORY COMMITTEE

DATE AND TIME: Tuesday, August 7, 2001, 5:30 p.m.  
PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

Copies of the agendas may be obtained by writing: Community Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

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The **South Florida Water Management District** announces a public meeting which to which all interested parties are invited:

DATE AND TIME: July 30, 2001, 5:30 p.m.  
PLACE: South Florida Water Management District, Ft. Myers Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget Public Forum.

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 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 Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact Chip Merriam, District Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901, (941)338-7716.

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The **South Florida Water Management District** announces a public meeting which to which all interested parties are invited:

DATE AND TIME: August 1, 2001, 7:00 p.m. (Meet New SFWMD Executive Director Henry Dean at 7:00 p.m.)  
PLACE: South Palm Beach County Civic Center, 16700 Jog Road, Delray Beach, FL 33446

Palm Beach County Budget Public Forum (Palm Beach County contact person is Sylvia Williams, Assistant Manager, Civic Center, (561)495-9813).

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 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 Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact Henry Bittaker, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561)682-6792.

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The **South Florida Water Management District** announces a public meeting which to which all interested parties are invited:

DATE AND TIME: August 2, 2001, 6:30 p.m.  
PLACE: Port St. Lucie Community Center, 2195 S. E. Aroso Blvd., Port St. Lucie, FL 34983, (561)344-4200  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget Public Forum.

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 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 Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact Paul Millar, District Service Center, 210 Atlanta Avenue, Stuart, FL 34994, (561)223-3602.

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The **South Florida Water Management District** announces a public meeting which to which all interested parties are invited:

DATE AND TIME: August 13, 2001, 3:30 p.m.

PLACE: County Administration Building, 1 Courthouse Square, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget Public Forum.

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 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 Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please Bridgett Duckworth, District Orlando Service Center, 7335 Lake Ellenor Drive, Orlando, FL 32809, (407)858-3808.

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The **South Florida Water Management District** announces a public meeting which to which all interested parties are invited:

DATE AND TIME: August 16, 2001, 5:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget Public Forum.

PLACE: Miami-Dade County Main Library, Auditorium, 101 W. Flagler Street, Miami, FL

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 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 Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact Maribel Balbin, South Florida Water Management District Service Center, 172A W. Flagler Street, Miami, FL 33130, (305)377-7280.

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The **South Florida Water Management District** announces a public meeting which to which all interested parties are invited:

DATE AND TIME: August 27, 2001, 7:00 p.m.

PLACE: Glades County Commission, 500 Avenue J, Moore Haven, FL 33471

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget Public Forum.

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 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 Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact Paul Millar, District Service Center, 210 Atlanta Avenue, Stuart, FL 34994, (561)223-3602.

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The **South Florida Water Management District** announces a public meeting which to which all interested parties are invited:

DATE AND TIME: August 28, 2001, 9:00 a.m.

PLACE: Orange County Administration Building, 201 S. Rosalind Avenue, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget Public Forum.

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 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 Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact Bridgett Duckworth, South Florida Water Management District Service Center, 7335 Lake Ellenor Drive, Orlando, FL 32809, (407)858-3806.



The **South Florida Water Management District** announces a meeting to conduct the public review of the 2002 Everglades Consolidated Report to which all persons are invited to view and in which all members of the public are encouraged to participate. The review will be conducted through the use of an internet accessible website.

DATE AND TIME: Web Board available August 29, 2001 through October 4, 2001

PLACE: <http://www.sfwmd.gov/org/ema/everglades/index.html>

For persons without access to the Internet, access to the website is available at the offices of the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida from 8:00 a.m. – 5:00 p.m., Monday through Friday.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
This site

<http://www.sfwmd.gov/org/ema/everglades/index.html> will be used to allow public access to communications among the chairman and members of the independent peer review panel created to conduct a review of the 2002 Everglades Consolidated Report, pursuant to Section 373.4592(4)(d), F.S. Beginning on August 29, 2001, through October 4, 2001, interested parties may access ongoing communications among the peer review panelists, electronically stored communications and other public records associated with the 2002 Report that are posted to this site. The public can provide comment on any aspect of the Report, particularly on relevant scientific or technical data and findings. Communications and documents posted are preserved and can be accessed at anytime after they occur or are posted.

For information regarding this review, please write: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call Garth Redfield, (561)682-6611. For assistance in obtaining computer access to this review, please write to the South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call Trudy Morris, (561)682-6569.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this review is asked to advise the agency when access to the Web Board is needed by contacting Garth Redfield, (561)682-6611. If you are hearing or speech impaired, please contact the agency by calling (561)697-2574.

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#### **REGIONAL UTILITY AUTHORITIES**

The **Peace River/Manasota Regional Water Supply Authority** announces the following public meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, August 1, 2001, 10:00 a.m.

PLACE: Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Peace River Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although the Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Persons with disabilities who need assistance may call (941)316-1776, at least two business days in advance to make appropriate arrangements.

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#### **SPACEPORT FLORIDA AUTHORITY**

The **Florida Commercial Space Financing Corporation (FCSFC)** announces a Board of Directors meeting, Personnel Committee meeting and teleconference to which the public is invited.

DATE AND TIMES: Personnel Committee meeting: July 26, 2001; 12:00 p.m. – 1:00 p.m.; Board of Directors meeting: 1:00 p.m. – 4:00 p.m.

PLACE: Offices of FCSFC, Florida/NASA Incubation Center, 1311 N. U.S. 1, Conference Room, Titusville, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Personnel Committee meeting: To review the contract for the President of the FCSFC; Board of Directors meeting: To review general board business, ratification of agreements, financings, guarantees, budgets, procedures and to consider other proposed matters related to the business of the Corporation.

For more information or to obtain a copy of the agenda, contact: Mr. Jim Leary or Ms. Judy Blanchard, The Florida Commercial Space Financing Corporation, Florida/NASA Business Incubation Center, 1311 N. Highway U.S. 1, Suite 129, Titusville, FL 32796, (321)267-2877.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Commercial Space Financing Corporation.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

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The **Spaceport Florida Authority** announces that Governor Jeb Bush, Senator Bob Graham, Senator Bill Nelson, and Congressman Dave Weldon, in cooperation with the University of Central Florida (UCF) will sponsor a Florida Space Summit:  
DATE AND TIME: July 30, 2001, 8:00 a.m. – 12:30 p.m.

PLACE: UCF Student Union Building, UCF's Orlando Campus, University Boulevard, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss state/federal space policy issues. The summit will be open for public participation. Staff-level summit deliberations and board discussions may continue until 4:00 p.m.

Special-needs accommodations for public participation can be arranged by contacting UCF, (407)835-9926. The summit will include numerous elected officials and board members from various state government organizations, including the Governor's Office of Tourism, Trade and Economic Development, Spaceport Florida Authority, Florida Space Research Institute and Enterprise Florida. Call Edward Ellegood, (321)452-2653 for information.

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#### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public workshop to which all persons are invited.

DATE AND TIME: Wednesday, August 1, 2001, 9:00 a.m. – 12:00 Noon

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: In compliance with Chapter 2001-067, Florida Law, the Agency for Health Care Administration is directed to convene an interagency workgroup to study ways to establish uniformity among background screening requirements of applicants for licensure, certification or registration of health care professionals and for owners, operators and employees of health care providers, services, and programs that are regulated by the agency and subject to background screening requirements. The workgroup shall also review Chapter 435, Florida Statutes and propose revisions to the disqualifying criminal offenses, specify appropriate statutes of limitations and identify additional civil actions that should be considered as disqualifying.

A copy of the agenda may be obtained by writing: Agency for Health Care Administration, Background Screening Unit, 2727 Mahan Drive, Tallahassee, Florida 32327, Mail Stop 40 or by calling CaraLee Starnes, (850)410-3400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting CaraLee Starnes, (850)410-3400. If you are hearing or speech impaired, please contact the agency by calling the Florida Relay Service at 1(800)955-8770.

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Professional Engineers** announces a public meeting of the Board Operations Committee which all persons are invited:

DATE AND TIME: Monday, July 30, 2001, 9:00 a.m.

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of operating procedures within the Board office.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

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The Florida **Board of Professional Engineers** announces a public Summit on the Improvement of the Engineering Profession in the State of Florida.

DATE AND TIME: Wednesday, August 8, 2001, 12:00 Noon

PLACE: Marco Island Marriott Resort and Golf Club, 400 S. Collier Blvd., Marco Island, FL 34145

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss policy issues concerning Engineers in Florida.

A copy of the agenda may be obtained by writing: Florida Engineering Foundation, P. O. Box 750, Tallahassee, Florida 32302.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

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The Florida **Board of Professional Engineers** announces a public meeting to conduct the business of the Board, including committee business which all persons are invited:

DATES AND TIMES: Thursday, August 9, 2001, 8:30 a.m.; Friday, August 10, 2001, 8:30 a.m., if the business of the Boards is not concluded

PLACE: Marco Island Marriott Resort & Golf Club, 400 S. Collier Blvd., Marco Island, FL 34145

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32302.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

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The **Florida Building Code Administrators and Inspectors Board** announces a Probable Cause Panel Meeting via telephone conference call portions of which will be closed to the public.

DATE AND TIME: July 30, 2001, 10:00 a.m. (EST)

PLACE: Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board Office, 1940 North Monroe Street, Tallahassee, FL 32399-2211

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

If any person decides to appeal any decision made by the Building Code Administrators and Inspectors 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 Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-2211.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence, Building Code Administrators and Inspectors Board, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Gregory Spence using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Department of Business and Professional Regulation** announces the following meeting to be conducted by the **Building Code Administrators and Inspectors Board** (Board) to which all persons are invited to attend:

MEETING: Building Code Administrators and Inspectors Board

DATES AND TIMES: August 2, 2001, 1:00 p.m.; August 3, 2001, 8:00 a.m.

PLACE: The Biltmore Hotel, 1200 Anasiasia Avenue, Coral Gables, FL 33134, (305)445-8066

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct an official meeting of the Building Code Administrators and Inspectors Board (Board).

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence, Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, (850)921-6500, at least forty eight (48) hours prior to the meeting. If you are hearing or speech impaired, please call Glenda Albritton, Building Code Administrators and Inspectors Board, using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: August 14, 2001, 1:30 p.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public.)

PLACE: Suite 301, North Tower, 400 West Robinson Street, Orlando, Florida

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 9:00 a.m. – 4:00 p.m.) at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Florida Real Estate Commission** (FREC) announces a meeting to which all persons are invited.

DATE AND TIME: August 15, 2001, 8:30 a.m.

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, Recovery Fund Claims, education issues, petitions for declaratory statement and disciplinary actions.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required. Probable Cause Panel(s) may also meet during this session. Portions of the Probable Cause are not open to the public.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, Administration Office, P. O. Box 1900, Orlando, Florida 32802-1900.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection**, Clean Boating Partnership announces a pre-meeting for the purpose of discussing items to be further discussed and acted upon at its third quarterly meeting for 2001 to which all persons are invited. The pre-meeting is scheduled:

DATE AND TIME: Wednesday, July 25, 2001, 6:00 p.m. – 9:00 p.m.

PLACE: Restaurant, Renaissance Orlando Hotel, Airport, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review, discuss and further develop Clean Marina Program policy and implementation strategy recommendations for the third quarterly meeting of 2001 taking place the following day. The third quarterly meeting for 2001 of the Clean Boating Partnership is scheduled for:

DATE AND TIME: Thursday, July 26, 2001, 9:00 a.m. – 4:00 p.m.

PLACE: London Room, Renaissance Orlando Hotel, Airport, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review, discuss and further develop policy and implementation strategy recommendations for the Department's Clean Marina Program.

A copy of the agenda may be obtained by contacting: Jan R. De Laney, (850)488-5757, Extension 178, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000.

In accordance with the Americans With Disabilities Act, if you need a special accommodation to attend you should contact our office immediately at (850)488-5757, Extension 178, or call 1(800)955-8771 (TDD), or 1(800)955-8770 (Voice), via Florida Relay Service.

The **Department of Environmental Protection** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, July 30, 2001, 6:00 p.m. – 8:00 p.m.

PLACE: Deerfield Beach City Commission Chambers, 150 Northeast 2nd Avenue, Deerfield Beach, Florida 33441

GENERAL SUBJECT MATTER TO BE CONSIDERED: To accept public comments and provide status of Department's Intent to Issue an Air Construction Permit to Deerfield Beach Energy Center, L.L.C. (an affiliate of Enron North America), to construct a nominal 510 megawatt simple cycle electrical power generating plant immediately East of the Florida Turnpike and immediately North of Northwest 48th Street (Hilton Road) in Deerfield Beach, Broward County. The location is between the Lakeview Community to the North and the Waste Management Landfill to the South. The permitting action is subject to the Department's rules for the Prevention of Significant Deterioration of Air Quality (PSD) and Best Available Control Technology (BACT).

A copy of the agenda and the Department's proposed permit and supporting documents can be obtained by contacting: Debbie Galbraith, Department of Environmental Protection, 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399, (850)921-9537, or by phoning the Bureau of Air Regulation, New Source Review Section, (850)921-9505.

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 Personnel Service Specialist, Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The **Department of Environmental Protection** (DEP) announces the following public meetings, to which all persons are invited, to introduce the Department's watershed management approach and discuss watershed management activities in the Lower St. Johns River Basin.

MEETING: Lower St. Johns River Basin

DATE AND TIME: July 31, 2001, 9:30 a.m.

PLACE: DEP, Northeast District Office, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida

MEETING: Lower St. Johns River Basin

DATE AND TIME: July 31, 2001, 6:30 p.m.

PLACE: St. Johns River Water Management District, Governing Board Room, 4049 Reid Street (SR 100 West), Palatka, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of each meeting is to introduce the Department's watershed management approach and describe how it will be applied to the basin to fulfill the Department's responsibilities under the Florida Watershed Restoration Act (Section 403.067(6), Florida Statutes). The meetings will provide background information and opportunities for working with public and private interests in addressing water quality problems in the Lower St. Johns River Basin.

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 Personnel Services Specialist, Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

A copy of the agenda for each of the meetings may be obtained by contacting the basin coordinator listed below at the Department of Environmental Protection, 2600 Blair Stone Road, MS #3565, Tallahassee, Florida 32399-2400: Lower St. Johns River Basin coordinator: Mary Paulic, (850)921-9932, email at mary.paulic@dep.state.fl.us

The **Department of Environmental Protection** announces a one-day public meeting of the Methodology Focus Group (MFG). The MFG is a focus group within the Contaminated Soils Forum (CSF). All persons are invited to participate.

DATE AND TIME: August 1, 2001, 10:00 a.m. – not later than 5:30 p.m.

PLACE: Echelon International (formerly Progress Center), 13709 Progress Blvd., Main Conference Room, Alachua, Florida, (904)462-4040

GENERAL SUBJECT MATTER TO BE CONSIDERED: The one-day meeting of the MFG will provide opportunities for interested parties to discuss:

- 1) Arsenic bioavailability information for updating cleanup target levels in Chapter 62-777, F.A.C.;
- 2) Uncertainty handling in risk assessment and risk-based cleanup target levels in Chapter 62-777, F.A.C.;
- 3) Detection limit practicalities from laboratory perspective; and
- 4) Other matters that may be raised before the MFG.

A copy of directions to the meeting room may be obtained by calling or writing: Roger B. Register, Department of Environmental Protection, Bureau of Waste Cleanup, M.S. #4505, Room 309A, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)413-0062 or an electronic copy may be obtained at the Internet address: <http://www.dep.state.fl.us/dwm/programs/csf>.

If an accommodation is needed for a disability in order to participate in this activity, please notify the Personnel Services Specialist, Bureau of Personnel, (850)487-1855 or 1(800)955-8771 (TDD), at least seven days before the meeting.

The **Department of Environmental Protection** announces a one-day public meeting of the Ecological Risk Focus Group (ERFG). The ERFG is a focus group within the Contaminated Soils Forum (CSF). All persons are invited to participate.

DATE AND TIME: August 2, 2001, 10:00 a.m. – not later than 5:00 p.m.

PLACE: Echelon International (formerly Progress Center), 13709 Progress Blvd., Main Conference Room, Alachua, Florida, (904)462-4040

GENERAL SUBJECT MATTER TO BE CONSIDERED: The one-day meeting of the ERFG will provide opportunities for interested parties to discuss and finalize an Ecological Risk position paper regarding ecological risk assessment guidance and review.

A copy of directions to the meeting room may be obtained by calling or writing: Roger B. Register, Department of Environmental Protection, Bureau of Waste Cleanup, M.S. #4505, Room 309A, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)413-0062 or an electronic copy may be obtained at the Internet address: <http://www.dep.state.fl.us/dwm/programs/csf>.

If an accommodation is needed for a disability in order to participate in this activity, please notify the Personnel Services Specialist, Bureau of Personnel, (850)487-1855 or 1(800)955-8771 (TDD), at least seven days before the meeting.

The **Department of Environmental Protection** announces a public hearing to which all interested persons are invited.

DATE AND TIME: August 22, 2001, 2:00 p.m.

PLACE: Room 611, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and public comment and to take final action on the adoption and management of the FY 2002 State Revolving Fund loan priority list for water pollution control projects under Rule Chapter 62-503, Florida Administrative Code and incipient Agency policy. Approximately \$345 million is projected to be available for assignment to qualifying wastewater, stormwater, or nonpoint source projects. The Department may adopt, modify, or deny the proposed actions at the hearing. Projects may be included on the priority list to be adopted pursuant to incipient Agency policy, if requests and required documentation are approved by the Department by August 8, 2001.

Under the incipient agency policy, preconstruction loans for stormwater project planning and design may be authorized; certain parts of the Rule having to do with document submittal and list adoption schedules have been abrogated or revised; the

limit on funds available for stormwater loans has been lifted; project eligibility has been expanded to include publicly and privately owned non-point source pollution control activities as defined in Sections 319 and 320 of the amended Clean Water Act; the limit on the cost of construction on which preconstruction allowances are determined has been lifted; and the estimate of funds expected to be available will include appropriations, loan repayments, interest income and proceeds from the sale of bonds for a two year period. Pursuant to Rule 62-503.680(7), F.A.C., the Department's funding commitment to projects currently assigned to a priority list may be withdrawn at the hearing if a local government is delinquent in submitting documents as scheduled. Prior to Department action at the hearing, all interested persons will have the opportunity to testify regarding the list and any proposed actions.

After the hearing, the Department will file the Final Order for actions taken at the hearing. A copy of the Final Order will be made available to persons sponsoring the projects at issue and to any person submitting a timely written request. Such written requests must be submitted at the hearing or must be filed with the Department's Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, no later than 5:00 p.m. on the first working day after the public hearing.

A copy of the draft priority list may be obtained by contacting Gary Powell at the same address, phone (850)488-8163 or Suncom 278-8163 or e-mail gary.powell@dep.state.fl.us.

If an accommodation for a disability is needed in order to participate in this activity, please notify the Personnel Services Specialist, Bureau of Human Resources, (850)488-2996 or 1(800)955-8771 (TDD), at least seven days before the meeting.

**The Department of Environmental Protection, Division of Law Enforcement** announces that there will be a meeting of the Clean Vessel Act Grant Review Committee to review applications for pumpout projects. The committee will make policy recommendations and develop a list of recommended projects and funding in priority order in accordance with program policies and guidelines.

DATE AND TIME: Tuesday, August 7, 2001, 9:00 a.m. – 12:00 Noon

PLACE: Conference Room B, Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Clean Vessel Act Grant Review Committee will review and recommend policy and project funding recommendations under the Clean Vessel Act Grant Program to the Department.

Copy of the agenda may be obtained by contacting Jan R. De Laney, (850)488-5757, Extension 178, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000.

In accordance with the Americans With Disabilities Act, if you need a special accommodation to attend you should contact our office immediately at (850)488-5757, Extension 178, or call 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), via Florida Relay Service.

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#### DEPARTMENT OF HEALTH

The **Department of Health**, Diabetes Control Program announces a teleconference of the Governor's Appointed Diabetes Advisory Council.

DATE AND TIME: July 24, 2001, 9:00 a.m. – 1:00 p.m.

PLACE: Conference Call Number Toll Free 1(888)816-1123

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Business Meeting.

A copy of the agenda can be obtained by calling: Bonnie Gaughan-Bailey, (850)245-4367.

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The **Department of Health**, Diabetes Control Program announces a meeting of the Implementation Work Group.

DATE AND TIME: July 24, 2001, 1:30 p.m. – 5:00 p.m.

PLACE: Capital Circle Office Complex, 4025 Esplanade Way, Building 4025, Suite 130 (Bureau of Chronic Disease), Tallahassee, Florida, Conference Call Number Toll Free, 1(888)816-1123 or (850)921-5230 locally

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Business Meeting.

A copy of the agenda can be obtained by calling: Bonnie Gaughan-Bailey, (850)245-4367.

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The Florida **Board of Acupuncture** and Committees will hold the following meeting to which all persons are invited:

DATES AND TIMES: Thursday, August 2, 2001, 7:00 p.m.; Friday, August 3, 2001, 9:00 a.m.

PLACE: The Tampa Airport Marriott, Tampa International Airport, Tallahassee, Florida, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Board Business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Ms. Karen Eaton, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3256, or you may call (850)245-4161. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Penny Perkins, (850)245-4161, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired,

can contact Penny Perkins using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Dentistry** announces a meeting to be held by way of conference telephone:

DATE AND TIME: Monday, July 30, 2001, 12:00 Noon or as soon as all parties are connected

PLACE: (850)921-2583, hookup at the following location: Office of Sue Foster, Executive Director, 4052 Bald Cypress Way, Building 4042, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To certify for licensure successful candidates from the June dental/dental hygiene laws and other board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3256 or you may call (850)245-4161. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)245-4161, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Barber using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Nursing** announces it will hold the following meeting to which all persons are invited.

North Probable Cause Panel

DATE AND TIME: July 28, 2001, 8:30 a.m.

PLACE: 2727 Mahan Drive, Tallahassee, FL 32308, telephone conference

GENERAL SUBJECT MATTER TO BE CONSIDERED: To reconsider cases which are a matter of public record. A list of cases to be reconsidered may be obtained through written request to the Agency for Health Care Administration, 2727 Mahan Drive, Ft. Knox, Building 3, Tallahassee, Florida 32308, Attn: Reginald D. Dixon, Staff Attorney.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Ste. 202, Jacksonville, FL 32207. You will be charged \$.15 per page for the number of copies desired.

The **Department of Health, Board of Nursing** announces it will hold the following meetings to which all persons are invited.

South Probable Cause Panel

DATES AND TIMES: August 29, 2001; September 28, 2001; October 23, 2001, 2:00 p.m.

PLACE: 2727 Mahan Drive, Tallahassee, FL 32308, telephone conference

GENERAL SUBJECT MATTER TO BE CONSIDERED: To reconsider cases which are a matter of public record. A list of cases to be reconsidered may be obtained through written request to the Agency for Health Care Administration, 2727 Mahan Drive, Ft. Knox, Building 3, Tallahassee, Florida 32308, Attn: Reginald D. Dixon, Staff Attorney.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Ste. 202, Jacksonville, FL 32207. You will be charged \$.15 per page for the number of copies desired.

The **Board of Optometry**, Probable Cause Panel will hold a duly noticed meeting to which all persons are invited to attend.

DATE AND TIME: Thursday, August 2, 2001, 2:00 p.m.

PLACE: Embassy Suites, 1100 S.E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration of cases previously heard by the panel.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Optometry, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda may be obtained by writing: Sherra Causey, Board of Optometry, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

The **Board of Optometry** will hold a duly noticed meeting to which all persons are invited to attend.

DATES AND TIMES: Thursday, August 2, 2001, 4:00 p.m. or shortly thereafter; Friday, August 3, 2001, 9:00 a.m.

PLACE: Embassy Suites, 1100 S.E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Optometry, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda may be obtained by writing: Sherra Causey, Board of Optometry, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Pharmacy** announces a public meeting to which all persons are invited.

DATE AND TIME: July 30, 2001, 10:00 a.m. (EDT)

PLACE: Department of Health, Division of Medical Quality Assurance, Capital Circle Office Center, 4042 Bald Cypress Way, Room 310K, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Budget and Administrative Committee will meet to consider:

- 1) Interaction and greater visibility of the Board and those regulated;
- 2) Travel Expenses for Board Members and Executive Director;
- 3) Budget Issues and Processes;
- 4) Contract for Legal Services with ACHA;
- 5) Public Relations Campaign and Board of Pharmacy Involvement.

A copy of the board agenda 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, Bobbie E. Sawner, (850)245-4291, 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 **Department of Health, Board of Athletic Training** announces an official Board Meeting to be held via telephone conference call. All interested parties are invited to attend at the address below, which is open to the public.

DATE AND TIME: July 30, 2001, 1:00 p.m.

PLACE: Telephone Number (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rules Discussion.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Athletic Training, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

If a person decided to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and the evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, by Monday, July 23, 2001.

Pursuant to Section 381.90, F.S., the Florida **Health Information Systems Council** will hold a meeting to facilitate the identification, collection, standardization, sharing and coordination of health-related data among federal, state, local and private entities.

DATE AND TIME: July 30, 2001, 2:00 p.m. – 5:00 p.m.

PLACE: Department of Health, 4052 Esplanade Way, Room 301, Tallahassee, FL 32399

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The **Department of Children and Family Services**, District 15, Alcohol, Drug Abuse and Mental Health Program Office has set a public hearing which is open to the public:

PUBLIC MEETINGS FOR DESIGNATION

DATE AND TIME: July 10, 2001, 9:00 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, Florida



GENERAL SUBJECT MATTER TO BE CONSIDERED: Public input and information requested regarding the designation of New Horizons of the Treasure Coast as Short Term Residential Treatment facility. Anyone having information regarding this facility is invited to attend and provide comments.

For further information, please contact: Carol Eldeen, 337 North 4th Street, Fort Pierce, FL 34950, (561)595-1358

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

MENTAL HEALTH SUB-COMMITTEE

DATE AND TIME: July 16, 2001, 10:00 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, FL

For more information, please contact: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

EXECUTIVE COMMITTEE

DATES AND TIME: July 16, 23, 30, 2001, 8:30 a.m.

PLACE: Department of Children and Family Services, 337 North 4th Street, Room 327D, Fort Pierce, FL 34950

For more information, please contact: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the

meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Advocacy Committee**, District 15 announces a public meeting to which all persons are invited.

DATE AND TIME: July 17, 2001, 9:30 a.m.

PLACE: 337 North 4th Street, Benton Regional Service Center, Room 104, Fort Pierce, FL 34950

A copy of the agenda may be obtained by contacting: Ellen Higinbotham, FLAC Liaison, (561)467-3042.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

FOSTER CARE SUB-COMMITTEE

DATE AND TIME: July 25, 2001, 10:00 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 316, Fort Pierce, FL

For more information, please contact: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

ITN SUB-COMMITTEE

DATE AND TIME: July 25, 2001, 3:00 p.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 316, Fort Pierce, FL

For more information, please contact: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA

Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

**ALLIANCE MEETING**

**DATE AND TIME:** July 27, 2001, 8:30 a.m.

**PLACE:** Workforce Development Board, 9350 South U.S. 1, Port St. Lucie, FL

For more information, please contact: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174.

**SPECIAL ACCOMMODATION:** Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561) 467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Developmental Disabilities Program of the **Department of Children and Family Services** announces a meeting of the Interagency Quality Council to which all interested persons are invited.

**DATES and TIMES:** July 24, 2001, 10:00 a.m. – 5:00 p.m.; July 25, 2001, 9:00 a.m. – 3:00 p.m.

**PLACE:** The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, FL 32202

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A regularly scheduled quarterly meeting for the purpose of planning and review of quality assurance for Developmental Disabilities.

A copy of the agenda may be obtained by contacting: Michael Freeman, Developmental Disabilities Program Office, (850)488-4877, Ext. 118.

The **Department of Children and Family Services**, District Ten (Broward County) **Mental Health Program** Office announces a public meeting in August to which all persons are invited:

**DATE AND TIME:** August 8, 2001, 9:00 a.m. – 11:00 a.m.

**PLACE:** Henderson Mental Health Center, 19th Street CSU, Conference Room, 2677 N. W. 19th Street, Ft. Lauderdale, FL 33312

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The department is seeking public input and information in consideration of the designation or re-designation of the above listed facility as a public Baker Act receiving facility.

Persons desiring additional information may call (954)713-3024 or (954)467-4509 (TDD).

**FLORIDA HOUSING FINANCE CORPORATION**

The **Florida Housing Finance Corporation** announces a public workshop and meeting of the Board of Directors to which all interested parties are invited:

Fiscal Committee; Guarantee Committee; Combined Cycle Committee; Multifamily Revenue Bond Committee; Board Meeting

**DATE AND TIME:** August 9, 2001, 10:30 a.m. – adjourned

**PLACE:** Hyatt Regency, Westshore, 6200 Courtney Campbell Causeway, Tampa, FL 33607, (813)874-1234

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

1. Consider, review, and take action on matters brought to the Fiscal Committee and to consider recommendations made by the Fiscal Committee to the Board.
2. Consider, review, and take action on matters brought to the Guarantee Committee and to consider recommendations made by the Guarantee Program Committee to the Board.
3. Consider, review, and take action on matters brought to the Combined Cycle Committee and to consider recommendations made by the Combined Cycle Committee to the Board.
4. Consider, review, and take action on matters brought to the Multifamily Revenue Bond Committee and to consider recommendations made by the Multifamily Revenue Bond Committee to the Board.
5. Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds of pending multifamily issues which have satisfied the requirements for funding.
6. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
7. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
8. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
9. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
10. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
11. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.

12. Consideration of all necessary actions with regard to the Multifamily Bond Program.
13. Consideration of approval of underwriters for inclusion on approved master list and teams.
14. Consideration of all necessary actions with regard to the HOME Rental Program.
15. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
16. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
17. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
18. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
19. Consideration of all necessary actions with regard to the Home Ownership Programs.
20. Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.
21. Consideration of Appeals from Combined Cycle ranking and grading with entry of final orders.
22. Consideration of workouts or modifications for existing projects funded by the Corporation.
23. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
24. Consideration of funding additional reserves for the Guarantee Fund.
25. Consideration of audit issues.
26. Evaluation of Professional and Consultant performance.
27. Such other matters as may be included on the agenda for the August 9, 2001 Board Workshop and Meeting.

A copy of the agenda may be obtained by contacting: Deanne Coughlin, Board Administrative Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Deanne Coughlin, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a

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

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**FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION**

The **Florida Medical Malpractice Joint Underwriting Association** announces a Claims Committee meeting to which all persons are invited.

DATE AND TIME: July 31, 2001, 4:00 p.m.

PLACE: Marriott Sawgrass Hotel, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

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The **Florida Medical Malpractice Joint Underwriting Association** announces a Board of Governors meeting to which all persons are invited.

DATE AND TIME: August 1, 2001, 9:00 a.m.

PLACE: Marriott Sawgrass Hotel, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

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The **Florida Medical Malpractice Joint Underwriting Association** announces the Annual Meeting of its membership to which all persons are invited.

DATE AND TIME: August 1, 2001, immediately following the Board of Governors meeting, which begins at 9:00 a.m.

PLACE: Marriott Sawgrass Hotel, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will receive and consider yearly reports from the Association's Chairman, Servicing Carrier, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by writing: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

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**FLORIDA INDEPENDENT LIVING COUNCIL**

The **Florida Independent Living Council** announces the following meetings:

MEETING: Executive Committee Meeting (Teleconference)

DATES AND TIMES: Thursday, August 2, 2001, 10:00 a.m. – 11:00 a.m.; Thursday, September 13, 2001, 10:00 a.m. – 11:00 a.m.; Thursday, October 11, 2001, 10:00 a.m. – 11:00 a.m.

PLACE: FILC, Inc. Office, 1018 Thomasville Road, Suite 100A, Tallahassee, FL 32303-6271

MEETING: Steering Committee Meeting (Teleconference)

DATES AND TIMES: Thursday, August 23, 2001, 10:00 a.m. – 11:00 a.m.; Thursday, September 20, 2001, 10:00 a.m. – 11:00 a.m.; Thursday, October 18, 2001, 10:00 a.m. – 11:00 a.m.

PLACE: FILC, Inc. Office, 1018 Thomasville Road, Suite 100A, Tallahassee, FL 32303-6271

The meetings listed below will be held at:

PLACE: Embassy Suites Hotel, 8978 International Drive, Orlando, Florida 32819

MEETING: Advocacy Committee Meeting

DATE AND TIME: Wednesday, August 8, 2001, 8:00 a.m. – 9:00 a.m.

MEETING: Planning Committee Meeting

DATE AND TIME: Wednesday, August 8, 2001, 2:30 p.m. – 3:30 p.m.

MEETING: Outreach Committee Meeting

DATE AND TIME: Wednesday, August 8, 2001, 3:30 p.m. – 4:30 p.m.

MEETING: Finance Committee Meeting

DATE AND TIME: Wednesday, August 8, 2001, 4:30 p.m. – 5:00 p.m.

MEETING: Development Committee Meeting

DATE AND TIME: Wednesday, August 8, 2001, 5:00 p.m. – 5:30 p.m.

MEETING: Quarterly Board Meeting

DATE AND TIME: Thursday, August 9, 2001 9:00 a.m. – 4:00 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the council.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, (850)488-5624.

Any person who needs an accommodation to participate in this meeting because of a disability should submit a request for such accommodation in writing at least one week before the meeting date.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Christy Porwoll at the council address.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or 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. (Florida Statutes, §286.0105)

### FLORIDA SPORTS FOUNDATION

The **Florida Sports Foundation** announces a public meeting of the Florida Sports Foundation Regional Grant Committee to which all persons are invited.

DATE AND TIME: Monday, August 20, 2001, 10:00 a.m.

PLACE: Florida Sports Foundation, 2930 Kerry Forest Parkway, Tallahassee, FL 32308

The **Florida Sports Foundation** announces a public meeting of the Florida Sports Foundation Quarterly Board of Directors Meeting to which all persons are invited.

DATE AND TIME: Friday, September 21, 2001, 8:00 a.m. – 2:00 p.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Blvd., Orlando, FL 32827

## Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

### DEPARTMENT OF BANKING AND FINANCE

NOTICE IS HEREBY GIVEN THAT the Department of Banking and Finance, Division of Securities and Finance, received a Petition for Declaratory Statement from counsel for Anthem Insurance Companies, Inc. on June 4, 2001 (File No. 3286-S-7/01). The Petition seeks the Department's position on whether the offer and sale of common stock issued in connection with its conversion from a mutual insurance company to a stock insurance company is exempt from the securities registration provisions of Section 517.07, Florida Statutes, and whether dealer registration is required in connection with the distribution of the common stock to eligible statutory members.

A copy of the Petition can be obtained by writing: Agency Clerk, Department of Banking and Finance, Suite 526, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350 or calling (850)410-9896.

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NOTICE IS HEREBY GIVEN THAT the Department of Banking and Finance, Division of Securities and Finance, received a Petition for Declaratory Statement from counsel for ResidenSea Limited on June 20, 2001. The Petition seeks the Department's position on whether it may enter into residence agreements with each prospective purchaser for the exclusive right to occupy and use a luxury apartment aboard a luxury ship to be constructed, owned and operated by the ship owner without such agreements being deemed to involve the offer or sale of a security.

A copy of the Petition can be obtained by writing: Agency Clerk, Department of Banking and Finance, Suite 526, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350 or calling (850)410-9896.

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#### **DEPARTMENT OF INSURANCE**

NOTICE IS HEREBY GIVEN THAT the Department of Insurance has received a petition for a declaratory statement from Carlos Lidsky, Esquire on behalf of Lazaro Padilla. The petition seeks the agency's opinion as to the applicability of Florida Statutes Sections 627.736(1), 624.317, 624.321 and Florida's Rating Law, i.e., Florida Statutes Section 627.011 et. seq., as they apply to the petitioner.

A copy of the petition may be obtained by contacting: Richard M. Ellis, Esquire, Division of Legal Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4195.

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#### **DEPARTMENT OF CORRECTIONS**

NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Michael Newell. The Petitioner requested that the Department of Corrections amend Rule 33-103.017, Florida Administrative Code, to clarify whether all speech protected by the First Amendment is permitted in inmate grievances prior to the time staff make a written finding that the inmate knowingly used false, threatening, obscene, or profane statements, thus meeting the threshold level allowing for the imposition of disciplinary action.

The Department denied Inmate Newell's Petition to Initiate Rulemaking on the ground that amendment is unnecessary. The current rule is clear in its intent. The use of such language in an inmate grievance is only appropriate to repeat or report statements made by staff or other inmates in a narrative section. Any other use of improper speech is prohibited.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

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NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Mark Osterback. Petitioner requested that the Department of Corrections amend Rules 33-210.101-.103, Florida Administrative Code, to incorporate portions of a procedure which petitioner asserts constitutes an unpromulgated rule.

The Department denied Inmate Osterback's Petition to Initiate Rulemaking on the grounds that the petitioner, as an inmate of the Florida Department of Corrections, lacked standing to present a rule challenge pursuant to Section 120.56(4), F.S.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

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NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Michael Newell. The Petitioner requested that the Department of Corrections amend Rule 33-103.007, Florida Administrative Code, to clarify whether all attachments to inmate grievances, or only continued narrative statements, must be submitted in triplicate.

The Department denied Inmate Newell's Petition to Initiate Rulemaking on the grounds that the current rule provides adequate instruction on the issue.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

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NOTICE IS HEREBY GIVEN THAT the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on July 9, 2001 from Kenneth McCain. Petitioner is seeking amendment of Rules 33-210.101(12), 33-210.103(5)(d) and 33-210.104, Florida Administrative Code, relating to the provision of free postage for indigent inmates.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

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NOTICE IS HEREBY GIVEN THAT the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on July 9, 2001 from Mark Osterback. Petitioner is seeking amendment of Rule 33-208.101(4)(h)11., Florida Administrative Code, to require the wearing of staff nameplates on Class D uniforms.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN THAT the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on July 9, 2001 from Mark Osterback. Petitioner is seeking amendment of Rule 33-210.102, Florida Administrative Code, to require delivery of legal mail within twenty-four hours of receipt, including weekends and holidays. A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has received a Petition for Declaratory Statement with regard to Section 464.012(4)(a), Florida Statutes, which was filed June 4, 2001, by Brenda Sammy and the staff nurses at the Manatee Surgical Center, Bradenton, Florida. Petitioners request a declaratory statement from the Board in regard to the performance and responsibility in the administration of certain medications by a non-anesthetist registered nurse. This matter will be addressed at the Practice Committee meeting during the regularly scheduled board meeting on August 14, 2001, 4:00 p.m. or shortly thereafter, at the Radisson Plaza Hotel, 60 South Ivanhoe Boulevard, Orlando, Florida 32804, (407)425-4455.

A copy of the Petition for Declaratory Statement may be obtained by writing: Dr. Ruth Stiehl, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207.

**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:**

Boca Raton Community Hospital, Inc. vs. State of Florida, Agency for Health Care Administration; Case No.: 01-2526RP; Rule No.: 59C-1.033

Daniel Lee Knod, Sr., a/k/a Knneth McCain vs. Department of Corrections; Case No.: 01-2529RU

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

Daniel Lee Knod, Sr., a/k/a Knneth McCain vs. Department of Corrections; Case No.: 01-2529RU; Dismissed

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**NOTICE TO PROFESSIONAL CONSULTANTS:**

The University of Florida for and on behalf of the Board of Regents, a public corporation of the State of Florida, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No.: BR-144, Project and Location: Library West Addition and Renovation in Gainesville, Florida. The project consists of addition of 120,00GSF addition for open book stacks and renovation of existing 117,000GSF. This will be a phased project; the first phase will be for planning and design and the second phase will be the construction. The construction delivery method will be by a Construction Management. The total budget for this project is \$30,600,000.00; the construction budget is \$24,100,000.00. The selected firm will provide design, construction documents and construction administration services for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$2,000,000.00, and will be provided as a part of Basic Services.

**INSTRUCTIONS**

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," the latest approved version. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of

application to practice its profession in the State of Florida.

If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit 7 copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, may be disqualified. Application materials will not be returned. The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting:

Christene Eastman, Project Manager  
Facilities Planning and Construction  
232 Stadium, P. O. Box 115050  
Gainesville, FL 32611-5050  
Telephone: (352)392-1256  
FAX: (352)392-6378

Internet: [www.admin.ufl.edu/division/cp](http://www.admin.ufl.edu/division/cp)

Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), Monday, August 20, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

#### NOTICE TO CONSTRUCTION MANAGERS

Florida State University announces that construction management services will be required for the project listed below:

Project No.: BR-237

Project and Location: Communications Facility  
Florida State University  
Tallahassee, Florida

This project consists of the construction of a new facility that will replace the majority of the existing Moore Athletic Center. The new facility will provide approximately 109,000 net assignable square feet of new space for the College of Communications, the College of Human Sciences, general academic use and the Athletic Department. This project will also remodel approximately 46,585 net assignable square feet of existing space. Most of this existing space to be retained is located in the relatively new Daisy Flory addition adjacent to the north end zone seating, and in the newly remodeled football locker rooms.

The estimated construction cost is \$23,330,900.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and the completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of

\$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained on line at [www.fpc.fsu.edu](http://www.fpc.fsu.edu) or by contacting: Lynetta Mills, Facilities Planning and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile.

For further information on the project, contact: John Ward, Project Manager, at the address and phone listed above.

Five (5) bound copies of the required proposal data shall be submitted. Submittals must be received in the FSU Facilities Planning and Construction Office by 2:00 p.m. (Local Time), Thursday, August 30, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

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#### NOTICE TO CONSTRUCTION MANAGERS

Florida State University announces that construction management services will be required for the project listed below:

Project No.: BR-299

Project and Location: Tibbals Learning Center Project  
The John and Mable Ringling  
Museum of Art  
Florida State University  
Sarasota, Florida

The objective of this project is to create the Tibbals Learning Center, which is intended to enhance the sense of discovery and excellence of the current program through the effective display of the renowned Tibbals circus model and other components of the Tibbals circus collection. The Center will also provide a variety of educational opportunities by introducing students to a wide range of subjects including theater, dance, music, and art.

The Center will consist of an addition (approximately 31,000 GSF) for the existing Circus Museum Building.

The featured space in the addition will be a precision environmentally controlled room for the perpetual display of the Tibbals miniature circus, a 3/4" scale model. Other spaces will house and display original photographs, posters, and costumes. These spaces will require museum quality environments. Specialized spaces for performances and classroom instruction will also be required. These spaces will need to incorporate provisions for distance learning so that the Center can provide educational programs to schools geographically distant from the complex.

The Ringling Cultural Center, including the existing portion of the Circus Museum, is expected to remain in full operation during construction. In addition to the FSU, Facilities Planning and Construction Department, the Construction Manager will

be required to work with the Ringling Cultural Center Administration to determine optimum phasing and coordination of the work.

The construction budget is currently established at \$5,424,000. The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and the completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted



vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained on line at [www.fpc.fsu.edu](http://www.fpc.fsu.edu) or by contacting: Lynetta Mills, Facilities Planning and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile.

For further information on the project, contact: John Schanbacher, Project Manager, at the address and phone listed above.

Seven (7) bound copies of the required proposal data shall be submitted. Submittals must be received in the FSU, Facilities Planning and Construction Office, by 2:00 p.m. (Local Time), Friday, August 17, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

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#### NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida, on behalf of the University of South Florida Foundation, announces that Qualifications Based Design/Build Services (QB-DB) for the design and construction of a Student Housing Facility will be required for the project listed below:

PROJECT NUMBER: BR-578

PROJECT AND LOCATION: USF Residence Hall Expansion, Phase 2A, Andros Corners Community and Special Purpose Housing, University of South Florida, Tampa Campus, Tampa, Florida.

The project consists of the design, construction, and furnishing of Phase 2A of the University Residence Life Program. The Phase 2A project includes two major components, the Andros Corners Community Housing and the Special Purpose Housing, each of which comprises its own specific needs and requirements that must be met by the respective team assigned to each specific component.

The Andros Corners Community Housing component consists of 230 beds for general student housing arranged in suites configured in two buildings, with two resident advisor apartments, student support spaces, program support spaces, and site development/improvement.

The Special Purpose Housing component consists of 304 beds for student organizations configured in six duplex buildings with two houses per building with 20 to 28 beds and living/kitchen/dining areas in each "house", student support/commons spaces, program support space and site

development/improvement including phased demolition of existing improvements and construction of 228 new parking spaces.

The project must be completed for occupancy in August 2003 to meet housing needs, bond debt service obligations, and arbitrage requirements.

The project must comply with and adhere to the program to meet financial proforma requirements. The Design/Build team shall be responsible for management of the process and project to meet project scope, budget and schedule requirements.

The management of the process and project may include working with housing component to facilitate organization needs, accommodating additional project funds to meet individual organization needs, and accomplishing those needs within the mandatory project schedule for occupancy requirements.

The Design/Build Services contract shall be in compliance with the qualifications based Design/Build selection provisions in Section 6C-14.007, F.A.C., including pre-construction fees, construction related services costs and a guaranteed maximum price.

The University will contract with the selected team for all services including, but not necessarily limited to, budgeting, labor, materials, and equipment required to design, construct, and furnish the project. The selected team will be required to provide computer generated drawings in accordance with the standards of the University of South Florida.

Blanket professional design liability insurance will be required for this project in the amount of \$1,500,000 and will be provided as a part of Basic Services.

The proposed contractual value of this project is approximately \$18,750,000.00. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best rating of A, Class VIII.

#### INSTRUCTIONS

Teams desiring to apply for consideration shall submit a completed "Design/Build Qualifications Supplement", which may be obtained by contacting: Vanessa Poole, Senior Word Processing Operator, Facilities Planning and Construction, University of South Florida, FPC 110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550, (813)974-0891, Fax (813)974-3542.

All teams must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Interested teams are requested to attend a presubmittal meeting at the University of South Florida Tampa Campus to be held at 2:00 p.m., Tuesday, August 7, 2001, in the Facilities Planning Conference Room, FPC 109, to review the scope and requirements of this project. Requests for meetings by individual teams will not be granted.

MINORITY PROGRAM: Teams are required to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, State of Florida Department of Labor and Employment Security. A minimum goal of 21% participation has been established.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Six (6) copies of the required information shall be submitted to the attention of the Project Manager: Mr. C. Lyn Beverly, Project Manager, Facilities Planning and Construction, University of South Florida, FPC 110, 4202 East Fowler Avenue, Tampa, Florida 33620 by or no later than 3:00 p.m. (Local Time), Monday, August 20, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions or qualifications or Design/Build proposals without obligation to the respondent. The award of this contract is subject to availability of funds.

**CALL FOR BIDS**

Made by the University of North Florida.

PROJECT: Science and Engineering Building

NO: BR-958

FOR: University of North Florida, Jacksonville, Florida

GENERAL SCOPE: Four story steel frame building containing Physics, Biology, Chemistry Lab, Engineering Labs and Classrooms. Concrete block, brick veneer, curtain wall construction with modified bitumen roof under metal deck. Approximately 132,000 GSF, budget \$17 million.

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 21, 2001, until 2:00 p.m. (Local Time)

PLACE: University of North Florida, Building 6, Training Room 1225, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224. at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer: Reynolds Smith & Hills, Inc.

1651 Sailsbury Road  
Jacksonville, Florida 32256

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, Department of Labor and Employment Security.

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is encouraged to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: August 9, 2001, 2:00 p.m. (Local Time)

PLACE: University of North Florida, Building 6, Training Room 1225, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224

DEPOSIT: \$300.00 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work, and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the Architect/ Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer at the prevailing rate.

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.

**ADVERTISEMENT FOR BIDS**

Sealed bids will be received by the Duval County Public Schools, Division of Facilities Services, Room 546, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207 for:

**PROJECT TITLE:** Replacement of HVAC in Bldg. No. 5 at Jacksonville Heights Elementary School No. 229

**BID NUMBER:** M-88620

**SCOPE OF WORK:** Replace Air Handling Units, VAV Boxes and Upgrade Electrical Power

**BIDS:** Bids will be received until 2:00 p.m., Tuesday, August 21, 2001, and immediately thereafter publicly opened, read aloud and recorded in the 5th Floor, Conference Room 541 D, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207.

All general contractors or prime bidders that are interested in bidding are required to attend a mandatory pre-bid conference to be held on August 9, 2001, 10:00 a.m. (Local Time), Jacksonville Heights Elementary School No. 229, 7750 S. Tempest St., Jacksonville, Florida 32244. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed contractors and registered corporations, if applicable, as required by the laws of the State of Florida.

Contract documents for bidding may be obtained at the office of: Sunbelt Engineering Inc., 5711 Richard Street, Jacksonville, Florida 32216. DCSB Point of Contact: John McKean, (904)858-6310

Contract documents for bidding may be examined at Division of Purchasing Services, Duval County Public Schools;

F. W. Dodge McGraw Hill Plan Room

Construction Bulletin

Construction Market Data, Inc.

Business Service Center

**MBE**

**PARTICIPATION:** A minimum of 15% percent overall Minority Business Enterprise participation required.

**ADVERTISEMENT FOR BIDS**

Sealed bids will be received by the Duval County Public Schools, Division of Facilities Services, Room 546, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207 for:

**PROJECT TITLE:** Intercom Replacements at Various Schools; Henry F. Kite Elementary School No. 37, Dinsmore Elementary School No. 45, Arlington Elementary School No. 46, Timucuan Elementary School No. 98 and Richard L. Brown Elementary School No. 148.

**BID NUMBER:** M-88470

**SCOPE OF WORK:** Replace intercoms at the listed schools and owner supplied fire alarm at Timucuan Elementary School No. 98

**BIDS:** Bids will be received until 2:00 p.m., Tuesday, August 21, 2001, and immediately thereafter publicly opened, read aloud and recorded in the 5th Floor, Conference Room 541 D, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207.

All general contractors or prime bidders that are interested in bidding are required to attend a mandatory pre-bid conference to be held on August 10, 2001, at 9:00 a.m. (Local Time), Timucuan Elementary School No. 98, 5429 110th Street, Jacksonville, Florida 32244. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed contractors and registered corporations, if applicable, as required by the laws of the State of Florida.

Contract documents for bidding may be obtained at the office of: Haddad Engineering, 2955 Hartley Road, Suite 205, Jacksonville, Florida 32257. DCSB Point of Contact: John McKean, (904)858-6310.

Contract documents for bidding may be examined at Division of Purchasing Services, Duval County Public Schools;

F. W. Dodge McGraw Hill Plan Room

Construction Bulletin

Construction Market Data, Inc.

Business Service Center

**MBE**

**PARTICIPATION:** A minimum of 15% percent overall Minority Business Enterprise participation required.

**ADVERTISEMENT FOR BIDS**

Sealed bids will be received by the Duval County Public Schools, Division of Facilities Services, Room 546, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207 for:

**PROJECT TITLE:** Electrical Upgrade at Various Schools; Mattie Rutherford Alternative Ctr. No. 6, Cedar Hills Elementary School No. 97, Brookview Elementary School No. 206 and Fort Caroline Middle School No. 238.

**BID NUMBER:** M-88480

**SCOPE OF WORK:** Perform varied electrical upgrades and lighting replacements at the listed schools.

**BIDS:** Bids will be received until 2:00 p.m., Tuesday, August 21, 2001, and immediately thereafter publicly opened, read aloud and recorded in the 5th Floor, Conference Room 541 D, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207.

All general contractors or prime bidders that are interested in bidding are required to attend a mandatory pre-bid conference to be held on August 10, 2001, 10:30 a.m. (Local Time), Fort Caroline Middle School No. 238, 3787 University Club Blvd., Jacksonville, Florida 32277. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed contractors and registered corporations, if applicable, as required by the laws of the State of Florida.

Contract documents for bidding may be obtained at the office of: Haddad Engineering, 2955 Hartley Road, Suite 205, Jacksonville, Florida 32257. DCSB Point of Contact: John McKean, (904)858-6310.

Contract documents for bidding may be examined at Division of Purchasing Services, Duval County Public Schools; F. W. Dodge McGraw Hill Plan Room  
Construction Bulletin  
Construction Market Data, Inc.  
Business Service Center

MBE

**PARTICIPATION:** A minimum of 15% percent overall Minority Business Enterprise participation required.

**WATER MANAGEMENT DISTRICTS**

**INVITATION TO BID**

**RENTAL AND SERVICE OF PORTABLE TOILETS FOR LOCATIONS IN BAY AND WASHINGTON COUNTIES (BID NUMBER 01B-011)**

The Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333, will receive sealed bids up to the 1:00 p.m. (EDT) opening time on August 9, 2001, for the rental of 13 handicap portable toilet units and nine (9) regular portable toilet units to include initial delivery and service once per week.

All bids must conform to the instructions in the Invitation to Bid. Interested prospective bidders may obtain a copy of the complete Invitation to Bid package at the above address or by calling (850)539-5999.

The bid opening is open to the public. Provisions will be made to accommodate the handicapped (if requested) provided the District is given at least 72 hours advance notice.

All bids must comply with applicable Florida Statutes.

**INVITATION TO BID**

**2001 EROSION CONTROL AND HIGHWAY BEAUTIFICATION SERVICES – (BID NUMBER 01B-010)**

The Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333, will receive sealed bids up to the 2:00 p.m. (EDT), opening time on August 9, 2001 for Erosion Control and Highway Beautification Services on District land and Department of Transportation Right-of-Way at the crossing of State Road 20 and the Econfina Creek in northern Bay County.

All bids must conform to the instructions in the Invitation to Bid. Interested prospective bidders may obtain a copy of the complete Invitation to Bid package at the above address or by calling (850)539-5999.

The bid opening is open to the public. Provisions will be made to accommodate the handicapped (if requested) provided the District is given at least 72 hours advance notice.

All bids must comply with applicable Florida Statutes.

**INVITATION TO BID – RAILROAD AVENUE STORMWATER SYSTEM IMPROVEMENTS**

Sealed bids will be received by the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, for:

**PROJECT TITLE:** Railroad Avenue Stormwater System Improvements

**PROJECT NUMBER:** RFB 00/01-054RM

**PROJECT SCOPE:** The project involves installing approximately 1,600 feet of 18 inch HDPE pipe within existing right-of-way, excavating and hauling fill, installing new drainage structures, manholes and related work. Estimated cost is \$175,000.

**PROJECT LOCATION:** The project is located in Live Oak, Florida

**BID DOCUMENTS:** Any individual or firm desiring to bid on this project may obtain a copy of the plans, specifications, and Request for Bid by contacting:

Sandra Keiser, Administrative Assistant  
 Suwannee River Water Management District  
 9225 County Road 49  
 Live Oak, Florida 32060  
 (386)362-1001 or 1(800)226-1066, Florida only

**BID DATE AND TIME:** Sealed bids will be received until 4:00 p.m., August 17, 2001, at the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. Clearly label all bids, "Railroad Avenue Stormwater System Improvements, RFB 00/01-054RM". Faxed bids will not be accepted.

**BID REQUIREMENTS:** Bids must be submitted in full accordance with the requirements of the drawings, specifications, and bid documents. All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held at 10:00 a.m., July 31, 2001, at the Suwannee River Water Management District Office, 9225 County Road 49, Live Oak, Florida. Only firms attending the pre-bid conference will be qualified to submit a bid. Attendees will be required to sign an attendance register. Bidders are encouraged to inspect the work sites prior to the pre-bid conference.

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**SPACEPORT FLORIDA AUTHORITY**

**REQUEST FOR ANTICIPATED SERVICES  
 FOR COMMUNICATION SERVICES**

The Spaceport Florida Authority (SFA) is seeking expressions of interest and statements of qualification for persons or companies to provide communication services for SFA and its Board of Supervisors.

The expression should include the qualifications of individual or team resumes, a list of previous clients represented. The awarded will work with the designated SFA employee to develop the Authority's communication strategy. The awarded will also be required to develop and implement a strategic plan which supports Spaceport Florida Authority's efforts to better define and market its education, finance, customer support and partnership initiatives and encompasses the following elements:

Marketing – to include market research, development of effective communications tools, branding/positioning initiatives and messaging.

Public Relations and Public Affairs – to included identification and engagement of key audiences and counsel and support to public affairs, media relations and crisis communications initiatives.

Please include your estimated monthly rates for these services. The Spaceport Florida Authority was created as a state government space agency by Florida's Governor and Legislature in 1989. SFA's mission (as authorized in Chapter 331, Part II, Florida Statutes) is to retain, expand and diversify the state's space-related industry. Chapter 331, F.S., gives SFA governmental powers similar to other types of transportation authorities (airport, seaport, etc.) to support and regulate the state's space transportation industry.

Interested persons or companies should submit three (3) copies of their expression of interest in a sealed envelope entitled "REQUEST FOR ANTICIPATED SERVICES – GOVERNMENTAL/LEGISLATIVE SERVICES" to: Mr. Greg Popp, Director of Business Operations, The Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, FL 32920-4003. Applications must be received no later than 3:00 p.m., August 3, 2001. Questions should be addressed to Greg Popp, (321)730-5301, Extension 1110.

The Spaceport Florida Authority reserves the right to accept or reject any and all responses in the best interest of the State.

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**REQUEST FOR ANTICIPATED SERVICES**

**For State Governmental/Legislative Relations**

The Spaceport Florida Authority (SFA), is seeking expressions of interest and statements of qualification for persons or companies to provide state governmental/legislative services for SFA and its Board of Supervisors for fiscal year 2002 (July 1, 2001, to June 30, 2002) including the 2002 Florida Legislative Session.

The expression should include the qualifications of individual or team and resumes, a list of previous clients represented before the Florida Legislature and Executive Branch. The awarded person or company will work with the designated SFA employee to develop SFA legislative and appropriation agenda, will attend appropriate meeting and represent the interest of the Authority as its registered legislative, executive branch representative. If qualified and awarded, the award recipient will arrange appropriate meetings, prepare the Authority for committee meetings and testimony, and prepare an overall strategy for both legislative and appropriation issues for the 2002 Legislative Session and the activities preparing for that Session. Please include your estimated monthly rates for these services.

The Spaceport Florida Authority was created as a state government space agency by Florida's Governor and Legislature in 1989. SFA's mission (as authorized in Chapter 331, Part II, Florida Statutes) is to retain, expand and diversify the state's space-related industry. Chapter 331, F.S., gives SFA

governmental powers similar to other types of transportation authorities (airport, seaport, etc.) to support and regulate the state's space transportation industry.

Interested persons or companies should submit three (3) copies of their expression of interest in a sealed envelope entitled "REQUEST FOR ANTICIPATED SERVICES – GOVERNMENTAL/LEGISLATIVE SERVICES" to: Mr. Greg Popp, Director of Business Operations, The Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, FL 32920-4003. Applications must be received no later than 3:00 p.m., August 3, 2001. Questions should be addressed to Greg Popp, (321)730-5301, Extension 1110.

The Spaceport Florida Authority reserves the right to accept or reject any and all responses in the best interest of the State.

#### REQUEST FOR ANTICIPATED SERVICES

##### For Governmental/Legislative Relations

The Spaceport Florida Authority (SFA), is seeking expressions of interest and statements of qualification for persons or companies to provide federal governmental/federal legislative services and legal services for SFA and its Board of Supervisors for fiscal year 2002 (July 1, 2001 to June 30, 2002) including the 107th Congress.

The expression should include the qualifications of individual or team resumes, a list of previous clients represented before the Legislative and Executive Branches of the federal government. Minimum qualifications include active membership in a state bar association, 10 years service with the legislative and/or executive branches of the federal government, and 8 years experience with one or more state spaceport authorities including extensive experience with Air Force real property agreements and FAA licensing. The awarded person or company will work with the designated SFA employee to develop SFA policy and funding agenda, will attend appropriate meetings and represent the interest of the Authority as its registered federal government representative. If qualified and awarded, the award recipient will arrange appropriate meetings, prepare the Authority for committee meetings and testimony, and prepare an overall strategy for both federal policy and funding issues for the Executive Branch and the 107th Congress including activities preparing for that Session. Please include your estimated monthly rates for these services.

The Spaceport Florida Authority was created as a state government space agency by Florida's Governor and Legislature in 1989. SFA's mission (as authorized in Chapter 331, Part II, Florida Statutes) is to retain, expand and diversify the state's space-related industry. Chapter 331, F.S., gives SFA governmental powers similar to other types of transportation authorities (airport, seaport, etc.) to support and regulate the state's space transportation industry.

Interested persons or companies should submit three (3) copies of their expression of interest in a sealed envelope entitled "REQUEST FOR ANTICIPATED SERVICES – GOVERNMENTAL/LEGISLATIVE SERVICES" to: Mr. Greg Popp, Director of Business Operations, The Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, FL 32920-4003. Applications must be received no later than 3:00 p.m., August 3, 2001. Questions should be addressed to Gregory Popp, (321)730-5301, Extension 1110.

The Spaceport Florida Authority reserves the right to accept or reject any and all responses in the best interest of the State.

#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

##### INVITATION TO BID

Sealed bids are being received from qualified contractors, by the State of Florida, Department of Children and Family Services, for the following project:

PROJECT NUMBER: DCF-00220410

PROJECT NAME: HVAC Renovations at Bldg. 1, Northeast Florida State Hospital (Macclenny).

BID DATE AND TIME: August 14, 2001 until 2:00 p.m. (Eastern Daylight Time)

PLACE OF BID OPENING: Maintenance Building, Conference Room, Northeast Florida State Hospital, Highway 121 South, Macclenny, FL 32063, (904)259-6211.

BID REQUIREMENTS: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be obtained from: Sutton Engineering, Inc., 3874 San Jose Park Drive, Suite One, Jacksonville, FL 32217, Telephone (904)730-2330, Fax (904)730-6170.

CONTRACTOR QUALIFICATIONS: Bidders shall be state-certified in accordance with Chapter 489, Florida Statutes, as a Certified Mechanical (CM) Contractor or a Certified Air Conditioning (CA) Contractor. Bidders not able to furnish proof of required certification are subject to disqualification of their bids.

ADDITIONAL INFORMATION: A mandatory pre-bid walk-through will be held at the jobsite on August 1, 2001, 10:00 a.m. (Eastern Daylight Time). No bid will be accepted from any bidder not attending this mandatory pre-bid meeting. Site Contact is Bill Wheeler, (904)259-6211. Site location is Highway 121, South, Macclenny, FL 32063.

CORPORATE REGISTRATION: No bid shall be accepted from any corporation which is not able to demonstrate current corporate charter registration (for a domestic corporation) or authority to transact business within the State of Florida (for a foreign corporation).

**PERFORMANCE BOND AND LABOR AND MATERIAL BOND:** On any construction contract for which the award amount is greater than \$100,000, a Performance Bond and a Labor And Material Payment Bond is required.

**CONTRACT AWARD:** The Bid Tabulation and Notice of Award Recommendation will be posted at 4:00 p.m., August 14, 2001 at the location where the bids are opened. In the event that the Bid Tabulation and Notice of Award cannot be posted in the above manner, then all bidders will be notified by certified U.S. mail, return receipt requested. Should the award recommendation be accepted by the Department, a contract will be awarded by the DCF Office of General Services. The Department of Children and Family Services reserves the right to reject any and all bids in the best interest of the State of Florida.

**MINORITY PARTICIPATION:** In accordance with Florida Statutes, the Department of Children and Family Services is encouraged to target certified minority business enterprises (MBEs) for 21 percent of total awarded construction contract dollar value (4% for African-American, 6% for Hispanic-American, and 11% for women-owned). The Department of Children and Family Services encourages minority businesses to participate in the bidding process, including any bidders conferences or pre-bid meetings which are scheduled. The Department of Children and Family Services further encourages contractors to utilize certified MBEs as subcontractors or subvendors whenever possible. Minority business enterprises are those firms certified by the State of Florida Commission on Minority Economic and Business Development, 2012 Capital Circle, S. E., Suite 100, Hartman Building, Tallahassee, Florida 32399-2152, (850)487-4698. An online directory of certified MBEs, available on the website of the Office of Supplier Diversity (<http://mbaao.fdles.state.fl.us/dirhome.htm>), may be searched by county for construction-related products and services.

### **GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY**

#### **INVITATION TO BID – REHABILITATE GENERAL AVIATION APRON PAVEMENTS – BID #01-008**

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting sealed bids for Rehabilitation of General Aviation Apron Pavements. The bid documents, technical specifications and construction plans will be available beginning July 15, 2001 at Gainesville Regional Airport's Administration office, 3880 N. E. 39th Avenue, Gainesville, Florida 32609, and at Hoyle, Tanner & Associates, Inc., 3452 Lake Lynda Drive, Suite 151, Orlando, Florida 32817.

The scope of the project includes: Base Bid Schedule-Rehabilitate GA Apron Pavements with Marking. Contract Documents entitled Rehabilitation of General Aviation Apron Pavements: Project No. 01-008. All bids

submitted shall be effective for 90 days. Bids must be signed by an authorized official, enclosed in a sealed envelope or package and mailed or delivered to: Airport Engineer, Gainesville Regional Airport, 3880 N. E. 39th Avenue, Suite A, Gainesville, Florida 32609. Bids received after 3:00 p.m., August 15, 2001, will not be considered. A non-mandatory prebid conference will be held on July 27, 2001, 10:00 a.m. (EDT), at the Gainesville Regional Airport's General Aviation Terminal located at Flightline Gainesville, 4701 N. E. 40th Terrace, Gainesville, Florida.

GACRAA reserves the right to reject any or all bids received in response to this Invitation to Bid as determined to be in the best interest of the Airport.

For additional information, contact Craig Hedgecock, (352)373-0249 or Douglas Norman, (407)380-1919.

### **DEPARTMENT OF MILITARY AFFAIRS**

#### **ADVERTISEMENT FOR BIDS**

**PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS, LICENSED BY THE STATE OF FLORIDA, FOR THE CONSTRUCTION OF:**

**PROJECT NO:** CFMO-200124 **ACCOUNTING CODE:**

**PROJECT NAME AND LOCATION:** Construct Building 4540 (Land Management Complex) CBTS, Starke, Florida

**PROJECT DESCRIPTION:** Facility will be approximately a 3,600 sq. ft masonry construction building with pre-engineered wood truss/shingle roof system. Building will include admin. offices, storage space and shower/restroom facilities.

**FOR:** Department of Military Affairs, Construction and Facility Management Office

**MINORITY PROGRAM:** An MBE participation goal of 10% has been established for this project. The Bidder is required to meet or exceed MBE participation goals or make good faith effort to contract with certified Minority Business Enterprises. The Bidder is advised to review the contract documents immediately in order to schedule the necessary tasks to accomplish good faith efforts.

**QUALIFICATIONS:** General Contractors licensed by the State of Florida.

**PUBLIC ENTITY CRIME INFORMATION STATEMENT:** A person or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount

provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

**BID SECURITY:** If the bid proposal amount is \$100,000 or less, a bid security (5%) is not required.

**PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND:** If the construction contract award amount is \$100,000 or less, a Performance Bond and Labor and Material Payment Bond are not required.

Sealed bids will be received and publicly read aloud on:

**DATE AND TIME:** August 10, 2001, until 10:00 a.m. (Local Time)

**PLACE:** Robert F. Ensslin Armory, 2305 State Road 207, St. Augustine, Florida

**PROPOSAL:** Bids must be submitted to the Department of Military Affairs, CFMO ATTN: SGM Kevin McElroy, 2305 State Road 207, St. Augustine, Florida 32086, (904)823-0283, in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained, as of July 20, 2001, from Pitman, Hartenstein and Associates. Inc., (904)724-3546 for \$75.00 (non-refundable).

All Technical questions shall be directed to the A/E until close of business August 9, 2001.

**ARCHITECT-ENGINEER:** Pitman-Hartenstein & Assoc., Inc., 7820 Arlington Expressway, Suite 640, Jacksonville, Florida 32211

**TELEPHONE:** (904)724-3546, Mark Norton

**CONTRACT AWARD:** The Bid Tabulation and Notice of Award Recommendation will be posted at the location where the bids were opened. In the event that the Bid tabulation and Notice of Award Recommendation can not be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5, F.A.C., by the Owner. **AWARD OF CONTRACT IS CONTINGENT UPON THE AVAILABILITY OF FUNDS.**

**PALM BEACH COUNTY WORKFORCE DEVELOPMENT BOARD**

**REQUEST FOR PROPOSALS  
INDIVIDUAL TRAINING ACCOUNT  
AND OTHER TRAINING PROGRAMS**

The Palm Beach County Workforce Development Board, Inc. (WDB) is accepting applications from licensed public and non-public schools to offer training via Individual Training Accounts (ITA) and other such occupational training programs. Training providers currently under contract with the WDB as a WIA statewide provider requesting renewal of their WDB contract must complete the entire RFP application package.

The deadline for receipt of RFP responses is 5:00 p.m. (Eastern Daylight Time), as determined by WDB, August 31, 2001 at WDB's administrative office, 2051 Martin Luther King, Jr. Blvd., Suite 302, Riviera Beach, FL 33404, Attn: Kenneth E. Montgomery, without exception.

The RFP is available for pickup between the hours of 8:00 a.m. – 5:00 p.m., July 9, 2001 through August 31, 2001 at the WDB administrative office address stated above for a fee of \$20.00 per RFP application. Please make checks payable to the "Palm Beach County Workforce Development Board, Inc." The RFP is also available free of charge on WDB's website at www.pbcworks.com. The RFP is available on the website in two formats: ASCII Text and Word 97 for Windows. WDB may change scheduled dates if it is to the advantage of WDB to do so. WDB will notify applicants of all RFP changes via posting on the WDB website, www.pbcworks.com., at the same location as the RFP. A bidders conference to answer specific questions regarding the RFP will be held at WDB's administrative office on July 30, 2001, 9:00 a.m. and August 23, 2001, 2:00 p.m. The WDB complies with the provisions of the Americans With Disabilities Act. If you are a disabled person requiring any accommodations or assistance, please notify the WDB, Kenneth E. Montgomery at least 72 hours (3 days) in advance. WDB encourages women and minority businesses to submit proposals.

**Section XII  
Miscellaneous**

**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 applications and/or other notices. 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 Section 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., August 10, 2001):

**APPLICATION TO ACQUIRE CONTROL**

Financial Institution to be Acquired: Capital City Bank, Tallahassee, Florida.

Proposed Purchasers: William G. Smith, Jr., Tallahassee, Florida and Robert Hill Smith, Tallahassee, Florida.

Received: July 3, 2001



APPLICATION FOR AN  
INTERNATIONAL BANK AGENCY

Application and Location: Caixa de Aforros de Vigo, Ourense e Pontevedra ("Caixanova"), Vigo, Spain.

Proposed Florida Location: Brickell Avenue, Miami, Florida.

Received: July 5, 2001

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Priority ONE Credit Union of Florida, 3000 North University Drive, Sunrise, Florida 33322

Expansion Includes: Residents and employees who work or live in the geographical designation for the City of Hollywood, Broward County, Florida and their immediate families.

Received: July 2, 2001

Name and Address of Applicant: First Choice Credit Union, 1055 South Congress Avenue, West Palm Beach, Florida 33406

Expansion Includes: People living or working in Loxahatchee, Florida.

Received: July 5, 2001

DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY MONROE COUNTY  
ORDINANCE NO. 023-2001

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), and § 380.0552(9), Fla. Stat. (2000), regarding a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. On June 20, 2001, the Department received for review Monroe County Ordinance No. 023-2001 which was adopted by the Monroe County Board of County Commissioners ("Ord. 023-2001"). Ord. 023-2001 changes the zoning category for a 2.38 acre parcel from "Suburban Commercial" to "Recreational Vehicle." The subject parcel contains an existing recreational vehicle park with 38 transient spaces.
2. Ord. 023-2001 is consistent with the County's Comprehensive Plan. Both the "Suburban Commercial" and the "Recreational Vehicle" zoning categories are consistent with the "Mixed Use/Commercial" future land use designation of the subject parcel.

CONCLUSIONS OF LAW

3. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), and § 380.0552(9), Fla. Stat. (2000).
4. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statute (2000) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
5. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2000). The regulations adopted by Ord. 023-2001 are land development regulations.
6. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles"). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions. § 380.0552(7), Florida Statute (2000).
7. Ord. 023-2001 promotes and furthers Principle (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;" Principle (c), "To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat," and Principle (e), "To limit the adverse impacts of development on the quality of water throughout the Florida Keys."
8. Ord. 023-2001 is not inconsistent with the remaining Principles. §380.0552(7), Fla. Stat. (2000). Ord. 023-2001 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 023-2001 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.

J. THOMAS BECK, 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.

**DEPARTMENT OF TRANSPORTATION**

The Florida Department of Transportation (FDOT), on behalf of the Transportation Outreach Program Advisory Council, announces the Council's solicitation of applications for the 2002 Transportation Outreach Program. Pursuant to Section 339.137, Florida Statutes, the Transportation Outreach Program is dedicated to funding transportation projects of a high priority based on the prevailing principles of preserving the existing transportation infrastructure; enhancing Florida's economic growth and competitiveness; and improving travel choices to ensure mobility.

Eligible projects include those for planning, designing, acquiring rights-of-way for, or constructing major highway improvements, including those for the Florida Intrastate Highway System, feeder roads which provide linkages to major highways, bridges of statewide or regional significance, trade and economic development corridors, and access projects for freight and passengers and hurricane evacuation routes; major public transportation projects, including seaport projects which improve cargo and passenger movements, aviation projects which increase passenger enplanements and cargo activity, transit project which improve mobility on interstate highways, or which improve regional or localized travel, rail projects that facilitate the movement of passengers and cargo including ancillary pedestrian facilities, Spaceport Florida Authority projects which improve space transportation capacity and facilities consistent with the provisions of Section

331.360, Florida Statutes, bicycle and pedestrian facilities that add to or enhance a statewide system of public trails; and highway and bridge projects that facilitate retention and expansion of military installations, or that facilitate reuse and development of any military base designated for closure by the Federal Government.

Transportation Outreach Program projects may be proposed by any local government, regional organization, economic development board, public or private partnership, metropolitan planning organization, state agency, or other entity engaged in economic development activities. A minimum of \$60,000,000 will be available, annually, to fund projects under this program. Projects meeting the requirements of Section 339.137, Florida Statutes, and recommended for funding by the Transportation Outreach Program Advisory Council will be submitted to the Governor and Legislature as a separate section of the FDOT's tentative work program. Final approval of the 2002 Transportation Outreach Program will be made by the Legislature through the General Appropriations Act. Funding for the projects approved for the 2002 Program by the Legislature through the General Appropriations Act will be available July 1, 2002.

The deadline for submitting applications for the 2002 Program is August 31, 2001. Fifteen copies of the application are required, and must be postmarked no later than 5:00 p.m. (EDT), August 31, 2001. The fifteen copies must be mailed to the attention of: Lorenzo Alexander, Manager, Seaport Office, Florida Department of Transportation, 605 Suwannee Street, MS #68, Tallahassee, FL 32399-0450.

For more information, please see the Department web site at [www.dot.state.fl.us/intermodal/top.htm](http://www.dot.state.fl.us/intermodal/top.htm) or contact Lorenzo Alexander or Meredith Dahlrose at the above address or (850)414-4500. A Word version of the 2002 application may be obtained by writing to the following email address: [meredith.dahlrose@dot.state.fl.us](mailto:meredith.dahlrose@dot.state.fl.us).

**SPACEPORT FLORIDA AUTHORITY**

**EMPLOYMENT OPPORTUNITY  
DEPUTY DIRECTOR**

The Spaceport Florida Authority (SFA) is seeking expressions of interest and qualification for persons as Deputy Director.

The expression should include the qualifications of individual and resume. This position is intended to provide a functional back up to the Executive Director. The incumbent will be responsible to perform the day-to-day actions necessary to address administrative and operational decisions of the Authority. Included (but not limited to) in this tasking are Human Resource, Budget, Facilities, Community and Public Affairs activities. The position will be empowered to act in the absence of the Executive Director, and will report directly to that position.

Individuals, possessing a background in independent leadership roles in space related activities, with executive decision making experience are preferred. A minimum of a four-year college degree is mandatory, with advanced business education preferred.

Florida's Governor and Legislature created the Spaceport Florida Authority as a state government space agency in 1989. SFA's mission (as authorized in Chapter 331, part II, Florida Statutes) is to retain, expand and diversify the state's space-related industry. Chapter 331, F.S., gives SFA governmental powers similar to other types of transportation authorities (airport, seaport, etc.) to support and regulate the state's space transportation industry.

Interested persons should submit three (3) copies of their expression of interest in a sealed envelope entitled "DEPUTY DIRECTOR" to: Mr. Greg Popp, Director of Business Operations, The Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, FL 32920-4003. Applications must be received no later than 3:00 p.m., August 3, 2001. Questions should be addressed to Greg Popp, (321)730-5301, Extension 1110.

The Spaceport Florida Authority reserves the right to accept or reject any and all responses in the best interest of the State.

**EMPLOYMENT OPPORTUNITY  
PUBLIC INFORMATION OFFICER**

The Spaceport Florida Authority (SFA) is seeking expressions of interest and qualification for persons as Public Information Officer (PIO) to provide a strategic conduit of information between the Spaceport Florida Authority, media, and other identified audiences. An individual will support this role with three to five years experience in public and/or media relations. A four-year degree in public relations or a related field is preferred.

The expression should include the qualifications of individual and resume. The PIO will manage and implement proactive and reactive stories for local, statewide, and national media (including print, television and radio), and develop and implement proactive media tools, such as, press releases and public service announcements.

The PIO will attend regular staff meetings in order to identify story opportunities and provide updates. The incumbent will be expected to: Cultivate media contacts (television, print and radio) on the local, state, and national levels; maintain media clips, provide period reports to administration, and work with administration to develop and implement crisis communication plans; coordinate media efforts with affiliated agencies/organizations and audit current communications tools for relevance and effectiveness; coordinate writing, photography, production, and printing of communications tools, such as, annual reports, brochures, newsletters, web content, and presentations; provide event and meeting support, as requested.

Florida's Governor and Legislature created the Spaceport Florida Authority as a state government space agency in 1989. SFA's mission (as authorized in Chapter 331, Part II, Florida Statutes) is to retain, expand, and diversify the state's space-related industry. Chapter 331 gives SFA governmental powers similar to other types of transportation authorities (airport, seaport, etc.) to support and regulate the state's space transportation industry.

Interested persons should submit three (3) copies of their expression of interest in a sealed envelope entitled, "PUBLIC INFORMATION OFFICER" to: Mr. Greg Popp, Director of Business Operations, The Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, FL 32920-4003. Applications must be received no later than 3:00 p.m., August 3, 2001. Questions should be addressed to Greg Popp, (321)730-5301, Extension 1110.

The Spaceport Florida Authority reserves the right to accept or reject any and all responses in the best interest of the State.

The Spaceport Florida Authority is an Equal Opportunity Employer.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**CERTIFICATE OF NEED  
EXEMPTIONS**

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

- |   |                                   |
|---|-----------------------------------|
| County: Putnam  | District: 3                       |
| ID #: 0000272   | Decision: A Issue Date: 6/29/2001 |
| Facility/Project: Putnam Community Medical Center   |                                   |
| Applicant: Putnam Community Medical Center, LLC   |                                   |
| Project Description: Establish an adult inpatient/outpatient diagnostic cardiac catheterization program                   |                                   |
| Proposed Project Cost: \$400,000  | Equipment Cost:                   |
| County: Broward   | District: 10                      |
| ID #: 0000274   | Decision: A Issue Date: 7/10/2001 |
| Facility/Project: University Hospital and Medical Center  |                                   |
| Applicant: University Hospital, Ltd.  |                                   |
| Project Description: Add 10 adult inpatient psychiatric beds and delicense 16 child/adolescent inpatient psychiatric beds |                                   |
| Proposed Project Cost: \$0  | Equipment Cost:                   |
| County: Broward   | District: 10                      |
| ID #: 0100001   | Decision: A Issue Date: 7/1/2001  |
| Facility/Project: University Hospital and Medical Center  |                                   |
| Applicant: University Hospital, Ltd.  |                                   |
| Project Description: Convert 28 hospital-based skilled nursing unit beds to 28 acute care beds                            |                                   |
| Proposed Project Cost: \$0  | Equipment Cost:                   |
| AHCA Purchase Order Number S5900I00310.   |                                   |

**CERTIFICATE OF NEED  
RECEIPT OF EXPEDITED APPLICATIONS**

The Agency For Health Care Administration received the following Certificate of Need applications for expedited review:

- |   |                     |
|---|---------------------|
| County: Leon  | Service District: 2 |
| Facility/Project: Tallahassee Community Hospital  |                     |
| Applicant: Tallahassee Medical Center, Inc.   |                     |
| Project Description: Add 20 acute care beds through the conversion of 20 adult substance abuse beds |                     |
| AHCA Purchase Order Number S5900I0310.  |                     |

**NOTICE OF LITIGATION**

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on July 2, 2001, concerning certificate of need decisions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine substantial interest of person. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 28-5.111 and 28-5.207, F.A.C. In deference to rights of a substantially affected person, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

- CON# INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)
- |      |   |
|------|---|
| NA   | CON Exemption, addition of 10 inpatient acute care beds, Osceola County, Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital-Kissimmee, (PRH) same as applicant                      |
| 9421 | Denial, establish an adult open heart surgery program, Hernando County, Hernando HMA, Inc. d/b/a Brooksville Regional Hospital, (PRH) same as applicant                                       |
| 9434 | Denial, addition of 30 acute care beds, or in the alternative, 20 acute care beds, Polk County, Haines City HMA, Inc. d/b/a Heart of Florida Regional Medical Center, (PRH) same as applicant |
| 9441 | Denial, addition of 5 Level II NICU beds, Orange County, Orlando Regional Healthcare System, Inc., (PRH) same as applicant  |
| 9451 | Supports Denial, establish an adult open heart surgery program, Palm Beach County, Bethesda Healthcare System, Inc., (PRH) Boca Raton Community Hospital                                      |
| 9452 | Supports Approval, establish an adult open heart surgery program, Palm Beach County, Boca Raton Community Hospital, Inc., (PRH) same as applicant   |

- 9454 Supports Denial, establish an adult open heart surgery program, Indian River County, Indian River Memorial Hospital, Inc. d/b/a Indian River Memorial Hospital (PRH) Boca Raton Community Hospital
- 9455 Approval, establish an adult open heart surgery program, Martin County, Martin Memorial Medical Center Inc., (PRH) Boca Raton Community Hospital

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION  
 MAJOR SEWER REHABILITATION/REPLACEMENT  
 (SR 699 WIDENING)

The Florida Department of Environmental Protection has determined that the City of St. Pete Beach's proposed Wastewater Project will not have a significant adverse affect on the environment. The total project cost is estimated at \$2,671,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing: Troy M. Mullis, P. E., Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION  
 DeFUNIAK SPRINGS, FLORIDA  
 WASTEWATER COLLECTION SYSTEM

The Florida Department of Environmental Protection has determined that proposed Collection System Project will not have a significant adverse impact on the environment. The total project cost is estimated at \$377,200. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing: Troy Mullis, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION  
 STORMWATER MANAGEMENT FACILITIES

The Florida Department of Environmental Protection has determined that the proposed Holly Hill Stormwater Management Project will not adversely affect the environment. The financial assistance for the project is estimated at \$4,312,000.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing: Troy Mullis, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

**DEPARTMENT OF HEALTH**

On June 29, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Juan Rivera, L.P.N., License #PN 1349621. Rivera's last known address is 190 E. Olmstead Drive, Apt. C6, Titusville, Florida 32780. 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 29, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Mark Martinez, RN license number RN 2556342. Martinez's last known address is 3003 Emathia Street, Coconut Grove, Miami, FL 33133. 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 29, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Joyce Ann Trogdon Street, LPN license number PN 861171. Street's last known address is Post Office Box 544, Summerland Key, FL 33042. 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 29, 2001, Roberts G. Brooks, M.D., Secretary of the Department of Heath, issued an Order of Emergency Suspension, with regard to the license of Lisa Arnold R.N., license number RN 2817892. Arnold's last known address is 960 Kokomo Key Lane, Delray Beach, Florida 33483. This Emergency Order was predicted upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Section 456.073.(8) and 120.60(8),

Florida Statutes. The Secretary determined this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 3, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Joseph Perry Bauer, PN license number 1152171. Bauer's last known address is 3740 40th Lane, South, Apt. #F, St. Petersburg, Florida 33711. 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 July 3, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of E. Brandy Kilpatrick, RN license number RN 2890362. Kilpatrick's last known address is 10800 Darius Street, Port Richey, Florida 34668. 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.

**NOTICE OF THE AVAILABILITY OF THE 2001-2002  
FLORIDA STATE-APPROVED TRAUMA CENTER  
LETTER OF INTENT PACKAGE**

**NAME OF AGENCY:** Department of Health (DH)  
**PACKAGE TITLE:** Florida State-Approved Trauma Center Letter of Intent Package  
**PURPOSE AND EFFECT:** DH is mandated by Section 395.4025(2)(a), Florida Statutes, to notify Florida licensed acute care hospitals of their right to submit a Letter of Intent, DH Form 1840, to apply to become a State-Approved Trauma Center (SATC) or State-Approved Pediatric Trauma Referral Center (SAPTRC).

**ELIGIBILITY:** Florida licensed acute care hospitals are eligible to apply.

**AUTHORITY:** Section 395.4025(2)(a), Florida Statutes.

**TO OBTAIN A PACKAGE:** You may request a Letter of Intent package by telephone, fax, or mail, or in person.

Telephone: (850)245-4440 or Suncom 205-4440

Fax: (850)488-2512

Mail request to, or pick up in person at: Florida Department of Health, Bureau of Emergency Medical Services, Trauma Centers Program, 4052 Bald Cypress Way, BIN #C-18 Tallahassee, FL 32399-1738.

**DEADLINE:** Letters of Intent must be postmarked between September 1, 2001, and midnight, October 1, 2001.

**CONTACTS:** Wanda Wannall or Susan McDevitt, (850)245-4440 or Suncom 205-4440.

P.O. # F00396

**CITY OF CLEWISTON**

**MUNICIPAL UTILITIES DIRECTOR** – City of Clewiston, FL. (Population 6,500), an agricultural community, located in South Florida, nestled on the southwestern shores of Lake Okeechobee, 60 miles, from West Palm Beach on the Atlantic Ocean and Fort Myers on the Gulf of Mexico, is seeking a director for its municipal utilities system. The successful candidate will be responsible for the daily operation, maintenance, and planning of the City's electric, water and sewage departments. The City's electrical utility consists of 455 commercial, one industrial, and 3,309 residential accounts. System territory is five square miles. Requirements: bachelor's degree in electrical engineering, related field or equivalent experience in municipal electrical utility required. Must possess strong management, supervisory, organizational and employee relations skills. Must have three years electric utility experience including distribution and substation maintenance. Salary negotiable. Please submit resume and three references with telephone numbers to Sharon Bosley, Human Resources, City of Clewiston, 115 West Ventura Avenue, Clewiston, FL 33440. Position open until filled. EOE/ADA/DFWP

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN July 2, 2001  
 and July 6, 2001

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF INSURANCE**

4-230.033	7/3/01	7/23/01		27/20
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**DEPARTMENT OF TRANSPORTATION**

14-64.0011	7/6/01	7/26/01		27/19
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**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Medicaid Program Office**

59G-4.020	7/6/01	7/26/01		27/17
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**DEPARTMENT OF HEALTH**  
**Division of Disease Control**

64D-3.011	7/3/01	7/23/01		27/21
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

65C-23.002	7/3/01	7/23/01		27/17
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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

68A-9.004	7/2/01	7/22/01	27/16	27/23
68A-15.063	7/2/01	7/22/01	27/16	27/23

**Marine Fisheries**

68B-13.0015	7/2/01	7/22/01	27/16	
68B-13.008	7/2/01	7/22/01	27/16	
68B-13.009	7/2/01	7/22/01	27/16	
68B-13.010	7/2/01	7/22/01	27/16	27/23
68B-13.011	7/2/01	7/22/01	27/16	
68B-13.012	7/2/01	7/22/01	27/16	