

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE TITLE:

Division of Cultural Affairs

RULE NO.:

IT-1.001

PURPOSE AND EFFECT: The purpose of this amendment will be to incorporate the most recent versions of the Division's administrative forms and grant award agreements.

SUBJECT AREA TO BE ADDRESSED: Administrative forms and grant award agreements.

SPECIFIC AUTHORITY: 255.043(5), 265.284(5)(d), 265.285(1)(c), 265.286(1),(4),(6), 265.2861(2)(b), 265.2865(6), 265.51, 265.605(1), 265.607, 265.608, 265.609(1),(4),(6), 265.701(4) FS.

LAW IMPLEMENTED: 216.349, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.51-56, 265.601-607, 265.608, 265.609, 265.701, 286.011, 286.012, 286.25 FS.

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

TIME AND DATE: 9:00 a.m., Friday, March 17, 2000

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

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Linda Downey, (850)487-2980. If you are hearing or speech impaired, please contact the agency by calling (850)488-5779 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Linda Downey, Chief, Bureau of Grant Services, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

IT-1.001 Division of Cultural Affairs.

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

(1) through (4) No change.

(5) ~~All grant awards except those under the Cultural Facilities and Cultural Endowment Programs shall be made through a grant award agreement and shall be administered in~~

~~accordance with the Grants Management Handbook, eff. 8/99, which contains forms and instructions for the management of grant awards. NEW LANGUAGE NOT AVAILABLE~~

~~(6) Grant awards through the Cultural Facilities Program shall be made through Grant Award Agreement Form #CA2E038, eff. 8/99, and use Grant Amendment Form #CA2E047 and Report Form #CA2E048, both eff. 8/99. Grant awards through the Cultural Endowment Program shall be made through Grant Award Agreement Form #CA2E039, eff. 8/99. Grant award agreements shall specify the grants management requirements. NEW LANGUAGE NOT AVAILABLE.~~

Specific Authority 255.043(5), 265.284(5)(d), 265.285(1)(c), 265.286(1),(4),(6), 265.2861(2)(b), 265.2865(6), 265.51, 265.605(1), 265.607, 265.608, 265.609(1),(4),(6), 265.701(4) FS. Law Implemented 216.349, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.51-56, 265.601-607, 265.608, 265.609, 265.701, 286.011, 286.012, 286.25 FS. History-New 11-23-82, Formerly IT-1.01, Amended 10-1-96, 10-31-96, 2-2-97, 6-2-97, 7-17-97, 9-10-97, 1-4-98, 7-26-98, 8-2-98, 10-5-98, 10-25-98, 8-17-99,_____.

DEPARTMENT OF LEGAL AFFAIRS

RULE TITLE:

Attorney Services

RULE NO.:

2-37.010

PURPOSE AND EFFECT: The Department is amending the form it currently utilizes for agencies requesting representation by private attorneys. The proposed rule development implements the revised form.

SUBJECT AREA TO BE ADDRESSED: Implementation of a revised form for requesting approval for representation by private attorneys.

SPECIFIC AUTHORITY: 287.059 FS.

LAW IMPLEMENTED: 287.059, 16.015 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry Daugherty, Senior Management Analyst II, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

2-37.010 Attorney Services.

The Department of Legal Affairs adopts a form to be filled out by agencies who wish to request representation by private attorneys. Form OAG-001, entitled "Request for Attorney General Approval of Private Attorney Services," effective _____, FLRC1 (effective 7/12/93) is hereby incorporated by reference. Copies of the form may be obtained from the

~~General Legal Division, Director, Florida Legal Resource Center, Office of the Attorney General, The Capitol PL-01, Tallahassee, Florida 32399-1050.~~

~~Specific Authority 287.059 FS. Law Implemented 287.059, 16.015 FS. History-New 10-7-90, Formerly 2-1.013, Amended 7-12-93, 10-29-97,~~

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE TITLES:	RULE NOS.:
Definitions	4A-51.005
Codes Adopted	4A-51.010
Fees	4A-51.030
Examinations	4A-51.035
Inspection Requirements	4A-51.050
Requirements for New Installations	4A-51.060
Operation	4A-51.070

PURPOSE AND EFFECT: The purpose of this rule chapter is to revise definitions and update references used in the operation of the Boiler Safety Act. The purpose of this rule chapter will also repeal definitions and provisions and that do not have statutory authority or are defined elsewhere.

SUBJECT AREA TO BE ADDRESSED: Part I General Provisions; Part II Certificates of Competency and Certificates of Compliance; Part III Inspections in Public Assembly Locations; and Part IV New and Existing Installations in Public Assembly Locations.

SPECIFIC AUTHORITY: 554.103, 554.111, 624.307, 624.308(1) FS.

LAW IMPLEMENTED: 554.1011-.115, 554.103, 554.104, 554.105, 554.106, 554.107, 554.108, 554.109, 554.1101, 554.111, 554.112, 554.114, 624.307, 624.308(1) 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 DATES: 1:00 p.m., March 21-22, 2000
PLACE: Florida State Fire College in Ocala, Florida and Miami Beach City Hall, 1700 Convention Center Drive, Miami Beach, Florida 33139

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, AVAILABLE UPON REQUEST ON MARCH 7, 2000, IS: Mohammad Malek, Boiler Chief, Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0342, (850)413-3614

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: Mohammad Malek, (850)413-3614.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4A-51.005 Definitions.

As used in this rule chapter:

(1) "The Act" ~~means Chapter 554, Florida Statutes, the "Boiler Safety Act."~~ shall refer to CS for SB 160, Chapter 87-361, Laws of Florida, as codified in Chapter 554, Florida Statutes.

(2) "Alteration" shall mean any change in the item described on the original Manufacturer's Data Report which affects the pressure containing capability of the boiler or pressure vessel. Non-physical changes such as an increase in the maximum allowable working pressure (internal or external) or design temperature of a boiler or pressure vessel shall be considered an alteration. A reduction in minimum temperature such that additional mechanical tests are required shall also be considered alteration. ~~"Alteration" does not include the installation of new nozzles or openings of such size that reinforcement is not a consideration.~~

(3) No change.

~~(4) "Antique Boiler" means any closed vessel used solely for display and demonstration purposes, in which water is heated, steam is superheated, or any combination thereof, under pressure or in a vacuum, for use externally to itself, by direct application of heat from the combustion of fuels, or from electricity. The term shall include fired vessels, used solely for display and demonstration purposes, for heating or vaporizing liquids other than water where these vessels are separate from processing systems and are complete within themselves.~~

(4)(5) "Approved" means permitted by the Boiler Safety Program of the Department of Insurance.

~~(6) "A.S.M.E." means The American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, NY 10017.~~

(5)(7) "A.S.M.E. Code" means The American Society of Mechanical Engineers International Boiler and Pressure Vessel Code published by that Society, including addenda and interpretations existing at the time this rule is adopted ~~and~~ ~~as approved by its council.~~

(6)(8) "Authorized Inspection Agency" means:

(a) a jurisdiction which has adopted and which administers one or more sections of the A.S.M.E. Boiler and Pressure Vessel Code as a legal requirement, one which shall be Section 1, and whose inspectors hold valid commissions issued by the National Board of Boiler and Pressure Vessel Inspectors, or in accordance with Section 554.112, Florida Statutes; or has a representative serving as a member of the A.S.M.E. Conference Committee; or

(b) an insurance company which has been licensed or registered by the appropriate authority of a state ~~State~~ of the United States or a province ~~Province~~ of Canada to write and does write boiler and pressure vessel insurance, and to provide

inspection service of boilers and pressure vessels in such state or province and whose inspectors hold valid commissions issued by the National Board of Boiler and Pressure Vessel Inspectors, or in accordance with Section 554.112, Florida Statutes in such State or Province.

~~(7)(9)~~ "Authorized Inspector" means the Chief Inspector, a Deputy Inspector or a Special Inspector.

~~(10)~~ "Boiler" means a closed vessel in which water or other liquid is heated, steam or vapor is generated, steam is superheated, or any combination of these functions is accomplished, under pressure or in a vacuum, for use external to itself, by the direct application of energy from the combustion of fuels or from electricity or solar energy. The term includes a fire unit for heating and vaporizing liquids other than water where these units are separate from processing systems and are complete within themselves. The term also includes the following:

~~(a)~~ "Power Boiler" means a boiler in which steam or other vapor is generated at a pressure of more than 15 psig.

~~(b)~~ "High Pressure/High Temperature Water Boiler" means a water boiler intended for operation at pressures in excess of 160 psig and/or temperatures in excess of 2500 F.

~~(c)~~ "Heating Boiler" means a steam or vapor boiler operating at pressures not exceeding 15 psig, or a hot water boiler operating at pressures not exceeding 160 psig or temperatures not exceeding 2500 F.

~~(d)~~ "Hot Water Supply Boiler" means a boiler or lined storage water heater completely filled with water which furnishes hot water to be used externally to itself at pressures not exceeding 160 psig or at a temperature not exceeding 2500 F. at or near the boiler outlet.

(8) Definitions of Boilers (additional Boiler definitions may be found at Section 554.1021, Florida Statutes):

~~(a)(e)~~ "Electric Boiler" means a power boiler or heating boiler in which the source of heat is electricity.

~~(f)~~ "Second Hand Boiler" means a boiler which has changed ownership and location subsequent to its original installation and use.

~~(b)(g)~~ "Miniature Boiler" means a power boiler or high-temperature boiler any boiler which does not exceed any of the following limits:

1. 16" inside diameter of shell;
2. 20 sq. ft. of heating surface (not applicable to electric boilers);
3. 5 cu. ft. gross volume, exclusive of casing and insulation; and
4. 100 psig maximum allowable working pressure.

~~(c)(h)~~ "Portable Boiler" means a an internally fired boiler which is primarily intended for temporary locations, and by the construction and usage permits it to be readily moved from one location to another of which is obviously portable.

~~(11)~~ "Certificate Inspection" means an inspection or report which is used by the Chief Inspector to determine whether or not a certificate of compliance may be issued.

~~(12)~~ "Certificate of Compliance" means a document issued to the owner of a boiler which authorizes the owner to operate the boiler, subject to any restrictions endorsed thereon.

~~(13)~~ "Certificate of Competency" means a document issued to a person who has satisfied the minimum competency requirements for boiler inspectors under Sections 554.1011-554.115, F.S.

~~(d)(14)~~ "Coil Type Hot Water Boiler" means a boiler without any steam space where water flashes into steam when released through a manually operated nozzle.

~~(e)~~ "Lined Storage Water Heater" means a water heater which consists of a coil or closed tank heated either by direct flame, electrical heating elements or solar energy and which exceeds any of the following limits:

1. Maximum heat input of 400,000 BTUH or 117.2 KW;
 2. Water temperature of 210 degrees F; and
 3. Nominal water containing capacity of 120 U.S. gallons.
- Such water heaters shall be equipped with safety devices in accordance with the requirements of Section IV, Article 8, HLW-800, "Installation Requirements," A.S.M.E. Code, as adopted herein.

~~(f)~~ "Standard Boiler" means a boiler which has been designed, constructed, inspected and stamped as per A.S.M.E. Code and registered with the National Board.

~~(g)~~ "Non-standard Boiler" means a boiler that does not bear a stamp, or does not comply with the Act or these rules.

~~(h)~~ "Reinstalled Boiler" means a boiler removed from its original setting and reinstalled at the same location or at a new location without change of ownership.

~~(i)~~ "Condemned Boiler" means a boiler which has been inspected and declared unsafe by the Chief Boiler Inspector.

~~(9)(15)~~ "Commission" means:

(a) A written credential issued by the Boiler Safety Program to a Deputy Inspector or Special Inspector stating the inspection agency by whom he is employed and the category or categories of inspection he is authorized to make; or

(b) A written credential issued by the National Board of Boiler and Pressure Vessel Inspectors to the holder of a Certificate of Competency who desires to make shop inspections and field inspectors in accordance with the National Board Code adopted herein.

~~(16)~~ "Condemned Boiler" means a boiler which has been inspected and declared unsafe, or disqualified by legal requirements by an inspector qualified to take such action.

~~(10)(17)~~ "Chief Inspector" means the Chief Boiler Inspector appointed by the Act.

~~(11)(18)~~ "Deputy Inspector" means any Deputy Inspector appointed by the Chief Inspector of the Boiler Safety Program of the Department of Insurance.

(19) "Department" means the Department of Insurance.

(12)(20) "Existing Installation" means any boiler installed in this state before October 1, 1987.

(13)(21) "External Inspection" means an inspection made when a boiler is in operation, if possible or when examination of the interior surfaces of the pressure parts cannot be made.

(14)(22) "Fusion Welding" means a process of welding metals in a molten and vaporous state, without the application of mechanical pressure or blows.

(15)(23) "Horsepower" means a unit of measurement in which one boiler horsepower = 34.5 lbs. steam per hour or 33,479 BTUH (British Thermal Units per Hour).

(24) "Inspector" means the Chief Inspector, any Deputy Inspector, or a Special Inspector.

(16)(25) "Internal Inspection" means an inspection made when a boiler is shut down and the handholes, manholes, or other inspection openings are opened for inspection of the interior.

(17)(26) "Jurisdiction" means a state, commonwealth or municipality of the United States or a Province of Canada, which has adopted one or more sections of the A.S.M.E. Boiler and Pressure Vessel Code, one of which is Section I, and which maintains a duly constituted governmental unit for the purpose of enforcement of the code.

(27) "~~Jurisdiction or Jurisdictional Requirements~~" means ~~the lawful requirements of a jurisdiction regarding boilers or pressure vessels.~~

(18)(28) "Major Repair" means a repair affecting the strength of the boiler.

(19)(29) "National Board" means the National Board of Boiler and Pressure Vessel Inspectors, (NB) 1055 Crupper Avenue, Columbus, Ohio 43229, whose membership is composed of Chief Inspectors ~~of jurisdictions who, or other officials who hold a National Board Commission and are charged with the enforcement of the provisions of the Boiler and Pressure Vessel Safety Act boiler and pressure vessel inspection regulations of any political subdivision of the United States or Canada which has adopted one or more sections of the A.S.M.E. Boiler and Pressure Vessel Code.~~

(20)(30) "National Board Inspection Code" means the code for jurisdictional authorities, inspectors, users, and organizations performing repairs and alterations to pressure-retaining parts. It is published by the National Board and is developed under procedures accredited as meeting the criteria for American National Standards ~~manual of Boiler and Pressure Vessel Inspectors adopted by the National Board. Copies may be obtained from the National Board, 1055 Crupper Avenue, Columbus, Ohio 43229.~~

(21)(31) "New Boiler Installation" means all boilers constructed, installed and placed in operation after October 1, 1987.

(32) "~~Non-standard Boiler~~" means a boiler that does not bear the stampings and numbers listed in subsection (41), below.

(22)(33) "Owner or User" means any person, firm or corporation legally responsible for the safe installation, operation, and maintenance of any boiler within this state.

(23) "Other locations open to the general public," as used in the definition of "public assembly locations" in Section 554.1021(2), Florida Statutes, means a building, facility, occupancy, or portion thereof, or an area open to the public for educational purposes or for trade or commerce including, but not limited to, public and private schools, universities, child care centers, city, county and state government buildings, commerce facilities, shopping malls, departmental stores, grocery stores, motels, hotels, resorts, vacation clubs, fitness centers, and restaurants; meeting rooms, game rooms, and similar places where the public is invited or permitted to gather, as well as boiler rooms, located in apartment complexes, condominiums, cooperatives, or similar multi-family dwellings; dry cleaners, laundries or laundromats; retirement homes; religious schools; bus or train stations; colleges and other institutions of higher learning; fraternal organizations; any club open to guests and the public; and any building or area in which persons may assemble for civic, educational, religious, recreational, entertainment or other purposes, or in which passengers may await public transportation. The term "public assembly locations" also means "places of public assembly" as used in this rule chapter.

(34) "~~Place of Public Assembly~~" means ~~a building, facility, occupancy, or portion thereof, or an area open to the public for educational purposes or for trade or commerce including, but not limited to, public and private schools, child care centers, community centers, hospitals, nursing and convalescent homes, churches, theaters, stadiums, amusement parks, colleges and other institutions of higher learning, and any building or area in which persons may assemble for civic, educational, religious or recreational purposes, or in which passengers may await transportation.~~

(24) "Pressure retaining item" (PRI) means a boiler, pressure vessel, piping or material used for the containment of pressure, either internal or external. The pressure may be obtained from an external source, or by the application of heat from the direct source, or any combination thereof.

(25) "Pressure Vessel" means containers for the containment of pressure, either internal or external. This pressure may be obtained from an external source or by the application of heat from a direct or indirect source, or any combination thereof.

(26)(35) "PSIG" means pounds per square inch gauge.

(27)(36) "Repair" means the work necessary to restore a boiler or pressure vessel to a safe and satisfactory operating condition, ~~provided there is no deviation from the original design.~~

~~(28)(37)~~ "Repair Organizations" shall mean:

~~(a)~~ An entity which holds a valid National Board Certificate authorizing the use of the "R", "VR", or "NR" stamps; ~~or~~

~~(b)~~ An entity which holds a valid A.S.M.E. Certificate of Authorization for use of the appropriate code symbol stamp; ~~or~~

~~(c)~~ An entity which is otherwise authorized by the jurisdiction.

~~(29)(38)~~ "Rules" means this rule chapter unless otherwise specified.

~~(30)(39)~~ "Rerating" means the increase of the maximum allowable working pressure or temperature of a boiler regardless of whether or not physical work is carried out on the boiler. Rerating shall be considered an alteration.

~~(40)~~ "Reinstalled Boiler" means a boiler removed from its original setting and reinstalled at the same location or at a new location without change of ownership.

~~(41)~~ "Standard Boiler" means a boiler which bears the stamp of the State; the A.S.M.E. Stamp; both the A.S.M.E. and National Board Stamps; or the stamp of another jurisdiction which has adopted a standard of construction equivalent to that required by this state.

~~(31)(42)~~ "Special Inspector" means an inspector who holds a Florida Certificate of Competency and who is regularly employed by an insurance company authorized to insure against loss from explosion of boiler and pressure vessels in this state or by any county, city, town, or other governmental subdivision which has adopted into law the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers and the National Board Inspection Code for the construction, installation, inspection, maintenance, and repair of boilers.

~~(43)~~ "Water Heaters and Lined Storage Water Heaters" mean water heaters which consist of a coil or closed tank heated either by direct flame, electrical heating elements or solar energy and which do not exceed any of the following limits:

~~(a)~~ Maximum heat input of 200,000 BTUH or 58.6 KW;

~~(b)~~ Water temperature of 2100 F.; and

~~(c)~~ Nominal water containing capacity of 120 U.S. gallons. Such water heaters shall be equipped with safety devices in accordance with the requirements of Section IV, Article 8, HLW-800, "Installation Requirements," A.S.M.E. Code, as adopted herein. Those having electrically heated elements shall also bear the Underwriters Laboratory listing mark.

Specific Authority 554.103 FS. Law Implemented 554.1011-.115 FS. History—New 2-27-89, Amended _____.

4A-51.010 Codes Adopted.

The Department of Insurance hereby adopts and incorporates by reference the following national codes as the State Boiler Code for the safe construction, installation, inspection, maintenance and repair of boilers.

(1) The A.S.M.E. Boiler and Pressure Vessel Code, Sections I; II, Parts A, B, ~~and C and D~~; IV; V; VI; VII; IX, and the ANSI/ASME CSD-1, 1998 edition and all 1999 amendments, addenda and interpretations thereto to these documents in effect on the effective date of this rule, are hereby adopted and incorporated by reference. Copies may be obtained from the American Society of Mechanical Engineers International, 22 Law Drive, Box 2300, Fairfield, New Jersey 07007-2300; Phone: 1-800-THE-ASME, ~~United Engineering Center, 345 East 47th Street, New York, NY 10017.~~ The Code may be consulted at the offices of the Boiler Safety Program, Bureau of Fire Prevention Explosives and Fire Equipment, Division of State Fire Marshal, Department of Insurance, 325 John Knox Road, Third Floor, Atrium Building, Tallahassee, Florida 32303, Phone: (850)413-3722/3723 ~~Larson Building, Tallahassee, Florida 32399-0300; (904)488-7260;~~ during regular business hours, Monday through Friday.

(2) The National Board Inspection Code (NBIC) – 1998 ~~1987 edition of the National Board of Boiler and Pressure Vessel Inspectors~~, and all amendments, addenda, and interpretations thereto in effect on the effective date of this rule, is hereby adopted and incorporated by reference. Copies may be obtained from the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229; Phone: (614)888-8320. The Code may be consulted at the offices of the Boiler Safety Program, Bureau of Fire Prevention Explosives and Fire Equipment, Division of State Fire Marshal, Department of Insurance, 325 John Knox Road, Third Floor, Atrium Building, Tallahassee, Florida 32303; Phone: (850)413-3722/3723 ~~Larson Building, Tallahassee, Florida 32399-0300; (904)488-7260;~~ during regular business hours, Monday through Friday.

(3) ASME ANSI B31.1-1986, "Power Piping," – 1998 ~~edition and all 1999 amendments, addenda, and interpretations thereto~~ is hereby adopted and incorporated by reference. Copies may be obtained from the American Society of Mechanical Engineers International, 22 Law Drive, Box 2300, Fairfield, New Jersey 07007-2300; Phone: 1-800-THE-ASME ~~National Standards Institute, Inc., 1450 Broadway, New York, NY 10018.~~

(4) The requirements of the Codes adopted in subsections (1), (2), and (3), above, shall become effective on February 27, 1989, except that the provisions applying to new construction shall not become mandatory until 6 months after the effective date of adoption.

Specific Authority 554.103 FS. Law Implemented 554.103 FS. History--New 2-27-89, Amended _____.

4A-51.030 Fees.

Specific Authority 554.103, 554.111 FS. Law Implemented 554.111 FS. History--New 2-27-89, Amended 7-15-98, Repealed _____.

4A-51.035 Examinations.

(1) through (2) No change.

(3) For an applicant for a certificate of competency, the initial application fee shall be fifty (\$50.00) dollars and the annual renewal fee shall be thirty (\$30.00) dollars. An examination fee of fifty (\$50.00) dollars will be charged for each applicant taking the examination for a certificate of competency.

Specific Authority 624.307, 624.308(1) FS. Law Implemented 554.103, 554.111, 554.112 FS. History--New 2-27-89, Amended 1-27-99, _____.

4A-51.050 Inspection Requirements.

(1) through (7) No change.

(8) Inspection Reports. Each Authorized Inspection Agency employing certified Special Inspectors and each certified Deputy Inspector shall, within fifteen (15) days following each certificate inspection made by such inspectors, file a report of the inspection with the Chief Inspector of the Boiler Safety Program using the following forms, which are hereby adopted and incorporated by reference: Form DI4-380, _____ 4/20/88, "Boiler or Pressure Vessel Data Report - First Internal Inspection" "First Inspection Report - All Boilers," and Form DI4-379, _____ 4/20/88, "Boiler - Fired Pressure Vessel - Report of Inspection" "Reinspection Report - All Boilers." Authorized Inspection Agencies may reproduce these forms for their own use. Copies may be obtained from the Boiler Safety Program, Bureau of Fire Prevention Explosives and Fire Equipment, Division of State Fire Marshal, 200 E. Gaines Street, Tallahassee, Florida 32399-0342 Larson Building, Tallahassee, Florida 32399-0300. The filing of reports of external inspections other than certificate inspections shall not be required except when such inspections disclose that the boiler is not in compliance with this rule chapter.

(9) through (12) No change.

(13) Inspection Numbers.

(a) through (e) No change.

(f) Stamping of Florida State serial numbers on non-corrosive tags shall be as follows:

~~FL000000 FL000000~~FL88

1. Note: On the Florida State serial number facsimile above, the letters and numbers FL88 indicate the year the boiler was stamped.

2. Florida State serial numbers shall be stamped with numbers and letters not less than 5/16 inch in height.

(14) through (23) No change.

Specific Authority 554.103 FS. Law Implemented 554.103, 554.108, 554.109, 554.1101 FS. History--New 2-27-89, Amended _____.

4A-51.060 Requirements for New Installations.

(1) through (2) No change.

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

~~(p) Fuel burning apparatus and systems (Flame safeguard). Fuel burning apparatus and systems should be equipped with regulatory and protective controls in accordance with applicable standards of the National Fire Protection Association, American Gas Association, and Underwriter's Laboratories. Safety inspections for compliance with the aforementioned codes and standards for fuel burning apparatus do not fall within the jurisdiction of the Boiler Safety Program or within the scope of the Boiler Safety Act.~~

(4) No change.

Specific Authority 554.103 FS. Law Implemented 554.103, 554.104, 554.105, 554.106, 554.107 FS. History--New 2-27-89, Amended _____.

4A-51.070 Operation.

Specific Authority 554.103 FS. Law Implemented 554.103, 554.114 FS. History--New 2-27-89, Amended 7-15-98, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mohammed Malek, Chief Boiler Inspector, Fire Prevention, State Fire Marshal

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles D. Clark, Division Director, State Fire Marshal, Department of Insurance

DATE PROPOSED RULE APPROVED BY THE AGENCY HEAD: February 23, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2000

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLES:

RULE NOS.:

Cleaning Services

12A-1.0091

Rentals, Leases, and Licenses to Use

Transient Accommodation

12A-1.061

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rules 12A-1.0091 and 12A-1.061, FAC., is to provide that charges for cleaning residential facilities used as living accommodations are not subject to tax, even though the rental or lease charges to guests to use such accommodations may be subject to the taxes imposed on transient rentals. The proposed amendments remove language regarding the Department's presumption that the cleaning of public lodging

establishments advertised or held out to the public as places regularly rented to transient guests are taxable as nonresidential cleaning services. All guidelines related to establishing whether the cleaning services provided to such living accommodations are for nonresidential or for residential use are proposed to be removed.

SUBJECT AREA TO BE ADDRESSED: These proposed rule amendments address the Department's policy change to provide that charges for cleaning residential facilities used as living accommodations are not subject to tax.

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

LAW IMPLEMENTED: 92.525(1)(b), 120.53(1)(b), 212.02(2), (10)(a)-(g), (16), 212.03(1),(2),(3),(4),(5),(7), 212.031, 212.04(4), 212.05(1), 212.0598, 212.06(2),(5), 212.07(2), 212.08(4)(a),(6),(7)(i),(m),(o),(8),(9), 212.085, 212.11(1),(2), 212.12(2),(5),(6),(7),(8),(9),(12), 212.13(1),(2), 212.16, 212.17(6), 212.18(2),(3),(5), 212.21(3), 213.06(1), 213.37, 213.756 FS.

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

TIME AND DATE: 10:00 a.m., March 23, 2000

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

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

Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting: Jamie Phillips, (850)922-4698. If you are hearing or speech-impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-1.0091 Cleaning Services.

(1)(a) No change.

(b) ~~Residential cleaning~~ Cleaning services rendered to residential buildings are not taxable. Charges for cleaning facilities For the purpose of this rule, residential buildings are buildings that are used as living accommodations home or regular places of abode for persons, (such as detached or single family dwellings, apartments, duplexes, triplexes, quadraplexes, residential condominiums, residential

cooperatives, residential time-share units, beach cottages, nursing homes, and mobile home parks, and the common areas of those residential facilities, are not subject to tax. Charges to clean such residential facilities are not subject to tax, even though the rental, lease, letting, or licensing of such living accommodations may be subject to the tax imposed under s. 212.03, F.S. apartments, duplexes, triplexes, condominiums, or cooperatives, or other similar facilities) which do not regularly cater to the traveling public. Public lodging establishments, as defined in s. 509.013, F.S., or portions thereof, and any other facilities or portions of facilities, which are advertised or generally held out to the public as places regularly rented to transients are presumed to be nonresidential buildings. Cleaning services rendered to such nonresidential facilities are taxable. Sufficient documentation must be provided to substantiate whether the cleaning service is provided to a residential or nonresidential building. See subsection (6) below for documentation requirements.

2. ~~When a cleaning service provider is contracted by a real estate agent, management company, or similar business to provide cleaning services to a building or units within a building, and the service provider cannot determine whether the building or units are advertised or generally held out to the public as a place regularly rented to transients, the charges for such services are fully taxable, unless the real estate agency, management company, or similar business furnishes the service provide a written statement that the entire building or specific units within the building are residential. See subsection (6) below for specific allocation methods. Any cleaning service provider who receives from the purchaser a written statement showing the percentage or portion, if any, of the property which is nonresidential, and who collects tax according to such statement, shall be entitled to rely upon the allocation provided in writing by the purchaser of the cleaning service, unless the cleaning service provider has reason to believe that such written statement is fraudulent.~~

a. ~~Example: An apartment complex has 200 units of which 50 units operate under a collective license as a public lodging establishment and are advertised as available for rent on a daily or weekly basis. With proper documentation, only the 50 units are considered nonresidential and the cleaning services for such units are taxable.~~

b. ~~Example: Cleaning services are rendered to a 500-unit condominium complex. The cleaning services are contracted through the residing manager for the complex. The service provider cannot determine which units are residential and which units are nonresidential. The total charges for cleaning services are taxable, unless the residing manager or owner(s) of the unit(s) furnishes the service provider a written statement identifying which unit(s) are residential.~~

3. ~~Example: The residents of an apartment complex may sign up for and use the complex's clubhouse after paying the apartment manager a fee which represents a charge for~~

cleaning the clubhouse after its use. The clubhouse is considered to be a residential common area and the cleaning fee is not taxable.

(c) through (2) No change.

(3) Aircraft, boats, motor vehicles, and other vehicles, except mobile homes, are not considered to be nonresidential buildings. For the taxability of cleaning aircraft, boats, motor vehicles, and other vehicles, see Rule 12A-1.006, F.A.C.

(4) No change.

(5)(a)1. Any person providing cleaning services is required to document by notations on the sales invoice the name of the purchaser, the address and unit number(s) where the service was provided, the date of the service, the type of service, the price of the service, whether the service is for a residential or nonresidential building, if the building is used for both residential and nonresidential purposes, and the price of the service for each purpose.

2. Any cleaning service provider who fails to provide the notations described in subparagraph 1. Above and who neglects, fails, or refuses to collect the tax herein provided upon any sales of cleaning services which are subject to the tax, shall be liable for and pay the tax himself.

3. Any person who fraudulently issues to any cleaning service provider a statement in writing, as provided in subparagraph (1)(b)2., for the purposes of evading payment of the sales tax is liable for payment of the sales tax, a mandatory penalty of 200% of the tax, and a fine and punishment as provided by law for conviction of a felony of the third degree, as provided in s. 775.082, s. 775.083, or s. 775.084, F.S.

(b)1. If a building is used for both residential and nonresidential purposes and the proportional mixed use is not subject to change, when the charges for residential and nonresidential cleaning services are separately described and itemized, the total charge shall be allocated based on the square footage serviced for each exclusive purpose. Common areas such as lounges, day rooms, and hallways shall be allocated on the same proportion as the exclusively residential and nonresidential areas. However, an alternate method may be allowed if the service provider documents the basis and rationale for the alternate method.

2. Example: A condominium complex has 600 units of which 200 units are used as a permanent residence by their owners. A window cleaning company charges the condominium complex for the cleaning of all windows in the complex, including the 200 owner-occupied units and the windows of common area facilities such as the complex clubhouse. Since all living units in the complex are approximately equal in square footage area, one-third (200 permanent residential units divided by 600 total units) of the total charge made by the window cleaning company may be made tax exempt, provided the window cleaning company makes a

separate line item charge for the residential units and obtains the necessary certification by the residing manager or owners of the residential units.

(c)1. If a building is used for both residential and nonresidential purposes and the proportional mixed use is subject to frequent or periodic change, such as time share resorts and other facilities or portions of facilities which are advertised or generally held out to the public as regularly rented to transients, the tax on cleaning services shall be available for rent to the general public during the prior calendar quarter. Such time allocation shall be made on the basis of the smallest time unit denominator available for rent. So-called "weekend" rentals shall be computed on and use days as the denominator. The entity managing the time share resort pursuant to s. 721.13, F.S., or other managing entity shall prepare and present to any cleaning service provider, a written statement specifying the percentage of time made available for rent to transient guests during the preceding quarter as the basis for the amount of cleaning services subject to tax.

2. Example: A fee time share resort consists of 100 time share units for which 5,100 time share occupancy periods would typically be sold, i.e., 51 weeks per year per time share unit. In a calendar quarter, 1,275 time share weeks (5,100 divided by 4) would be available for use by the time share unit purchasers or the developer. During the last calendar quarter, 300 time share weeks were available for sale or rent by the developer and 125 time share purchasers requested that the managing entity make their time share weeks available for rent to the traveling public. These time share occupancy weeks owned by time share purchasers and by the developer which were available for rent to the traveling public are considered nonresidential and the cleaning services sold for such units are taxable. One-third (425 total weeks available for rent divided by 1,275 weeks in the quarter) of the charges for cleaning services will be subject to sales tax.

3. Example: The owner of a beach cottage has an agreement with a local realtor whereby the realtor may rent the cottage to the traveling public for any length of time except for specific days or weekends reserved for use by the owner of the cottage. During the last calendar quarter, the owner of the cottage reserved the property for a total of 18 days while the remaining days were either rented or made available to the traveling public. Only 20 percent (18 owner reserved days divided by 90 days in the quarter) of the charges for cleaning services will be exempt from sales tax.

(d) If the charges for residential and nonresidential cleaning services are not separately described and itemized, then the entire transaction is taxable.

(e) If a transaction involves both the sale or use of a taxable service and the sale or use of a service that is not subject to tax, the charges shall be separately identified and stated with respect to the taxable and nontaxable portions of the transaction. The tax shall apply to the transaction to the

extent that the consideration paid in connection with the transaction is payment for the sale or use of taxable services. Failure to separately state the charges shall create a presumption that the entire transaction is a taxable service.

~~(5)(6)~~ No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.05(1)(b),(j), 212.07(2), 212.085 FS. History—New 5-13-93, Amended 3-20-96, 7-1-99, _____.

12A-1.061 Rentals, Leases, and Licenses to Use Transient Accommodations.

(1) through (3) No change.

(4) PURCHASES BY OWNERS OR OWNERS' REPRESENTATIVES OF TRANSIENT ACCOMMODATIONS.

(a) The purchase of beddings, furnishings, fixtures, toiletries, consumables, taxable maid and cleaning services, and similar items or other taxable services by owners or owners' representatives of transient accommodations is subject to tax, except as provided in ~~paragraph~~ paragraphs (b) ~~or (c)~~. The purchase of these items and services is not subject to the tourist development tax, as provided in s. 125.0104, F.S., the tourist impact tax, as provided in s. 125.0108, F.S., or the convention development taxes, as provided in s. 212.0305, F.S.

(b) Owners or owners' representatives may purchase or lease tangible personal property without paying tax only when the taxable property is:

1. Purchased exclusively for resale or re-rental as provided in Rule 12A-1.071(2), F.A.C.; and

2. Charges to the guest or tenant for the purchased or leased property are not required under the provisions of this rule to be included in the taxable amount of rental charges or room rates. See Rule 12A-1.071(2), F.A.C.

~~(c)1. Owner's or owner's representatives taxable nonresidential cleaning that do not have a dealer's sales tax number ending in digits 92 or 93 are not permitted to purchase taxable services exempt from tax. See Rule 12A-1.0161, F.A.C. However, owners or owners' representatives may take a credit for tax paid to a dealer of taxable services on its sales and use tax return when:~~

~~a. the charges or surcharges for the taxable service purchased for resale to the guest or tenant are separately stated on a guest's or tenant's bill, invoice, or other tangible evidence of sale;~~

~~b. the applicable sales tax is collected from the guest or tenant on the separately stated charges for the taxable service. (See Rules 12A-1.0091, 12A-1.0092, and 12A-1.0161, F.A.C.);~~

~~e. the charges or surcharges to the guest or tenant are not required under the provisions of subsection (3) of this rule to be included in the taxable amount of rental charges or room rates; and~~

d. tax was paid to the dealer for the taxable services.

2. Example: Company X is in the business of renting condominium units. As part of its rental charges, Company X provides weekly cleaning services to its tenants. If a tenant wants to purchase daily cleaning services, Company X will arrange with a third party cleaning company to provide the cleaning services. ~~Company X separately states the charge for the daily cleaning services and the applicable sales tax for the cleaning services on the tenant's accommodation bill. Company X purchases all its cleaning services from the third party cleaning company and must pay the applicable sales tax to the cleaning company on its total charges for cleaning services. However, Company X may take a credit on its sales and use tax return for the tax paid to the third party cleaning company on the charges for daily cleaning services that are resold to its tenants, whether the daily cleaning services are resold to the tenant at the same or a higher price than that paid to the third party cleaning company.~~

(5) through (19) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 92.525(1)(b), 212.02(2),(10)(a)-(g),(16), 212.03(1),(2),(3),(4),(5),(7), 212.031, 212.04(4), 212.08(6),(7)(i),(m),(o), 212.11(1),(2), 212.12(7),(9),(12), 212.13(2), 212.18(2),(3), 213.37, 213.756 FS. History—Revised 10-7-68, 1-7-70, Amended 1-17-71, Revised 6-16-72, Amended 7-19-72, 4-19-74, 12-11-74, 5-27-75, 10-18-78, 4-11-80, 7-20-82, 1-29-83, 6-11-85, Formerly 12A-1.61, Amended 10-16-89, 3-17-94, 1-2-95, 3-20-96, 11-30-97, 7-1-99, _____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLE:

RULE NO.:

Rentals, Leases, and Licenses to Use

Transient Accommodations

12A-1.061

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.061, FAC., is to: 1) clarify that each room or unit that provides lodging or housekeeping accommodations in a multiple unit structure is defined for the purposes of Rule 12A-1.061, FAC., as a "transient accommodation;" 2) provide guidelines regarding the application of the transient rental taxes when a reservation voucher is sold by a reservation company and then presented to the owner or owner's representative to rent the reserved transient accommodation; and 3) provide guidelines for taxpayers that rent, lease, let, or license a number of transient accommodations within a multiple unit structure to one person for their own use.

SUBJECT AREA TO BE ADDRESSED: These proposed rule amendments address: 1) the clarification of the term "transient accommodation;" 2) the proposed guidelines regarding the imposition of the transient rental taxes when transient accommodations are reserved by purchasing a reservation voucher and presenting it to rent a transient accommodation;

and 3) the proposed guidelines for taxpayers that rent, lease, let, or license a number of transient accommodations at a multiple unit structure for their own use.

SPECIFIC AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.
 LAW IMPLEMENTED: 92.525(1)(b), 120.53(1)(b), 212.02(2),(10)(a)-(g),(16), 212.03(1),(2),(3),(4),(5),(7), 212.031, 212.04(4), 212.05(1), 212.0598, 212.06(2),(5), 212.08(4)(a),(6),(7)(i),(m),(o), (8), (9), 212.11(1),(2), 212.12(2),(5), (6), (7),(8),(9),(12), 212.13(1),(2), 212.16, 212.17(6), 212.18(2),(3),(5), 212.21(3), 213.06(1), 213.37, 213.756 FS.

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

TIME AND DATE: 10:00 a.m., March 23, 2000
 PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

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

Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting: Jamie Phillips, (850)922-4698. If you are hearing- or speech-impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-1.061 Rentals, Leases, and Licenses to Use Transient Accommodations.

(1) through (2)(e) No change.

(f) "Transient accommodation" means each ~~any~~ living quarter or sleeping or housekeeping accommodation in any hotel, motel, apartment house, multiple unit structure (e.g., duplex, triplex, quadruplex, condominium), roominghouse, tourist or mobile home court (e.g., trailer court, motor court, recreational vehicle camp, fish camp), single family dwelling, garage apartment, beach house or cottage, cooperatively owned apartment, condominium parcel, timeshare resort, mobile home, or any other house, boat that has a permanent, fixed location at a dock and is not operated on the water away from the dock by the tenant (e.g., houseboat permanently moored at a dock, but not including cruise liners used in their normal course of business), vehicle, or other structure, place, or location held out to the public to be a place where living

quarters or sleeping or housekeeping accommodations are provided to transient guests for consideration. Each room or unit that provides lodging or housekeeping accommodations in a multiple unit structure is a transient accommodation.

(3) through (4) No change.

(5) DEPOSITS, AND PREPAYMENTS, AND RESERVATION VOUCHERS.

(a) through (d) No change.

(e)1. "Reservation voucher" means a voucher which entitles the purchaser to rent transient accommodations that are reserved by the seller for the purchaser at a designated location for a specified rental period and at a specified room rate or rental charge. The voucher may contain the following information: the designated transient accommodation; the room rate or rental charge for the accommodation; the reservation deposit, prepayment, or fee paid to the seller of the voucher; the balance of the room rate or rental charge due to the owner or owner's representative of the accommodation; and a statement regarding the applicable tax due on the room rate or rental charge. The voucher is required to be presented to the owner or owner's representative of the transient accommodations. When the voucher is presented to the owner or owner's representative, the amount of the reservation deposit, prepayment, or fee paid to the seller of the voucher is a part of the room rate or rental charge paid for the right to use the accommodation. The owner or owner's representative of the transient accommodation is required to collect and remit the applicable taxes due to the proper taxing authority on the total room rate or rental charge, including any amounts separately stated on the redeemed voucher as a reservation deposit, prepayment, or fee.

2. The owner or owner's representative may execute a written agreement to designate the seller of the reservation voucher as the party responsible to collect and remit the applicable transient rental taxes on the portion of the room rate or rental charge for the transient accommodation collected by the seller of the voucher. Sellers of reservation vouchers who have entered into such agreements with owners or owners' representatives of transient accommodations are required to collect and remit the applicable taxes due to the proper taxing authority on the portion of the room rate or rental charge collected by such seller. The applicable taxes are to be collected at the rates imposed by the county where the transient accommodation is located. The amount of the rental charge or room rate collected by the seller of the voucher must be indicated, and the tax must be separately stated, on the reservation voucher.

(6) through (13) No change.

(14) EXEMPTION FOR CONTINUOUS RESIDENCE.

(a) When any person has continuously resided at any transient accommodation ~~one location where transient accommodations are provided~~ for a period of longer than six months and has paid the applicable tax due on the rental

charges or room rates for the first six months, that person is exempt from tax on the rental charges or room rates due for that ~~transient accommodation location~~ after the first six months of the continuous rental period. When that person ceases to rent that ~~transient accommodation location~~, the exemption for continuous residence for that person at that ~~accommodation location~~ no longer applies.

(b)1.a. When a number of transient accommodations within a multiple unit structure are rented to any one person or entity for its own use for periods longer than six months, the rental charges or room rates for the lowest number of transient accommodations continuously rented at that structure for periods longer than six months are exempt from tax, effective for those rental charges or room rates due for such accommodations after the first six months of the continuous rental period. To qualify for this exemption, the person or entity must pay the applicable tax due on the rental charges or room rates for the first six months of the continuous rental period and must rent the accommodations for periods longer than six continuous months.

b. Example: Company A provides hotel rooms to house its employees at a hotel. Because the number of employees needing a room varies each night, the number of rooms rented by Company A varies each night. However, Company A rents and pays the applicable tax due on at least 10 hotel rooms each night for a consecutive six month period. Beginning the seventh month of the continuous rental period, Company A is exempt from tax due on the rental charges or room rates for 10 rooms at that hotel as long as it pays the room rates for at least 10 rooms at that hotel. Any rental charges or room rates for additional rooms paid by Company A are subject to tax, until the rental charges or room rates for those rooms qualify for exemption.

2.a. Any person who enters into a bona fide written lease, as provided in subsection (15), to lease a specified number of transient accommodations at a multiple unit structure each night during the lease period for its own use, is exempt from tax due on the rental charges or room rates applicable to the specified minimum number of accommodations. If that person rents more than the specified number of accommodations stated in the lease, the provisions of subparagraph 1. apply.

b. Example: Company B enters into a bona fide written lease for one year with a hotel to lease at least 10 hotel rooms each night to house its employees. The lease requires that Company B pay the room rates for 10 rooms for the entire year, even when the rooms are not occupied. On several nights during the year, Company B rents more than 10 rooms at the hotel. Company B is exempt from tax on the room rates for 10 rooms during the entire one year lease period. The additional hotel rooms rented by Company B are subject to tax, until the rental charges or room rates for those rooms qualify for exemption.

3. There is no requirement to lease or rent the same room or unit within a multiple unit structure each night or to occupy the rented or leased room or unit to qualify for the exemption described in this paragraph.

4. The provisions of this paragraph do not apply to transient accommodations that are rented or leased for the purpose of subleasing, subrenting, subletting, or licensing the accommodations to other persons.

(15) through (19) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 92.525(1)(b), 212.02(2),(10)(a)-(g),(16), 212.03(1),(2),(3),(4),(5),(7), 212.031, 212.04(4), 212.08(6),(7)(i),(m),(o), 212.11(1),(2), 212.12(7),(9),(12), 212.13(2), 212.18(2),(3), 213.37, 213.756 FS. History--Revised 10-7-68, 1-7-70, Amended 1-17-71, Revised 6-16-72, Amended 7-19-72, 4-19-74, 12-11-74, 5-27-75, 10-18-78, 4-11-80, 7-20-82, 1-29-83, 6-11-85, Formerly 12A-1.61, Amended 10-16-89, 3-17-94, 1-2-95, 3-20-96, 11-30-97, 7-1-99.

PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE TITLE: Exemption for Resale of Utility Service, Annual Report

RULE NO.: 25-30.111

PURPOSE AND EFFECT: To repeal Rule 25-30.111, which requires water and wastewater resellers to file an annual report.

SUBJECT AREA TO BE ADDRESSED: Reporting requirements of water and wastewater resellers.

SPECIFIC AUTHORITY: 367.121(1) FS.

LAW IMPLEMENTED: 367.022(8) FS.

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

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE COMMISSION'S DIVISION OF APPEALS, MARY ANNE HELTON, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-30.111 Exemption for Resale of Utility Service, Annual Report.

~~Any person who has been granted an exemption from regulation as a reseller of water or wastewater service provided for in subsection 367.022(8), F.S., shall file a report by March 31 of each year following the year for which the exemption is claimed. The report shall contain the following:~~

~~(1) A schedule, listing by month, the rates charged for and total revenue received from the water or wastewater service sold.~~

~~(2) A schedule, listing by month, the rates charged and total expense incurred for the purchase of the water or wastewater service.~~

~~(3) A statement listing the source from which the water or wastewater service was purchased.~~

Specific Authority 367.121(1) FS. Law Implemented 367.022(8) FS. History--New 3-26-81, Formerly 25-10.09, 25-10.009, Amended 11-9-86, 11-30-93, Repealed _____.

PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE TITLE: Calculation of Rate Reduction After Rate Case

RULE NO.: 25-30.470

Expense is Amortized

PURPOSE AND EFFECT: To repeal the rule requiring rates to be reduced four years after a rate case after the amortization period for rate case expense has expired.

SUBJECT AREA TO BE ADDRESSED: The recovery of rate case expense.

SPECIFIC AUTHORITY: 350.127(2), 367.121 FS.

LAW IMPLEMENTED: 367.0816, 367.121 FS.

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

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE COMMISSION'S DIVISION OF APPEALS, MARY ANNE HELTON, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-30.470 Calculation of Rate Reduction After Rate Case Expense is Amortized.

~~To calculate the rate reduction to be made 4 years after a rate case as required by section 367.0816, F.S., the following methodology shall be used. The annual amount of rate case expense, which is equal to one fourth of the total allowed rate case expense, shall be divided by the regulatory assessment fee gross up factor. The resulting number shall then be divided by the revenue requirement to determine the percentage of the rate reduction. The percentage is then multiplied against the new rates to determine the amount of the future rate reduction. Revised tariff sheets implementing the reduction shall be filed no later than 1 month before the end of the fourth year.~~

Specific Authority 350.127(2), 367.121 FS. Law Implemented 367.0816, 367.121 FS. History--New 11-30-93, Repealed _____.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE TITLE: Program Forms

RULE NO.: 58A-1.010

PURPOSE AND EFFECT: A new rule 58A-1.010 is proposed in which to incorporate by reference revised DOEA Forms 701A, Intake and Telephone Screen, 701B, Assessment Instrument, and 701C, Congregate Meals Assessment; revised DOEA Forms 203A and 203B, Care Plan; and other forms currently used for the Older American Act (OAA) program.

SUBJECT AREA TO BE ADDRESSED: Revision of assessment and care plan forms and inclusion of current forms.

SPECIFIC AUTHORITY: 430.08, 430.101 FS.

LAW IMPLEMENTED: 20.41, 430.101 FS.

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

TIME AND DATE: 10:00 a.m., Monday, March 20, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pat Dunn, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, Telephone (850)414-2000

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE BY CONTACTING: Jan Benesh or Marshall Kelly, Division of Home and Community-Based Services, (850)414-2000.

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE TITLES: Application Procedures

RULE NOS.: 58C-1.004

Program Forms

58C-1.008

PURPOSE AND EFFECT: A new rule 58C-1.008 is proposed in which to incorporate by reference revised DOEA Forms 701A, Intake and Telephone Screen, 701B, Assessment Instrument, and 701C, Congregate Meals Assessment; revised DOEA Forms 203A and 203B, Care Plan; and other forms currently used for the Community Care for the Elderly (CCE) program. Rule 58C-1.004 is retitled, amended and the Guidelines for Selection of Lead Agencies is incorporated by reference therein.

SUBJECT AREA TO BE ADDRESSED: Revision of assessment and care plan forms, inclusion of current forms and the Guidelines for Selection of Lead Agencies.

SPECIFIC AUTHORITY: 430.08, 430.203-.205 FS.

LAW IMPLEMENTED: 430.201-.207 FS.

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

TIME AND DATE: 10:00 a.m., Monday, March 20, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pat Dunn, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, Telephone (850)414-2000

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE BY CONTACTING: Jan Benesh or Marshall Kelly, Division of Home and Community-Based Services, (850)414-2000.

DEPARTMENT OF ELDER AFFAIRS

Alzheimer's Disease Initiative

RULE TITLE: Program Forms
 RULE NO.: 58D-1.007

PURPOSE AND EFFECT: A new rule 58D-1.007 is proposed in which to incorporate by reference revised DOEA Forms 701A, Intake and Telephone Screen, 701B, Assessment Instrument, and 701C, Congregate Meals Assessment; revised DOEA Forms 203A and 203B, Care Plan; and other forms currently used for the Alzheimer's Disease Initiative (ADI).

SUBJECT AREA TO BE ADDRESSED: Revision of assessment and care plan forms and inclusion of current forms.
 SPECIFIC AUTHORITY: 430.08, 430.501-.503 FS.

LAW IMPLEMENTED: 430.501-.504 FS.

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

TIME AND DATE: 10:00 a.m., Monday, March 20, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pat Dunn, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, Telephone (850)414-2000

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE BY CONTACTING: Jan Benesh or Marshall Kelly, Division of Home and Community-Based Services, (850)414-2000.

DEPARTMENT OF ELDER AFFAIRS

Home Care for the Elderly

RULE TITLE: Program Forms
 RULE NO.: 58H-1.009

PURPOSE AND EFFECT: A new rule 58H-1.009 is proposed in which to incorporate by reference revised DOEA Forms 701A, Intake and Telephone Screen, 701B, Assessment Instrument, and 701C, Congregate Meals Assessment; revised DOEA Forms 203A and 203B, Care Plan; and other forms currently used for the Home Care for the Elderly (HCE) program.

SUBJECT AREA TO BE ADDRESSED: Revision of assessment and care plan forms and inclusion of current forms.
 SPECIFIC AUTHORITY: 430.08, 430.603 FS.

LAW IMPLEMENTED: 430.601-.608 FS.

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

TIME AND DATE: 10:00 a.m., Monday, March 20, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pat Dunn, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, Telephone (850)414-2000

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE BY CONTACTING: Jan Benesh or Marshall Kelly, Division of Home and Community-Based Services, (850)414-2000.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLE: Penalty Guidelines for Class IV and V Drug Violations
 RULE NO.: 61D-6.011

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to interpret Florida Statutes which grant the Division the authority to adopt rules establishing penalty guidelines for Class I, II and III drug violations.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the interpretation of Florida Statutes necessary to establish penalty guidelines for Class I, II and III drug violations.

SPECIFIC AUTHORITY: 550.0251(3), 550.2415(3),(13) FS.

LAW IMPLEMENTED: 550.0251, 550.235(2) 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. – 4:00 p.m., March 22, 2000
PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Room 312, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Continuing Education
RULE NO.: 61G5-32.001
PURPOSE AND EFFECT: The proposed changes to the current rule will provide a definition of continuing education provider and further specify the nature of the materials and information required to be submitted with an application for approval of a continuing education course.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 455.219(3), 455.2228, 477.016, 477.019(7) FS.

LAW IMPLEMENTED: 455.219(3), 455.2228, 477.019(7) 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:

Marcelle Flanagan, Program Administrator, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 61G5-32.001 Continuing Education.
 - (1) through (5) No change.
 - (6) PROVIDER APPROVAL AND REQUIREMENTS –
 - (a) through (i) No change.
 - (j) For purposes of Section 455.2178, F.S., Chapter 477, F.S. and the rules adopted by the Board, the term “continuing education provider” shall mean any individual, organization, or other entity who offers or teaches: (1) courses for purposes of fulfilling the requirements of license renewal which has been submitted to and approved by the board for such purposes; or (2) an HIV/AIDS education course for purposes of fulfilling the requirements of initial licensure or license renewal which has been submitted to and approved by the Board for such purposes, or which has been approved for these purposes by rule of the Board. All continuing education providers shall comply with all provisions and requirements of this rule, and Section 455.2178, F.S., for the purpose of monitoring continuing education compliance. Failure to comply with such provisions and requirements by any continuing education provider shall be grounds for the suspension or revocation of the continuing education course approval.
 - (7) COURSE APPROVAL AND REQUIREMENTS –
 - (a) through (j) No change.
 - (k) A course which constitutes a sales presentation or promotion is limited to an artistic demonstration will not be approved for continuing education credit.
 - (8) No change.

Specific Authority 455.219(3), 455.2228, 477.016, 477.019(7), 455.2178 FS. Law Implemented 455.219(3), 455.2228, 477.019(7) FS. History–New 3-25-99, 2-28-00, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLE: Certificates of Authorization
RULE NO.: 61G17-7.003
PURPOSE AND EFFECT: The Board proposes to amend this rule to delete certain rule text due to lack of specific statutory authority.

SUBJECT AREA TO BE ADDRESSED: Certificates of authorization.

SPECIFIC AUTHORITY: 472.021 FS.

LAW IMPLEMENTED: 472.021 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: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0756

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G17-7.003 Certificates of Authorization.

(1) through (5) No change.

~~(6) A resident surveyor and mapper is the surveyor and mapping documents issued from the office whether by the resident surveyor and mapper or by another surveyor and mapper out of that office.~~

~~(7) Nothing in this rule is intended to deny a temporary absence of the resident surveyor and mapper from the office so long as that surveyor and mapper remains in authority.~~

Specific Authority 472.021 FS. Law Implemented 472.021 FS. History—New 3-22-84, Formerly 21HH-7.03, Amended 3-12-92, Formerly 21HH-7.003, Amended 5-30-95,_____.

**DEPARTMENT OF HEALTH
Board of Chiropractic Medicine**

RULE TITLE: Application Fee and Licensure and Certification Examination Fees

RULE NO.: 64B2-12.002

PURPOSE AND EFFECT: The Board proposes an amendment to this rule which will increase the chiropractic examination fee for licensure examination from \$450.00 to \$500.00.

SUBJECT AREA TO BE ADDRESSED: Increase in chiropractic examination fee for licensure examination.

SPECIFIC AUTHORITY: 460.405, 460.406(1) FS.

LAW IMPLEMENTED: 460.406 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-12.002 Application Fee and Licensure and Certification Examination Fees.

(1) No change.

(2) The examination fee for the licensure examination taken in one administration period shall be five hundred dollars (\$500.00) ~~four hundred fifty dollars (\$450.00)~~. The examination fee for the Acupuncture Certification Examination shall be seventy five dollars (\$75.00).

Specific Authority 460.405, 460.406(1) FS. Law Implemented 460.406 FS. History—New 1-10-80, Formerly 21D-12.02, Amended 2-24-86, 5-10-87, 4-19-89, 10-9-90, 10-15-92, Formerly 21D-12.002, 61F2-12.002, 59N-12.002, Amended 1-18-98,_____.

**DEPARTMENT OF HEALTH
Board of Chiropractic Medicine**

RULE TITLE: Time Limitation for Payment of Administrative Fine or Costs

RULE NO.: 64B2-16.004

PURPOSE AND EFFECT: The Board proposes to amend this rule to further clarify the time limitation for payment of administrative fine and/or costs.

SUBJECT AREA TO BE ADDRESSED: Time limitation for payment of administrative fine.

SPECIFIC AUTHORITY: 455.624, 460.405 FS.

LAW IMPLEMENTED: 455.624 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-16.004 Time Limitation for Payment of Administrative Fine or Costs.

In cases where the Board of Chiropractic imposes an administrative fine and/or costs, the fine and/or costs shall be paid within thirty (30) days from the date the order of the Board is filed with the Clerk of the Department unless otherwise noted in the order.

Specific Authority 455.624, 460.405 FS. Law Implemented 455.624 FS. History—New 11-25-80, Formerly 21D-16.04, 21D-16.004, 61F2-16.004, Amended 7-18-95, Formerly 59N-16.004, Amended_____.

**DEPARTMENT OF HEALTH
Board of Chiropractic Medicine**

RULE TITLE: Acupuncture
 RULE NO.: 64B2-17.003
 PURPOSE AND EFFECT: The Board proposes to amend this rule by deleting rule text that is no longer needed.
 SUBJECT AREA TO BE ADDRESSED: Intent of acupuncture.
 SPECIFIC AUTHORITY: 460.405 FS.
 LAW IMPLEMENTED: 460.403 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-17.003 Acupuncture.

(1) Intent

~~(a) Whereas the minimum requirements for licensure under Chapter 460, Florida Statutes, requires a thorough knowledge of physiology, anatomy, therapeutics and diagnostic acumen;~~

~~(b) Whereas there exists no legislative or judicial definition of the term "acupuncture" in the State of Florida;~~

~~(c) Whereas the public has expressed an interest in the practice of acupuncture;~~

~~(d) Whereas study and investigation have shown that research is being conducted by chiropractic colleges and national chiropractic associations, and chiropractic colleges are teaching and certifying by examination, acupuncture on a post graduate level;~~

~~(e) Whereas the Board of Chiropractic now feels qualified to be able to regulate the practice of acupuncture, after much study and research, until such time as legislative or judicial resolution makes further recommendation;~~

~~(f) Whereas the Board finds that acupuncture modality falls within the scope of Section 460.403, Florida Statutes.~~

~~THEREFORE, in the view of the protection of the public general health and welfare, acupuncture is hereby defined.~~

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

Specific Authority 460.405 FS. Law Implemented 460.403 FS. History—New 1-10-80, Formerly 21D-17.03, Amended 1-28-90, Formerly 21D-17.003, 61F2-17.003, 59N-17.003, Amended.

**DEPARTMENT OF HEALTH
Board of Chiropractic Medicine**

RULE TITLE: Retention of Chiropractic Records; Time Limitations
 RULE NO.: 64B2-17.006
 PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text with regard to when a chiropractic terminates his practice.
 SUBJECT AREA TO BE ADDRESSED: Retention of chiropractic records; time limitations.
 SPECIFIC AUTHORITY: 455.677, 460.405 FS.
 LAW IMPLEMENTED: 455.667(12), 455.677 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-17.006 Retention of Chiropractic Records; Time Limitations.

(1) The chiropractor who ~~relocates or~~ terminates his practice, or the executor, administrator, personal representative survivor or succeeding practitioner of a deceased chiropractor licensed pursuant to Chapter 460, Florida Statutes, shall retain the chiropractic records of any "patient of record" in existence upon date of ~~relocation~~, termination of practice, or upon the death of the chiropractor for at least two (2) years from the date of the ~~relocation~~, termination of practice, or death of the chiropractor. "Patient of record" for the purpose of this rule is a patient who has received treatment within the last two (2) years.

(2) Within one (1) month from the date of ~~relocation~~, termination of practice, or the chiropractor's death, the chiropractor who has ~~relocated or~~ terminated his practice, or the executor, administrator, personal representative, survivor or succeeding practitioner of the deceased chiropractor shall notify the Board Office who the new records owner is and where the medical records can be found, and shall cause to be published in the newspaper of general circulation in the county where the chiropractor resided or practiced, on two separate occasions, one week apart, a notice indicating to the patients of the chiropractor who has ~~relocated or~~ terminated his practice, or of the deceased chiropractor that the patient's chiropractic records are available to that patient or their duly constituted representative from a specific person at a certain location.

(3) At the conclusion of a twenty-two month period of time from the date of ~~relocation~~, termination of practice or the chiropractor's death, the chiropractor who has ~~relocated or~~ terminated his practice, or the executor, administrator, personal representative, survivor or succeeding practitioner shall cause to be published once during each week for four (4) consecutive weeks, in the newspaper of general circulation in the county where the chiropractor resided or practiced, a notice indicating to the patients of the chiropractor who has relocated or terminated his practice, or of the deceased chiropractor that their chiropractic records may be disposed of or destroyed one (1) month or later from the last day of the fourth week of publication of notice. Records shall be disposed of or destroyed in such a manner as to preserve the confidentiality of the information contained therein.

(4) No change.

(5) A chiropractor who relocates his practice shall cause to be published in the newspaper of general circulation in the county where the chiropractor resides or practices, on two separate occasions, one week apart, a notice indicating to the patients of the chiropractor the date of relocation and an address at which the records may be obtained.

Specific Authority 455.677, 460.405 FS. Law Implemented 455.667(12), 455.677 FS. History--New 4-13-82, Formerly 21D-17.06, Amended 7-15-91, 5-19-93, Formerly 21D-17.006, 61F2-17.006, 59N-17.006, Amended 2-16-98, _____.

**DEPARTMENT OF HEALTH
Board of Chiropractic Medicine**

RULE TITLE: Approval of Training Programs
RULE NO.: 64B2-18.003

PURPOSE AND EFFECT: The Board proposes to amend this rule by deleting rule text that is unnecessary.

SUBJECT AREA TO BE ADDRESSED: Approval of training programs.

SPECIFIC AUTHORITY: 460.405, 460.4165(9) FS.

LAW IMPLEMENTED: 460.4165(5) 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-18.003 Approval of Training Programs.

(1) through (3) No change.

~~(4) Students enrolled in the training program having at least three years' experience, during the four years immediately preceding the submission of the application, assisting a licensed chiropractic physician, may be exempted from up to seventy (70) classroom hours of exempted instruction.~~

(5) through (9) No change.

Specific Authority 460.405, 460.4165(9) FS. Law Implemented 460.4165(5) FS. History--New 11-25-81, Amended 11-23-82, Formerly 21D-18.03, 21D-18.003, 61F2-18.003, 59N-18.003, Amended _____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Requirements For Continuing
RULE NO.: 64B3-11.003

PURPOSE AND EFFECT: The rule amendment will require that continuing education providers furnish a signature of the provider or the provider's agent.

SUBJECT AREA TO BE ADDRESSED: Requirements for Continuing Education Providers.

SPECIFIC AUTHORITY: 455.564(7), 483.821 FS.

LAW IMPLEMENTED: 455.564(7), 483.821 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-11.003 Requirements for Continuing Education Providers.

Providers seeking Board approval shall meet the following requirements:

(1) through (5) No change.

(6) Providers shall furnish each participate with an authenticated certificate or letter of attendance which shall include the participant's name, license number, course title,

number of contact hours earned, dates of attendance, program provider's name, approval number, and the signature of the provider or the provider's agent instructor's signature.

Specific Authority 455.564(7), 483.821 FS. Law Implemented 455.564(7), 483.821 FS. History—New 2-22-94, Amended 7-13-94, Formerly 61F3-11.003, 59O-11.003, Amended 12-13-99,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Physician Assistant Licensure
 RULE NO.: 64B8-30.003

PURPOSE AND EFFECT: The proposed rule amendment is intended to conform the Florida Physician Assistant Licensure Examination (FPALE) to the settlement agreement reached by the Department with regard to future administrations of the examination.

SUBJECT AREA TO BE ADDRESSED: Florida Physician Assistant Examination.

SPECIFIC AUTHORITY: 458.309, 458.347 FS.

LAW IMPLEMENTED: 458.347, 455.574 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-30.003 Physician Assistant Licensure.

(1) No change.

(2) The physician assistant examination for graduates of foreign medical schools.

(a) Beginning with the 2000 administration, the Florida physician assistant licensure examination (FPALE) for graduates of foreign medical schools shall consist of an examination that is similar to the last National Commission on Certification of Physician Assistant's exam, which is called the Physician Assistant National Certification Exam (PANCE), administered on or before December 31st of the preceding year, in the following manner: The physician assistant examination for graduates of foreign medical schools shall consist of the following parts:

1. The FPALE shall have the same number of parts as the PANCE, a general written examination containing 325 questions; and

2. The number of questions on the FPALE shall be the same as on the PANCE, a specialty primary care multiple-choice written examination containing 150 questions; and/or

3. The general areas of competency on the FPALE shall be the same as on the PANCE, based upon those categories of testing revealed in the last publicly available PANCE outline, a specialty surgery multiple choice written examination containing 150 questions.

(b) The minimum passing score for the examination shall be the percentage of correct answers needed to pass the last administered PANCE on or before December 31st of the preceding year. In order to be eligible for licensure, the candidate must pass:

(c) The examination fee shall not exceed \$300, plus the actual cost to the Department for providing the examination.

- 1. ~~the general written examination; and~~
- 2. ~~either the specialty surgery or primary care written examination;~~

(e) The minimum passing scores for the examination shall be:

- 1. ~~A standardized score of 600 for the general written examination;~~
- 2. ~~A standardized score of 600 for the specialty surgery written examination; and~~
- 3. ~~A standardized score of 600 for the specialty primary care written examination.~~

(d) ~~The general written examination shall assess candidate knowledge, and skill in applying knowledge, related to health care functions that physician assistants should be skilled in performing. The examination questions may be drawn from the entire range of physician assistant activities, including, but not limited to, the content areas listed below:~~

- 1. ~~Endocrine System~~
 - a. ~~General Skills~~ 2-4%
 - b. ~~Primary Care~~ 3-5%
 - e. ~~Surgical Skills~~ 1-3%
- 2. ~~Pediatric~~
 - a. ~~General Skills~~ 6-8%
 - b. ~~Primary Care~~ 5-10%
 - e. ~~Surgical Skills~~ 1-3%
- 3. ~~Nutritional/Metabolism~~
 - a. ~~General Skills~~ 1-3%
 - b. ~~Primary Care~~ 2-4%
 - e. ~~Surgical Skills~~ 1-2%
- 4. ~~Blood and Blood-forming Hematology~~
 - a. ~~General Skills~~ 2-4%
 - b. ~~Primary Care~~ 3-5%
 - e. ~~Surgical Skills~~ 1-3%
- 5. ~~Head and Neck~~
 - a. ~~General Skills~~ 1-3%

b. Primary Care	2-4%
e. Surgical Skills	2-4%
6. Eyes	
a. General Skills	1-3%
b. Primary Care	2-3%
e. Surgical Skills	1-3%
7. Ears	
a. General Skills	1-3%
b. Primary Care	1-3%
e. Surgical Skills	1-3%
8. Mental Health	
a. General Skills	1-2%
b. Primary Care	1-3%
e. Surgical Skills	0-1%
9. Nervous System and Sense Organs	
a. General Skills	2-4%
b. Primary Care	3-5%
e. Surgical Skills	4-6%
10. Circulatory System	
a. General Skills	3-5%
b. Primary Care	4-6%
e. Surgical Skills	8-10%
11. Respiratory System	
a. General Skills	4-6%
b. Primary Care	4-6%
e. Surgical Skills	3-5%
12. Digestive System	
a. General Skills	3-5%
b. Primary Care	4-6%
e. Surgical Skills	8-10%
13. Genitourinary System	
a. General Skills	2-4%
b. Primary Care	2-4%
e. Surgical Skills	4-6%
14. Gynecology and Pregnancy	
a. General Skills	3-5%
b. Primary Care	4-6%
e. Surgical Skills	5-7%
15. Skin and Subcutaneous Tissue	
a. General Skills	2-3%
b. Primary Care	2-3%
e. Surgical Skills	2-4%
16. Musculoskeletal System and Connective Tissue	
a. General Skills	2-4%
b. Primary Care	2-4%
e. Surgical Skills	6-8%
17. Infectious Diseases	
a. General Skills	10-12%
b. Primary Care	10-20%
e. Surgical Skills	8-10%

18. Trauma/Emergency	
a. General Skills	4-6%
b. Primary Care	6-8%
e. Surgical Skills	12-15%
19. Preventive Disease Section	
a. General Skills	1-2%
b. Primary Care	1-2%
e. Surgical Skills	0-1%
20. Pharmacology	
a. General Skills	5-7%
b. Primary Care	6-10%
e. Surgical Skills	6-10%
21. Scope of Practice	
a. General Skills	1-3%
b. Primary Care	0%
e. Surgical Skills	0%
22. Practice Competencies	
a. General Skills	20-22%
b. Primary Care	0%
e. Surgical Skills	0%

~~(e) The specialty written examination shall assess candidates' knowledge, and skill in applying knowledge, related to health care functions that physician assistants should be skilled in performing, such as those noted above in paragraphs 64B8-30.003(2)(d)1-22., F.A.C., as applied to patient care situations relevant to the appropriate specialty area.~~

~~(f) Examination fees shall be \$620 for candidates who want to take the general and one specialty examination and \$700 for candidates who want to take the general and both specialty examinations.~~

(3) through (5) No change.

Specific Authority 458.309, 458.347 FS. Law Implemented 458.347, 455.574 FS. History—New 4-28-76, Amended 11-15-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11-30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, 8-19-99,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Formulary RULE NO.: 64B8-30.008

PURPOSE AND EFFECT: The Board proposes additions to the Physician Assistant formulary in response to the recommendations of the Formulary Committee.

SUBJECT AREA TO BE ADDRESSED: The Physician Assistant formulary.

SPECIFIC AUTHORITY: 458.309, 458.347(4)(f)3. FS.

LAW IMPLEMENTED: 458.347(4)(e),(f) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-30.008 Formulary.

THE APPROVED FORMULARY FOR THE WRITING OF PRESCRIPTIONS BY PHYSICIAN ASSISTANTS APPROVED TO PRESCRIBE MEDICINAL DRUGS UNDER THE PROVISIONS OF SECTIONS 458.347(4)(e) AND 459.022(4)(e), FLORIDA STATUTES:

- (1) through (2) No change.
- (3) Formulary.
- (a) No change.

(b) Subject to the requirements of this subsection, Sections 458.347 and 459.022, F.S., and the rules enacted thereunder, only the following drugs may be delegated by a Supervising Physician to a Physician Assistant to prescribe. Medicinal drugs not specifically included in this formulary are excluded. Excluded medicinal drugs may not be prescribed, regardless of whether they are in a pure form or in combination with a drug included in this formulary.

1. through 154. No change.

155. Cyclosporine Microemulsion

155. through 327. renumbered 156. through 328. No change.

329. Latanoprost

328. through 443. renumbered 330. through 445. No change.

446. Oseltamivir phosphate

444. through 466. renumbered 447. through 469. No change.

470. Perindopril Erbumine

467 through 478. renumbered 471. through 482. No change.

483. Pioglitazone Hydrochloride

479. through 492. renumbered 484. through 497. No change.

498. Pramipexole

493. through 520. renumbered 499. through 526. No change.

527. Rabeprazole Sodium

521. through 596. renumbered 528. through 603. No change.

604. Tolterodine Tartrate

605. Topiramate

597. through 634. renumbered 606. through 643. No change.

644. Zanamivir

645. through 648. renumbered 635. through 638. No change.

Specific Authority 458.309, 458.347(4)(f)3. FS. Law Implemented 458.347(4)(e),(f) FS. History--New 3-12-94, Formerly 61F6-17.0038, Amended 11-30-94, 2-22-95, 1-24-96, 11-13-96, 3-26-97, Formerly 59R-30.008, Amended 11-26-97, 1-11-99, 12-28-99,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLES:	RULE NOS.:
Manner of Application	64B8-51.001
Licensure by Examination	64B8-51.002

PURPOSE AND EFFECT: The Electrolysis Council proposed to the Board of Medicine language be stricken regarding applicant's application and fee in Rule 64B8-51.001 because it is incorrect and unnecessary. The recommendation to amend Rule 64B8-51.002 is to conform the language to the present use of the National Examination.

SUBJECT AREA TO BE ADDRESSED: Manner of Application and Licensure by Examination.

SPECIFIC AUTHORITY: 478.43(1),(4) FS.

LAW IMPLEMENTED: 455.574, 478.45 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Electrolysis Council /MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-51.001 Manner of Application.

(1) through (2) No change.

~~(3) The application and fee may be used for more than one year from the date of original submission of the application and fee provided that the applicant's file has been completed and that the applicant has taken at least one administration of the examination for licensure.~~

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

Specific Authority 478.43(1),(4) FS. Law Implemented 478.45 FS. History--New 5-31-93, Formerly 21M-76.001, Amended 11-10-93, Formerly 61F6-76.001, Amended 5-29-96, Formerly 59R-51.001, Amended 12-23-97, _____.

64B8-51.002 Licensure by Examination.

(1) No change.

(2) The Electrolysis Licensure Examination shall be the International Board of Electrologist Certification (IBEC) national examination ~~a written examination developed and administered by the Department. This examination will consist of 100 multiple choice questions covering the following areas in these approximate percentages:~~

(a) Definition and Characteristics of Electrolysis	48%
(b) New Client/Patient Consultation	16%
(c) Equipment for Electrolysis	10%
(d) Sanitation and Disinfection	4%
(e) Sterilization	14%
(f) Pre-treatment	12%
(g) Treatment	17%
(h) Post-treatment Care	4%
(i) Professional/Legal & Ethical/Laws and Rules	5%
Total	100%

(3) The minimum passing score for the examination shall be set by the national examination provider a sealed score of 350 on a scale with a maximum value of 500. The minimum passing score shall be based on a cut score study conducted by the Department.

~~(4) An applicant shall be permitted to use a strict translation dictionary approved by the Department in taking the examination. Such a dictionary shall give only the translation of words from one language to another without giving any definition or explanation of any word.~~

Specific Authority 478.43(1),(4) FS. Law Implemented 455.574, 478.45 FS. History—New 5-31-93, Formerly 21M-76.002, 61F6-76.002, Amended 7-11-95, Formerly 59R-51.002, Amended 11-13-97,_____.

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE TITLE: _____ RULE NO.: _____
 Temporary Permit to Practice
 Occupational Therapy 64B11-2.005
 PURPOSE AND EFFECT: The Board proposes to discuss this rule to determine if changes are necessary.
 SUBJECT AREA TO BE ADDRESSED: Temporary Permit to Practice Occupational Therapy.
 SPECIFIC AUTHORITY: 468.204 FS.
 LAW IMPLEMENTED: 468.209(1) FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 9:00 a.m., April 10, 2000
 PLACE: Holiday Inn Select (Formerly the Clarion Hotel), 316 W. Tennessee Street, Tallahassee, Florida 32301
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye

Howerton, Executive Director, Occupational Therapy Board, 2020 S. E. Capital Circle, BIN #C05, Tallahassee, Florida 32399-3299

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

**Section II
Proposed Rules**

DEPARTMENT OF INSURANCE

RULE TITLES: _____ RULE NOS.: _____
 Disclosure Statement 4-188.003
 Readability of Statement 4-188.004

PURPOSE AND EFFECT: Repeal rules 4-188.003 and .004 pursuant to section 120.536(2)(b), F.S. review.

SUMMARY: The language in these two rules was incorporated into section 624.472(3), F.S., thus the rules are not needed and should be repealed.

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

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

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.462, 624.472 FS.

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

TIME AND DATE: 9:00 a.m., March 29, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kevin McCarty, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0314, (850)922-3140

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: Kevin McCarty, (850)922-3100, Ext. 4214.

THE FULL TEXT OF THE PROPOSED RULE IS:

4-188.003 Disclosure Statement.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.462, 624.472 FS. History—New 3-28-89, Formerly 4-78.003, Repealed_____.

4-188.004 Readability of Statement.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.472(3) FS. History—New 3-28-89, Formerly 4-78.004, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fred Whitson, Division of Legal Services and Kevin McCarty, Division of Insurer Services, Department of Insurance
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Belinda Miller, Director, Division of Insurer Services, Department of Insurance
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 16, 2000

PLACE: Department of Community Affairs, Randall Kelley Training Center, Third Floor, Room 305, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

TIME AND DATE: 10:30 a.m., March 30, 2000

PLACE: The Sheraton Suites Hotel – Tampa Airport, 4400 West Cypress Street, Tampa, Florida 33607

TIME AND DATE: 10:30 a.m., March 31, 2000

PLACE: The South Florida Regional Planning Council, Conference Room, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Urban Infill and Redevelopment 9B-69
 Assistance Grant Program

RULE TITLES: RULE NOS.:

Purpose 9B-69.001

Definitions 9B-69.002

Funding Availability and Allocation 9B-69.003

Grant Application Process and 9B-69.004
 Application Deadlines

Planning Grants 9B-69.005

Planning Grant Scoring Criteria 9B-69.006

Implementation Grants 9B-69.007

Implementation Grants Scoring Criteria 9B-69.008

Contracts 9B-69.009

Monitoring and Reporting Requirements 9B-69.010

PURPOSE, EFFECT AND SUMMARY: The purpose of Rule Chapter 9B-69, Florida Administrative Code (FAC.), is to establish guidelines by which the Department of Community Affairs, Division of Housing and Community Development shall review grants to local governments under the Urban Infill and Redevelopment Assistance Grant Program.

SUMMARY: The proposed new rule shall govern the Urban Infill and Redevelopment Assistance Grant Program which provides planning grants to local governments to develop urban infill and redevelopment plans for designated areas, and implementation grants to local governments to implement projects that are consistent with an urban infill and redevelopment plan.

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 within 21 days of this notice.

SPECIFIC AUTHORITY: 163.2523 FS.

LAW IMPLEMENTED: 163.2511, 163.2514, 163.2517, 163.2520, 163.2523, 163.2526 FS.

HEARINGS WILL BE HELD AT THE TIMES, DATES AND LOCATIONS SHOWN BELOW:

TIME AND DATE: 9:30 a.m., March 27, 2000

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julie Evans, Florida Department of Community Affairs, Division of Housing and Community Development, Urban Infill and Redevelopment Assistance Grant Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-3581 or Fax (850)410-1555

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Julie Evans, Division of Housing and Community Development, Bureau of Community Development, 2555 Shumard Oak Boulevard, Tallahassee, Florida, (850)488-3581, Suncom 278-3581 at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-69.001 Purpose.

This rule chapter is promulgated to set forth procedures for the Department’s implementation and administration of the Urban Infill and Redevelopment Assistance Grant Program under the Growth Policy Act, Section 163.2511-163.2526, Part I, Florida Statutes (F.S.). The specific purpose of the Urban Infill and Redevelopment Assistance Grant Program described in this rule chapter is to establish review criteria for planning and implementation grant applications for local governments to develop a collaborative and holistic urban infill and redevelopment plan and to implement projects located within designated urban infill and redevelopment areas.

Specific Authority 163.2523 FS. Law Implemented 163.2511, 163.2514, 163.2517, 163.2520, 163.2523, 163.2526 FS. History–New _____.

9B-69.002 Definitions.

(1) “Administrative expenses” means those expenditures for travel and overhead directly related to planning and/or implementation activities under this grant.

(2) “Collaborative and holistic planning process” means a process in which community representatives, also referred to as stakeholders as defined in 9B-69.002(17), F.A.C., are actively involved in the decision making process of designing and implementing the urban infill and redevelopment plan. This process also includes a visioning of the area before

redevelopment occurs. The goal of the process is to effect change in the neighborhood over time, based upon a comprehensive analysis of the factors underlying the need or desire for change, as well as the means by which such change can be implemented. A guide to assist with the collaborative and holistic community participation process, Rebuilding Our Neighborhoods, A "How To" Manual for Holistic Neighborhood Revitalization, may be accessed at the Department's Division of Housing and Community Development web site at www.dca.state.fl.us/fhcd, or obtained by written request to the Department of Community Affairs, Division of Housing and Community Development, Urban Infill and Redevelopment Assistance Grant Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

(3) "Department" means the Department of Community Affairs.

(4) "Eligible applicant" or "applicant" means a local general purpose government that is a county or municipality. Two or more local governments may submit a joint application for funding for an area or areas with adjoining boundaries, but must designate one of the local governments as the lead applicant.

(5) "Fifty/fifty match" means cash or non-cash donations as defined in 9B-69.002(14), F.A.C. which are equal to or greater than the amount of the grant award.

(6) "General distress" means adverse conditions that exist in the area other than conditions related to poverty and unemployment as defined in s. 290.0058, F.S.

(7) "Grant application" or "application" means all forms and supporting documentation which an applicant is required to submit in order to apply for a grant from the Department. A copy of the application and instructions may be obtained by written request to the Department of Community Affairs, Division of Housing and Community Development, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

(8) "Good standing" means satisfactory performance for any fiscal year in which an applicant has received funding under the Urban Infill and Redevelopment Assistance Program. Such performance shall mean the submission of all reporting documents as required in past and present contracts or legally binding agreements under this program and resolution of all previous concerns, monitoring findings, close out reports, and audits. This shall also include, if applicable, any payments or funds due to the Department as a result of audits and close out reports associated with the Urban Infill and Redevelopment Assistance Grant Program.

(9) "Governance structure" defines how the local governing body shares the decision making process with stakeholders in designing, developing, implementing the plan for the designated area. If the area includes more than one neighborhood, the local government must ensure that the neighborhoods jointly work together in order to develop one

governance structure. The governance structure may include, but not necessarily be limited to, stakeholder groups referenced in s. 163.2517(2)(b)1., F.S.

(10) "Grant recipient" means a local government which is awarded a planning or implementation grant from the Department.

(11) "Indicators" means measurable factors which describe the physical, social and economic conditions of the designated area, which must have a defined physical boundary as required in Chapter 99-378, Laws of Florida. Such factors would include, but not necessarily be limited to, abandoned property; code violations; littered properties; decreasing property values; vacant and boarded buildings; inadequate infrastructure, physical deterioration of streets; crime rate; poverty rate and unemployment rate.

(12) "Lender" means any bank or trust company, mortgage banker/broker, savings bank, credit union, national banking association, building and loan association, insurance company, or other financial institution or governmental agency authorized to transact business within the State of Florida which customarily provides the financing of mortgages for real property in Florida. Each lender must be a qualified Federal Housing Administration (FHA), Veterans Affairs (VA), Government National Mortgage Association (GNMA), Federal National Mortgage Association (Fannie Mae), or Federal Home Loan Mortgage Corporation (FHLMC) originator and servicer.

(13) "Local government" means any county or municipality that is a general purpose government.

(14) "Match" means donations of public and private cash or grants from state agencies, federal agencies, local governments, individuals, corporations, private foundations, or other entities that have been committed to the project to implement activities identified in the plan. Up to twenty-five percent (25%) of the match may be received from non-cash sources including in-kind contributions such as donated real property, materials, office space or services, vehicles, tools, equipment or other personal property, advertising, consulting services, local government incentives, and volunteer labor to be used directly in the planning and/or implementation activities under the grant.

(15) "Nonprofit organization" means a corporation incorporated pursuant to Chapter 617, Florida Statutes and a corporation under Section 501(c)(3), Internal Revenue Code.

(16) "Plan" means an Urban Infill and Redevelopment Plan, or a plan employed in lieu thereof, as referenced in s. 163.2517(3), F.S. and 9B-69.005, F.A.C., that has been adopted by a local government ordinance and describes infill and redevelopment projects needed to improve the designated area. The designated area may include one or more neighborhoods; however, overall goals of each neighborhood

must be reflected in the adopted plan. The plan must also meet the requirements of s. 163.2517(2)(a)-(b)2., F.S. and include all the components in s. 163.2517(3)(a)-(n), F.S.

(17) "Stakeholders" means a group of individuals and organizations who have a personal stake in the self-sufficiency and growth of a community, including, but not necessarily limited to, community-based organizations, neighborhood associations, financial institutions, faith-based organizations, housing authorities, businesses, schools, and neighborhood residents.

(18) "Traditional neighborhood design (TND)" means a set of design principles that create walkable, human-scale neighborhoods that promote safety and encourage resident interaction. TND incorporates established design elements, including but not necessarily limited to a discernable center that usually includes green space; a variety of dwelling types that accommodate a range of income and age groups, located within a five-minute walk to the center; a vertical and horizontal mix of land uses; an interconnected network of streets that provide a variety of routes to any destination, disperse traffic, and create an environment suitable for pedestrians and bicycles; playgrounds within walking distance of dwellings; and appropriate civic buildings and public spaces.

(19) "Urban infill and redevelopment area" means an area or areas defined in s. 163.2514(2), F.S., the boundaries of which have been delineated in an amendment to the local comprehensive plan. The Department shall review the boundaries pursuant to s. 163.3184, F.S. to ensure that the area meets all the requirements of s. 163.2514(2), F.S. The designated area may include one or more neighborhoods; however, overall goals of each neighborhood must be reflected in the adopted plan. The plan amendment containing the delineated boundaries must receive approval from the Department.

(20) "Visioning" means a collaborative planning process whereby community stakeholders identified in s. 163.2517(2)(b)1., F.S. and Rule 9B-69.002(17), F.A.C. conceptualize the future physical appearance, qualities, and other pertinent aspects of the designated area. The vision should give consideration to traditional neighborhood design concepts, including but not necessarily limited to mixed uses, public spaces, pedestrian walkability, street design, lighting, and building appearance. The visioning process should cover short term as well as long-term community redevelopment area improvements. As part of this process, stakeholders should focus on identifying the positive assets of the area and how those assets can be strengthened. In addition, the stakeholders should focus on barriers that prevent positive change from occurring in the area and visualize how to overcome those barriers. The vision can be depicted in writing and enhanced with graphic representations.

(21) "WAGES" means the Work and Gain Economic Self Sufficiency Program, as authorized in Chapter 414, F.S.

Specific Authority 163.2523 FS. Law Implemented 163.2511, 163.2514, 163.2517, 163.2520, 163.2523, 163.2526 FS. History—New _____.

9B-69.003 Funding Availability and Allocation.

(1) The Urban Infill and Redevelopment Grant application cycle and the maximum grant amount in each category will be set forth in the Notice of Funding Availability published in the Florida Administrative Weekly. The applicant must be in good standing with the Department and may only apply for one grant for the designated Urban Infill and Redevelopment Area for two consecutive years in order to continue a project or projects not completed during the previous year. The two year limitation will become effective during the state fiscal year 2000-2001. The applicant is exempt from the two year limitation during the state fiscal year 1999-2000.

(2) Applicants receiving fifty-fifty match implementation grants or outright implementation grants for projects less than \$50,000 may contract with special districts, including community redevelopment agencies, and nonprofit community development organizations to implement projects that are consistent with an adopted urban infill and redevelopment plan.

(3) Thirty percent (30%) of the funds allocated to the Urban Infill and Redevelopment Assistance Grant Program shall be made available by the Department for use by local governments to develop an urban infill and redevelopment plan.

(4) Sixty percent (60%) of the funds allocated to the Urban Infill and Redevelopment Assistance Grant Program shall be used for fifty/fifty matching grants for implementing projects specified in the adopted plan. The total match must be equal to the grant amount. No more than twenty-five percent (25%) of the match may come from non-cash sources.

(5) Ten percent (10%) of the funds allocated to the Urban Infill and Redevelopment Assistance Grant Program shall be used for non-matching grants to implement projects specified in the adopted plan. These grants shall be in an amount of less than \$50,000.

(6) An applicant may only apply for one implementation grant during an application cycle for the designated urban infill and redevelopment area. The applicant may not receive funding in both implementation grant categories for the same area.

(7) The Department reserves the right to transfer any unallocated funds from one grant category to another grant category if there is an insufficient pool of applicants requesting funding under a grant category.

Specific Authority 163.2523 FS. Law Implemented 163.2511, 163.2514, 163.2517, 163.2520, 163.2523, 163.2526 FS. History—New _____.

9B-69.004 Grant Application Process and Application Deadlines.

(1) Grant Application Process. The Department will provide notice of the Urban Infill and Redevelopment Assistance Grant Program application cycle in the Florida Administrative Weekly. Interested parties who wish to be notified of the Urban Infill and Redevelopment Assistance Grant Program application cycle may contact the Department and request to be placed on the Department's mailing list. Interested parties may request a copy of the application by writing to the Department of Community Affairs, Division of Housing and Community Development, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

(2) Application Deadlines. Any application not received by the deadline stated in the Notice of Funding Availability (NOFA), as advertised in the Florida Administrative Weekly, will not be considered for funding and will be returned to the applicant. Failure by the postal service, courier service, or any other entity to deliver the application by the set deadline will not excuse compliance with the deadline. This shall include applications delivered by the grant recipient, individuals, airlines, courier services, including, but not limited to Federal Express, Airborne Mail, UPS, U.S. Postal Service, or others who might experience airline or vehicle delays causing the application to be delivered after the exact time specified.

(3) Eligibility Review. All applications submitted to the Department will first be reviewed for minimum threshold requirements as prescribed in Rule 9B-69.005(4), F.A.C. for planning grants, and Rule 9B-69.007(3), F.A.C. for implementation grants. Applications which do not meet minimum threshold requirements will not be scored.

(4) Notice of intended grant award or intended denial of a grant award will be provided to each applicant by mail with a statement of the applicant's appeal rights under Chapter 120, F.S.

(5) Scoring Review. Once eligibility has been determined, the application will be scored and ranked using criteria outlined in Rule 9B-69.006, F.A.C., and Form UIGP-1P for planning grants, and Rule 9B-69.008, F.A.C. and Form UIGP-2M for implementation grants. An interagency committee will be composed of employees of the Department, and may include, but not necessarily be limited to, representatives of the following organizations: the Office of Urban Opportunity, the Florida Housing Finance Corporation, the Office of Tourism, Trade and Economic Development, the Florida Redevelopment Association, the Florida League of Cities and the Florida Association of Counties. The committee will review, score and rank the applications and submit a funding recommendation to the Secretary of the Department for final selection of grant recipients.

Specific Authority 163.2523 FS. Law Implemented 163.2511, 163.2514, 163.2517, 163.2520, 163.2523, 163.2526 FS. History—New

9B-69.005 Planning Grant.

Planning grant funds are for local governments to develop urban infill and redevelopment plans for areas designated in s. 163.2514(2), F.S. In lieu of developing a new plan, the local government may utilize an existing plan or amend an existing plan as outlined in Rule 9B-69.005(1), F.A.C. An urban infill and redevelopment plan, whether new, existing, or amended, must satisfy all of the requirements under s. 163.2517(3), F.S. and s. 163.2517(2)(a)-(b)2., F.S. In addition, the plan must identify how all activities and service, education, and training programs outlined in the plan will be financially sustained over a period of time.

(1) Existing Plans. If an existing plan is used, the local government must submit evidence reflecting that the plan was developed in a collaborative and holistic planning effort. If an existing plan was developed without community participation, then the local government must provide evidence that the plan was resubmitted to the community stakeholders for their participation, review and support and then re-adopted by the local government.

(a) If an existing plan does not contain all the required plan elements, it must be amended to:

1. Include all elements required in s. 163.2517(3)(a)-(n), F.S.
2. Include a collaborative and holistic community participation process as required in s. 163.2517(2)(a)-(b)2., F.S.
3. Update plans that were prepared more than five (5) years prior to the application deadline date.

(2) Eligible Uses of Planning Grant Funds. Funds shall be restricted to activities directly related to the development of an urban infill and redevelopment plan or amending an existing plan to include criteria specified in s. 163.2517(3)(a)-(n), F.S. Funds may be used for the following:

(a) Administrative expenses not to exceed fifteen percent (15%) of the total grant award for travel, overhead, office rental space, postage, mailing, printing, reproduction of documents, and other expenses directly related to planning activities under this grant.

(b) Eighty-five percent (85%) of the funds may be used for activities listed in 1-9 of this section.

1. Paying professional salaries related directly to the development of the plan.

2. Fees associated with amending the local comprehensive plan to delineate the boundaries of the urban infill and redevelopment area. The Department shall review the comprehensive plan amendment pursuant to s. 163.3184, F.S. and s. 163.2517(4), F.S. to ensure that the area meets the requirements of s. 163.2514(2), F.S.

3. Developing a collaborative and holistic community participation process. The collaborative process should result in a plan that contains goals, objectives, projects and activities that address solutions to neighborhood problems and offer

opportunities to improve the quality of life in the designated area. The process should create both short-term and long-term goals and objectives so that residents can see some successes in the short term while continuing to pursue and achieve long term goals.

4. Procuring technical assistance from facilitators who have extensive experience in neighborhood planning, community organizing, and conducting neighborhood or stakeholder meetings. The facilitators may also assist with developing the plan.

5. Creating a governance structure that will assist the local government in making decisions during the planning process.

6. Building the capacity of the governance structure to assist those involved in becoming more knowledgeable about the planning and implementation process.

7. Convening meetings and costs related to securing meeting space for activities directly related to this grant.

8. Developing and implementing community participation processes, including, but not necessarily limited to, advertising to solicit resident and community involvement, marketing, community organizing/kick-off activities.

9. Training stakeholders on the visioning and planning process, as well as in mediation and consensus building skills, for use in the development of the urban infill and redevelopment plan.

10. Presentations and training on traditional neighborhood design and pedestrian walkability.

(3) Ineligible Uses of Grant Funds. Planning grant funds may not be used for activities that are not directly related to the grant. Ineligible uses of planning grant funds include, but are not necessarily limited to:

(a) Paying off existing debt from prior projects unrelated to the grant.

(b) Reimbursement of costs for administrative expenses, including salaries and travel for staff, unrelated to activities under the grant.

(c) Reimbursement for any administrative or planning activities that occurred prior to entering into a contractual agreement with the Department, including preparation of the grant application.

(4) Threshold criteria for planning grants.

(a) General applicant information.

(b) Purpose of the designated area.

(c) Boundary delineation of the designated area pursuant to s. 163.2514(2), F.S. A nominated area may contain less than an entire census block group. In such cases, the application shall be scored based on data for the entire census block group.

(d) Existing plan elements.

(e) Documentation to reflect that all known community and stakeholder groups in the designated area have been notified of the local government's intent to apply for funding under this program.

(f) Line-item planning budget.

Specific Authority 163.2523 FS. Law Implemented 163.2511, 163.2514, 163.2517, 163.2520, 163.2523, 163.2526 FS. History--New _____.

9B-69.006 Planning Grant Scoring Criteria.

(1) Planning grant applications that meet the minimum threshold requirements will be scored and ranked according to the following topic areas:

(a) Location of the designated area per s. 163.2523, F.S.:

(b) Narrative description of the community participation process;

(c) Composition of governance structure; and

(d) Composition of stakeholder groups and their support and commitment to the process.

(2) The maximum scores for each criterion are set forth in the grant application as Form UIGP-1P. Scores awarded under each criterion will be added and the resulting sum shall constitute the total score for the applicant. Scores for all applicants will then be ranked by the review committee, and a funding recommendation will be submitted to the Secretary of the Department for final selection of grant recipients.

(3) If a planning grant application was partially funded due to the depletion of fiscal year's funds, then, subject to the annual legislative appropriation of funds, the Department may fund the remaining portion of the application out of the next available funds.

Specific Authority 163.2523 FS. Law Implemented 163.2511, 163.2514, 163.2517, 163.2520, 163.2523, 163.2526 FS. History--New _____.

9B-69.007 Implementation Grants.

Two categories of implementation grant funds are available: 1) fifty-fifty matching grants and 2) non-match grants for projects with expenditures of less than \$50,000. Applicants may apply for one implementation grant per designated area.

(1) Eligible Uses of Implementation Funds. Implementation grant funds shall be restricted to implementing project activities directly related to the adopted plan for the following.

(a) Administrative expenses shall not exceed fifteen percent (15%) of the total grant award for salaries and benefits for administration of the grant; travel; overhead; office rental space; postage; mailing; printing; reproduction of documents; and other expenses directly related to implementing projects in the plan.

(b) The remaining eighty-five percent (85%) may be used for activities including, but not necessarily limited to, those listed below:

1. Targeting economic development;

2. Job creation;

3. Transportation;

4. Crime prevention;

5. Neighborhood revitalization and preservation;

6. Construction or rehabilitation of affordable housing, including home ownership and rental units within the urban infill and redevelopment area;

7. Job training to promote job development skills, pre-employment skills or on-the-job-training opportunities;

8. Youth services and training to promote youth pre-employment skills;

9. Crime prevention activities to decrease, prevent, and eliminate criminal activities within and adjacent to the urban infill and redevelopment area;

10. Drug prevention activities to decrease, prevent, and eliminate drug trafficking or drug related activities within and adjacent to the urban infill and redevelopment area;

11. Senior services that promote and encourage activities for seniors;

12. Construction of parks or renovation of existing recreation/community facilities to promote community and recreational activities within the urban infill and redevelopment area;

13. Environmental cleanup activities including, but not limited to, community marketing of cleanup activities, and environmental cleanup clinics/programs;

14. Educational programs, after school programs, programs including but not limited to youth activities and to create youth dropout prevention programs and youth sports programs;

15. Health care programs that educate or provide direct services to the community on issues that include, but are not limited to, family planning, teenage pregnancy, preventative healthcare, mental health, and other similar programs;

16. Childcare and adult care programs to provide opportunities for individuals to work during daytime or evening hours;

17. Economic development activities related to providing job opportunities, attracting new businesses, and retaining existing businesses that provide goods and services to the urban infill and redevelopment area;

18. Home buyer assistance programs including, but not limited to, down payment and closing cost assistance programs, home buyer counseling programs, and pre- and post-purchase counseling;

19. Demolition of existing buildings within the urban infill and redevelopment area that minimize, to the maximum extent possible, the displacement of residents and businesses in the area;

20. Reconstruction, rehabilitation, or preservation of existing buildings;

21. Development of vacant parcels within the urban infill and redevelopment area;

22. Improvement of infrastructure/public facilities within the urban infill and redevelopment area;

23. Improvement of public transit lines and services within the urban infill and redevelopment area;

24. Assistance to the governance structure to form a non profit organization under Chapter 617, F.S. and s. 501(c)(3) Internal Revenue Code to implement urban infill projects within the urban infill and redevelopment area;

25. Acquisition of real property for projects within the urban infill and redevelopment area;

26. Development of resident driven programs or other incentives to keep residents actively involved in the implementation of projects outlined in the plan, including grants to neighborhood associations to fund beautification projects; or

27. Relocation assistance and other support for individuals and businesses displaced as a result of redevelopment in the area.

(2) Ineligible Uses of Grant Funds.

(a) Supplanting of any public or private funds already committed to the project.

(b) Payment of existing debt on existing projects unrelated to activities under this grant program.

(c) Down payment or collateral for projects unrelated to activities addressed in the plan.

(d) Reimbursement for expenses, including administrative expenses, that were incurred prior to receiving funds under the grant program.

(e) Reimbursement for project activities which occurred prior to entering into a contractual agreement with the Department.

(3) Threshold criteria. For implementation grants, the following documentation must be submitted to meet minimum threshold requirements:

(a) Written evidence of firm commitments of match dollars and other pledges of financial support that have been committed to the project;

(b) A copy of the new or existing plan that includes an implementation budget, and all elements required pursuant to s. 163.2517(3)(a)-(n), F.S. and s. 163.2517(2)(a)-(b)2., F.S.; and

(c) Documentation that the local government has adopted the plan by ordinance in which the public must have been informed of the date and time for public hearings as required in s. 163.2517(5), F.S.

(d) The Urban Infill and Redevelopment Assistance Grant Program shall obtain from the Department, documentation reflecting its review and approval of the local government's comprehensive plan amendment to delineate the boundaries of the urban infill and redevelopment area pursuant to s. 163.2517(4), F.S.

(4) Applications which do not meet minimum threshold will not be scored.

Specific Authority 163.2523 FS. Law Implemented 163.2511, 163.2514, 163.2517, 163.2520, 163.2523, 163.2526 FS. History–New _____.

9B-69.008 Implementation Grant Scoring Criteria.

(1) Implementation grant applications that meet minimum threshold requirements will be deemed eligible and will be scored and ranked using the following criteria.

(a) Narrative describing the conditions of the urban infill and redevelopment area and a description of how the local government will implement projects outlined in the plan. The summary shall also describe incentives the local government will offer to residents, stakeholders, and governance structure to keep those individuals actively involved in the implementation of plan activities. Additionally, a description of the community participation process referenced in s. 163.2517(2)(a)-(b)2., F.S. shall be provided.

(b) Amount of leveraged funds contributed to the project.

(c) In-kind services contributed to the project.

(d) Local government incentives and financial expenditures.

(e) If an implementation grant application was partially funded due to the depletion of the fiscal year’s grant funds, subject to the annual legislative appropriation, the Department may fund the remaining portion of the application out of the next available funds.

(2) The Department shall give priority in scoring to applications that meet the following criteria:

(a) Projects that are located within or adjacent to other state redevelopment initiatives as outlined in s. 163.2523, F.S.

(b) Projects that provide employment opportunities to clients of the WAGES program.

(3) The maximum scores for each criterion are set forth in the grant application as Form UIGP-2M. Scores awarded under each criterion will be added and the resulting sum shall constitute the total score for the applicant. Scores for all applicants will then be ranked by the review committee, and a funding recommendation will be submitted to the Secretary of the Department for final selection of grant recipients.

Specific Authority 163.2523 FS. Law Implemented 163.2511, 163.2514, 163.2517, 163.2520, 163.2523, 163.2526 FS. History–New _____.

9B-69.009 Contracts.

The Department shall, following the determination of applicants to be funded, enter into a written agreement with the grant recipient outlining the scope of work to be completed. The agreement shall be signed and returned to the Department within 45 days of receipt of the agreement. Failure to sign the contract within the 45 day period may result in withdrawal of funding by the Department. Withdrawn funds will be awarded to the next applicant in ranking order.

Specific Authority 163.2523 FS. Law Implemented 163.2511, 163.2514, 163.2517, 163.2520, 163.2523, 163.2526 FS. History–New _____.

9B-69.010 Monitoring and Reporting Requirements.

(1) Monitoring. The Department may, at any time, monitor the applicant to ensure that planning activities and implementation projects are progressing as outlined in the applicant’s scope of work and schedule of deliverables in the contractual agreement. The applicant will receive a 14-day advance written notification of the scheduled on site monitoring visit.

(2) Reporting. For planning and implementation grants, the applicant must submit to the Department a quarterly report for quarters ending March 31, June 30, September 30, and December 31, which reflects progress and accomplishments during the reported quarter. Reports must be received by the Department no later than 15 days after the end of each quarter.

Specific Authority 163.2523 FS. Law Implemented 163.2511, 163.2514, 163.2517, 163.2520, 163.2523, 163.2526 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julie Evans, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steven Seibert, Secretary, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 18, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2000

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
State and Institutional Classification	
Committees	33-601.209
Custody Classification	33-601.210
Classification – Transfer of Inmates	33-601.215
Confidential Records	33-601.901

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to provide uniformity and consistency in the development and implementation of classification procedures, to revise the custody grade classification system to provide for a new community custody status, to provide for the use of an automated custody status evaluation, and to update staff titles and forms related to classification and records.

SUMMARY: The proposed rules set forth uniform procedures for inmate classification, provide for a new custody status for inmates having community contact, and provide for use of an automated custody status evaluation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09, 945.10, 945.25, 958.11 FS.

LAW IMPLEMENTED: 20.315, 921.20, 944.09, 944.17, 944.1905, 945.10, 945.12, 945.25, 947.13, 958.11 FS., 42 USCS 290 ee-3.

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

TIME AND DATE: 9:00 a.m., March 30, 2000

PLACE: Law Library Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULES IS:

33-601.209 State and Institutional Classification Committees.

(1) The inmate classification system is comprised of two primary operational components which have been established to provide uniformity and consistency in both the development and implementation of classification policies and procedures. These two components are the State Classification Committee and the Institutional Classification Committee. These components have specific authority and responsibility relative to the operation and management of the inmate classification system.

(2) The State Classification Committee shall be composed of a chairperson, a vice-chairperson and other members as designated by the Chief of Classification and Central Records.

(a) The State Classification Committee (SCC) refers to a committee or committee member at the central office level who is responsible for the overall classification decisions of inmates. Duties include approving or rejecting institutional classification committee (ICC) recommendations. In addition, the SCC has authority for decision making relating to care, custody, placement or control of inmates within the Florida Department of Corrections as directed by the Chief of the Bureau of Classification and Central Records.

(3) The Institutional Classification Committee is responsible for making local classification decisions as defined in rule and procedure. The Institutional Classification Committee shall be comprised of the following members:

(a) Warden or assistant warden who shall serve as chairperson.

(b) Classification supervisor

(c) Chief of Security

(d) Other members as necessary when appointed by the warden or designated by rule.

Specific Authority 944.09 FS. Law Implemented 944.09, 944.17, 944.1905, 958.11 FS. History—New _____.

33-601.210 Custody Classification.

(1) No change.

(2) Custody Grade Classification.

(a) Each inmate shall be placed in one of the five ~~four~~ custody grades: community, minimum, medium, close or maximum.

(b) Information from all available sources shall be used to complete an automated ~~the~~ custody Classification Questionnaire. The questionnaire shall reflect the degree of supervision appropriate for the inmate.

(c) The result of completing an a automated questionnaire shall be a computer generated numerical score or status custody for the inmate ~~determined in accordance with the instructions contained on the questionnaires. A status custody is a custody range determined by the inmate's status, i.e. a death row inmate is maximum custody by virtue of his status of having a death sentence. The ranges of numerical scores are approximate and may vary by not more than five points depending upon such factors as sentencing demographics, intake, and other such factors affecting the number of inmates sentenced for the particular types of crimes.~~

~~Numerical scores and corresponding custody grades are as follows:~~

Initial	Custody
Questionnaire	Grade
1-14	Minimum
15-26	Medium
27+	Close
	Maximum—Death
	Sentence Cases

~~No score value; these inmates are placed into maximum eustody due to their sentence status~~

(d) The custody grade resulting from an inmate's ~~questionnaire~~ score may be modified if circumstances indicate the need for an exception. The specific reason for the modification shall be explained in shown on the automated system questionnaire. Reasons for increasing or decreasing the custody grade might, in appropriate cases, include one of the following comments with proper explanation:

1. Charge reduced as a result of plea bargaining.
2. Charge dropped as a result of plea bargaining.
3. Other active/inactive commitments.
4. Commitment includes mandatory or retained jurisdiction provisions.

5. Community and public interest concerns (i.e., judge's or prosecutor's recommendation, victim/victim family interest, legislative inquiry, law enforcement interest, executive inquiry, personal notoriety, case notoriety, etc.)

a. Family environment (no family ties; strong family ties; married/head of household; crime history in family; family desertion, family transience, etc.)

b. Military record.

6. Community supervision record.

7. Status prior to sentencing (i.e., high bond, bond forfeiture, release on bond, jail adjustment, etc.).

8. Physical or mental health status.

(e) All custody assignments will require the approval of the Institutional Classification Committee.

(f)(e) Any modification of the resulting custody grade from ~~on~~ the system generated custody or any assignment to community or minimum custody inmate questionnaire shall require the review and approval of a the State Classification Committee member based upon the criteria listed in (1) below superintendent or, in the case of reception centers, of the superintendent or assistant superintendent.

(g) A member of the State Classification Committee shall have the authority to initiate a custody assessment and determine the custody level of an inmate whenever the committee member determines that a new assessment is necessary for the safety of the public or the needs of the department.

(h)(f) Except for the offenses listed below, any inmate who is convicted or has been previously convicted or adjudicated delinquent for any crime where a sex act was intended, attempted or completed shall not be eligible for assignment to community or minimum custody status unless he has previously successfully completed the mentally disordered sex offender program prior to the repeal of Chapter 917, F.S.:

1. Acts relating to prostitution;
2. Urinating in public;
3. Nude sunbathing or swimming;
4. Nude or semi-nude adult entertainment;
5. Exposure of buttocks (mooning);
6. Striking.

(i)(g) Any inmate who has been certified as a mentally disordered sex offender pursuant to ch. 917, F.S. shall not be assigned to minimum custody status unless they have successfully completed the mentally disordered sex offender program.

(j)(h) Any inmate who has been designated as an alien by the department, who has been in the custody of the department less than six months, and:

1. For whom no decision has been made by the Immigration and Naturalization Service regarding deportation,
2. For whom an evaluation regarding deportation is pending, or

3. A decision has been made to deport, shall not be assigned to lower than close minimum custody status.

(k)(f) The following inmates shall not be classified as less than close custody unless approved for assignment to a lower medium or minimum custody by the Chairperson of the State Classification Committee Assistant Secretary for Security and Institutional Management as provided in (1)(f) below:

1. Inmates under sentence of death (maximum custody).
2. Inmates formerly under sentence of death.
3. Inmates serving life sentences with a 25 year mandatory provision and who are not within 5 years of an established release date.
4. Inmates serving life sentences and who are not within 10 years of an established release date.
5. Inmates ~~-serving 25 year sentences or longer and~~ who are not within 15 years of a release date.

(l)(f) The Chairperson of the State Classification Committee Assistant Secretary for Security and Institutional Management may approve an inmate listed in (k)(f) for lower medium or minimum custody after consideration of the following criteria:

1. Overall institutional adjustment.
2. Time served.
3. Prior offense history.
4. Seriousness of instant offense.
5. Program participation.
6. Needs of the department.
7. Whether inmate poses a threat to the public.
8. Disciplinary record.
9. Escape history.
10. Security needs.

~~(k) The effective date of this rule is July 21, 1991. Following the effective date of the rule, each inmate shall be evaluated pursuant to these requirements for custody classification no later than the time of his next scheduled progress review.~~

(3) Review of Inmates Who Have Special Needs. The secretary shall appoint a special needs committee in central office to review those cases in which inmates have been determined by medical services as having special medical needs or inmates who are elderly and have special needs which may be in conflict with the custody levels authorized. The special needs committee will evaluate the special needs, the custody requirements and the institutional placement best suited to meet an inmate's needs. This committee has the authority to make the final assignment that meets the inmate's needs within the medical and facility resources of the department. This may include a special custody exception on a case by case basis. Inmates identified as having special needs or requiring special review shall be recommended to the impaired inmate special needs coordinator in the central office who will coordinate with classification services and refer each

case to the special needs committee. The special needs committee shall be comprised of the Chairperson of the State Classification Committee, the Americans with Disabilities Act Coordinator, Assistant Secretary for Operations, Assistant Secretary for Programs, and the Impaired Inmate Coordinator ~~Assistant Secretary for Health Services, or their designees.~~ Committee decisions shall be reviewed by the secretary.

(4) ~~Reclassification and~~ Progress Assessments Reports.

(a) As used in this subsection:

1. "Review" means meeting of the Institutional Classification Committee team.

2. "Assessment" ~~"Report"~~ means a formal evaluation of the inmate's progress towards the goals set for him or her by the Institutional Classification Committee reclassification and progress report.

(b) Assessments Reports shall be periodically prepared for the purpose of:

1. Recording the inmate's adjustment to the institution and treatment program.

2. Recording changes of program that have taken place.

3. Evaluating the inmate's potential future adjustment.

4. Making recommendations for program changes, establishing goals and motivating the inmate to achieve the goals.

5. Provide the inmate with an opportunity to become involved in assessing his needs and in selecting programs to meet those needs.

(c) All inmates shall be scheduled for assessments and reviews that and reports shall be completed as follows:

1. Inmates with three years or less remaining to serve shall receive an a assessment and review progress report every six months;

2. Inmates with more than three years remaining to serve shall receive an a assessment and review progress report every twelve months;

3. Inmates with life sentences with no parole, life sentences with no established release date, or death sentences will receive an a assessment and review progress report every twenty-four months. At the point where a parole release date is established in these cases the schedule of progress reports shall be in accordance with 33-601.210(4)(c)1. and 2.

4. Close management, work release and transition plan documentation may be substituted for the required assessments reports.

(d) Assessments and reviews Reports should also be used to document any program changes made by the Institutional Classification Committee between regularly scheduled reviews. In such cases, only the areas encompassing the change need to be noted in the report. Such an abbreviated report will not alter the schedule of reviews.

(e) The schedule for assessments and reviews may be altered and an unscheduled assessment and review report prepared upon request by the Florida Parole Commission, in

the case of an escape or other unusual occurrence, or in any other case where it is determined ~~felt~~ such report would be of value. An unscheduled review shall revise the scheduled date of the next review and subsequent reviews.

(f) In preparing assessments reports, care should be taken that all pertinent facts are included to insure that all up-to-date information concerning changes in an inmate's activity are documented. Additionally, any new recommendations of the committee team in regard to inmate goals ~~or team recommendations~~ should be carefully documented and supporting facts included. If at the time of the review the inmate is being recommended for work release, the DC4-803, Approval for Community Release and Furlough, or DC40, Community Release Recommendation will suffice for the assessment report format.

(g) ~~The last scheduled review prior to the parole biennial interview shall be completed in the format of a progress report. Additionally, An a assessment and review progress report will be completed on all transfer recommendations except as authorized by a member of the State Classification Committee. Movement from one location to another on a temporary basis does not require an a assessment and review progress report.~~

(h) ~~An A assessment and review progress report~~ shall be prepared whenever an inmate is being recommended for parole or for permanent transfer to another institution. When an inmate is transferred on an emergency basis and there is insufficient time to prepare an a assessment and review progress report, a written statement will be included in the inmate record outlining the emergency situation and any pertinent security or medical problems. ~~An A assessment and review progress report~~ from the sending institution should be forwarded to the receiving institution as soon as possible.

(i) All ~~reports that include a~~ recommendations for a transfer to another facility or to a contract drug treatment program, or for work release shall require the approval of the State Classification Committee classification supervisor and the superintendent.

(j) At the time of the first assessment and progress review, should the inmate record not contain either a pre-sentence or post-sentence investigation, the classification officer specialist is responsible for requesting such documents from the Probation and Parole Services Office in the region from which the inmate was committed. Care should be exercised to ensure that at least sixty (60) days has lapsed since the post-sentence investigation was originally requested prior to making this follow-up.

(k) Additional gain time is to be considered at the time of any scheduled or unscheduled review.

(1) Assessments and reviews Reports may contain recommendations for the setting of sentences pursuant to section 921.22, F.S. Such recommendations should specify a definite period of years or months, taking into account the tentative expiration date on the set term, the amount of gain time earned and the amount of time it will take to process the

recommendation. Such recommendations should be based on all information concerning the inmate which is available to the committee team.

(m) The department may in selected cases recommend to the Florida Parole Commission that an inmate be placed on parole at an earlier date than scheduled. Note should be made of an inmate's presumptive parole release date (PPRD) when considering such possibilities. If it is felt that such significant progress has taken place since the setting of the PPRD that it should be moved forward to an earlier date, then such recommendations should be made to the Parole Commission in an assessment and review progress report setting forth the basis for recommending a change in the PPRD. All assessments and reviews reports containing parole recommendations will be reviewed and approved or disapproved signed by the Institutional Classification Committee classification supervisor and forwarded to the State Classification Committee warden for approval his concurrence or disapproval. The assessment and review report shall then be submitted to the Chief of the Bureau of Classification and Central Records Director of the Adult Services Program Office who, on behalf of the secretary, shall make a recommendation to the Parole Commission. A copy of the report shall be forwarded to the Parole Commission.

(5) Forms and Attachments. Form DC4-869, Custody Questionnaire. ~~The following form~~ is incorporated by reference in this rule. A copy of this form may be obtained by writing the Forms Control Administrator, Office of the General Counsel inmate classification coordinator, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for forms to be mailed must be accompanied by ~~Enclose~~ a self-addressed stamped envelope. The (a) Form DC4-869 Custody Questionnaire, effective date of this form is May 13, 1996.

Specific Authority 20.315, 944.09, 958.11 FS. Law Implemented 20.315, 921.20, 944.09, 944.17(2), 944.1905, 958.11 FS. History–New 12-7-81, Formerly 33-6.09, Transferred from 33-6.009, Amended 6-8-82, 10-26-83, 6-8-86, 7-8-86, 10-27-88, 1-1-89, 7-4-89, 10-12-89, 1-2-91, 7-21-91, 8-30-92, 5-13-96, 6-12-96, 11-19-96, 10-15-97, Formerly 33-6.0045, Amended

33-601.215 Classification – Transfer of Inmates.

Upon completion of the reception process, each inmate shall be assigned and transferred to the institution approved by the State Classification Committee that ~~which~~ might best facilitate his institutional progress. Inmates may subsequently be transferred from one institution to another; ~~however, the goal of the classification system is to retain inmates at institutions for longer periods of time in order to reduce transfers and stabilize the inmate population. Inmates participating in academic, vocational, substance abuse or betterment programs will not be transferred to another institution prior to completion of the program unless the program is available at the receiving institution, or for purposes of population management or~~

security and safety concerns specifically set forth in writing. Transfers are subject to review by the inmate grievance procedure.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09, 945.12 FS. History–New 10-8-76, Formerly 33-6.03, Amended 7-21-91, 10-11-95, Formerly 33-6.003, Amended

33-601.901 Confidential Records.

(1) through (3) No change.

(4) An inmate desiring access to information shall submit the written request to his or her classification officer specialist or officer-in-charge of a community facility; a supervised offender shall submit the request to his or her supervising officer. If the request does not meet the requirements specified in s. 945.10(3), F.S., the request shall be denied in writing. If the request meets the requirements specified in s. 945.10(3), the request shall be approved without further review. If the request meets the requirements specified in s. 945.10(3), F.S., but details exceptional circumstances other than those listed, the classification officer specialist or officer-in-charge shall review the request and make a recommendation to the classification supervisor ~~or superintendent of community facilities~~ who shall be the final authority for approval or disapproval of requests from inmates; for supervised offenders, the recommendation shall be submitted to the correctional probation circuit administrator or designee who shall be the final authority for approval or disapproval.

(5) No change.

(6) The following records or information contained in department files shall be confidential and shall be released for inspection only as authorized in this rule:

(a) Medical reports, opinions, memoranda, charts or any other medical record of an offender, including dental and medical classification reports as well as clinical drug treatment and assessment records; letters, memoranda or other documents containing opinions or reports on the description, treatment, diagnosis or prognosis of the medical or mental condition of an offender; the psychological screening reports contained in the admission summary; the psychological and psychiatric evaluations and reports on offenders; health screening reports; Mentally Disordered Sex Offender Status Reports. Other persons may review medical records only upon when necessary to ensure that the offender's overall health care needs are met, or a specific written authorization from the offender whose records are to be reviewed, or as provided by law. If a request for inmate medical records is submitted upon consent given by the patient inmate/offender, the department's Consent for Inspection and/or Release of Confidential Information, Form DC4-711B must be utilized in order to obtain inmate medical records held by the department. Form DC4-711B is hereby incorporated by reference. Copies of this form are available at from the Forms Control Administrator, Office of the General counsel any institution or the Office of Health Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for forms to be mailed must be

accompanied by a self-addressed stamped envelope. The effective date of this form is _____ ~~June 12, 1996~~. Offenders under supervision, or previously under supervision, who desire information from their own records, shall be referred to the agency or office originating the report or document to obtain such information. Inmates desiring access to information in their own medical records shall submit a written request to the health information specialist/supervisor. If the request does not meet the requirements specified in subsection (1), the request shall be denied. If the request meets the requirements specified in subsection (1) and falls within exceptions (a) through (e) of s. 945.10(3), F.S., the request shall be approved without further review. The records will be provided upon receipt of payment. If the request meets the requirements specified in s. 945.10(3), but details exceptional circumstances other than those listed in (a) through (e) or falls within (f), the health information specialist/supervisor shall review the request and make a recommendation to the chief health officer who shall be the final authority for approval or disapproval.

(b) through (h) No change.

(7) No change.

(8) Unless expressly prohibited by federal law, the following confidential records or information may be released to the Office of the Governor, the Legislature, the Parole Commission, the Department of Legal Affairs, the Department of ~~Children and Family Health and Rehabilitative Services~~, a private correctional facility or program that operates under a contract, a state attorney, the court, or a law enforcement agency:

(a) through (d) No change.

(9) After victim information has been redacted, access to preplea, pretrial intervention, presentence or postsentence investigations is authorized as follows:

(a) through (b) No change.

(c) To a public defender upon request.

Written requests under paragraphs (b) and (c) above must be submitted to the Bureau Chief of ~~Classification and Central Records Admission and Release~~ for approval if the request pertains to an inmate record. If the request pertains to a report in a supervision file, the request shall be submitted to the correctional probation circuit administrator or designee of the office where such record is maintained. If the request pertains to confidential health information, the request shall be submitted to the institutional chief health officer.

(10) Parties establishing legitimate research purposes who wish to review preplea, pretrial intervention, presentence and postsentence investigation reports in the records of current or prior inmates or offenders must obtain prior approval from the Bureau Chief of Research and ~~Data Analysis Statistics~~ pursuant to rule ~~33-20.007~~. Parties seeking to review records pursuant to this section shall be required to submit a written request to the Bureau Chief of ~~Central Records Admission and Release~~ if the report pertains to an inmate, or to the

correctional probation circuit administrator or designee of the office where the record is located if the report pertains to a supervised offender. The written request must disclose the name of the person who is to review the records; the name of any organization, corporation, business, school or person for which the research is to be performed; the purpose of the research; any relationship to offenders or the families of offenders; and a confidentiality agreement must be signed. After submitting the required written request, research parties must receive written approval as described in this section prior to starting the project.

(11) No change.

Specific Authority 20.315, 944.09, 945.10, 945.25 FS. Law Implemented 944.09, 945.10, 945.25, 947.13 FS., 42 USCS 290 ee-3. History—New 10-8-76, Amended 6-10-85, Formerly 33-6.06, Amended 1-12-89, 7-21-91, 9-30-91, 6-2-92, 8-4-93, 6-12-96, 10-15-97, 6-29-98, Formerly 33-6.006, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
STAN CZERNIAK

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 14, 2000

DEPARTMENT OF CORRECTIONS

RULE TITLE: RULE NO.:

Rules of Prohibited Conduct and Penalties for Infractions 33-601.314

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide a specific disciplinary charge for inmates' refusal to participate in mandatory programs.

SUMMARY: The proposed rule provides a specific disciplinary charge for inmates' refusal to participate in mandatory programs.

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: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.14, 944.279, 944.28 FS.

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

TIME AND DATE: 9:00 a.m., April 4, 2000

PLACE: Law Library Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, "DC" means the maximum number of days of disciplinary confinement that may be imposed and "GT" means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

SECTION 1 through SECTION 9-15 No change.

9-16 Refusing to work or participate in mandatory programs 60 DC + 90 GT

SECTION 9-17 through SECTION 11 No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History--New 3-12-84, Formerly 33-22.12, Amended 1-10-85, 12-30-86, 9-7-89, 11-2-90, 6-2-94, 10-01-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Stan Czerniak

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 21, 2000

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: General and Procedural RULE CHAPTER NO.: 40E-1

RULE TITLE: Permit Application Processing Fees RULE NO.: 40E-1.607

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to decrease the District's existing water use individual irrigation permit application processing fee structure at the direction of the South Florida Water Management District Governing Board. This change was inadvertently omitted from the rule amendments passed in November, 1999. Specifically, these fees are assessed in order to defray the cost of processing, monitoring, and inspecting for compliance required in connection with consideration of such applications.

SUMMARY: The proposed rule amendments will reduce permit application processing fees for many Individual Irrigation Water Use Permits with a duration less than 20 years.

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

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

SPECIFIC AUTHORITY: 373.109, 373.421(6)(b) FS.

LAW IMPLEMENTED: 373.109, 373.421(6)(b) FS.

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

TIME AND DATE: 9:00 a.m., April 13, 2000

PLACE: South Florida Water Management District Headquarters, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical questions, Claudia Kugler, Dir., Business Operations, Regulation Department, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6850 or (561)682-6850 (e-mail ckugler@sfwmd.gov); or for legal/administrative questions, Julie Jennnis, Senior Legal Research Asst., 1(800)432-2045, Extension 6294 or (561)682-6294 (e-mail jjennis@sfwmd.gov).

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-1.607 Permit Application Processing Fees.

A permit application processing fee is required and shall be paid to the District when certain applications are filed pursuant to District rules. An application shall not be considered complete until the appropriate application fee is submitted. These fees are assessed in order to defray the cost of evaluating, processing, monitoring, and inspecting for compliance required in connection with consideration of such applications. Fees are non-refundable in whole or part unless the activity for which an application is filed is determined by the District to be exempt or the fee submitted is determined by the District to be incorrect. Failure of any person to pay the applicable fees established herein will result in denial of an application. Activities that do not require a permit and are exempt pursuant to Rules 40E-2.051, F.A.C. or 40E-3.051, F.A.C. are not subject to the following permit application fees. The District's permit application processing fees are as follows:

(1) Water Use Permit Application processing fees are in the following table:

TABLE 40E-1.607(1)
 PERMIT APPLICATION PROCESSING FEES FOR
 WATER USE PERMIT APPLICATIONS
 REVIEWED PURSUANT TO CHAPTERS 40E-2 AND
 40E-20, F.A.C.

Fee amounts shall apply to applications for new permits, permit modifications, and permit renewals, except as noted.

Category	Amount
Individual Public Water Supply Maximum daily allocation Greater than 0.1 million gallons per day (mgd) through 1 mgd	\$ 2700
Greater than 1 mgd through 10 mgd	\$ 5500
Greater than 10 mgd	\$ 7000
Individual Agriculture Irrigation renewal with a duration less than 20 years	\$1000
Individual Irrigation; except Individual Agriculture Irrigation renewal with a duration of <u>less than</u> 20 years Maximum daily allocation Greater than 0.1 mgd through 1 mgd	\$ 1000
Greater than 1 mgd through 10 mgd	\$ 2500
Greater than 10 mgd	\$ 3500
Individual Mining (Dewatering) Maximum daily allocation Greater than 0 mgd through 1 mgd	\$ 1800
Greater than 1 mgd through 10 mgd	\$ 3250
Greater than 10 mgd	\$ 4000
Individual Industrial Maximum daily allocation Greater than 0.1 mgd through 1 mgd	\$ 1400
Greater than 1 mgd through 10 mgd	\$ 2750
Greater than 10 mgd	\$ 3500
General	\$ 350
Short-term Dewatering	\$500
Permit Transfer to Another Entity Pursuant to Rules 40E-1.611 and 40E-2.351, F.A.C.	\$ 450
Letter Modification to Individual Permit	no fee
Letter Modification to General Permit	no fee

(2) through (6) No change.

Specific Authority 373.109, 373.421(6)(b) FS. Laws Implemented 373.109, 373.421(6)(b) FS. History—New 1-8-89, Amended 1-2-91, 11-15-92, 6-1-93, 1-23-94, 10-3-95, 4-1-96, 11-8-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Terrie Bates, Director, Department of Environmental Resource Regulation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 28, 2000

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

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

PURPOSE AND EFFECT: The purpose of the proposed amendment to the Florida Title XIX Long-Term Care Reimbursement Plan is to incorporate changes to the long-term care reimbursement plan payment methodology to increase patient care reimbursement as required by Section 30 of House Bill 1971, as incorporated into the General Laws of Florida, Chapter 99-394. An add-on to the patient care component is to be effective for the April 1, 2000 rate semester. The additional patient care reimbursement is to be used by nursing facilities to recruit and retain qualified staff and to provide appropriate care.

The effect of the proposed amendment is to provide a detailed methodology for increasing the patient care reimbursement effective April 1, 2000.

SUMMARY: The proposed amendment to rule number 59G-6.010 incorporates revisions to the Florida Title XIX Long-Term Care Reimbursement Plan. The amendment adjusts the payment methodology to increase the nursing home patient care reimbursement effective April 1, 2000.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory cost has not been prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or 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: 409.908 FS.

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

DATE AND TIME: March 27, 2000, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carol Shotwell, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2106C, Tallahassee, Florida 32308, (850)414-2759

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.010 Payment Methodology for Nursing Home Services.

Reimbursement to participating nursing homes for services provided shall be in accord with the Florida Title XIX Long-Term Care Reimbursement Plan, Version XVIII ~~XVII~~ Effective Date January 11, 2000 and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Deputy Director for Medicaid, 2727 Mahan Drive, Mailstop 8 Building 3, Tallahassee, Florida 32308. The plan incorporates Provider Reimbursement Manual (HCFA Pub. 15-1).

Specific Authority 409.919 FS. Law Implemented 409.908 FS. History—New 7-1-85, Amended 10-1-85, Formerly 10C-7.482, Amended 7-1-86, 1-1-88, 3-26-90, 9-30-90, 12-17-90, 9-15-91, 3-26-92, 10-22-92, 4-13-93, 6-27-93, Formerly 10C-7.0482, Amended 4-10-94, 9-22-94, 5-22-95, 11-27-95, 11-6-97, 2-14-99, 10-18-99, 1-11-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ms. Carol Shotwell
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Gary Crayton
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 23, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLES: Probable Cause Panel
ADOPTION OF MODEL RULES OF PROCEDURE: Adoption of Model Rules of Procedure
PURPOSE AND EFFECT: The Board proposes to amend Rule 61G17-1.0051 to update the rule text with regard to the appointment of members. Rule 61G17-1.008 is being repealed because the uniform rules of procedures have been adopted in Chapter 28, Florida Administrative Code and are effective for all boards.

RULE NOS.: 61G17-1.0051
61G17-1.008

SUMMARY: The Board has determined that amendments are necessary to Rule 61G17-1.0051 to further clarify the number of members for the probable cause panel. Repeal of Rule 61G17-1.008.

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(1), 455.225 FS.

LAW IMPLEMENTED: 120.53(1), 455.225 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: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0756

THE FULL TEXT OF THE PROPOSED RULES IS:

61G17-1.0051 Probable Cause Panel.

(1) No change.

(2) The chair shall appoint ~~at least~~ two members to serve on the probable cause panel. ~~The chair shall also designate its presiding officer. If only two members are appointed, one of which must be either a present or former surveyor and mapper member of the Board. The other member shall be and the other must be either a surveyor and mapper a present or former consumer member of the Board if one is available and willing to serve or a surveyor and mapper who is a past member of the Board.~~ Nothing herein shall be construed to limit to one the number of surveyor and mapper past Board members that the chair may appoint to the probable cause panel if there are more than two members appointed to that panel by the chair.

(3) A majority vote of the probable cause panel shall determine whether probable cause exists to believe that a violation has occurred of Chapter 455, Chapter 472, the applicable provisions of Chapter 177, Florida Statutes, or Chapters 61G17-1 through 61G17-9, Florida Administrative Code, relevant rules. In the event if there are only the two members of the probable cause panel and if they fail to agree on any particular case, the chair of the Board shall assign a third person to the probable cause panel solely for the purpose of casting the decisive vote in that case. The third person shall be a member of the Board.

Specific Authority 120.53(1), 455.225 FS. Law Implemented 120.53(1)(c), 455.225 FS. History—New 2-7-91, Amended 3-23-93, Formerly 21HH-1.0051, Amended 5-31-95,_____.

61G17-1.008 Adoption of Model Rules of Procedure.

Specific Authority 120.53(1) FS. Law Implemented 120.53(1) FS. History—New 1-3-80, Formerly 21HH-1.08, 21HH-1.008, Repealed_____.

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: January 13, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLE: Unauthorized Practice of Surveying and Mapping by or as Part of a Business Entity
RULE NO.: 61G17-2.003

PURPOSE AND EFFECT: The Board proposes to amend this rule by deleting certain rule text because of lack of statutory authority.

SUMMARY: The Board has determined that subsections (3)(a), (5), (7) and (8) should be deleted from this rule due to lack of statutory authority.

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: 472.008, 472.033 FS.

LAW IMPLEMENTED: 472.021, 472.033 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: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0756

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-2.003 Unauthorized Practice of Surveying and Mapping by or as Part of a Business Entity.

- (1) through (2) No change.
- (3) Business entities may not provide surveying and mapping services to the public unless:
 - ~~(a) there is a registered surveyor and mapper in residence at each surveying and mapping office providing surveying and mapping services to the public who is not also in residence at any other office, and~~
 - (b) through (d) renumbered (a) through (c) No change.
 - (4) No change.

~~(5) No surveyor and mapper may serve simultaneously as the surveyor and mapper in residence at more than one surveying and mapping office providing surveying and mapping services to the public.~~

~~(5)(6) A business entity may be disciplined for any violation for which an individual surveyor and mapper may be disciplined.~~

~~(7) For the purposes of this rule, the resident surveyor and mapper is the surveyor and mapper with authority over all surveying and mapping documents issued from the office whether by the resident surveyor and mapper or by another surveyor and mapper out of that office.~~

~~(8) Nothing in this rule is intended to deny a temporary absence of the resident surveyor and mapper from the office so long as that surveyor and mapper remains in authority.~~

Specific Authority 472.008, 472.033 FS. Law Implemented 472.021, 472.033 FS. History—New 3-12-92, Formerly 21HH-2.003, Amended 6-1-95, _____.

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: January 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLES: Experience 61G17-3.001
Education 61G17-3.0021

PURPOSE AND EFFECT: The Board proposes to amend Rule 61G17-3.001 by updating the rule text and deleting unnecessary language. Rule 61G17-3.0021 is being amended by deleting certain rule text that is no longer needed.

SUMMARY: The Board has determined that Rule 61G17-3.001 should be amended to further clarify what the Board will accept when verifying an applicant's experience. The Board has determined that Rule 61G17-3.0021 should be amended by deleting subsections (3) and (4) as they are no longer necessary since 472.013, F.S. requires the education to be a 4 year degree.

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: 472.008, 472.013 FS.
LAW IMPLEMENTED: 472.005, 472.013 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: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0756

THE FULL TEXT OF THE PROPOSED RULES IS:

61G17-3.001 Experience.

To verify an applicant's experience the Board will accept ~~require~~ evidence as to employment from employers or supervisors who are registered surveyors and mappers, and if such evidence is unavailable, the Board will consider written documentation from a registered surveyor and mapper who has personal knowledge of the applicant's experience. Such evidence shall set forth the quality and character of the applicant's duties and responsibilities. ~~Should the Board find that the information submitted by the applicant is deficient or insufficient, the Board will issue a notice of intention to deny and will allow the applicant one opportunity to submit additional information before any requested hearing is conducted.~~

Specific Authority 472.008 FS. Law Implemented 472.013 FS. History--New 1-3-80, Amended 6-9-80, 1-11-84, Formerly 21HH-3.01, Amended 1-16-92, Formerly 21HH-3.001, Amended 5-30-95, 10-1-97, _____.

61G17-3.0021 Education.

(1) through (2) No change.

~~(3) To determine whether an applicant for licensure has met the educational requirements of Section 472.013(2)(c), F.S., the Board shall require evidence to demonstrate:~~

~~(a) that the applicant has an Associate degree from a college which has regional accreditation from an agency recognized by the U.S. Department of Education; and~~

~~(b) that the applicant's specific course of study included at least thirty-two (32) semester hours or forty-eight (48) quarter hours in a combination of courses in surveying and mapping, civil engineering, forestry, mathematics, photogrammetry, land law, and the physical sciences.~~

~~(4) To determine whether an applicant for licensure has met the educational requirements of Section 472.013(2)(d), F.S., the Board shall require evidence to demonstrate that the applicant either graduated from high school or earned a Graduate Equivalency Diploma.~~

Specific Authority 472.013 FS. Law Implemented 472.005, 472.013 FS. History--New 9-7-93, Amended 5-30-95, 10-1-97, _____.

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: January 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLES:	RULE NOS.:
Written Examination Designated; General Requirements	61G17-4.001
Content of Examination	61G17-4.002
Grading	61G17-4.004
Grades Review Procedure	61G17-4.006

PURPOSE AND EFFECT: The Board proposes to reword Rules 61G17-4.001, 4.002, 4.004 and 4.006 in an attempt to clarify the rule text.

SUMMARY: The Board has determined that Rule 61G17-4.001 should be substantially rewritten to clarify the written examination designated and the general requirements. The Board has determined that Rule 61G17-4.002 should be reworded to clarify the content of the examination. The Board has determined that Rule 61G17-4004 be rewritten to clarify the grading process and the rule title will be changed to "Grading". Rule 61G17-4.006 is also being reworded to clarify the grading review procedure.

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(1), 472.008, 472.013 FS.

LAW IMPLEMENTED: 455.217(1),(2), 472.013, 472.015 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: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0756

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 61G17-4.001 follows. See Florida Administrative Code for present text.)

61G17-4.001 Written Examination Designated; General Requirements.

(1) The examination shall consist of the following:

(a) Principles and Practice Examination prepared by the National Council of Examiners for Engineering and Surveying (NCEES):

(b) Fundamentals Examination prepared by the National Council of Examiners for Engineering and Surveying (NCEES):

(c) Florida Jurisdictional Multiple Choice Examination prepared by the Department and given prior to the NCEES examinations:

(d) Florida Jurisdictional Essay Examination, prepared by the Department, will be given following the Florida Jurisdictional Multiple Choice Examination.

(2) The Principles and Practice Examination and the Fundamentals Examination will not be required for licensure if the applicant has successfully completed those NCEES portions previously; however, the Florida Jurisdictional Examinations will be required of all applicants.

(3) Except as provided by NCEES testing requirements, examinations are open book, that is, the use of notes, reference books, and slide rule, is permitted. Programmable and non-programmable calculators are permitted so long as they are: hand-held, silent, battery-operated, non-printing, self-contained, and without auxiliary memory capabilities, video screens, or peripheral equipment. All such materials including pens and pencils are to be furnished by the applicant. Applicants should come equipped with ordinary drawing instruments.

(4) National examination security requirements as set forth by the NCEES shall be followed throughout the administration of the NCEES Principles and Practice Examination and the

NCEES Fundamentals Examination. Examination security requirements as set forth by the Department in Rule 61-11.014, F.A.C., shall be followed throughout the administration of the Florida Jurisdictional Multiple Choice Examination and the Florida Jurisdictional Essay Examination.

Specific Authority 455.217(1), 472.008 FS. Law Implemented 455.217(1), 472.013, 472.015 FS. History--New 1-3-80, Amended 6-9-80, 1-25-84, 5-22-85, Formerly 21HH-4.01, Amended 9-16-87, 8-30-92, Formerly 21HH-4.001, Amended 5-30-95, 11-15-95, 4-16-96, 8-10-97,_____.

(Substantial rewording of Rule 61G17-4.002 follows. See Florida Administrative Code for present text.)

61G17-4.002 Content of Examination.

(1) The Fundamentals Examination shall be on surveying and mapping fundamentals and will include questions taken from subjects normally connected with requirements for basic fundamentals in the practice of surveying and mapping. The examination problems selection is made by the NCEES.

(2) The Principles and Practice Examination shall be based on professional practice and principles in surveying and mapping and will involve the applicant's finding solutions to problems designed to test the applicant's ability to apply acceptable surveying and mapping practice to problems which are representative of those commonly encountered in the profession of surveying and mapping. The examination problem selection is made by the NCEES.

(3) The Florida Jurisdictional Multiple Choice Examination shall be based on Florida's laws and rules regarding the practice of surveying and mapping. The following areas shall be tested on the examination and will be weighted approximately as designated:

<u>Statute/Rule</u>	<u>Area Tested</u>	<u>Assigned Weight</u>
<u>Chapter 177, Part I, Florida Statutes.</u>	<u>Platting</u>	
<u>Chapter 177, Part II, Florida Statutes.</u>	<u>Coastal Mapping</u>	<u>30%</u>
<u>Chapter 161, Florida Statutes.</u>		
<u>Rule 62B-33, Florida Administrative Code.</u>		
<u>Chapter 177, Part III, Florida Statutes.</u>	<u>Restoration of Corners</u>	
<u>Chapter 472, Florida Statutes.</u>	<u>Land Surveying</u>	<u>10%</u>
<u>Chapter 718, Florida Statutes.</u>	<u>Condominiums</u>	<u>10%</u>
<u>Chapter 95, Florida Statutes.</u>	<u>Adverse Possession</u>	<u>10%</u>
<u>61G17-1, Florida Administrative Code.</u>	<u>Organization & Purpose</u>	
<u>61G17-2, Florida Administrative Code.</u>	<u>Grounds for Discipline</u>	
<u>61G17-5, Florida Administrative Code.</u>	<u>Continuing Education</u>	<u>40%</u>
<u>61G17-17, Florida Administrative Code.</u>	<u>Minimum Technical Standards</u>	
<u>61G17-7, Florida Administrative Code.</u>	<u>Seals, Signatures, & Certificates of Authorization</u>	
<u>61G17-9, Florida Administrative Code.</u>	<u>Penalties</u>	

(4) The Florida Jurisdictional Essay Examination shall be based on professional practice and principles in surveying and mapping and on Florida's laws and rules regarding the practice of surveying and mapping. The examination shall test the applicant's ability to apply acceptable surveying and mapping

standards to problems which are commonly encountered in Florida, and the practice of surveying and mapping. The candidate is expected to prepare survey descriptions, drawings,

exhibits or reports in compliance with Florida laws and rules. The following areas shall be tested on the examination and will be weighted approximately as designated:

- (a) Minimum Technical Standards – 60%
- (b) Principles and Practice – 30%
- (c) Description & Communication – 10%

Specific Authority 455.217(1) FS. Law Implemented 455.217(1) FS. History–New 1-3-80, Amended 1-25-84, Formerly 21HH-4.02, Amended 9-16-87, 12-13-88, 8-30-92, Formerly 21HH-4.002, Amended 5-30-95, 5-17-99, _____.

(Substantial rewording of Rule 61G17-4.004 follows. See Florida Administrative Code for present text.)

61G17-4.004 Grading Passing Grades.

(1) The Principles and Practice Examination and the Fundamentals Examination contain machine graded, multiple choice questions developed by the NCEES. The minimum score necessary for passing the Principles and Practice Examination and the Fundamentals Examination shall be set by NCEES through the use of a Modified Angoff Method for determining the minimally acceptable raw score necessary to pass the examination. All raw grades shall be converted to a scale of 100 and the passing grade shall be set as equivalent to 70 on such a scale.

(2) The Florida Jurisdictional Multiple Choice Examination consists of 30 multiple choice questions developed by the Department. The multiple choice questions will be weighted equally and machine graded. The Florida Jurisdictional Essay Examination consists of one or more essay questions developed by the Department. The essays shall be independently graded on a blind basis by graders. A passing grade on the Florida Jurisdictional Multiple Choice Examination and the Florida Essay Examination is defined as 70% of the total possible points on each examination.

(3) Scores on the examination will be reported as follows: the Principles and Practice Examination, the Fundamentals Examination, the Florida Jurisdictional Multiple Choice Examination and the Florida Jurisdictional Essay Examination shall have separate scores. Four passing scores must be received in order to successfully pass the examination; however, these four passing scores need not be obtained in one sitting.

Specific Authority 455.217(1) FS. Law Implemented 455.217(1) FS. History–New 1-3-80, Amended 6-9-80, 8-27-81, 1-25-84, Formerly 21HH-4.04, Amended 8-30-92, Formerly 21HH-4.004, Amended 5-30-95, 11-15-95, _____.

(Substantial rewording of Rule 61G17-4.006 follows. See Florida Administrative Code for present text.)

61G17-4.006 Grades Review Procedure.

Any applicant who takes the Florida Jurisdictional Multiple Choice Examination and the Florida Jurisdictional Essay Examination may examine the applicant's own answers and questions, papers, grades and grading key, upon such terms and conditions as set forth by the Department of Business and

Professional Regulation in Rule 61-11.017, F.A.C. The applicant shall bear the actual cost incurred by the Department in providing the examination review.

Specific Authority 455.217(2), 472.013 FS. Law Implemented 455.217(2), 472.013 FS. History–New 1-3-80, Formerly 21HH-4.06, 21HH-4.006, 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: January 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLES:	RULE NOS.:
Continuing Education Requirements for	
Reactivation of Inactive License	61G17-5.001
Continuing Education Credit for Biennial	
Renewal	61G17-5.0031
Proof of Continuing Education Credit Earned	61G17-5.0032
Board Approval of Continuing Education	
Providers	61G17-5.0041
Board Approval of Provider Status to	
Conduct Courses or Seminars on	
Minimum Technical Standards	61G17-5.0042
Obligations of Continuing Education	
Providers	61G17-5.0043
Evaluations of Providers	61G17-5.0044
Duration of Provider Status	61G17-5.0045

PURPOSE AND EFFECT: The Board proposes to amend Rule 61G17-5.001 to update the rule text with regards to continuing education requirements. The Board is amending Rule 61G17-5.0031 to update the rule text and by deleting unnecessary language. The Board proposes to amend Rule 61G17-5.0032 by deleting unnecessary rule text. The Board is amending Rule 61G17-5.0041 by deleting unnecessary language and adding new rule text to further clarify board approval of continuing education providers. The Board proposes to repeal Rule 61G17-5.0042 because the rule is no longer necessary. The Board proposes to amend Rule 61G17-5.0043 by deleting unnecessary rule text and updating preexisting language. Rule 61G17-5.0044 is being amended by the Board to update the rule text and deleting unnecessary language. The Board is amending Rule 61G17-5.0045 by adding new rule text to further clarify the duration of provider status.

SUMMARY: The Board has determined that Rule 61G17-5.001 should be amended to update the rule text to further clarify continuing education requirements for reactivation of an inactive license. The Board finds it necessary to amend Rule 61G17-5.0031 by adding new rule text and by deleting subsections (2)(d) and (e). The Board finds it necessary to amend Rule 61G17-5.0032 by deleting subsections (1) and (2) with regard to audits, and by changing the rule title to properly address the rule's content. The Board is amending Rule 61G17-5.0041 by adding new rule text and by deleting unnecessary language. Rule 61G17-5.0042 is being repealed by the Board because the rule is no longer necessary. The Board finds it necessary to amend Rule 61G17-5.0043 by deleting unnecessary rule text and updating the preexisting language. The Board is amending Rule 61G17-5.0044 to update the rule text and deleting unnecessary language. The Board finds it necessary to make amendments to Rule 61G17-5.0045 by adding new rule text to further clarify the duration of provider status.

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: 455.219, 472.008, 472.011(2), (3), (5), 472.018, 472.019(2), 472.033 FS.

LAW IMPLEMENTED: 472.018, 472.019(2), 472.033 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: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0756

THE FULL TEXT OF THE PROPOSED RULES IS:

61G17-5.001 Continuing Education Requirements for Reactivation of Inactive License.

A license which has been inactive for more than one year may be reactivated upon application to the Department and demonstration to the Board by the licensee of having completed ~~attended~~ one (1) continuing education credit in hour ~~of~~ of surveying and mapping related courses or seminars per inactive month up to a maximum of twenty-four (24) continuing education credits hours which must be completed within one year prior to the date of application for reactivation. This education shall be related to the licensee's field of practice. Verification of the above-mentioned education shall

be in the form of tuition or registration receipts, records, or letters of verification from the institutions or entities which provided the training in question.

Specific Authority 472.019(2) FS. Law Implemented 472.019(2) FS. History--New 10-29-80, Formerly 21HH-5.01, Amended 2-7-91, Formerly 21HH-5.001, Amended 3-28-94, 5-30-95, 10-13-97, _____.

61G17-5.0031 Continuing Education Credit for Biennial Renewal.

(1) Every person licensed pursuant to Chapter 472, Florida Statutes, must obtain at least twenty-four (24) continuing education credits per biennium.

(a) At least six (6) of the twenty-four (24) credits must be obtained by completing ~~attending~~ an approved provider's course or seminar on Florida's minimum technical standards or an approved provider's course or seminar on Florida's laws affecting the practice of surveying and mapping. The licensee shall rotate completion of ~~attendance~~ at these courses or seminars so that, for one biennium, the licensee completes ~~attends~~ a course or seminar on minimum technical standards and, for the next biennium, the licensee attends a course or seminar on laws affecting the practice of surveying and mapping.

(b) through (c) No change.

(2) Up to six (6) continuing education credits may be obtained for:

(a) through (c) No change.

~~(d) A licensee's membership on the Board of Professional Surveyors and Mappers, except that only two (2) credits will be allowed for each year of the biennium during which the licensee was a member of the Board for the immediately preceding twelve (12) consecutive months. This credit may be earned by Board members in addition to credit earned under paragraphs (2)(c) and (3)(d) of this rule;~~

~~(e) A licensee's chairmanship of the Board of Professional Surveyors and Mappers, except that only two (2) credits will be allowed for each year of the biennium during which the licensee chaired the Board for twelve (12) consecutive months. This credit may be earned by the Board chairman in addition to credit earned under paragraphs (2)(d) and (3)(d) of this rule;~~

~~(d)(f)~~ No change.

~~(e)(g)~~ No change.

(3) At least twelve (12) continuing education credits must be obtained for:

(a) The completion of ~~previously untaken~~ courses in surveying and mapping subjects at universities and colleges which are regionally accredited by an accrediting agency that is recognized by the United States Office or Department of Education, including junior and community colleges programs approved by the Board. No more than six (6) continuing education credits may be obtained for each semester hour or quarter hour equivalent thereof. A "course in a surveying and mapping subject" is a course such as: civil engineering, forestry, mathematics, photogrammetry, land law, physical

sciences, basic surveying and mapping, route surveying, mapping, control surveying, legal principles of boundaries, geodetic astronomy, subdivisions, and cartography;

(b) The completion of courses or seminars offered by continuing education providers approved by the Board for the provision of continuing education credit hours. A list of such providers is available from the Board office upon written request. Florida Continuing Education Providers may evaluate offerings by other organizations for equivalency to Florida's requirements. Upon finding equivalency, the provider may issue a Certificate of Completion for Transfer Credit that may be used by the licensee as evidence of completing continuing education as required by this rule. Equivalency can be found only if the provider can document that the other offering has met the requirements of 61G17-5.0043(1), (2), and (3), (4), and (7) through (13). The number of credits hours of credit shall be consistent with 61G17-5.0041;

(c) A licensee's first presentation of a continuing education course or seminar offered by a provider approved by the Board, except that no more than six (6) credits hours plus the credits credit hours allowed for that course or seminar may be obtained by the licensee;

(d) A licensee's attendance at a regularly scheduled meeting of the Board of Professional Surveyors and Mappers, except that only two (2) continuing education credits will be allowed for each day of such attendance during the biennium. ~~This credit may also be earned by Board members in addition to credit allowed under paragraphs (2)(d) and (e) of this rule.~~

(4) No change.

(5) A first time Florida licensee shall receive twenty-four (24) ~~hours of~~ continuing education credits credit for the biennium during which the licensee receives notice that the licensee has passed the Florida laws and rules examination.

Specific Authority 472.008, 472.018 FS. Law Implemented 472.018 FS. History—New 3-28-94, Amended 5-30-95, 9-21-98, _____.

61G17-5.0032 ~~Audits and~~ Proof of Continuing Education Credit Earned.

~~(1) Licensees shall respond to any audit of their continuing education credit that is conducted by the Board or by the Department of Business and Professional Regulation. A licensee who fails to respond to an audit within the timeframe specified in the audit letter shall automatically be referred by staff to the complaint section of the Department for the licensee's failure to respond to the audit, for possible failure to have obtained required continuing education credit, and/or for possibly having obtained licensure renewal by fraud. If a final order is entered against the licensee for the licensee's violation of this subsection, the penalty for late response shall be suspension of the license for the number of days that the response was late. If no response has been received by the date of the hearing at which the administrative complaint is considered by the Board, the penalty shall be suspension for at least one (1) year and indefinitely thereafter if the licensee has~~

~~not responded by the end of that year. The penalty shall also include a fine of up to \$100 a day for each day of nonresponsiveness up to a maximum of \$1,000.~~

~~(2) A licensee who responds to the audit within the timeframe specified in the audit letter but fails to simultaneously submit proof of all claimed continuing education credit shall automatically be referred by staff to the complaint section of the Department for possible failure to have obtained required continuing education credit and/or for possibly having obtained licensure renewal by fraud. If a final order is entered against the licensee for the licensee's violation of this subsection, the penalty for failing to simultaneously submit proof of all claimed continuing education credit shall be suspension of license for the number of days that proof of all claimed continuing education credit was late. If any proof is still required by the date of the hearing at which the administrative complaint is considered by the Board, the penalty shall be suspension for at least one (1) year and indefinitely thereafter if the licensee has not submitted proof by the end of that year. The penalty shall also include a fine of up to \$50 a day for each day of failure to submit proof, up to a maximum of \$1,000.~~

The following documentation shall constitute proof of continuing education credit:

(1) An official transcript from the registrar of a university, college, junior college or community college documenting that the licensee has completed a ~~previously untaken~~ course in a surveying and mapping subject. A "course in a surveying and mapping subject" is a course such as: civil engineering, forestry, mathematics, photogrammetry, land law, physical sciences, basic surveying and mapping, route surveying, mapping, control surveying, legal principles of boundaries, geodetic astronomy, subdivisions, and cartography;

(b) through (i) renumbered (2) through (9) No change.

Specific Authority 472.008, 472.018, 472.033 FS. Law Implemented 472.018, 472.033 FS. History—New 3-28-94, Amended 5-30-95, 10-13-97, _____.

61G17-5.0041 Board Approval of Continuing Education Providers.

~~(1)(a) Providers of continuing education courses or seminars approved by the Board prior to the effective date of this rule are hereby automatically approved under this rule until February 28, 1995, by which time the provider must have applied anew and must have met the requirements of subsections (2) and (3) of this rule.~~

~~(1)(b) Applicants for continuing education provider status who make application on or after the effective date of this rule must meet the requirements of subsections (2) and (3) of this rule to demonstrate the education and/or the experience necessary to instruct professional surveyors and mappers in the conduct of their practice, and they must reapply and be approved under this rule by February 28 of every odd-numbered year after the effective date of this rule.~~

~~(e) Applicants for course or seminar approval whose applications were complete prior to the effective date of this rule but whose applications were not reviewed by the Board as of the effective date of this rule shall be considered under Rule 61G17-5.004 as it existed prior to the effective date of this rule. If approved, the provider must, upon renewal, meet the requirements of subsections (2) and (3) of this rule and must reapply and be approved under this rule by February 28 of every odd-numbered year after the effective date of this rule.~~

~~(2) No change.~~

~~(3) To allow the Board to evaluate an initial application for continuing education provider status, the applicant must submit the following:~~

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

~~(c) An outline and course or seminar materials for one (1) such course or seminar;~~

~~(c)(d) No change.~~

~~(e) A statement that the prospective provider will require each licensee to evaluate the course or seminar on a form which the provider will obtain from the Board office and distribute to the attendees at the conclusion of the course or seminar;~~

~~(f) through (h) renumbered (d) through (f) No change.~~

~~(4) through (6) No change.~~

~~(7) The Board retains the right and authority to audit and/or monitor programs and review records and course materials given by any provider approved pursuant to this rule. The Board shall rescind the provider status or reject individual programs given by a provider if the provider disseminated any false or misleading information in connection with the continuing education programs, or if the provider fails to conform to and abide by the rules of the Board.~~

Specific Authority 455.219, 472.008, 472.011(2), (3), (5), 472.018, 472.033 FS. Law Implemented 455.219, 472.018, 472.011(2), (3), (5), 472.033 FS. History—New 3-28-94, Amended 5-30-95, _____.

61G17-5.0042 Board Approval of Provider Status to Conduct Courses or Seminars on Minimum Technical Standards.

Specific Authority 472.008, 472.018 FS. Law Implemented 472.018 FS. History—New 3-28-94, Amended 5-30-95, 10-25-95, 3-22-98, 5-17-99, Repealed _____.

61G17-5.0043 Obligations of Continuing Education Providers.

To maintain status as a continuing education provider, the provider must:

~~(1) Require each licensee course or seminar attendee to complete remain for the entire course or seminar in order to receive a certificate of completion for the course or seminar;~~

~~(2) Within fourteen (14) days of the completion of each course or seminar presentation, send a list to the Board office of the names and license numbers of all attendees who received a certificate of completion;~~

~~(3) Provide the Board's course or seminar evaluation forms to each course or seminar attendee;~~

~~(4) Retain originals of course or seminar evaluation forms for three (3) years from the date on which the course or seminar is conducted, and provide those forms to the Board upon request;~~

~~(2)(5) Ensure that all promotional material for courses or seminars offered to professional surveyors and mappers for credit contain the provider number; assigned to the provider;~~

~~(3)(6) Send to the Board office, so that it is received at least fourteen (14) days before the first date on which the course or seminar is to be conducted for professional surveyors and mappers, a description and an outline for any course or seminar that has not previously been sent to the Board from the provider;~~

~~(4)(7) Allow only one hour of continuing education credit for each hour of classroom, audio or video instruction, an "hour of classroom, audio or video instruction" being no less or no more than sixty (60) minutes of instruction;~~

~~(5) Allow only one continuing education credit for each "hour of correspondence study." The "hour of correspondence study" must be based on the average completion time of each course as established by the provider. For correspondence study, provide to each participating licensee a written exam. In order to complete the course, the licensee must sign, date and seal the exam and receive a minimum grade of seventy percent (70%). If a licensee fails the exam, they will be permitted to take the exam again until a passing grade is achieved.~~

~~(6)(8) Notify the Board within thirty (3) days two (2) weeks of any change in the address or telephone number of the provider;~~

~~(9) Give the Board thirty (30) days prior notice of any significant change in the courses or seminars on file with the Board. A "significant change" is a change in the title of the course or seminar, the content of the course or seminar, the name or the qualifications of the course or seminar instructor, the number of continuing education credits allowed for the course or seminar, and the length of time in which the course or seminar is conducted;~~

~~(10) Maintain active status as a continuing education provider by conducting at least one (1) course or seminar a year for professional surveyors and mappers, renewing provider status each biennium, and paying a biennial renewal fee of \$200 so that it is received by the Board by 5:00 p.m. of the last date of the biennial renewal period;~~

~~(7)(11) Allow the Department of Business and Professional Regulation and the Board's designee to have access to information concerning courses or seminars conducted by the provider for continuing education credit;~~

~~(12) through (14) renumbered (8) through (10) No change.~~

~~(11)(13) No change.~~

(12) A course or seminar on minimum technical standards must focus on each minimum technical standard in Board rules and give examples of the practical application of each standard in the performance of a survey. A course or seminar on minimum technical standards does not focus on case law.

Specific Authority 455.219, 472.008, 472.011, 472.018 FS. Law Implemented 472.018 FS. History--New 3-28-94, Amended 5-30-95,_____.

61G17-5.0044 Evaluations of Providers.

(1) The Board will evaluate continuing education courses or seminars offered to professional surveyors and mappers for credit by:

- (a) ~~Observing~~ ~~Attending~~ such courses or seminars; ~~and~~ ~~or~~
- (b) Reviewing the files of the provider to gain information about any course or seminar offered to professional surveyors and mappers for credit; ~~or~~

~~(c) Asking course or seminar attendees to provide the Board with their evaluations of the course or seminar.~~

(2) No change.

Specific Authority 472.008, 472.018 FS. Law Implemented 472.018 FS. History--New 3-28-94, Amended 5-30-95,_____.

61G17-5.0045 Duration of Provider Status.

(1) Continuing education providers are approved only for the biennium during which they applied and must reapply for provider status at the beginning of each biennium ~~apply or for which they have been renewed by the Board~~. The biennium for continuing education providers ends on February 28th of each odd-numbered year.

(2) Providers seeking reapproval may continue to offer programs to licensees of the Board for credit until such time as a final order denying reapproval of continuing education provider status is filed with the Agency clerk. The Board is under no obligation to allow a provider to continue offering courses or seminars to professional surveyors and mappers for credit if the provider fails to follow the Board's rules regarding the provision of continuing education credit.

~~(3) Nor is the Board required to renew the continuing education provider status of any provider who has failed to follow the Board's rules regarding the provision of courses or seminars to professional surveyors and mappers for credit.~~

~~(4) If the Board denies the initial application or the renewal of any provider, the Board will issue a notice of intention to deny, and the applicant or the provider will be given an opportunity to be heard.~~

~~(5) Board staff will automatically renew the provider status of providers who have met the requirements of the Board's rules under this chapter and who have responded to the Board's instructions regarding the provider's courses or seminars. Where, however, questions exist regarding a provider's renewal, the Board will review and act on those questions, and the providers to be considered by the Board will be notified of the meeting. Renewing providers may continue to offer courses or seminars to professional surveyors and~~

~~mappers for credit until such time as a final order is entered against them as a result of any notice of intention to deny renewal status that is issued by the Board.~~

~~(6) No provider may reapply for continuing education provider status until at least two (2) years have elapsed since the entry of any final order of denial against the provider.~~

Specific Authority 472.008, 472.018 FS. Law Implemented 472.018 FS. History--New 3-28-94, 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: January 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLES: RULE NOS.:

Construction Layout Survey, Record or	
As-Built Survey, Quantity Survey, and	
Right-of-Way Survey	61G17-6.005
Control Surveys	61G17-6.0051

PURPOSE AND EFFECT: The Board proposes to amend Rule 61G17-6.005 by deleting certain rule text that is no longer necessary. The Board has determined that Rule 61G17-6.0051 should be amended to incorporate material and to update the rule text.

SUMMARY: Rule 61G17-6.0051 is being amended by the Board to delete subsection (4)(a) and (b) as the rule text is no longer needed. Rule 61G17-6.0051 is being amended by the Board to update the rule text and to incorporate the Geospatial Positioning Accuracy Standards Parts 1, 2, and 3 (1998), as set forth by the Federal Geographic Data Committee (FGDC).

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: 472.008, 472.027 FS.

LAW IMPLEMENTED: 472.027 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: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0756

THE FULL TEXT OF THE PROPOSED RULES IS:

61G17-6.005 Construction Layout Survey, Record or As-Built Survey, Quantity Survey, and Right-of-Way Survey.

(1) through (3) No change.

(4) Right-of-Way Surveys: The survey map shall indicate the relationship of all section lines, quarter section lines, land grant lines, recorded subdivision lines and recorded subdivision block lines, that lie within or adjacent to the right-of-way that are materially affecting the right-of-way. The relationship between the lines and the rights-of-way shall be supported by field measurements.

~~(a) Prior to the completion of a right-of-way survey for the purpose of acquisition of property and engineering design, a right-of-way control survey consisting of the center line and the base line, if different, indicating the relationship, supported by field measurements, of all section lines, quarter lines, land grant lines, recorded subdivision boundaries, and recorded subdivision block lines that materially affect the right-of-way shall be performed.~~

~~(b) Final right of way survey maps shall show directly on the map or in tabular form the appropriate book and page where the description is recorded.~~

Specific Authority 472.008, 472.027 FS. Law Implemented 472.027 FS. History—New 9-1-81, Formerly 21HH-6.05, Amended 12-18-88, Formerly 21HH-6.005, Amended 12-25-95,_____.

61G17-6.0051 Control Surveys.

(1) Geodetic Control Surveys: If applicable, all geodetic control surveys, both vertical and horizontal, shall conform to the Standards and Specifications for Geodetic Control Networks (1984) as set forth by the Federal Geodetic Control Committee (FGCC), which Standards and Specifications are incorporated herein by reference, effective 5-13-96, and the Geospatial Positioning Accuracy Standards Parts 1, 2, and 3, FGDC-STD-007.1-1998, entitled “Geospatial Positioning Accuracy Standards Part 1: Reporting Methodology”, FGDC-STD-007.2-1998, entitled “Geospatial Positioning Accuracy Standards Part 2: Standards for Geodetic Networks”, and FGDC-STD-007.3-1998, entitled “Geospatial Positioning Accuracy Standards Part 3: National Standard for Spatial Data Accuracy”, which are hereby incorporated by reference, effective _____, copies of which may be obtained via the internet web site (<http://fgdc.er.usgs.gov>). No use of the terminology of these standards (such as "first order", "second order", etc.) may be made without adopting and following the standards in all details. If these standards are not employed, a survey map or report shall explain applicable standards used in the geodetic control survey. All geodetic control survey maps

or reports shall show the horizontal and vertical datum used and shall contain adequate graphical or written descriptions of the locations, construction and marking of all marks used or set and shall explain methods employed in the survey and adjustment.

(2) No change.

Specific Authority 472.008, 472.027 FS. Law Implemented 472.027 FS. History—New 12-18-88, Formerly 21HH-6.0051, Amended 12-25-95, 5-13-96,_____.

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: January 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLE: RULE NO.:

Fees 61G17-8.0011

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

SUMMARY: The Board is amending this rule to reflect that the examination review fee shall be based on the actual cost that is incurred by the applicant.

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: 455.213(2), 455.217(2), 472.011, 472.013(2)(a) FS.

LAW IMPLEMENTED: 455.217(2), 472.011, 472.013(2)(a) 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: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0756

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-8.0011 Fees.

(1) through (12) No change.

(13) The examination review fee shall be based on the actual cost incurred by the applicant is \$75.

(14) through (15) No change.

Specific Authority 472.011, 455.213(2), 455.217(2), 472.013(2)(a) FS. Law Implemented 455.217(2), 472.011, 472.013(2)(a), 472.019(2), 472.023 FS. History--New 1-5-95, Amended 4-2-98.

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: January 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 1999

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 99-39R

RULE CHAPTER TITLE: Environmental Resource Permitting RULE CHAPTER NO.: 62-330

RULE TITLE: Rules Adopted by Reference RULE NO.: 62-330.200

PURPOSE AND EFFECT: This notice corrects the previous notice published in the Florida Administrative Weekly on February 18, 2000. The previous notice omitted a statement on estimated regulatory cost. The Department proposes to revise Figure 12.2.8-1, entitled "SJRWMD Drainage Basin Map for Cumulative Impacts Evaluation" to conform to identical revisions being proposed by the St. Johns River Water Management District per a Notice of Proposed Rulemaking to be published by the St. Johns River Water Management District in the February 11, 2000, Florida Administrative Weekly (FAW). The drainage basins are referenced in the St. Johns River Water Management District "Applicant's Handbook: Management and Storage of Surface Waters," portions of which have been adopted by the Department, and are relevant to certain permitting criteria applicable to environmental resource permit (ERP) applications. Specifically, the drainage basins are used in the evaluation of whether a regulated activity will cause unacceptable cumulative impacts upon wetlands and other surface waters. With one exception, the proposed basins and watersheds are either increased in size or are the same size as those in the existing rules. The one exception is the proposed Western Etonia Lakes basin, which is proposed as a portion of the existing Etonia Creek basin.

Five of the basins/watersheds are proposed to be "nested" which means that these areas are both individual basins/watersheds and part of larger basins/watersheds. The effect of

this designation for a drainage basin is that, for impacts that are outside of a nested area but within the larger basin of which it is a part, mitigation in the nested area will be considered to be in the same drainage basin for cumulative impact review purposes. For impacts that are located within a nested area, mitigation that is located outside of the nested area but within the larger basin of which it is a part will be considered to be outside the basin for cumulative impact review purposes.

SUMMARY: Figure 12.2.8-1 is incorporated by reference in rule 62-330.200(2)(i). This rule is proposed to be amended to incorporate by reference the revised map described above. A copy of Figure 12.2.8-1, as it is proposed to be amended, is included in this notice.

Rule development workshops were conducted jointly with the St. Johns River Water Management District on November 5, 1999, in Orlando and Jacksonville.

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

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

SPECIFIC AUTHORITY: 373.026(7), 373.043, 373.118, 373.406(5), 373.414, 373.415, 373.418, 373.4211(22), 373.4211(25), 373.461, 380.06(9), 403.805(1) FS.

LAW IMPLEMENTED: 373.019, 373.042, 373.0421, 373.085, 373.086, 373.109, 373.118, 373.119, 373.129, 373.136, 373.403, 373.406, 373.413, 373.4135, 373.4136, 373.414, 373.4141, 373.415, 373.416, 373.417, 373.418, 373.419, 373.421(2)-(6), 373.4211(22), 373.4211(25), 373.422, 373.423, 373.426, 373.427, 373.429, 373.430, 373.433, 373.436, 373.439, 373.461, 380.051, 380.06(9), 403.0877, 403.813(2), 403.814 FS.

PURSUANT TO THE NOTICE PUBLISHED ON FEBRUARY 18, 2000, A HEARING WILL BE HELD BEFORE THE DEPARTMENT IF REQUESTED WITHIN 21 DAYS OF THE FEBRUARY 18, 2000, NOTICE.

TIME AND DATE: 10:00 a.m., March 16, 2000 (Thursday)

PLACE: Department of Environmental Protection, Room A204, Lab Bldg., 2600 Blair Stone Road, Tallahassee, Florida If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel at (850)488-2996 or (800)955-8771 (TDD), at least seven days before the meeting.

A HEARING ON THE ANALOGOUS RULE PROPOSED BY THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT also will be conducted by the St. Johns River Water Management District following the regularly scheduled Governing Board Meeting which begins at 9:00 a.m., on March 8, 2000, at the St. Johns River Water Management District, Highway 100 West, Palatka, Florida 32177, as noticed in the February 11, 2000, issue of the FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Douglas Fry, Florida Department of Environmental Protection, 2600 Blair Stone Road, Bureau of Submerged Lands and Environmental Resources, MS 2500, Tallahassee, Florida 32399-2400, telephone (850)921-9890 or Doug.Fry@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-330.200 Rules Adopted by Reference.

The Department hereby adopts by reference the following rules. The rules adopted by reference are available for inspection at the Department's Tallahassee and District offices:

(1) No change.

(2) The following rules are adopted by reference for application by the Department within the geographical jurisdiction of St. Johns River Water Management District as set forth in Section 373.069, F.S.:

(a) through (h) No change.

(i) Subsections 1.1, 1.2, 1.3, 1.4, 1.5, section 2.0, subsections 3.1, 3.2, 3.3, 3.4, 7.1, 7.2, and 7.4 of Part I "Policy and Procedures;" Part II "Criteria for Evaluation," except for sections 12.4 and 12.5; subsections 18.0, 18.1, 18.2, and 18.3 of Part III "Methodologies," and Appendix K "Legal Description Upper St. Johns River Hydrologic Basin," "Legal Description Ocklawaha River Hydrologic Basin," "Legal Description of the Wekiva River Hydrologic Basin," "Legal Description of the Econlockhatchee River Hydrologic Basin," "Legal Description of the Sensitive Karst Areas Basin, Alachua County," and "Legal Description of the Sensitive Karst Areas Basin, Marion County" of the document entitled Applicant's Handbook: Management and Storage of Surface Water (10-3-95), except as provided in subparagraphs 1. through 3.

1. through 2. No change.

3. Figure 12.2.8-1, effective [effective date of rule].

(j) No change.

(3) through (4) No change.

ADD MAP – 12.2.8-1

Specific Authority 373.026(7), 373.043, 373.044, 373.046, 373.113, 373.118, 373.406(5), 373.414, 373.415, 373.418, 373.421(22), 373.421(25), 373.461, 380.06(9), 403.805(1) FS. Law Implemented 373.019, 373.026, 373.042, 373.0421, 373.043, 373.046, 373.085, 373.086, 373.109, 373.117, 373.118, 373.119, 373.129, 373.136, 373.403, 373.406, 373.413, 373.4135, 373.4136, 373.414, 373.4141, 373.415, 373.416, 373.417, 373.418, 373.419, 373.421(2)-(6), 373.421(22), 373.421(25), 373.422, 373.423, 373.426, 373.427, 373.429, 373.430, 373.433, 373.436, 373.439, 373.461, 380.051, 380.06(9), 403.0877, 403.813(2), 403.814 FS. History—New 12-7-92, Formerly 17-330.200, Amended 10-3-95, 6-6-96, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mimi Drew, Director, Division of Water Resource Management, Department of Environmental Protection

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David B. Struhs, Secretary of the Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 29, 1999

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLES:	RULE NOS.:
Biennial Renewal Fee	64B1-2.001
Delinquent Fee	64B1-2.0015
Fee for Inactive Status and Change to	

Active Status 64B1-2.010

Fees for Wall Certificate or Duplicate License 64B1-2.014

PURPOSE AND EFFECT: The proposed amendments to the above referenced Rules will adjust and set forth the fees and charges for the actions and activities set forth in those rules.

SUMMARY: The proposed amendments to Rule 64B1-2.001 will decrease the biennial renewal fee to \$400; and, will set the inactive renewal fee at \$200. The proposed amendments to Rule 64B1-2.0015 will clarify when a licensed acupuncturist must pay a delinquency fee. The proposed amendments to Rule 64B1-2.010 will set a fee of \$200 for changing licensure status at a time other than renewal; and, will reduce the inactive status license reactivation fee to \$400. The proposed amendments to Rule 64B1-2.014 will set the fee for the issuance of a wall certificate and duplicate licenses.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 457.104, 457.107(1), 455.711, 457.108(2), 455.587(6) FS.

LAW IMPLEMENTED: 457.107(1), 455.711, 457.108, 455.587(6) FS.

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, March 29, 2000

PLACE: Ramada Inn, 2900 N. Monroe Street, Tallahassee, Florida 32303

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULES IS:

64B1-2.001 Biennial Renewal Fee.

(1) The biennial renewal fee for an active license shall be \$400. ~~Any person certified as an acupuncturist shall apply for renewal of certification biennially upon payment of a fee of \$400 600.~~

(2) The biennial renewal fee for an inactive license shall be \$200.

Specific Authority 455.711(3), 457.104, 457.107(1), 457.108(2) FS. Law Implemented 455.711(3), 457.107(1) 457.108(2) FS. History—New 4-5-84, Amended 11-19-85, Formerly 21AA-2.01, Amended 12-21-87, 7-16-89, Formerly 21AA-2.001, 61F1-2.001, Amended 10-25-95, Formerly 59M-2.001, Amended _____.

64B1-2.0015 Delinquent Fee.

The delinquent fee applicable to any licensed certified acupuncturist who fails to renew his or her license on a timely basis ~~timely pay the biennial renewal fee provided in Rule 64B1-2.001~~ shall be \$200.

Specific Authority 455.711(7), 457.104, 457.108(2) FS. Law Implemented 455.711(7), 457.108(2) FS. History—New 10-25-95, Amended 2-21-96, Formerly 59M-2.0015, Amended _____.

64B1-2.010 Fees for Inactive Status and Change to Active Status.

The following fees shall be paid as appropriate:

(1) Application fee for ~~active or~~ inactive status shall be \$200.

(2) Change of status fee for change other than at the time of renewal shall be \$200.

~~(2) Renewal fee for inactive status shall be \$200.~~

(3) Fee for the reactivation of a license certificate shall be \$400 ~~600~~.

Specific Authority 455.711(3)(4)(8), 457.104, 457.108(2) FS. Law Implemented 455.711(3)(4)(8), 457.108(2) FS. History—New 5-12-87, Amended 12-21-87, 8-6-89, Formerly 21AA-2.010, 61F1-2.010, Amended 10-25-95, Formerly 59M-2.010, Amended _____.

64B1-2.014 Fee for Wall Certificate or Duplicate license Duplicating Licenses and Certifications.

The fee for issuance of a new or duplicate wall certificate or a duplicate license shall be \$25.00. ~~Board shall charge a fee of twenty-five dollars (\$25.00) per duplication to defray the cost of duplicating any wall certificate or license.~~

Specific Authority 455.587(2)(7)(6), 457.104 FS. Law Implemented 455.587(2)(7)(6) FS. History—New 11-26-90, Amended 3-22-92, Formerly 21AA-2.014, Amended 10-17-93, Formerly 61F1-2.014, 59M-2.014, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 23, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 1, 1999

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Licensure by Endorsement Through Another
RULE NO.: 64B1-3.010

PURPOSE AND EFFECT: The proposed amendment to the current Rule will clarify the requirements for licensure by endorsement through another state license.

SUMMARY: The proposed amendments to the Rule will delete references to tutorial programs and five years of experience as approved basis for licensure by endorsement through another state license.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 457.104 FS.

LAW IMPLEMENTED: 457.105, 457.1085 FS.

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, March 29, 2000

PLACE: Ramada Inn, 2900 N. Monroe Street, Tallahassee, Florida 32303

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-3.010 Licensure by Endorsement Through Another State License.

Pursuant to Section 457.105(2)(c), F.S., the Board of Acupuncture will certify for licensure those applicants who satisfy the following requirements:

- (1) through (3) No change.

(4) submit proof that the applicant has completed ~~one of the following:~~

~~(a) a minimum of a 2 year school program pursuant to Rule 64B1-4.001;~~

~~(b) a 2-year tutorial program pursuant to Rule 64B1-4.002 and Rule 64B1-5, or~~

~~(c) five years of experience pursuant to Rule 64B1-4.003.~~

Specific Authority 457.104, 457.105, 457.1085 FS. Law Implemented 457.105, 457.1085 FS. History—New 10-1-89, Amended 2-27-92, Formerly 21AA-3.010, 61F1-3.010, Amended 2-20-96, Formerly 59M-3.010, Amended 4-7-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 23, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 1, 1999

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Acupuncture Program Requirements
RULE NO.: 64B1-4.001

PURPOSE AND EFFECT: The proposed amendments to the current Rule will set forth the standards for the 4-year course of study which shall be required for licensure effective July 31, 2001.

SUMMARY: The proposed amendments to the current Rule will specify that applicants applying after October 1, 2001 will have to have completed the core curriculum of the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) master's level program; and, those applying after October 1, 2003 will have to have graduated from a ACAOM candidate or accredited 4-year master's level program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 457.104 FS.

LAW IMPLEMENTED: 457.105 FS.

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, March 29, 2000

PLACE: Ramada Inn, 2900 N. Monroe Street, Tallahassee, Florida 32303

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-4.001 Acupuncture Program Requirements.

In order to be certified to take the licensure examination, the applicant must establish that he/she has met the following minimal requirements. For persons who enrolled on or after July 1, 1997, the applicant must complete the program in which they have enrolled.

(1) through (2) No change.

(3) Applicants who apply for licensure on or after October 1, 2001 must have completed the core curriculum of the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) master's level program in oriental medicine with a minimum of 2700 hours of supervised instruction; and

(a) 15 hours of supervised instruction in universal precautions and 3 hours of HIV/AIDS that complies with the requirements of Section 455.604, F.S.; and

(b) 20 hours of supervised instruction in Florida statutes and rules, including Chapters 455 and 457, Florida Statutes, and this rule chapter.

(4) Applicants who apply for licensure on or after October 1, 2003 must have graduated from an ACAOM candidate or accredited 4-year master's level program or foreign equivalent in oriental medicine with a minimum of 2700 hours of supervised instruction, and:

(a) 15 hours of supervised instruction in universal precautions and 3 hours of HIV/AIDS that complies with the requirements of Section 455.604, F.S.; and

(b) 20 hours of supervised instruction in Florida statutes and rules, including Chapters 455 and 457, Florida Statutes, and this rule chapter.

Specific Authority 457.104, 457.105(2)(b) FS. Law Implemented 457.105(2)(b) FS. History--New 8-30-84, Formerly 21AA-4.01, Amended 7-20-88, 4-30-89, 9-19-89, 3-18-92, Formerly 21AA-4.001, 61F1-4.001, Amended 3-24-96, Formerly 59M-4.001, Amended 12-31-97, 11-2-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 1999

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Definitions
 RULE NO.: 64B1-5.002

PURPOSE AND EFFECT: The proposed amendment to the current Rule will delete the definition of "trainee."

SUMMARY: The proposed amendment will delete the definition of "trainee" and renumber the Rule accordingly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 457.104, 457.105(2)(b) FS.

LAW IMPLEMENTED: 457.105(2)(b) 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, March 29, 2000

PLACE: Ramada Inn, 2900 N. Monroe Street, Tallahassee, Florida 32303

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-5.002 Definitions.

~~(1) "Trainee" means a person approved by the Board under Rule 64B1-5.003 to participate in a tutorial program for the study of acupuncture under the direct supervision of a Board-approved preceptor.~~

~~(1)(2)~~ "Preceptor" means a Board-approved acupuncturist who is certified pursuant to Rule 64B1-5.004 who assumes the responsibilities for direct supervision and education of a trainee participating in a Board-approved tutorial program.

~~(2)(3)~~ "Direct supervision" means the preceptor is physically present in the same room with the trainee where the hands-on experience is occurring.

~~(3)(4)~~ "Indirect supervision" means the preceptor is physically on the premises so that the preceptor is immediately available to the trainee when needed.

~~(4)(5)~~ "Two years of a continuous nature" means a period of two (2) years from the date of approval of the tutorial program during which the trainee trains with the approved preceptor a minimum of 48 weeks each year.

~~(5)(6)~~ "25 hour work week" means a seven-day period in which the trainee trains with the approved preceptor not less than 25 hours.

(6)(7) "Classroom instruction" means instruction by the preceptor, or a guest instructor, performed in a classroom, without patients.

(7)(8) "Clinical instruction" means instruction by the preceptor, or a guest instructor, consisting of observation and treatment of patients.

(8)(9) "Guest instructor" means an acupuncturist, or other licensed health care provider who may legally practice acupuncture, who meets the requirements of Rule 64B1-5.004, and who provides instruction to a trainee under the direct supervision of the preceptor, up to a maximum of 240 hours of classroom instruction.

Specific Authority 457.104, 457.105(2)(b) FS. Law Implemented 457.105(2)(b) FS. History—New 5-10-87, Amended 5-17-90, Formerly 21AA-5.002, 61F1-5.002, Amended 10-25-95, 1-16-97, Formerly 59M-5.002, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 23, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 1, 1999

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLES: RULE NOS.:
Biennial Renewal of License 64B1-7.001
Continuing Education Requirement 64B1-7.0015
Notice to the Agency of Mailing Address and Place of Practice of Licensee 64B1-7.004

PURPOSE AND EFFECT: The proposed amendment to Rule 64B1-7.001 will clarify citations to certain rules contained in the Rule. The proposed amendment to Rule 64B1-7.0015 will clarify the continuing education requirements for licensees. Proposed rule 64B1-7.004 set forth requirement related to reporting the licensee's mailing address and place of practice.

SUMMARY: The proposed amendment to Rule 64B1-7.001 will clarify the rule sections governing the fees referred to in the Rule. The proposed amendment to Rule 64B1-7.0015 will clarify the requirements for required continuing education for licensure renewal. Proposed rule 64B1-7.004 sets forth the requirements for reporting of licensee mailing addresses, as well as defines place of employment for reporting purposes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 455.604, 457.104, 457.107, 457.108, 455.2226, 455.711, 455.717 FS.

LAW IMPLEMENTED: 455.2226, 455.271, 455.604, 455.711, 457.107, 457.108, 457.109, 455.717 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, March 29, 2000

PLACE: Ramada Inn, 2900 N. Monroe Street, Tallahassee, Florida 32303

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULES IS:

64B1-7.001 Biennial Renewal of License.

(1) through (4) No change.

(5) Any licensee may elect at the time of biennial renewal to place the license into inactive status by filing with the Department a completed application for inactive status and the appropriate fee required by Rule 64B1-2.010(1).

(a) Inactive licenses must be renewed biennially including payment of the renewal fee set forth in Rule ~~64B1-2.001(2)~~ 64B1-2.010(2).

(b) No change.

(6) The failure of any licensee to renew a license, whether active or inactive, before the license expires shall cause the license to become delinquent, and the licensee must apply for active or inactive status pursuant to Section 455.711(6), F.S., and remit the fees required by Rules 64B1-2001, ~~64B1-2.0015~~ and 64B1-2.010.

Specific Authority 455.604, 455.711, 457.104, 457.107, 457.108 FS. Law Implemented 455.604, 455.711, 457.107, 457.108 FS. History—New 5-24-87, Formerly 21AA-7.001, 61F1-7.001, Amended 10-25-95, 1-16-97, Formerly 59M-7.001, Amended 10-15-97, _____.

64B1-7.0015 Continuing Education Requirement.

(1) As a condition of the biennial renewal of a license, each licensee shall attend 20 credit hours per biennium of continuing education that meets the requirements of Section 457 presented by a Board approved provider.

(a) Each biennium, the licensee shall complete a Board-approved program awarding at least 3 hours of continuing education credit concerning HIV/AIDS, which shall comply with the requirements of Section 455.604(1), Florida Statutes, Rule 64B1-6.005(5), F.A.C. Pursuant to Section 455.604(2), Florida Statutes, each licensee shall submit confirmation of having completed said course when submitting fees for each biennial renewal.

(b) Each biennium, the certificateholder shall complete a program on Chapters 455 and 457, Florida Statutes, and Rules 64B1, Florida Administrative Code, consisting of at least 2 hours of study.

(c) The remainder of the 20 hours of continuing education required each biennium must consist of programs designed to advance, increase or enhance the professional skills of the certificateholder in accordance with Rule 64B1-6.005.

(2) through (3) No change.

(4) Credit hours earned for the purpose of reactivating an inactive license under Rule 64B1-7.002 shall not be applicable to the continuing education requirement for biennial license renewal for the period in which such credits are earned.

(5) Notwithstanding the provisions of this rule, the continuing education requirements shall not apply to a licensee within the biennium in which the license was initially awarded, but shall apply to such licensee in every biennium thereafter.

Specific Authority 457.104, 457.107, 457.108, 455.2226 FS. Law Implemented 457.107, 457.108, 457.109, 455.2226, 455.271 FS. History--New 3-18-97, Formerly 59M-7.0015, Amended _____.

64B1-7.004 Notice to the Agency of Mailing Address and Place of Practice of Licensee.

(1) It shall be the duty of each licensee to provide written notification to the Department of the licensee's current mailing address and place of practice. For purposes of this rule, "place of practice" shall mean the address of the primary physical location where the certificateholder practices acupuncture.

(2) Any time that the current mailing address or place of practice of any licensee changes, written notification of the change shall be provided to the Department within 10 days of the change. Written notice should be sent to the following address: Board of Acupuncture, 2020 S. E. Capital Circle, BIN #06, Tallahassee, Florida 32399-3256

Specific Authority 455.717 FS. Law Implemented 455.717 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 23, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 1, 1999

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Disposal of Biohazardous Waste
PURPOSE AND EFFECT: The proposed amendment to the current Rule will clarify the requirements for the management of biohazardous waste.

RULE NO.: 64B1-8.004

SUMMARY: The proposed amendment will specify that the Chapter 64E-16 and 62-712, Florida Administrative Code, provisions for the management of biohazardous waste which were effective June 3, 1997 shall be the controlling requirements for the profession.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 457.104, 457.1085 FS.

LAW IMPLEMENTED: 457.1085, 381.80 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, March 29, 2000

PLACE: Ramada Inn, 2900 N. Monroe Street, Tallahassee, Florida 32303

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-8.004 Disposal of Biohazardous Waste.

Biohazardous waste must be managed pursuant to the provisions of Chapters 64E-16 and 62-712, Florida Administrative Code, effective June 3, 1997 in effect on December 31, 1990.

Specific Authority 457.104, 457.1085 FS. Law Implemented 457.1085, 381.80 FS. History--New 5-6-87, Amended 12-23-87, 5-30-91, Formerly 21AA-8.004, 61F1-8.004, 59M-8.004, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 23, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 10, 1999

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Definitions
PURPOSE AND EFFECT: The proposed rule will define the abbreviations used in Section 457.116(1)(b), Florida Statutes.

RULE NO.: 64B1-9.005

SUMMARY: The proposed rule specifies that for purposes of Section 457.116, F.S. "L.Ac." means Licensed Acupuncturist", "R.Ac." means Registered Acupuncturist, "A.P." means Acupuncture Physician, and "D.O.M." means Doctor of Oriental Medicine.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 457.104, 457.116(1)(b) FS.

LAW IMPLEMENTED: 457.116(1)(b) FS.

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, March 29, 2000

PLACE: Ramada Inn, 2900 N. Monroe Street, Tallahassee, Florida 32303

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-9.005 Definitions.

As used in s. 457.116(1)(b), F.S., the following terms shall mean:

- (1) L.Ac. – Licensed Acupuncturist
- (2) R.Ac. – Registered Acupuncturist
- (3) A.P. – Acupuncture Physician
- (4) D.O.M. – Doctor of Oriental Medicine

Specific Authority 457.104, 457.116(1)(b) FS. Law Implemented 457.116(1)(b) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

NAME OF SUPERVISOR PR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 23, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 10, 1999 (This proposed rule was originally noticed for rule development as 64B1-3.001)

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLES:	RULE NOS.:
Training, Education, Certification, and Requirements for Issuance of Permits	64B5-14.003
Requirements for General Anesthesia or Deep Sedation	64B5-14.008

Parenteral Conscious Sedation	64B5-14.009
Pediatric Conscious Sedation	64B5-14.010

PURPOSE AND EFFECT: The Board is amending Rule 64B5-14.003 by updating the training requirements. Rule 64B5-14.008 is being amended by updating the list of equipment. Rules 64B5-14.009 and 14.010 are being amended to update the list of equipment that must be made available to treat the patient population.

SUMMARY: Rule 64B5-14.003 is being amended by the Board to update the rule text with regard to training. The Board is amending Rule 64B5-14.008 to update the list of equipment that must be readily available to the operator and recovery room. Rules 64B5-14.009 and 14.010 are is being amended to require that beginning January 1, 2001, each facility must have defibrillator equipment for the patient population being treated.

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: 466.004, 466.017 FS.

LAW IMPLEMENTED: 466.017 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: William Buckhalt, Executive Director, Board of Dentistry/MQA, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-14.003 Training, Education, Certification, and Requirements for Issuance of Permits.

- (1) General Anesthesia Permit.
 - (a) through (b) No change.
 - (c) A dentist employing or using general anesthesia or deep sedation and all assistant/dental hygienist personnel shall be certified in an American Heart Association or American Red Cross or equivalent agency sponsored cardiopulmonary resuscitation course at the basic life support level to include one person CPR, two person CPR, infant resuscitation and obstructed airway, with a periodic update not to exceed two years. Starting with the licensure biennium commencing on March of 2000, a dentist and all assistant/dental hygienist personnel shall also be trained in the use of either an Automated External Defibrillator or a defibrillator and electrocardiograph as part of their cardiopulmonary resuscitation course at the basic life support level. In addition to CPR certification, a dentist utilizing general anesthesia or

deep sedation must be currently trained in ACLS (Advanced Cardiac Life Support) or ATLS (Advanced Trauma Life Support).

(d) through (e) No change.

(2) Parenteral Conscious Sedation Permit.

(a) through (d) No change.

(e) A dentist utilizing parenteral conscious sedation and his assistant/dental hygienist personnel shall be certified in an American Heart Association or American Red Cross or equivalent agency sponsored cardiopulmonary resuscitation course at the basic life support level to include one man CPR, two man CPR, infant resuscitation, and obstructed airway with a periodic update not to exceed two years. Starting with the licensure biennium commencing on March of 2000, a dentist and all assistant/dental hygienist personnel shall also be trained in the use of either an Automated External Defibrillator or a defibrillator and electrocardiograph as part of their cardiopulmonary resuscitation course at the basic life support level. In addition to CPR certification, a dentist utilizing parenteral conscious sedation must be currently trained in ACLS (Advanced Cardiac Life Support) or ATLS (Advanced Trauma Life Support).

(f) through (g) No change.

(3) Pediatric Conscious Sedation Permit.

(a) No change.

(b) A dentist utilizing pediatric conscious sedation and his assistant/dental hygienist personnel shall be certified in an American Heart Association or American Red Cross or equivalent agency sponsored cardiopulmonary resuscitation course at the basic life support level to include one man CPR, two man CPR, infant resuscitation, and obstructed airway with a periodic update not to exceed two years. Starting with the licensure biennium commencing on March of 2000, a dentist and all assistant/dental hygienist personnel shall also be trained in the use of either an Automated External Defibrillator or a defibrillator and electrocardiograph as part of their cardiopulmonary resuscitation course at the basic life support level. In addition to CPR certification, a dentist utilizing pediatric conscious sedation must be currently trained in ACLS (Advanced Cardiac Life Support), ATLS (Advanced Trauma Life Support), or PALS (Pediatric Advanced Life Support).

(c) through (d) No change.

(4) No change.

Specific Authority 466.004(4), 466.017(3) FS. Law Implemented 466.017(3) FS. History—New 1-31-80, Amended 4-20-81, 2-13-86, Formerly 21G-14.03, Amended 12-31-86, 11-8-90, 2-1-93, Formerly 21G-14.003, Amended 12-20-93, Formerly 61F5-14.003, Amended 8-8-96, 10-1-96, Formerly 59Q-14.003, Amended 2-17-98, 12-20-98, _____.

64B5-14.008 Requirements for General Anesthesia or Deep Sedation.

General Anesthesia Permit applicants and permit holders shall comply with the following requirements at each location where anesthesia procedures are performed. The requirements shall be met and equipment permanently maintained and available at each location.

(1) through (2) No change.

(3) The following equipment must be readily available to the operatory and recovery room and maintained in good working order:

(a) through (d) No change.

(e) Defibrillator equipment appropriate for the patient population being treated.

(4) through (7) No change.

Specific Authority 466.004, 466.017 FS. Law Implemented 466.017 FS. History—New 10-24-88, Amended 11-16-89, Formerly 21G-14.008, Amended 12-20-93, Formerly 61F5-14.008, Amended 8-8-96, Formerly 59Q-14.008, Amended _____.

64B5-14.009 Parenteral Conscious Sedation.

Parenteral Conscious Sedation Permit applicants or permit holders shall comply with the following requirements at each location where anesthesia procedures are performed. The requirements shall be met and equipment permanently maintained and available at each location.

(1) through (2) No change.

(3) The following equipment must be readily available to the operatory and recovery room and maintained in good working order:

(a) through (c) No change.

(d) A pulse oximeter which provides continuous monitoring of pulse and rate of oxygen saturation of the blood shall be used during each procedure, and-

(e) As of January 1, 2001, the facility must have defibrillator equipment appropriate for the patient population being treated.

(4) through (7) No change.

Specific Authority 466.004, 466.017 FS. Law Implemented 466.017 FS. History—New 10-24-88, Amended 11-16-89, 4-24-91, Formerly 21G-14.009, 61F5-14.009, Amended 8-8-96, 10-1-96, Formerly 59Q-14.009, Amended _____.

64B5-14.010 Pediatric Conscious Sedation.

Pediatric Conscious Sedation Permit applicants or permit holders shall comply with the following requirements at each location where anesthesia procedures are performed. The requirements shall be met and equipment permanently maintained and available at each location.

(1) through (2) No change.

(3) The following equipment must be readily available to the operatory and recovery room and maintained in good working order:

(a) through (c) No change.

(d) A pulse oximeter which provides continuous monitoring of pulse and rate of oxygen saturation of the blood shall be used during each procedure; ~~and~~

(e) A scale for weighing pediatric patients and-

(f) As of January 1, 2001, the facility must have defibrillator equipment appropriate for the patient population being treated.

(4) through (8) No change.

Specific Authority 466.004, 466.017 FS. Law Implemented 466.017 FS. History—New 8-8-96, Formerly 59Q-14.010, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 7, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2000

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLES: Examination
Licensure by Examination: Supervised Experience Requirements

RULE NOS.: 64B19-11.001
64B19-11.005

PURPOSE AND EFFECT: The amendment for Rule 64B19-11.001 updates and corrects text, and balances the scoring process in an equal and fair manner.

The amendment for Rule 64B19-11.005 prevents persons from remaining in residency status for too long, or after the point when they should receive a license or stop practicing.

SUMMARY: Rule 64B19-11.001 clarifies text & equalizes scoring and Rule 64B19-11.005 deals with duration in residency.

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: 455.574(1)(b),(c), 490.004(4) FS.
LAW IMPLEMENTED: 455.574(1)(b),(c),(d), 490.005(1) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY (IF NOT REQUESTED, A HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULES IS:

64B19-11.001 Examination.

(1)(a) The first part of the examination shall be the Examination for Professional Practice in Psychology (EPPP) ~~written examination~~ developed by the Association of American State and Provincial Psychology Boards. ~~That examination measures competency in the following subject areas:~~

- ~~1. Problem Definition/Diagnosis;~~
- ~~2. Design, Implementation and Assessment of Intervention;~~
- ~~3. Research and Measurement;~~
- ~~4. Professional/Ethical/Legal Issues; and~~
- ~~5. Applications to Social Systems.~~

(b) The minimum passing score on EPPP is the cut-off score provided by the national examination provider established according to a standard setting and statistical equating methods. Statistical equating is used to adjust for the level of difficulty of the different examination administrations. After the statistical equating, candidates' raw scores are converted to a scaled score with a maximum possible score of 800. The minimum passing score shall be a scaled score of 500. All subject areas of the first part of the examination are weighted equally in grading the examination, and successful completion of the examination requires that an applicant obtain a score of at least seventy percent (70%).

(c) No change.

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

(3) The Board will certify as exempt from the first part of the examination those applicants who have taken the Association of American State and Provincial Psychology Boards' examination in another state and obtained a score equal to or greater than the score required in subsection (1)(b).

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

Specific Authority 455.574(1)(b),(c), 490.004(4) FS. Law Implemented 455.574(1)(b),(c),(d), 490.005 FS. History—New 4-4-82, Amended 7-11-84, Formerly 21U-11.03, Amended 2-19-86, 12-30-86, 3-10-87, 11-21-88, 3-5-90, 1-16-92, Formerly 21U-11.003, Amended 6-14-94, Formerly 61F13-11.003, Amended 1-7-96, 6-26-97, Formerly 59AA-11.001, Amended 2-21-99, _____.

64B19-11.005 Licensure by Examination: Supervised Experience Requirements.

(1) through (3) No change.

(4) Until licensure, an individual who completes post doctoral training residency may continue to practice so long as the individual does so in the manner prescribed by this rule and so long as the individual has applied for licensure and no final order of denial has been entered in the application case before the Board, not to exceed three years of post-doctoral residency.

Specific Authority 490.004(4) FS. Law Implemented 490.005(1) FS. History—New 11-18-92, Amended 7-14-93, Formerly 21U-11.007, Amended 6-14-94, Formerly 61F13-11.007, Amended 1-7-96, Formerly 59AA-11.005, Amended 12-4-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Psychology
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 28, 2000

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE TITLE: Issuance of Temporary Certificates
RULE NO.: 64B32-3.004

PURPOSE AND EFFECT: The Board proposes to revise time limitations on temporary certificates.

SUMMARY: New Rule language stipulates the revocation of the temporary certificate upon failure of the examination.

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

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

SPECIFIC AUTHORITY: 468.353(1), 468.355(3) FS.

LAW IMPLEMENTED: 468.355(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY (IF NOT REQUESTED, A HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Respiratory Care/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-3.004 Issuance of Temporary Certificates.

(1) No change.

(2) A temporary certificate issued to a graduate of an approved training program shall be valid until the applicant is notified of eligibility for certification or until one year from the date of graduation, whichever occurs first.

(a) No change.

(b) Beginning January 1, 1995, graduates must pass the examination within six months of the date of graduation. ~~or~~ The temporary certificate shall be revoked upon notification of failure of the examination.

(3) No change.

Specific Authority 468.353(1), 468.355(3) FS. Law Implemented 468.355(3) FS. History--New 4-29-85, Amended 10-20-85, Formerly 21M-35.04, Amended 5-12-88, Formerly 21M-35.004, 61F6-35.004, Amended 12-28-94, 8-27-95, Formerly 59R-72.005, 64B8-72.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Respiratory Care

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 26, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 11, 2000

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:
RULE NOS.:

Table with 2 columns: Rule Titles and Rule Nos.
Definitions 67-44.001
Notice of Funds Availability ("NOFA") 67-44.002
General Program Restrictions 67-44.003
Application Procedures 67-44.004
Application and Selection Procedures 67-44.005
Administrative Appeal Procedures 67-44.006
Credit Underwriting Procedures and Loan Origination 67-44.007
Construction Disbursements and Loan Servicing 67-44.008
Terms and Conditions of Loans 67-44.009
Compliance and Monitoring Provisions 67-44.010
Fees 67-44.011

PURPOSE AND EFFECT: This Rule establishes the procedures by which the Florida Housing Finance Corporation shall administer the HAP construction Loan Program, which provides below market interest rate construction loans to eligible non-profit developers and sponsors for the construction or substantial rehabilitation of very low- and low-income home ownership housing.

SUMMARY: Prior to the opening of an Application Cycle, the Corporation (1) researches the market need for affordable housing throughout the State of Florida and (2) evaluates prior Application Cycles to determine what changes or additions should be added to the Rule and Application. The proposed amendments to the Rule and adopted reference material include changes that will create a formulated process for selecting Developments that will apply in the 1999-2000 HAP Construction Loan Program Application Cycle.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 420.507(12), (23) FS.

LAW IMPLEMENTED: 420.5088 FS.

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

TIME AND DATE: 10:00 a.m., March 24, 2000

PLACE: Florida Housing Finance Corporation, Sixth Floor Conference Room, 227 North Bronough Street, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bridget E. Warring, HAP Construction Loan Program Senior Analyst, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301, (850)488-4197

THE FULL TEXT OF THE PROPOSED RULES IS:

FLORIDA HOME OWNERSHIP ASSISTANCE PROGRAM
(HAP)/
CONSTRUCTION LOAN PROGRAM

67-44.001 Definitions.

(1) "Act" means the Florida Housing Finance Corporation Act as found in Chapter 420, Part V, F.S., as amended from time to time.

(2) "Applicant" means a Non-Profit Developer or Non-Profit Sponsor of a for-profit developer proposing to build or substantially rehabilitate affordable housing to be offered for sale to eligible ~~h~~Home buyers to be used as primary residences, pursuant to the provisions of the program.

(3) "Application" means the completed forms from the Application Package for the current Application Cycle together with exhibits submitted to the Corporation in accordance with Rule Chapter 67-44, F.A.C., in order to apply for HAP Construction Loan Program funds.

(4) "Application Deadline" means 5:00 p.m., Tallahassee time, on the final day of the Application period as outlined in Rule 67-44.004, F.A.C.;

(5) "Application Package" means the HAP Construction Loan Application Package published for the current Application Cycle containing the forms, tabs and instructions thereto, obtained from the Corporation, which shall be completed and submitted to the Corporation in accordance with Rule Chapter 67-44, F.A.C., in order to apply for HAP Construction Loan Program funds. The Application Package is adopted and incorporated herein by reference.

(6) "Code" means the Internal Revenue Code of 1986, as amended, as in effect on the date of this Rule Chapter, together with corresponding and applicable final, temporary or proposed regulations and revenue rulings issued with respect thereto by the Treasury or the Internal Revenue Service of the United States.

(7) "Community Based Organization" or "CBO" means a private corporation, including a Community Development Corporation or a Community Housing Development Organization, organized under Chapter 617, F.S., to assist in the provision of housing-related services on a not-for-profit basis within a designated area, which shall may include a municipality (incorporated cities, towns and villages), a county, or more than one municipality or county.

(8) "Community Development Corporation" or "CDC" means a Community Based Organization, which facilitates or financially supports revenue-generating business for the purpose of community and economic development, based in a specific geographic area, controlled by residents, and committed to enhancing community well-being.

(9) "Construction Loan" or "Loan" means a Florida Home Ownership Assistance Program (HAP) /Construction Loan Program financing made to a Non-Profit Developer or

Non-Profit Sponsor in an amount not to exceed the lesser of the total annual legislative appropriation for the HAP Construction Loan Program for the fiscal year from which funding is derived or 33% of the total Development Project Cost. In the event that the available funds announced in a single Notice of Funds Availability include funds from more than one fiscal year's legislative appropriation, the maximum HAP Construction Loan amount ~~shall may~~ not exceed the lesser of the total funds available from each of the annual legislative appropriations from which the funding is derived or 33% of the total Development Project Cost. HAP Construction Loans shall be provided for the purpose of constructing or substantially rehabilitating an Eligible Development Project consisting of a minimum of four Homes. Land acquisition, predevelopment and infrastructure costs ~~shall may~~ be included with the construction or substantial rehabilitation; however, in no event shall HAP Construction Loans be used solely for the purpose of financing land acquisition, predevelopment, infrastructure costs, or any combination of these costs. The Construction Loan shall bear a three percent (3) annual interest rate for a maximum three year term.

(10) "Contractor" means a duly licensed person or entity which, to be eligible for the typical fees associated with the general requirements, profit and overhead, must meet the following conditions: (a) Development Project supervisor or foreman must be directly employed by the Contractor; (b) Development Project construction trailer, if any, and other overhead must be directly paid by the Contractor; (c) Building permits must be issued in the name of the Contractor; and (d) Payment and Performance Bond (or approved alternate security for Contractor's performance, such as a Letter of Credit or other acceptable guarantee), if required, must be issued in the name of the Contractor.

(11) "Corporation" or "Florida Housing" or "FHFC" means the Florida Housing Finance Corporation ~~a public corporation, the successor to the Florida Housing Finance Agency.~~

(12) "Credit Underwriter" means the legal representative under contract with the Corporation having the responsibility for providing stated credit underwriting services. Such services shall include, but not be limited to reviewing the financial feasibility and viability of Developments, Projects proposing to the Corporation the ~~amount of a~~ HAP Construction Loan amount needed, if any.

(13) "Development" means the site or any improvements located or to be located on the site including real property, buildings, and any other real or personal property, designated and intended for the primary purpose of providing decent, safe, and sanitary residential housing for individuals, whether new construction, the acquisition of existing residential housing, or the improvement, rehabilitation, or reconstruction of existing

housing, together with such related non-housing facilities. "Draw" means the disbursement of Construction Loan Program funds for an Eligible Project.

(14) "Development Cost" means all costs associated with construction and/or rehabilitation of the Development. Developer's fees (including administrative overhead) are limited to a maximum of ten percent (10%). "Eligible Borrower" means, with respect to the Permanent Loan, a person or persons or family or families:

(a) Who intends to principally and permanently reside as a household in a single-family residence constructed with a Construction Loan; and

(b) Whose total annual family income at time of closing does not exceed 50 percent of the state or local median income, adjusted for family size, whichever is greater; and

(c) Who are purchasers of Homes which received Construction Loan Program financing.

(15) "Draw" means the disbursement of HAP Construction Loan Program funds for an Eligible Development. "Eligible Project" means a Project where a minimum of at least 30 percent of the units must be sold to persons or families who have incomes that do not exceed 50 percent of the State or local median income, whichever is greater, adjusted for family size; and a minimum of at least another 30 percent of the units must be sold to persons or families who have incomes that do not exceed 80 percent of the State or local median income, whichever is greater, adjusted for family size. Any remaining units in the Project must be sold to persons or families who have incomes that do not exceed 100 percent for a family of one or two persons or 120 percent for a family of three or more persons of the State or local median income, whichever is greater.

(16) "Eligible Borrower" means, with respect to the Permanent Loan, a person or persons or family or families:

(a) Who intends to principally and permanently reside as a household in a single-family residence constructed with a HAP Construction Loan; and

(b) Whose total annual family income at time of closing does not exceed 80 percent of the state or local median income, adjusted for family size, whichever is greater; and

(c) Who are purchasers of Homes which have received HAP Construction Loan Program financing. "FHA" means the Federal Housing Administration of the U.S. Department of Housing and Urban Development or other Agency or instrumentality created or chartered by the United States government to which the powers of the Federal Housing Administration have been transferred.

(17) "Eligible Development" means a Development where a minimum of at least 30 percent of the units must be sold to persons or families who have incomes that do not exceed 50 percent of the State or local median income, whichever is greater, adjusted for family size; and a minimum of at least another 30 percent of the units must be sold to persons or

families who have incomes that do not exceed 80 percent of the State or local median income, whichever is greater, adjusted for family size. Any remaining units in the Development must be sold to persons or families who have incomes that do not exceed 120 percent of the State or local median income, whichever is greater. "First Mortgage" means the recorded mortgage to which the Construction Loan or Permanent Loan is subordinated and which is superior in interest to any other lien on the property.

(18) "Fannie Mae" or "FNMA" means the Federal National Mortgage Association. "Florida Home Ownership Assistance Program" means the Florida Home Ownership Assistance Program created under Section 420.5088, F.S.

(19) "FHA" means the Federal Housing Administration of the U.S. Department of Housing and Urban Development or other Agency or instrumentality created or chartered by the United States government to which the powers of the Federal Housing Administration have been transferred. "FNMA" means the Federal National Mortgage Association.

(20) "First Mortgage" means the recorded mortgage to which the HAP Construction Loan or HAP Construction Permanent Loan is subordinated and which is superior in interest to any other lien on the property. "Home" means a residential unit used as a single-family residence, which is taxed as real property under the laws of the State of Florida and is located within the State, not including a condominium unit, or a manufactured home and a two-, three- or four-family residence, unless each unit in such residence is owner occupied, and land appurtenant to the residential unit which:

(a) Is designed and intended primarily for residential housing;

(b) Is determined by a Qualified Appraisal to have an expected useful life of not less than 30 years or the term of the First Mortgage, whichever is less;

(c) Will be occupied by the owner as his or her principal residence within a reasonable time after financing is provided. For purposes of this subparagraph, 60 days shall be deemed as a reasonable time;

(d) The sales price does not exceed the Maximum Acquisition Cost as set forth in Rule 67 44.001(21), F.A.C.; and

(e) Appurtenant land reasonably maintains the basic liveability of the residence and does not provide, other than incidentally, a source of income to the Eligible Borrower, including child care services on a regular basis for compensation.

(21) "Florida Home Ownership Assistance Program" means the Florida Home Ownership Assistance Program created under Section 420.5088, F.S. "Maximum Acquisition Cost" means the maximum purchase price of a Home as determined by the Corporation's Single-Family Bond Program.

(22) "Home" means a residential unit used as a single-family residence, which is taxed as real property under the laws of the State of Florida and is located within the State, not including a condominium unit, or a manufactured home and a two-, three- or four-family residence, unless each unit in such residence is owner occupied, and land appurtenant to the residential unit which:

(a) Is designed and intended primarily for residential housing;

(b) Is determined by a Qualified Appraisal to have an expected useful life of not less than 30 years or the term of the First Mortgage, whichever is less;

(c) Will be occupied by the owner as his or her principal residence within a reasonable time after financing is provided. For purposes of this subparagraph, 60 days shall be deemed as a reasonable time;

(d) The sales price does not exceed the Maximum Acquisition Cost as set forth in Rule 67-44.001(23), F.A.C.; and

(e) Appurtenant land reasonably maintains the basic liveability of the residence and does not provide, other than incidentally, a source of income to the Eligible Borrower, including child care services on a regular basis for compensation. "Non-Profit Developer" means a unit of local government, a housing authority established pursuant to Chapter 421, F.S., a Community Based Organization, a Community Development Corporation, and any other corporation established under Chapter 617, F.S., which has as its primary stated purpose in its charter, resolution, or by-laws, to provide decent housing that is affordable to lower and moderate income persons. The Non-Profit Organization shall have control of the Project and shall materially participate in the development and operation of the Project through the compliance period. The term "Non-Profit Developer" may apply to a limited partnership if its general partner is a non-profit developer as otherwise defined herein must own at least 51 percent ownership interest in the Project and receives at least 51 percent of the net revenues generated thereby.

(23) "Maximum Acquisition Cost" means the maximum purchase price of a Home as determined in the Single-Family Bond Program Rule Chapter 67-25, F.A.C. "Non-Profit Sponsor" means a unit of local government, a housing authority established pursuant to Chapter 421, F.S., a Community Based Organization, and Community Development Corporation as defined in Rules 67-44.001(7) and (8), F.A.C., which has as its primary stated purpose in its articles of incorporation or by-laws to provide decent housing that is affordable to lower and moderate income persons and which has agreed to sponsor an Eligible Project using a for-profit developer for development of the units. The Non-Profit Organization shall have control of the Project and shall materially participate in the development and operation of the Project through the compliance period. The term

"Non-Profit Sponsor" may apply to a limited partnership if its general partner is a non-profit sponsor as otherwise defined herein and has at least 51 percent ownership interest in the Project and receives at least 51 percent of the net revenues generated hereby.

(24) "Non-Profit Developer" means a unit of local government, a housing authority established pursuant to Chapter 421, F.S., a Community Based Organization, a Community Development Corporation, and any other corporation established under Chapter 617, F.S., which has as its primary stated purpose in its charter, resolution, or by-laws, to provide decent housing that is affordable to lower and moderate income persons. The Non-Profit Organization shall have control of the Development and shall materially participate in the development and operation of the Development through the compliance period. The term "Non-Profit Developer" shall apply to a limited partnership if its general partner is a non-profit developer as otherwise defined herein and has at least 51 percent ownership interest in the Development and receives at least 51 percent of the net revenues generated thereby. "Permanent Loan" means zero percent annual interest rate financing to an Eligible Borrower under the Florida Home Ownership Assistance Program's Construction Loan Program which shall be limited to the lesser of 25 percent of the purchase price of the Home or the amount necessary to enable the purchaser to meet credit underwriting criteria and shall have a term not to exceed 30 years or the term of the First Mortgage, whichever is less. Proceeds of the loan may be used only to assist with down payment and closing cost expenses, and/or to reduce the principal amount of the First Mortgage. Repayment shall be deferred for the term of the First Mortgage, except in the event of sale, transfer, refinancing or rental of the Home in which case the Permanent Loan shall become due and payable in full at that time.

(25) "Non-Profit Sponsor" means a unit of local government, a housing authority established pursuant to Chapter 421, F.S., a Community Based Organization, and Community Development Corporation as defined in Rules 67-44.001(7) and (8), F.A.C., which has as its primary stated purpose in its articles of incorporation or by-laws to provide decent housing that is affordable to lower and moderate income persons and which has agreed to sponsor an Eligible Development using a for-profit developer for development of the units. The Non-Profit Organization shall have control of the Development and shall materially participate in the development and operation of the Development through the compliance period. The term "Non-Profit Sponsor" shall apply to a limited partnership if its general partner is a non-profit sponsor as otherwise defined herein and has at least 51 percent ownership interest in the Development and receives at least 51 percent of the net revenues generated hereby. "Predevelopment Loan Program" or "PLP" means the Predevelopment Loan Program established by subsections 420.521 through 420.529, F.S., and Rule Chapter 67-38, F.A.C.

(26) "Permanent Loan" means zero percent annual interest rate financing to an Eligible Borrower under the Florida Home Ownership Assistance Program's HAP Construction Loan Program which shall be limited to the lesser of 25 percent of the purchase price of the Home or the amount necessary to enable the purchaser to meet credit underwriting criteria and shall have a term not to exceed 30 years or the term of the First Mortgage, whichever is less. Proceeds of the loan shall be used only to assist with down payment and closing cost expenses, and/or to reduce the principal amount of the First Mortgage. Repayment shall be deferred for the term of the First Mortgage, except in the event of sale, transfer, refinancing or rental of the Home in which case the Permanent Loan shall become due and payable in full at that time. "Project" means the site or any improvements located or to be located on the site including real property, buildings, and any other real or personal property, designated and intended for the primary purpose of providing decent, safe, and sanitary residential housing for individuals, whether new construction, the acquisition of existing residential housing, or the improvement, rehabilitation, or reconstruction of existing housing, together with such related non-housing facilities as the Corporation determines to be necessary, convenient, or desirable.

(27) "Predevelopment Loan Program" or "PLP" means the Predevelopment Loan Program established by subsections 420.521 through 420.529, F.S., and Rule Chapter 67-38, F.A.C. "Project Cost" means all costs associated with construction and/or rehabilitation of the Project. Developer's fees (including administrative overhead) are limited to a maximum of ten percent (10%).

(28) "Qualified Appraisal" means a written appraisal by a professionally certified appraiser acceptable to the insurer of the First Mortgage or such other appraiser as shall may be approved by the Corporation in accordance with Rule 67-44.007(7), F.A.C.

(29) "RHS" "RD" means the United States Department of Agriculture Rural Housing Services Rural Development which was formerly known as the Rural Economic Community Development and the Farmer's Home Administration.

(30) "Review Committee" means a committee composed of at least five persons appointed by the Executive Director of the Corporation who will evaluate the scoring of the Applications. Meetings of the Review Committee shall be called by the Review Committee Chairperson who shall be appointed by the Executive Director who will evaluate the scoring of the Applications. Meetings of the Review Committee shall be called by the Review Committee Chairperson who shall be the Executive Director.

(31) "Second Mortgage" means the recorded mortgage securing the HAP Construction Loan or Permanent Loan which can be a consolidated note and mortgage and is subordinate only to the First Mortgage.

(32) "Servicer" means the legal representative under contract with the Corporation having the responsibility for providing stated loan servicing and administration and compliance monitoring services. Such services shall include, without limitation, reviewing and approving all HAP Construction Loan disbursement requests, loan servicing and single-family compliance monitoring services for Applicants receiving HAP Construction Permanent financing.

(33) "Single-Family Bond Program" means the Single-Family Mortgage Revenue Bond Program implemented pursuant to Rule Chapter 67-25, F.A.C., or any other public or private loan program approved by the Corporation's Board of Directors as a substitute for the Single-Family Mortgage Revenue Bond Program.

(34) "State" means the State of Florida. "Substantial Rehabilitation" means the rehabilitation of residential property at an average cost for the Project in excess of \$10,000 per dwelling unit.

(35) "Substantial Rehabilitation" means the rehabilitation of residential property at an average cost for the Development in excess of \$10,000 per dwelling unit. "VA" means the U.S. Department of Veterans Affairs.

(36) "VA" means the U.S. Department of Veterans Affairs.

Specific Authority 420.507(12),(23) FS. Law Implemented 420.507(23), 420.5088 FS. History—New 8-7-95, Amended 11-28-96, Formerly 9I-44.001, Amended 3-26-98,_____.

67-44.002 Notice of Funds Availability ("NOFA").

Applications shall be submitted to the Corporation by the Application Deadline as noticed in the Florida Administrative Weekly. Such notice shall be published at least sixty (60) days prior to the Application Deadline date. The notice shall also be mailed to each person and organization on the Corporation's mailing list for home ownership ~~developments projects~~. ~~The Said~~ notice shall set forth the allocation authority available for eligible activities enumerated in this ~~R~~ule ~~C~~hapter.

Specific Authority 420.50(12), (23) FS. Law Implemented 420.5088 FS. History—New 8-7-95, Amended 11-28-96, Formerly 9I-44.002, Amended 3-26-98,_____.

67-44.003 General Program Restrictions.

(1) No more than one-fifth of the funds available in the Trust Fund is available to the Board of Directors to provide loan loss insurance reserve funds to facilitate homeownership for any persons or families whose incomes do not exceed 120 percent of the State or local median income, whichever is greater. In the event of default, the reserved funds shall be used to offset losses incurred by both the First Mortgagee and the Second Mortgagee, with the approval of the Corporation's Board of Directors. Funds made available under this program shall be used for eligible activities as outlined in Rule 67-44.001(9), F.A.C.

(2) During the first nine (9) months of each fiscal year the program's allocation will be utilized as follows:

(a) Sixty percent of the program funds shall be reserved for Downpayment Assistance Loans.

(b) Twenty percent of the program funds shall be reserved for Permanent Loans.

(c) Twenty percent of the program funds shall be reserved for Construction Loans.

If, at the end of nine (9) months, there is insufficient demand for loans under any of the above categories, the Corporation's Board of Directors shall transfer all or a portion of the remaining allocation to fund another HAP Loan program. Construction Loans shall be subject to the following restrictions:

(a) The Construction Loans shall not be assumable and shall be due and payable on a prorated basis upon the sale, transfer, refinancing or rental of the Home prior to the due date of the Loan.

(b) The Construction Loans shall be serviced by the Corporation's designated Servicer.

(c) The Construction Loans shall be evidenced by a properly executed note or other evidence of indebtedness and shall be secured by properly executed and recorded First and Second Mortgages.

(d) Prepayment of the Construction Loans shall be permitted without penalty.

(3) If the application of the above percentages would cause the reservation of program funds under paragraph (2) (a) to be less than \$1 million, the reservation for paragraph (2) (a) shall be increased to \$1 million or all available funds, whichever amount is less, with the increase to be accomplished by reducing the reservation for paragraph (2)(b) and, if necessary, paragraph (2)(c). Any Permanent Loans made to a person or family purchasing a Home which received Construction Loan Program financing shall be subject to the following restrictions:

(a) Permanent Loans shall be made available in an aggregate amount not exceeding the lesser of 25 percent of the purchase price of the Home or the amount necessary to enable the purchaser to meet credit underwriting criteria, to all Eligible Borrowers purchasing a Home which does not exceed the Maximum Acquisition Cost.

(b) Permanent Loans shall not be assumable and shall be due and payable in full in the event of the sale, transfer, refinancing or rental of the Home prior to the due date of the Permanent Loan.

(c) Permanent Loans shall be underwritten and serviced by the lender of the First Mortgage loan to the Home buyer, which shall be reviewed for approval by the Corporation's designated Servicer.

(d) The Permanent Loan shall be evidenced by a properly executed note or other evidence of indebtedness and shall be secured by a properly executed recorded mortgage.

(4) Funds made available under this program shall be used for eligible activities as outlined in Rule 67-44.001(9) , F.A.C.

(5) HAP Construction Loans shall be subject to the following restrictions:

(a) The HAP Construction Loans shall not be assumable and shall be due and payable on a pro rata basis upon the sale, transfer, refinancing or rental of the Home prior to the due date of the HAP Construction Loan.

(b) The HAP Construction Loans shall be serviced by the Corporation's designated Servicer.

(c) The HAP Construction Loans shall be evidenced by a properly executed note or other evidence of indebtedness and shall be secured by properly executed and recorded First and Second Mortgages.

(d) Prepayment of the HAP Construction Loans shall be permitted without penalty.

(6) Any Permanent Loans made to a person or family purchasing a Home which received HAP Construction Loan Program financing shall be subject to the following restrictions:

(a) Permanent Loans shall be made available in an aggregate amount not exceeding the lesser of 25 percent of the purchase price of the Home or the amount necessary to enable the purchaser to meet credit underwriting criteria, to all Eligible Borrowers purchasing a Home based on the monthly mortgage payment, which includes the principal, interest, taxes and insurance, to income underwriting ratio established by the financing program offered by the First Mortgage lender. The combined loan-to-value ratios of all loans in the transaction shall not exceed 103% of the lesser of the after construction or after-rehabilitation appraised value or the purchase price of the Home.

(b) Permanent Loans shall not be assumable and shall be due and payable in full in the event of the sale, transfer, refinancing or rental of the Home prior to the due date of the Permanent Loan.

(c) Permanent Loans shall be underwritten and serviced by the lender of the First Mortgage loan to the Home buyer, which shall be reviewed for approval by the Corporation's designated Servicer.

(d) The Permanent Loan shall be evidenced by a properly executed note or other evidence of indebtedness and shall be secured by a properly executed recorded mortgage.

(7) The Second Mortgage securing the HAP Construction Loan and Permanent Loan shall be a consolidated note and mortgage and is subordinate only to the First Mortgage.

(8) For-profit developers are permitted to construct the units of an Eligible Development; however, only in such cases where the property to be developed is owned, controlled or will be purchased with the first HAP Construction Loan Draw by a Non-Profit Sponsor.

Specific Authority 420.507(12),(23) FS. Law Implemented 420.5088 FS. History--New 8-7-95, Amended 11-28-96, Formerly 91-44.003, Amended 3-26-98,_____.

67-44.004 Application Procedures.

The Corporation shall make HAP Construction Loan Program funds available to Applicants on the basis of the competitive selection process established by this Rule Chapter. Applicants Borrowers shall be ranked and selected based upon the following criteria:

(1) Completion of the Application. The Corporation hereby incorporates by reference the HAP Construction Loan Application Package 1999-2000 ~~1997~~ or Form HAPC 1999-2000, HAPC97 which provides forms, tabs, threshold requirements, instructions and other information necessary for submission of an Application under the HAP Construction Loan Program.

(2) Application Packages can may be obtained from the Corporation for a fee in accordance with ~~this~~ Rule Chapter 67-44.011, F.A.C., ~~at~~ by contacting the Florida Housing Finance Corporation, Attn: HAP Construction Loan Program, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

(3) All Applications must be complete, accurate, legible and timely when submitted. All Applications shall be received by the Corporation prior to ~~on~~ the Application Deadline as set forth in the Notice of Funds Availability. Applications shall be deemed to be received by the Corporation if delivered by hand, U.S. Postal Service, or other courier service on or before 5:00 p.m., Tallahassee time, on the Application Deadline. Applications which are ~~not~~ received after by the deadline shall not be accepted or reviewed. All Applications delivered by hand, must be presented to Corporation staff, to be inscribed with the time and date of receipt. Applications and other items related to or required by the Application transmitted by facsimile shall not be accepted by the Corporation. Once the Application has been received by the Corporation, no additions, deletions, or changes will be accepted. Corporation staff shall may not assist any Applicant by copying, collating, or adding documents to an Application, nor shall any Applicant be permitted to use the Corporation's facilities or equipment for purposes of compiling or completing an Application.

(4) All Applications must be submitted on the forms provided in the Application Package.

(5) An original and two identical copies of the Application must be submitted to the Corporation, as hereinafter specified. Each Application, original and two identical copies, shall be securely bound, in a three-ring binder and have numbered index tabs for each form and exhibits with the materials provided in the Application Package. Exhibits must be placed behind each form to which they refer. Failure to comply with any of the foregoing requirements will result in rejection of the Application. The submitted Application which is considered the original must contain authentic, penned in blue ink signatures on those forms which specifically request original signatures. Signatures which are faxed, scanned, photocopied,

or otherwise duplicated will not be considered acceptable signatures within the original Application and will cause rejection of the Application.

(6) Applications shall be limited to one submission per subject property.

(7) An Application fee shall accompany each Application in accordance with Rule 67-44.011, F.A.C.

(8) If an Applicant, ~~or~~ a member of the Project's Development team, or partner of a limited investment partnership has been found by the Corporation's Board of Directors to have engaged in fraudulent actions or has deliberately misrepresented information in any previous application(s) or other documents submitted to the Corporation, the Applicant shall will be deemed ineligible to apply for two fiscal years, which shall will begin from the date the Corporation's Board of Directors approved the disqualification of the Applicant's Application.

Specific Authority 420.507(12), (23) FS. Law Implemented 420.5088(2) FS. History—New 8-7-95, Amended 11-28-96, Formerly 91-44.004, Amended 3-26-98, _____.

67-44.005 Application and Selection Criteria, Rejection Criteria, and Scoring and Ranking Guidelines Procedures.

(1) The Review Committee shall review all Applications that are received by the noticed Application Deadline. Received means delivery by hand, U.S. Postal Service or other courier service, in the office of the Florida Housing Finance Corporation no later than 5:00 p.m., Tallahassee time, on the day of the Application Deadline.

(2) The Review Committee shall may use ~~other~~ Corporation staff, or professional consultants to assist in reviewing certain portions of the Application.

(3) The content of each Application shall be evaluated by the Review Committee using the factors specified in this Rule Chapter and Application Package which is incorporated by reference.

(4) The Corporation shall reject an Application if:

(a) The Application has not been submitted in accordance with the Application Package and as specified in this Rule Chapter and instructions provided by the Corporation;

(b) The Applicant does not meet the requirements set forth in Rule 67-44.001(2) 67-44.002(22) or (23), F.A.C.;

(c) The Application is inconsistent with the purposes of the HAP Construction Loan Program or does not conform to the Application requirements specified in this Rule Chapter;

(d) The Applicant fails to achieve the threshold requirements as detailed in the Application Package;

(e) The Applicant fails to file its Application by the Application Deadline;

(f) The Applicant fails to submit file the entire Application which was provided by the Corporation and adopted under this Rule Chapter; or

(g) The Application is scanned or submitted on altered or retyped forms.

(5) The Application Package shall be evaluated and preliminarily ranked based upon the criteria set forth in subparagraphs 420.5088(2)(h)1.-12., F.S.

(6) Community Development Corporation (CDC) and Community Based Organization (CBO) Applicants that meet the minimum score threshold as specified in the Application Package, will receive funding before other Applicants. CDC and CBO Applications shall be scored, ranked and funded first. ~~In the event that all available funding is distributed to CDCs or CBOs, the remaining Applications, and Application fees, shall be returned to the Applicants.~~

(7) After funding is distributed to ~~CDC Community Development Corporation and CBO Community Based Organization~~ Applicants pursuant to (6) above, priority shall be given to Developments projects that have received financing through the Corporation's Predevelopment Loan Program. ~~In the event that all available funding is distributed to CDCs, CBOs or Projects receiving state assistance in funding predevelopment costs, the remaining Applications, and Application fees, shall be returned to the Applicants.~~

(8) In the event of a tie between CDC and CBO Applicants, the Corporation will give priority to Developments Projects that have been awarded Predevelopment Loan Program funding. ~~received state assistance in funding the Project predevelopment costs.~~

(9) The higher number of points shall determine priority for funding decisions, except as delineated in Rules 67-44.005(6), (7) and (8), F.A.C.

(10) The Review Committee shall recommend to the Corporation's Board of Director's for its Review and approval the preliminary scoring and ranking of each Application. The Corporation's Board of Directors shall approve or reject Applications for loans and shall determine the tentative loan amount available to each Applicant selected for participation in the program. The actual loan amount shall not exceed the lesser of the total annual legislative appropriation for the HAP Construction Loan Program for the fiscal year from which funding is derived or 33% of the total Development Cost. Upon action by the Corporation's Board of Directors, preliminary Application scores and rankings shall be transmitted to all Applicants, along with notice of appeal rights. Following completion of appeals, final award of points shall be submitted to the Board for approval, after which the final scores and rankings shall be transmitted to all Applicants. To the extent that the allocation reserved for HAP Construction Loans exceeds \$1,000,000, the geographic distribution targeting objectives of the Corporation to ensure an equitable distribution of Loans throughout the State will be included in the selection criteria as determined by the most recent statewide single family market study. At least ten percent (10%) of program funds must be allocated to each of the

~~following categories of counties as determined by using the population statistics as published in the most recent edition of Florida Statistical Abstract:~~

~~(a) Counties that have a population of more than 500,000 people;~~

~~(b) Counties that have a population of 100,000 to 500,000 people;~~

~~(c) Counties that have a population of less than 100,000;~~

~~(d) In the event that the Corporation determines insufficient need within a particular geographic area, the unused HAP Construction Loan Program allocation will be transferred to another geographic area.~~

~~(11) At no time during the application, scoring and appeal process shall Applicants contact Board members concerning their own Development or any other Applicant's Development. The Review Committee shall recommend to the Corporation's Board of Director's for its Review and approval the preliminary scoring and ranking of each Application. The Corporation's Board of Directors shall approve or reject Applications for loans and shall determine the tentative loan amount available to each Applicant selected for participation in the program. The actual loan amount shall not exceed the lesser of the total annual legislative appropriation for the Construction Loan Program for the fiscal year from which funding is derived or 33% of the total Project Cost. Upon action by the Corporation's Board of Directors, preliminary Application scores and rankings shall be transmitted to all Applicants, along with notice of appeal rights. Following completion of appeals, final award of points shall be submitted to the Board for approval.~~

~~(12) The name of the Development provided in the Application shall not be changed or altered after submission of the Application during the history of the Development with the Corporation unless the change is mandated by local, state or federal governmental authorities, or otherwise approved by the Corporation. Evidence of such mandate must be submitted to the Corporation within thirty calendar days of notification by the local, state or federal authorities. At no time during the application, scoring and appeal process may Applicants contact Board members concerning their own Project or any other Applicant's Project.~~

~~(13) The name of the Project provided in the Application may not be changed or altered after submission of the Application during the history of the Project with the Corporation unless the change is mandated by local, state or federal governmental authorities, or otherwise approved by the Corporation. Evidence of such mandate must be submitted to the Corporation within thirty calendar days of notification by the local, state or federal authorities.~~

Specific Authority 420.507(12), (23) FS. Law Implemented 420.5088(2) FS. History—New 8-7-95, Formerly 91-44.005, Amended 3-26-98,_____.

67-44.006 Administrative Appeal Procedures.

Notice of intended funding or denial of funding will be provided to each Applicant with a statement that Applicants who wish to contest the decision must petition for review of the decision in writing within twenty-one (21) ~~ten (10)~~ calendar days of receipt of the notice. The request must specify the forms and scores sought to be appealed. Unless the appeal involves disputed issues of material fact, the appeal will be conducted on an informal basis. The petition for review is deemed filed when it is received by the Susan Leigh, Executive Director, prior to 5:00 p.m., Tallahassee time, of the 21st ~~10th~~ day at the following address: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, Attention: Corporation Clerk. Failure to timely file a petition shall constitute a waiver of the right of the Applicant to such an appeal.

Specific Authority 420.507(12), (23) FS. Law Implemented 120.57, 420.50(23) FS. History—New 8-7-95, Amended 11-28-96, Formerly 91-44.006, Amended 3-26-98, _____.

67-44.007 Credit Underwriting Procedures and Loan Origination.

(1) Following the appeals process, the Corporation shall issue preliminary Loan commitments letters to those Applicants whose Developments Projects were awarded final scores and rankings which placed them into the funding range.

(a) The preliminary commitment shall be subject to a positive recommendation by the Corporation's Credit Underwriter and approval by the Corporation's Board of Directors.

(b) The preliminary commitment shall require that the Applicant submit the credit underwriting fee to the Credit Underwriter within seven (7) calendar days and the information and materials detailed in the Application Package to the Credit Underwriter within fifty (50) days of the date of the preliminary HAP Construction Loan commitment. The Corporation will, within the specified seven (7) calendar days, submit a copy of the Applicant's Application Package to the Credit Underwriter.

(c) It is the responsibility of the Applicant to comply with each part of this Rule and to request in writing and show extenuating circumstances for any waiver or extension. Failure to comply will result in the disqualification of the Applicant and withdrawal of the preliminary commitment. The Corporation shall then offer a preliminary commitment for HAP Construction Loan to the next eligible Applicant.

(2) Payment of the credit underwriting fee entitles an Applicant to an initial review of all Application information, including information relative to Applicant, lender, and subject property.

(a) If the Applicant changes the lender, or other material factors, an additional credit underwriting fee shall be charged equal to or below the initial underwriting fee. Changes made to the Applicant's Application during credit underwriting will be

reviewed by the Corporation. If any of the changes are items where the Applicant was awarded points, the Corporation will re-score the Application and submit findings to the Corporation Board of Directors for approval.

(b) If the Credit Underwriter determines that special expertise is required to review information submitted to the Credit Underwriter which is beyond the scope of normal underwriting procedures, the cost of such expertise shall be borne by the Applicant.

(3) The Credit Underwriter shall review the interest rate and terms of other proposed financing as provided in the Application to determine whether or not such loans are competitive and to determine the if-a HAP Construction Loan amount is needed, if any, within thirty (30) calendar days.

(4) Required appraisals and environmental studies shall be completed by qualified professionals approved by the Corporation's Credit Underwriters. Professionals shall may submit their credentials to the Corporation's Credit Underwriters for approval. Approval of appraisers and contractors to complete environmental studies shall be based upon review of qualifications, professional designations held, reference and prior experience with similar types of Developments Projects.

(5) The Credit Underwriter shall order the appraisal for the subject property. The Credit Underwriter shall use the same appraiser as the First Mortgage lender provided the appraisal has not been ordered.

(6) The Credit Underwriter shall review the appraisal submitted on the subject property. If the Credit Underwriter determines that the appraisal is not methodologically sound or does not provide information necessary for the underwriter to properly evaluate the Loan request in relation to the property value, a new or updated review appraisal will be required at the Applicant's expense.

(7) The Credit Underwriter shall consider the appraisal and market study documents to determine if the market exists and supports both the demographics and income restriction set-asides committed to within the Application.

(8) If the Credit Underwriter requires additional clarifying materials in the course of the underwriting process, the Credit Underwriter shall request same from the Applicant and shall specify deadlines for the submission of same. Failure to submit the required information by the specified deadline, unless a written extension of time has been approved by the Corporation, shall result in the Application being rejected, and The Corporation shall then offer a preliminary commitment for a HAP Construction Loan to the next eligible selecting additional Applicants in order of ranking.

(9) The Applicant shall bear the cost of all documentation submitted to the Credit Underwriter for review, including the, appraisal, credit report, and environmental study. If audited financial statements are unavailable from the Applicant, the

~~Credit Underwriter shall request reviewed statements, and if reviewed statements are unavailable, the Credit Underwriter shall request unaudited financial statements.~~

~~(10) If audited financial statements are unavailable from the Applicant, the Credit Underwriter shall request reviewed statements, and if reviewed statements are unavailable, the Credit Underwriter shall request unaudited financial statements. The Credit Underwriter shall complete and make a written draft report and recommendation to the Corporation within 80 calendar days from the date of the preliminary commitment. The Sponsor shall review the draft credit underwriting report and provide written comments to the Corporation and Credit Underwriter within 72 hours of receipt. After the 72 hour review period, the Corporation shall provide comments on the draft credit underwriting report and, as applicable, on the Applicant's comments to the Credit Underwriter. The Credit Underwriter shall then review and incorporate the Corporation's and the Applicant's comments thereto and release the revised credit underwriting report to the Corporation and the Applicant. Any additional comments from the Applicant shall be received by the Corporation and the Credit Underwriter within 72 hours of receipt of the revised credit underwriting report. The Credit Underwriter will provide to the Corporation a final credit underwriting report which will address all comments made by the Sponsor.~~

~~(11) The Credit Underwriter shall complete and make a written draft report and recommendation to the Corporation within 80 calendar days from the date of the preliminary commitment. The Applicant shall review the draft credit underwriting report and provide written comments to the Corporation and Credit Underwriter within 72 hours of receipt. After the 72 hour review period, the Corporation shall provide comments on the draft credit underwriting report and, as applicable, on the Applicant's comments to the Credit Underwriter. The Credit Underwriter shall then review and incorporate the Corporation's and the Applicant's comments thereto and release the revised credit underwriting report to the Corporation and the Applicant. Any additional comments from the Applicant shall be received by the Corporation and the Credit Underwriter within 72 hours of receipt of the revised credit underwriting report. The Credit Underwriter will provide to the Corporation a final credit underwriting report which will address all comments made by the Applicant. Once a final Loan amount is established, a HAP Construction Loan commitment shall be issued and the Applicant shall produce a firm commitment for the balance of the Project's financing within forty five (45) calendar days from the date of the HAP Construction Loan commitment. The firm commitment for the balance of the funding shall be consistent with the underwriting assumptions made in connection with the Construction Loan. Other Project mortgage loans and the Construction Loan must close within 90 calendar days of the date of the letter of notification of the Corporation's firm commitment for the HAP Construction Loan.~~

(12) Once a final Loan amount is established, a HAP Construction Loan commitment shall be issued and the Applicant shall produce a firm commitment for the balance of the Development's financing within forty-five (45) calendar days from the date of the HAP Construction Loan commitment. The firm commitment for the balance of the funding shall be consistent with the underwriting assumptions made in connection with the HAP Construction Loan. Other Development mortgage loans and the HAP Construction Loan must close within 90 calendar days of the date of the letter of notification of the Corporation's firm commitment for the HAP Construction Loan. A failure to comply with any part of this rule without the written permission of the Corporation will result in the disqualification of the Applicant and withdrawal of the Loan commitment. Any such waiver must be requested in writing by the Applicant and it is the burden of the Applicant to show cause as to why such waiver should be granted.

(13) A failure to comply with any part of this Rule without the written permission of the Corporation will result in the disqualification of the Applicant and withdrawal of the Loan commitment. Any such waiver must be requested in writing by the Applicant and it is the burden of the Applicant to show cause as to why such waiver should be granted.

Specific Authority 420.507(12), (23) FS. Law Implemented 420.5088(1) FS. History—New 8-7-95, Formerly 9I-44.007, Amended 3-26-98,_____.

67-44.008 Construction Disbursements and Loan Servicing.

(1) Loan proceeds shall be disbursed during the construction phase in an amount per Draw which does not exceed the ratio of the Loan to the total Development Project Cost, unless approved by the Corporation and the Corporation's Credit Underwriter based upon the employment of standard loan servicing criteria.

(2) Ten (10) business days prior to each construction Draw advance, the Applicant borrower shall supply the Servicer, as agent for the Corporation, with a written request executed by the Applicant borrower for a an Draw advance.

(a) A copy of the request for a an construction Draw advance shall be delivered to the Corporation (Attention: HAP Construction Loan Program Administrator) simultaneously with the delivery of the request to the Servicer.

(b) The request shall set forth the amount to be paid and shall be accompanied by documentation as specified by the Servicer. Such documentation shall include, ~~but not be limited to~~, evidence of liability and builder's risk insurance acceptable to the Corporation and claims for labor and materials to date of the last inspection.

(3) The Servicer and the Corporation shall review the request for a Draw advance, and the Servicer shall provide the Corporation with approval of the request or an alternative recommendation of an amount to be paid, after the title insurer provides an endorsement to the policy of title insurance updating the policy to the date of the current Draw advance and

increasing the insurance coverage to an amount equal to the sum of all prior Draws ~~advances~~ and the current Draw ~~advance~~, without additional exceptions, except those specifically approved in writing by the Corporation.

(4) The Corporation ~~shall~~ ~~may~~ elect to withhold any Draw ~~advance~~ or portion of any Draw ~~advance~~, notwithstanding any documentation submitted by the Applicant ~~borrower~~ in connection with a request for ~~a~~ an Draw ~~advance~~, if the Corporation ~~or the Servicer~~ determines at any time that the actual cost budget or progress of construction differs materially from that shown on the Loan documents.

(5) Three percent (3%) of the Loan funds will be held as retainage. Release of funds held as retainage for each Home shall occur only after the Applicant ~~borrower~~ provides satisfactory final inspection certificates, a final, as-built survey, evidence of liability and replacement cost hazard insurance acceptable to the Corporation, and a title insurance policy insuring the Corporation's interest and containing no exceptions which are unacceptable to the Corporation.

Specific Authority 420.507(12), (23) FS. Law Implemented 420.507(18), 420.5088 FS. History—New 8-7-95, Amended 11-28-96, Formerly 9I-44.008, Amended 3-26-98, _____.

67-44.009 Terms and Conditions of Loans.

(1) The Development ~~Project~~ to be funded must be an Eligible Development ~~Project~~ as set forth in Rule 67-44.001(13)(26), F.A.C.

(2) The maximum Loan amount ~~shall~~ ~~may~~ not exceed the lesser of the total annual legislative appropriation for the fiscal year from which funding is derived or 33% of the total Development ~~Project~~. In the event that the available funds announced in a single Notice of Funds Availability include funds from more than one fiscal year's legislative appropriation, the maximum HAP Construction Loan amount ~~shall~~ ~~may~~ not exceed the lesser of the total funds available from each of the annual legislative appropriations from which the funding is derived or 33% of the total Development ~~Project~~ Cost. The Maximum Acquisition Cost of individual Homes will be determined by the Single-Family Bond Program sales price limits.

(3) Builder's risk and liability insurance must be in effect as long as the HAP Construction Loan remains outstanding.

(4) A person who purchases a Home in a Development ~~Project~~ financed with a HAP Construction Loan, and who is eligible for a Permanent Loan, shall be offered a Permanent Loan; however, in no case shall the aggregate amount of Permanent Loans exceed the amount of the HAP Construction Loan or the program limits. The Eligible Borrower must meet all of the requirements for loan recipients as defined in Rule 67-44.001(16)(14).

(5) When a Permanent Loan is used in conjunction with another Florida Housing subordinate mortgage program, (HOME) Home Ownership with Single Family Bond Program, HAP Down Payment, HAP Permanent or Fannie Mae, the

aggregate amount of the Permanent Loan and the other Florida Housing subordinate loan may not exceed thirty-five percent (35%) of the total purchase price of the Home. To be eligible to combine proceeds from two Florida Housing second mortgage loan programs, the Eligible Borrower's total household income can not exceed 50 percent of the State or local median income, whichever is greater. Construction Loans shall be made available at an interest rate of three percent (3%) per annum. Interest-only payments are due and payable on the fifteenth day of each month, for interest accrued through the first day of each month during the construction period. The maximum construction period shall be:

(a) One (1) year for Projects with up to 20 units;

(b) Eighteen (18) months for Projects with 21 to 50 units; and

(c) Two (2) years for Projects with more than 50 units.

The construction period shall begin upon the date Applicant's receipt of the first Construction Loan Draw. Upon written request, the Corporation's Board of Directors shall extend the term for an additional period not to exceed one (1) year, based on negative changes in the state of the economy not reasonably anticipated at the time of application, and the borrower specifically identifying the conditions necessitating the extension; the past performance of the borrower; the assurance of the borrower that an extension will result in successful completion of the Project; and submission of the following by the borrower: (i) the reasons for requesting the extension, (ii) a comprehensive work plan, (iii) evidence of the ability of the borrower to complete the Project, and (iv) an alternate financing plan in the event the original financing source withdraws.

(6) An Applicant cannot receive funding from the HAP Construction and (HOME) Home Ownership Construction Loan Programs for the same Development. Any remainder of the HAP Construction Loan that is not converted into a Permanent Loan as defined in Rule 67-44.001(24), F.A.C., must be repaid when the HAP Construction Loan matures.

(7) HAP Construction Loans shall be made available at an interest rate of three percent (3%) per annum. Interest-only payments are due and payable on the fifteenth day of each month, for interest accrued through the first day of each month during the construction period. The maximum construction period shall be for a period of three (3) years. The construction period shall begin upon the date the Applicant closes the HAP Construction Loan. Upon written request, the Corporation's Board of Directors shall extend the term for an additional period not to exceed one (1) year, based on negative changes in the state of the economy not reasonably anticipated at the time of application, and the Applicant specifically identifying the conditions necessitating the extension; the past performance of the Applicant; the assurance of the Applicant that an extension will result in successful completion of the Development; and submission of the following by the Applicant: (i) the reasons

for requesting the extension, (ii) a comprehensive work plan, (iii) evidence of the ability of the Applicant to complete the Development, and (iv) an alternate financing plan in the event the original financing source withdraws. Repayment may be deferred for Construction Loan, due to unforeseen circumstances beyond the control of the borrower, if acceptable to the First Mortgage lender and the Corporation. The Corporation's Board of Directors reserves the right to enter into workout negotiations.

(8) HAP Construction Loan Funds shall be used to construct speculative home ownership units at any period of time for any one Development in the following manner: The portion of the principal unpaid balance, plus accrued interest, related to the construction of individual Homes shall be due and payable upon the sale or transfer of the secured property. Proceeds from a Permanent Loan made to an Eligible Borrower may be used to repay the Construction Loan. If, at the end of the construction period, the Construction Loan has not been repaid, extensions for repayment may be approved by the Corporation, based on satisfactory progress reports by the Credit Underwriter and submission of timeline for completion and repayment.

(a) One (1) home ownership unit for up to 10 units produced;

(b) Two (2) home ownership units for 11-20 units produced; and

(c) Three (3) home ownership units for 21 or more units produced.

(9) Any portion of the HAP Construction Loan that is not converted into a Permanent Loan, shall be repaid by the Applicant upon the closing of each unit. Upon receipt of payment or conversion to a Permanent Loan, the Corporation shall issue a partial release of the HAP Construction Loan. The Loan will be accelerated in the event of monetary default, for failure to comply with the provisions of Rules 67-44.001(14) and (15), F.A.C., or for violation of any other restriction placed upon the Loan.

(10) Repayment shall be deferred for HAP Construction Loan, due to unforeseen circumstances beyond the control of the Applicant, if acceptable to the First Mortgage lender and the Corporation's Board of Directors. In the event the Non-Profit Developer or Non-Profit Sponsor has received a loan through the Corporation's Predevelopment Loan Program, the Predevelopment Loan may remain outstanding throughout some or all of the construction period, provided that such action is first approved in writing by the Corporation based upon the recommendation of the Credit Underwriter. Furthermore, such approval shall not alter the terms of the Predevelopment Loan.

(11) The portion of the principal unpaid balance, plus accrued interest, related to the construction of individual Homes shall be due and payable upon the sale or transfer of the secured property. Proceeds from a Permanent Loan made to an

Eligible Borrower shall be used to repay the HAP Construction Loan. If, at the end of the construction period, the HAP Construction Loan has not been repaid, extensions for repayment must be approved by the Corporation's Board of Directors, based on satisfactory progress reports by the Credit Underwriter and submission of timeline for completion and repayment.

(12) In order to assure that Developments receiving HAP Construction Loan funds will serve very low and low income households and maintain the minimum set-aside requirements, the Land Use Restriction Agreement shall contain restrictive covenants, requiring that the set-aside home ownership units must be purchased only by persons who do not exceed income limits established in the Application.

(13) The Loan will be accelerated in the event of monetary default, for failure to comply with the provisions of Rules 67-44.001(14) and (15), F.A.C., or for violation of any other restriction placed upon the Loan.

(14) In the event the Applicant has received a loan through the Corporation's Predevelopment Loan Program, the Predevelopment Loan shall remain outstanding throughout some or all of the construction period, provided that such action is first approved in writing by the Corporation based upon the recommendation of the Credit Underwriter. Furthermore, such approval shall not alter the terms of the Predevelopment Loan.

Specific Authority 420.507(12), (23) FS. Law Implemented 420.5088 FS. History—New 8-7-95, Amended 2-20-96, 11-28-96, Formerly 91-44.009, Amended 3-26-98,_____.

67-44.010 Compliance and Monitoring Provisions.

(1) The Corporation or the Servicer shall inspect and monitor the records and facilities of all Developments Projects. Such inspections shall may occur without notice during regular business hours at any reasonable time. The Corporation shall prescribe the type of information, timing and format in which Development Project information shall be reported.

(2) The Corporation or the Servicer shall monitor the sale of units in a financed Development project to determine Home buyer eligibility at initial purchase. Failure to comply with the minimum sale requirements will result in a retroactive interest rate adjustment from three percent (3%) to current market rate. The Corporation or the Servicer shall annually monitor each Home financed with a HAP Permanent Loan to ensure that the Home continues to be occupied by the original HAP mortgagor and that the homeowner maintains replacement cost coverage hazard insurance and flood insurance, if applicable, throughout the term of the HAP Permanent Loan.

Specific Authority 420.507(12), (23) FS. Law Implemented 420.5088 FS. History—New 8-7-95, Formerly 91-44.010, Amended 3-26-98,_____.

67-44.011 Fees.

(1) The following fees and information pertain to HAP Construction Loans and all fees must be paid by the Applicant:

(a) Application Package fee of \$30.00, payable to Florida Housing, which will entitle the Applicant to one set of the Rules, Application, and binder, plus three sets of tabs, for submission of the original and two copies of the Application.

(b) A non-refundable Application fee of \$350.00 per Development, payable to Florida Housing. ~~Project which is non-refundable except as delineated in Rules 67-44.005(2) and (3), F.A.C.~~

(c) Credit underwriting fee pursuant to contract between the Corporation and the Credit Underwriter, payable to be paid to the Credit Underwriter within seven (7) days of the date of the letter of notification of selection for participation in the program and issuance of post-appeal scores and rankings and prior to credit review by the Corporation's Credit Underwriter.

(d) A non-refundable commitment fee of one percent (1%) of the HAP Construction Loan amount payable to be paid to Florida Housing the Corporation at closing. ~~Remittance of the commitment fee shall be payable to the Florida Housing Finance Corporation.~~

(e) Servicing fees, inspection fees, compliance monitoring fees, late fees and extraordinary services fees which are pursuant to contract between the Corporation and the Servicer payable to the Servicer.

(2) Fees are part of the Development Project Cost and shall may be included in the Development Project Cost pro forma and paid with Loan proceeds, if approved by the Credit Underwriter.

(3) Failure to pay any fee shall cause the Loan commitment to be terminated or shall constitute a default on the Loan.

Specific Authority 420.507 (12), (23) FS. Law Implemented 420.507(19) FS. History—New 8-7-95, Amended 11-28-96, Formerly 9I-44.011, Amended 3-26-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bridget E. Warring, HAP Construction Loan Program Senior Analyst, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Beverly C. Cliett, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 18, 2000, Corporation Board Meeting

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 25, No. 43, October 29, 1999

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-6.05281	Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, Day Treatment, or Early Delinquency Intervention Programs

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 1, January 7, 2000, issue of the Florida Administrative Weekly:

6A-6.05281 Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, Day Treatment, or Early Delinquency Intervention Programs.

School districts must provide instruction to prepare all students to demonstrate proficiency in the skills necessary for successful grade-to-grade progression and high school graduation. For students placed in Department of Juvenile Justice (DJJ) programs, collaboration between the DJJ, the Department of Education, school districts, and private providers is essential in order for these students to attain this goal and become productive members of the community.

(1) Student Eligibility.

(a) Students who do not attend a local public school due to their placement in a DJJ detention, commitment, day treatment, or early delinquency intervention program shall be provided high quality and effective educational programs by the local school district in which the DJJ facility is located or by a Juvenile Justice provider through a contract with the local school district.

(b) If any student in these DJJ facilities has filed an intent to terminate school enrollment, the local school district shall notify these students of the option of enrolling in a program to attain a general education diploma (GED).

(c) Exceptional Student Education. All students placed in a DJJ program, who meet the eligibility criteria for exceptional student education, shall be provided a free appropriate public education consistent with the requirements of Chapter 6A-6, FAC. Students with disabilities, as defined by Section 504 of the Rehabilitation Act, shall be provided the necessary aids and services.

(d) Limited English Proficient Students. All limited English proficient students placed in a DJJ program shall have equal access to entitled services, including assessment and appropriate instructional strategies consistent with the requirements of Chapter 6A-6, FAC.

(2) Student Records.

(a) Content. Each school district shall maintain educational records for students in DJJ programs as required by Section 232.23, Florida Statutes. The content of these records shall be as defined in Rules 6A-1.0955(2)-(5) and 6A-1.0014(2), FAC, Section 228.081(3)(c)1.-5., Florida Statutes, and paragraph (5)(d)(e) of this rule.

(b) Transfer of Educational Records. Each school district shall transfer records of students entering or exiting DJJ programs as provided in Rules 6A-1.0955(7)(b) and 6A-1.0014(2), FAC. Beginning with the 2000-2001 school year, each school district shall provide these students' educational records no later than five (5) school days after the receipt of the request. Each school district shall make available a copy of the student's transcript record, including pertinent exceptional student education information, to designated DJJ staff for inclusion in the DJJ file discharge packet when the student exits the program. DJJ staff shall provide this information to the receiving school district.

(c) Protection of Privacy. The requirements of Section 228.093, Florida Statutes, and applicable rules of the State Board of Education apply to the Department of Juvenile Justice's maintenance and transfer of these records as described in paragraphs (2)(a) and (b) of this rule.

(3) Student Assessment.

(a) To ensure high quality and effective educational programs for youth in DJJ detention, commitment, day treatment, or early delinquency intervention programs, the school district shall provide for the review of the student's educational records and conduct assessments, consistent with the requirements of this subsection, in order to identify the students' functioning levels, provide appropriate educational programs, and report the learning gains of the student.

(b) All students in DJJ commitment, day treatment, or early delinquency intervention programs, who have not graduated from school, shall be assessed within seven (7) calendar days of the student's commitment. The entry assessments shall include:

1. Academic measures that provide proficiency levels in:
 - a. Reading,
 - b. Mathematics,
 - c. Writing.
2. Vocational interest and/or aptitude measures.

(c) For the students referenced in paragraph (3)(b) of this rule, exit assessments shall include, at a minimum, the academic measures.

(d) Students placed in a detention center and not transferring to a commitment program shall be assessed only upon entry for academic measures. Assessment information for students in detention centers, transferring to commitment programs, shall be sent directly to the commitment program with the transfer of the student.

(e) Entry and exit assessment measures shall be selected that are appropriate for the age, grade, and language proficiency, and program length of stay of the students and shall be non-discriminatory with respect to culture, disability, and socioeconomic status. ~~Nothing in this rule shall be construed to limit a school district's or private provider's use of a commercially produced or locally developed assessment tool or instrument as long as it complies with the reporting requirements of paragraph (3)(g) of this rule.~~

(f) All students in DJJ detention, commitment, day treatment, or early delinquency intervention programs shall also participate in the state and district-wide assessments required by Sections 229.57, 232.245, 232.246 and 232.247, Florida Statutes.

(g) The results of the academic measures, as required by paragraphs (3)(b)-(d) of this rule shall be reported in the format prescribed by Rule 6A-1.0014, FAC, to the Department of Education via the Automated Student Data System. The format for the reporting of the results of the academic measures may include:

1. grade equivalent scores,
2. percentiles,
3. scaled scores.

(h) Beginning in the 2000-2001 school year, the Department of Education shall include the results of these assessments in applicable statewide and school reports.

(4) Individual Academic Plans.

(a) An individual plan for educational progress shall be developed within twenty-two (22) calendar days of student entry to DJJ detention programs and within fifteen (15) school days of entry to DJJ commitment, day treatment, or early delinquency intervention programs. This plan shall be based upon the student's entry assessments and past educational history and must address the areas of academic, literacy, and life skills. The plan shall include:

1. Specific and individualized long-term goals and short-term instructional academic and vocational/technical objectives;
2. Remedial strategies and/or tutorial instruction;
3. Evaluation procedures;
4. A schedule for determining progress toward meeting the goals and instructional and vocational/technical objectives.

(b) Academic improvement plans, required by Section 232.245, Florida Statutes, or individual educational plans (IEPs) developed for eligible exceptional students, 504 plans developed for eligible students with disabilities, or individual plans developed for limited English proficient students may incorporate the requirements of subsections (4) and (5) of this rule.

(5) Transition Services.

(a) For all students in DJJ commitment, day treatment, or early delinquency intervention programs, an individual transition plan based on the student's post-placement goals shall be developed cooperatively with the student, his/her parents, school district and/or contracted provider personnel and DJJ program staff. Re-entry counselors, probation officers, and personnel from the student's "home" school district shall be involved in the transition planning to the extent practicable.

(b) The transition plan must address, at a minimum:

1. Academic re-entry goals,
2. Career and employment goals,
3. The recommended educational placement for the student.

(c) Key personnel who must be involved in entry transition activities for students in juvenile justice programs shall include: appropriate personnel responsible for student assessment, a guidance counselor from the school district and/or program personnel who are responsible for providing guidance services under the supervision of the school district's guidance counselor, a registrar or a designee of the school district who has access to the district's MIS system, and instructional personnel.

(d) Exit portfolios shall be created for each student prior to exit from a commitment, day treatment, or early delinquency intervention program and provided to DJJ personnel for inclusion in the DJJ commitment files. DJJ shall provide this information to the home school district. The exit portfolio shall include the records required by Section 228.081(3)(c)1.-5., Florida Statutes, and include at a minimum:

1. Transition plan;
2. Results of district and state-wide assessments;
3. Individual academic plan, 504 plan, and/or individual educational plan for exceptional students;
4. Academic record or transcript; and
5. Work and/or project samples.

(6) Instructional Program and Academic Expectations.

(a) School Day and Year. The instructional program shall consist of 250 days of instruction, ten (10) of which may be used for teacher planning, distributed over twelve (12) months as required by Section 228.041(43), Florida Statutes. Each school district shall collaborate with private providers and the DJJ, as appropriate, to develop a school calendar for these programs to be adopted by the local school board.

(b) Requirements. The instructional program shall meet the requirements of Sections 232.245, 232.246, 232.247, 232.248, 233.061 and 230.23161, Florida Statutes, and include:

1. Curricular offerings, consistent with the Florida Course Code Directory and Instructional Personnel Assignments as adopted in Rule 6A-1.09441, FAC, that reflect the students' assessed educational needs and meet the students' needs as identified by the individual plan as required by paragraph

(4)(a) of this rule. Students shall receive vocational/technical training, workplace readiness training, or career awareness and exploration instruction while in the juvenile justice program.

2. GED preparation shall meet GED course requirements specified in Rules 6A-6.0571 and 6A-6.021, FAC., and adult education course descriptions and/or the school district's approved GED/HSCCT Exit Option must meet the requirements specified by the Department of Education.

3. Tutorial activities that are based on the students' assessed academic needs. Such activities shall be designed to assist students in advancing to their age appropriate grade level or to assist students in meeting their goals for reentry into the public school system, alternative schools, adult education, vocational/technical education, employment, or post secondary education.

4. Instruction shall be individualized to address the academic and vocational/technical goals and objectives that are outlined in each student's individual academic plan.

5. Instruction shall be delivered through a variety of instructional techniques to address students' academic levels and learning styles.

(7) Qualifications and Procedures for Selection of Instructional Staff.

(a) The school district shall ensure that only qualified instructional staff members, consistent with the requirements of Rules 6A-1.0502 and 6A-1.0503, FAC, are employed to provide instruction to students in DJJ programs. Any use of non-certificated instructional staff must be approved by the school board.

(b) School districts shall recruit and train teachers who are interested, qualified, and experienced in educating students in DJJ programs as required by Section 230.23161(11), Florida Statutes. Teachers assigned to educational programs, operated by local school districts, in DJJ facilities shall be selected by the school district in consultation with the director of the DJJ facility, as required by Section 230.23161(11), Florida Statutes.

(c) The school district's substitute teacher pool shall also be available for these educational programs.

(8) Funding.

(a) To implement the Full-Time Equivalent (FTE) funding for students in DJJ programs based on direct instructional time, ~~as prescribed in Section 230.23161(13), Florida Statutes, and the 1999-2000 General Appropriations Act:~~

1. Student attendance shall be taken once per class period or during each course reported for FTE purposes.

2. Time students spend participating in school activities such as field trips, performances, or receiving school-based services such as counseling may be counted as direct instructional time.

3. Certain interruptions to the education program, over which the teacher and student have no control, do not have to be deducted from the direct instructional time reported for FTE. These include:

- a. fire drills;
- b. lockdowns of the classroom or program for security purposes;
- c. bomb scares;
- d. court hearings; and
- e. meetings students have with law enforcement personnel during school hours.

4. Direct instructional time shall not be counted for students who choose not to attend class or who are not present at school due to ~~injury~~, illness, or other non-school related activity other than those listed above.

(b) As required by Sections 228.081(2)(g) and 237.34(3)(a), Florida Statutes, at least eighty (80) percent of the FEFP funds generated by students in DJJ programs must be spent on instructional costs for these students and one-hundred (100) percent of the formula-based categorical funds generated by these students must be spent on appropriate categoricals such as instructional materials and public school technology for these students.

(c) Compliance with the ~~above~~ expenditure requirement in Section 237.34(3)(a), Florida Statutes, for programs provided directly by local school boards shall be verified by the Department of Education through the review of the district's cost report as required by Section 237.34, Florida Statutes. If school districts enter into contracts with private providers for these educational programs, an accounting of the expenditures, as specified in paragraph (8)(~~b~~)(~~a~~) of this rule shall be required by the local school board.

(9) Contracts with Private Providers.

(a) School districts may provide services directly or may enter into a contract with a private provider to provide educational services to these youth. Beginning in 2000-2001, such contracts with private providers shall address the responsibilities of the school district and the private provider for implementing the requirements of this rule. The private provider shall have, at a minimum:

- 1. Documented experience in providing high quality educational services or a detailed plan for providing high quality educational services that meets applicable state and federal requirements.
- 2. Sufficient financial stability and resources to hire an adequate number of certified or qualified instructional personnel.

(b) Prior to contracting with a private provider, the school district shall:

- 1. Review and consider the provider's past performance history, including the results of prior Quality Assurance Reviews.

2. Review the private provider's contract, if any, with DJJ for the care and custody of the youth in the commitment, detention, day treatment, or early delinquency intervention program ~~or prevention program~~ to ensure that services and resources are coordinated and not duplicative.

(c) Contracts with private providers, as described above, shall be submitted to the Department of Education prior to the October FTE Reporting Survey for review to verify compliance with this rule.

(d) The provider(s) of workforce development programs in the district ~~local school district~~ in which the DJJ facility is located shall be responsible for notifying the DJJ program of the ~~appropriate entity that receives funding for Workforce Development programs. If the school district is the provider of the Workforce Development program, the DJJ program shall be notified of the~~ requirements for enrollment and completion of these programs. The inclusion of DJJ students in the school district's workforce development program may be included in the contract referenced above and the cooperative agreement required by Section 230.23161(14), Florida Statutes.

(10) Interventions and Sanctions.

(a) If the educational program in a DJJ detention, commitment, day treatment, or early delinquency intervention program has received an unsatisfactory rating on the educational component of the Quality Assurance Review, does not meet the minimum standards for a designated priority indicator of the Educational Quality Assurance Review, or has demonstrated noncompliance with state and federal requirements, the Department of Education shall initiate a series of interventions and graduated sanctions. Sanctions shall be initiated against programs that have not taken appropriate corrective actions within six months.

(b) Interventions shall include:

- 1. The provision of technical assistance to the program.
- 2. The development of a corrective action plan with verification of the implementation of the corrective actions within ninety (90) days.
- 3. A follow-up review of the educational program.

(c) Sanctions shall include:

- 1. Public release of the unsatisfactory findings, the interventions, and/or corrective actions proposed.
- 2. Assignment of a monitor, master, or management team to address identified deficiencies paid for by the local school board or private provider if included in the contract.
- 3. Reduction in payment or withholding of state and/or federal funds.

(d) If the sanctions proposed in paragraph (10)(c) of this rule are determined by the Department of Education and DJJ to ~~not~~ be ineffective in correcting the deficiencies in the educational program and improving the quality of the program, the State Board of Education shall have the authority to require further actions, which shall include:

1. Requiring the school board to revoke the current contract with the private provider, if applicable;
2. Requiring the school board to contract with the private provider currently under contract with DJJ for the facility; or
3. Requiring the school board to transfer the responsibility and funding for the educational program to another school district.

(e) Each school district is responsible for ensuring that appropriate educational services are provided to students in the district's juvenile justice programs, regardless of whether the services are provided directly by the school district or through a contract with a private provider

(11) Coordination. The cooperative agreement between the local school district and DJJ, required by Section 230.23161(14), Florida Statutes, shall be submitted to the Department of Education prior to the October, FTE Reporting Survey. The timelines and responsibilities, as required by Section 235.1975, Florida Statutes, for the notification by DJJ to the local school board of the siting of new facilities and the awarding of a contract for the construction or operation of such a facility shall be included in the agreement.

Specific Authority 228.051(2) FS. Law Implemented 228.051, 230.23161 FS. History—New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.:	RULE TITLE:
61G6-5.0035	Certification of Registered Contractors

NOTICE OF ADDITIONAL PUBLIC HEARING

The Electrical Contractors' Licensing Board hereby gives notice of an additional public hearing on the above-referenced rule to be held on March 29, 2000 at 1:00 p.m., at the Sheraton Orlando North, 600 Lake Destiny Drive, Maitland, Florida 32751. The rule was originally published in Vol. 25, No. 44, of the November 5, 1999 Florida Administrative Weekly. This hearing is in response to comments received from the staff of the Joint Administrative Procedures Committee.

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

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

Division of Environmental Health and Statewide Programs

RULE NOS.:	RULE TITLES:
64E-1.0015	Laboratory Certification Standards
64E-1.005	Records, Reports, and Contractual Agreements
64E-1.102	Certification Requirements
64E-1.104	On-Site Inspections
64E-1.105	Display of Certificate and Use of Certification
64E-1.106	Proficiency Testing Requirements
64E-1.107	Renewal of Annual Certification

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. 25, No. 51, December 23, 1999, issue of the Florida Administrative Weekly:

The history note for FAC. Rule 64E-1.0015 will eliminate 403.851, Florida Statutes as one of the references to a Law Implemented.

Paragraph 64E-1.005(2)(a) has been changed so that when adopted it will read: "The laboratory may report presumptive positive microbiological results immediately without waiting for total coliform confirmation. The laboratory shall report confirmed positive total coliform results to the supplier of water no later than the end of the next business day after confirmed positive total coliform results are determined. The laboratory shall report positive fecal coliform or *E. coli* results to the supplier of water by the end of the day when the results are determined, unless the results are determined after the water supplier's office is closed, in which case the laboratory shall report the results to the water supplier before the end of the next business day. If a laboratory invalidates a sample due to heterotrophic interference as described in Rule 62-550.518(10)(b), revised on 12-9-96, the replacement sample must be analyzed by a Department of Health certified laboratory using a method less susceptible to heterotrophic interference (e.g. MMO-MUG)."

Paragraph 64E-1.005(2)(c) has been changed so that when adopted it will read: "Whenever a sample result exceeds the maximum contaminant level for any other contaminant listed in Rules 62-550.310 or 62-550.320, revised on 12-9-96, the laboratory shall report the result to the supplier of water no later than the end of the next business day after the result was determined."

Paragraph 64E-1.005(2)(d) has been changed so that when adopted it will read: "Whenever an unregulated contaminant listed in Rules 62-550.405, 62-550.410, or 62-550.415, as revised on 12-9-96, is detected in a sample, the laboratory shall report the result to the supplier of water no later than four business days after the result was determined."

Subsection 64E-1.102(1) has been changed so that when adopted it will read: "An application for certification shall be made in writing to the Department of Health on Form DH 1762, accompanied by the application fee, and the laboratory's Quality Manual. If the laboratory is requesting reciprocal certification pursuant to Subsection (5) of this section, the laboratory shall also submit the most recent on-site inspection report from its primary NELAP recognized accrediting authority. The report shall address all the requested analytes and test methods for which the laboratory is seeking reciprocal certification. If proficiency testing is available for the requested Fields of Testing, the laboratory must arrange for these results from the latest three testing round attempts to be submitted directly to the Department of Health by the approved proficiency test provider. DH 1762, "Application for Certification of Environmental Testing Laboratories," July 1999 is herein adopted by reference and is available by calling the department's Bureau of Laboratories at (904)791-1599."

Subsection 64E-1.104(1) has been changed so that when adopted the last sentence will be deleted and it will read: "The Department of Health shall inspect the premises and operations of laboratories certified or seeking certification, except as provided in Rule 64E-1.102(6) and Section 4.6.2 of the NELAC Standards, referenced in Rule 64E-1.0015. Such inspections shall occur at least once every 2 calendar years and at such other times as the Department of Health deems necessary to determine continued compliance with this rule."

Section 64E-1.105 has been changed so that when adopted it will read: "A current certification document shall be displayed at all times in a prominent place in each certified laboratory. DH 1629, 3/98 and DH 1697, 3/98, both entitled "Environmental Testing Laboratory Certificate," are adopted by reference herein. The department shall issue a Certificate to the laboratory only upon completion of the requirements of this Rule. The laboratory must also comply with Sections 6.8 (a)(1), (2), (3), and (4) and 6.8 (b)(1) and (2) of the NELAC Standards, referenced in Rule 64E-1.0015."

Subsection 64E-1.106(1) has been changed so that when adopted it will read: "Applicant and certified laboratories shall participate in a proficiency testing program from a provider recognized by the Department of Health as being compliant with the procedures and criteria in Sections 2.0, 2.3, 2.6, and 2.7 and in Appendices A, B, C, and D to Chapter 2 of the NELAC Standards, referenced in Rule 64E-1.0015. Participation means that the laboratory will analyze and report to the provider the results of all proficiency test samples required by the approved program for which the laboratory desires and maintains certification."

The first paragraph in Section 64E-1.107, before this section divides into subsections, has been changed so that when adopted it will read: "The Department of Health will renew certifications after receipt of a renewal invoice and fee, provided the laboratory is maintaining compliance with this Rule, attests to such compliance, and has reported acceptable proficiency test values for the categories certified within the previous year. Laboratories meeting renewal certification criteria will be renewed annually on July 1. The Renewal Attestation of Compliance, DH 1907, 3/98 and Environmental Testing Laboratory Renewal Invoice, DH 1906, 3/98 are both herein adopted by reference and are available by calling the department's Bureau of Laboratories at (904)791-1599."

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Substance Abuse Program

RULE NOS.:	RULE TITLES:
65D-30.001	Title
65D-30.002	Definitions
65D-30.003	Department Licensure and Regulatory Standards
65D-30.004	Common Licensure Standards
65D-30.005	Standards for Addictions Receiving Facilities
65D-30.006	Standards for Detoxification
65D-30.007	Standards for Residential Treatment
65D-30.008	Standards for Day or Night Treatment With Host Homes
65D-30.009	Standards for Day or Night Treatment
65D-30.010	Standards for Outpatient Treatment
65D-30.011	Standards for Aftercare
65D-30.012	Standards for Intervention
65D-30.013	Standards for Prevention
65D-30.014	Standards for Medication and Methadone Maintenance Treatment

AMENDED NOTICE OF PUBLIC HEARING

Please take Notice that the Public Hearing previously noticed in Vol. 26, No. 6, February 11, 2000, of the Florida Administrative Weekly is hereby amended to change the location of the hearing:

PLACE: Department of Children and Family Services, 1317 Winewood Boulevard, Building 4, Tallahassee, FL 32399-0700

Please be governed accordingly.

Section IV Emergency Rules

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE TITLE:

RULE NO.:

Supplemental Community Development Block Grant (CDBG) Disaster Recovery Funds for El Nino weather related severe storms, high winds, tornadoes and flooding events (FEMA-DR-1195), for El Nino fires (FEMA-DR-1223), and for Hurricane Earl (FEMA-DR-1241)

9BER00-1

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY AND WELFARE: The United States Department of Housing and Urban Development (HUD) has made available \$1,258,000 in additional supplemental CDBG funds for mitigation and recovery from the effects of severe floods, high winds, tornadoes and flooding that occurred between December 25, 1997 and April 24, 1998 (FEMA-DR-1195), \$1,929,000 in supplemental CDBG funds for mitigation and recovery from the effects El Nino fires (FEMA-DR-1223), and \$1,500,000 for mitigation and recovery from the effects of Hurricane Earl (FEMA-DR-1241), pursuant to Public Law 105-174. The State, through the Department of Community Affairs, is responsible for the administration of the Florida Small Cities CDBG program under Rule Chapter 9B-43, Florida Administrative Code. At this time, it is necessary for the Department to implement this emergency rule to govern the distribution and use of these funds for disaster relief, long-term recovery, and mitigation activities in communities affected by the Presidentially declared natural disasters described above. The expenditure of the CDBG disaster recovery funds in the areas affected by these storms is essential to the health, safety, and welfare of the public affected in these areas. There were millions of dollars worth of homes, drainage systems, roads, bridges, and other critical public facilities damaged or destroyed by winds, flooding and fires which resulted from the above referenced storms and weather events. The condition of many of these structures poses an on-going threat to the health, safety and welfare of the residents of the affected jurisdictions. This emergency rule enables the Department of Community Affairs, subsequent to the approval of the amended Action Plan for Disaster Recovery El Nino Weather Events (FEMA-DR-1195) and (FEMA-DR-1204) by the U. S. Department of Housing and Urban Development (HUD), to immediately disburse these funds to affected local governments, so that the dire housing and community development needs of the disaster affected citizens of Florida can be promptly addressed.

REASONS FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Promulgation of this rule, using emergency rule procedure, is the only mechanism which adequately provides for the expeditious disbursement and use of these Federal funds, protects the public, and adequately addresses the needs of the affected parties, given that these funds must be expended expeditiously. Section 1 (G) of the 1998 HUD DISASTER RECOVERY INITIATIVE (Directive FR-4398-N-01), as published in the Federal Register on October 22, 1998, requires that each State must submit an Action Plan for Disaster Recovery to HUD for approval. The Action Plan, submitted to HUD on June 28, 1999 must be amended to include these additional funds and to identify local governments who will receive these funds.

SUMMARY: This rule enables the Department of Community Affairs to administer these supplemental CDBG funds in a timely manner as required by Federal law.

THE PERSON TO BE CONTACTED REGARDING THIS EMERGENCY RULE IS: Susan M. Cook, Ph.D., Community Program Administrator, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-3644

THE FULL TEXT OF THE EMERGENCY RULE IS:

9BER00-1 Supplemental Community Development Block Grant (CDBG) Disaster Recovery Funds to aid in mitigation and recovery from El Nino related weather events (severe storms, high winds, tornadoes, and flooding) that took place from December 25, 1997 through April 24, 1998 (FEMA-DR-1195), mitigation and recovery from the El Nino fires (FEMA-DR-1223), and mitigation and recovery from damages caused by Hurricane Earl (FEMA-DR-1241).

(1) An allocation of \$4,687,000 in supplemental Community Development Block Grant (CDBG) funds has been made available to the State of Florida by the United States Department of Housing and Urban Development (HUD) pursuant to Public Law 105-174. Of this allocation, \$1,258,000 is to be used solely for expenses and repairs, including mitigation, specifically related to recovery from the effects of the El Nino weather related events occurring between December 25, 1997 and April 24, 1998 (FEMA-DR-1195), \$1,929,000 is to be used solely for expenses and repairs specifically related to mitigation and recovery from the effects of the El Nino fires (FEMA-DR-1223) and \$1,500,000 is to be used solely for expenses and repairs specifically related to mitigation and recovery from the effects of Hurricane Earl. Two (2) percent of each of these allocations will be used to pay State administrative expenses as allowed by federal law. A list of counties included in each of these disaster declarations is attached.

(2) CDBG funds allocated under this emergency rule are subject to Public Law 105-174. It requires a match in non-Federal public matching funds or its equivalent value of not less than 25 percent of the Federal disaster grant amount (other than administrative costs). The State of Florida will provide one half of this required match (50 percent of the required 25 percent match) and the unit of local government or the Indian tribe must provide one half of this required match (50 percent of the required 25 percent match). Funding of applications submitted under this emergency rule is contingent upon the approval of the State of Florida's Action Plan for Disaster Recovery El Nino Weather Events (FEMA-DR-1195-FL and FEMA-DR-1204-FL) by the U. S. Department of Housing and Urban Development.

These funds may be used as the non-Federal share to meet the requirements of a Federal grant-in-aid program only in respect to FEMA's Hazard Mitigation Grant Program (HMGP).

All funded activities must meet one of the three national objectives of the CDBG program:

(a) they must benefit low and moderate income persons under 24 CFR 570.483(b), or

(b) they must aid in the prevention of slum and blight under 24 CFR 570.483(c), or

(c) they must meet community development needs having a particular urgency as defined in 24 CFR 570.483(d).

Additionally, with the exception of grants awarded to applicants applying for CDBG funds received for the FEMA-DR-1223 disaster, all grants must meet the primary objective of Title I of the Housing and Community Development Act of 1974, as amended. This requires that 50 percent or more of the funds in each grant must be used for activities that benefit primarily persons of low and moderate income as determined by criteria under 24 CFR 570.483(b), unless waived. The FEMA-DR-1223 disaster funds do not represent a percentage of the total disaster funding awarded under the 1998 HUD Disaster Recovery Initiative (Directive FR-4398-N-01) such as would prevent the satisfaction of the primary objective referred to above.

Each assisted activity must be an eligible activity as defined at Section I (H) of the 1998 HUD DISASTER RECOVERY INITIATIVE (Directive FR-4398-N-01), as published in the Federal Register on October 22, 1998.

(3) Communities identified by the Federal Emergency Management Agency (FEMA) as nonparticipating, noncompliant communities under the National Flood Insurance Program are not eligible to apply for these funds.

(4) Eligible applicants for participation under this emergency rule include all units of local governments and Indian tribes located in counties identified in the above declared disaster areas.

(5) Allocation of the above funds will be determined by the Secretary of the Department of Community Affairs using the following methodology:

(a) The \$1,258,000 allocated for FEMA-DR-1195 will be added to the allocation of \$18,742,000 previously allocated to this disaster and will be used to continue funding communities as ranked under the competition held under Emergency Rule 9BER99-2.

(b) The \$1,929,000 allocated for FEMA-DR-1223 (El Nino fires) must be used to fund recovery and mitigation activities directly related to damages caused by the El Nino fires and is allocated using the following methodology:

1. All eligible Counties were reviewed to determine those which sustained damage requiring both public works assistance and individual and family assistance in an amount exceeding the average damage sustained as indicated by awards made under the FEMA Public Works Assistance Program and the Individual and Family Assistance Grant Program.

2. For those Counties identified in step one above, an initial county wide pro-rata share allocation was made by multiplying the total amount of available supplemental CDBG funds by the percentage of total damages from this disaster for public works and for family assistance as documented in step one above. Fifty percent of the available supplemental CDBG funds was prorated on the basis of the public works data and the remaining fifty percent was prorated on the basis of the individual and family assistance data. This methodology resulted in the following allocation:

Brevard County	\$533,968.03
Flagler County	\$706,459.40
Volusia County	\$649,954.75

3. Mitigation and recovery activities eligible under this allocation are limited by the provisions of the 1998 HUD Disaster Recovery Initiative (Directive FR-4398-N-01) and by the requirement that all activities must serve to increase the firefighting capability in the wildland/urban interface areas of the participating counties that received damage from the El Nino fires of 1998 (FEMA-DR-1223). These activities include the following:

- Providing adequate water supply to systems in the wildland/urban interface areas. This could include installation of larger pipes, looping of water lines where needed for water pressure, provision of fixed generators to maintain pressure during power outages, and building water storage towers and pumps.
- Improvement of existing or installation of new pressurized and adequately sized water hydrants in such areas.
- Such other activities that the applicant can demonstrate to the satisfaction of the Department will provide the additional water capacity required for wildfire control in these areas.
- All activities proposed for funding must meet local code requirements and must be approved by the local fire marshal having jurisdiction. The State Fire Marshal shall review and approve the activities for consistency with

state-wide adopted codes and standards. This review and approval from the State Fire Marshal must be included in each application submitted for funding.

- All applications will require the approval of the local District Manager of the Florida Division of Forestry responsible for each jurisdiction as to the effectiveness of the proposed activity and its impact on the wildland urban interface.

(c) The \$1,500,000 allocated for FEMA-DR-1241 (Hurricane Earl) will be used to fund recovery and mitigation activities and will be allocated in equal amounts to the six eligible counties of Bay, Dixie, Franklin, Gulf, Taylor, and Wakulla.

Applications for funding must address activities which meet the eligibility requirements of the HUD Disaster Recovery Initiative (Directive FR-4398-N-01) and must address recovery or mitigation of damages directly resulting from Hurricane Earl.

(6) The Department of Community Affairs will issue instructions for the submission of proposals, including the date by which proposals are to be received, and other information regarding the requirements for these proposals. Administrative costs chargeable to the program by the unit of general local government shall not exceed fifteen percent for elevations, eight percent for infrastructure and public facilities including drainage and water systems, and ten percent for buyouts.

(7) CDBG eligible local governments within the aforementioned Presidentially declared disaster areas will be required to determine the specific uses of these disaster recovery funds within the parameters allowed by this rule, the Department of Housing and Urban Development (HUD): Title I of the Housing and Community Development Act of 1974, as amended; HUD regulations at 24 CFR 570 and HUD Directive Number FR-4398-N-01, except as they may be waived by HUD and the Florida Department of Community Affairs.

(8) All CDBG grant expenditures must be for expenses and repairs related specifically to recovery and mitigation activities related directly to the storms, severe floods, high winds, and tornadoes that took place from December 25, 1997 through April 24, 1998 (FEMA-DR-1195), the El Nino fires (FEMA-DR-1223), or Hurricane Earl (FEMA-DR-1241), and

(a) There must be a clear and compelling need for the CDBG emergency supplemental funds related directly to those disasters for each CDBG funded activity.

(b) Of the supplemental CDBG funds made available, no amounts may be used for activities reimbursable by the Federal Emergency Management Agency (FEMA), to replace FEMA or other Federal funds, or any activities not permitted by the 1998 HUD DISASTER RECOVERY INITIATIVE, Directive Number: FR-4398-N-01.

(c) The activities must be those that would not otherwise be funded through currently available federal, state or local resources.

(9) Administration of all grants issued under this rule will be in accordance with a contract promulgated by the Department of Community Affairs and executed by the Department and each grantee local government.

(10) Funding for projects selected pursuant to this rule is totally dependent upon approval of the State's Action Plan for Disaster Recovery and the subsequent execution of a Grant Agreement between the State of Florida and the U. S. Department of Housing and Urban Development.

Specific Authority 290.046 FS. Law Implemented 290.0401-.049 FS. History--New 2-21-00.

THIS RULE SHALL TAKE EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: February 21, 2000

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Petition for Emergency Temporary Waiver/Variance received from St. Lucie County on January 26, 2000 has been withdrawn. Notice of receipt of this petition, which was assigned the number DCA00-WAI-021, appeared in the February 11, 2000 edition of the Florida Administrative Weekly.

A copy of the withdrawal may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN that the Florida Department of Transportation (hereafter the "Department") has received an Emergency Petition for Variance or Waiver from Ronald Hare on February 16, 2000, seeking a variance from or waiver of the provisions of Rule 14-96, Florida Administrative Code. Rule 14-96.002, Florida Administrative Code, defines "reasonable access" as the minimum number of connections, direct or indirect, necessary to provide safe ingress and egress to the State Highway System. Rule 14-96.009, Florida Administrative Code establishes criteria for state highway non-conforming connection permits. By this Emergency Request for Variance or Waiver, Mr. Hare seeks to have access directly to State Highway A1A and is requesting that the Department grant a variance from or waive portions of Rule 14-96.002 and 14-96.009, Florida Administrative Code, to the extent such regulations apply to Mr. Hare's property. Comments on this proposed waiver or variance should be filed with the Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee,

Florida 32399-0458, within 14 days of the publication of this notice. A copy of the Emergency Petition for Variance or Waiver may be obtained from the Clerk of Agency Proceedings. For additional information, contact Robert Downie, Assistant General Counsel, at (850)414-5265.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

On February 8, 2000, the Florida Department of Environmental Protection (Department) received a petition for waiver under section 120.542 of the Florida Statutes from Marina Developers, Inc., to obtain a waiver of the provisions of rule 62-312.080(7) of the Florida Administrative Code, which prohibit the Department from issuing a permit for dredging and filling in Class II waters approved for shellfish harvesting.

A copy of the petition may be obtained by contacting: Patti Salvaggio, Department of Environmental Protection, Northwest District Office, 160 Governmental Center, Pensacola, Florida 32501-5794, telephone (850)595-8300. Any written comments regarding the petition must be submitted to the Department at the above address no later than fourteen days from the date of publication of this notice.

The Department of Environmental Protection has taken action on a petition for variance received from GeoInsite, Inc., on October 22, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 45, dated November 12, 1999. No public comment was received. The petition requested a variance from the zone of discharge prohibition for discharges through wells under rule 62-522.300(2)(a) of the Florida Administrative Code for the use of the remediation product to clean up sites contaminated with compounds susceptible to oxidation such as petroleum compounds and chlorinated solvents, and specifically to allow a zone of discharge for color, total dissolved solids, manganese, pH, chloride, chromium, and arsenic within a 100-foot radius from the point of discharge for a duration of two years. On January 27, 2000, the Department granted a variance to GeoInsite, Inc., in a final order, OGC File No.: 99-1800. On February 14, 2000, the Department issued an Amended Final Order to correct the final order. The amended final order granted a variance from the zone of discharge prohibition, and contained conditions. The conditions require that the use of the product must be through a Department-approved remedial action plan or other Department-enforceable document, and that such approval shall not be solely by a delegated program; that the discharge must be through a Class V, Group 4 underground injection control well which meets all applicable requirements of chapter 62-528 of the Florida Administrative Code; that the extent of the zone of discharge for color, total dissolved solids, manganese, pH, chloride, chromium, and arsenic shall be a 100-foot radius from the point of injection; that the injection of

the product shall be at such a rate and volume that no undesirable migration occurs of the product, its by-products, or the contaminants already present in the aquifer; and that the Department-approved remedial action plan shall address appropriate ground water monitoring requirements associated with the use of the remediation product based on site-specific hydrogeology and conditions. In addition, some other possible contaminants from the ore, aluminum, antimony, beryllium, cadmium, lead, molybdenum, thallium, and vanadium, must be sampled for in the ground water at the monitoring wells downgradient from the injection for at least 2 years.

For a copy of the final order or amended final order write or call Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, telephone (850)921-9610.

Pursuant to section 120.542, Florida Statutes, the Department of Environmental Protection has taken action on a petition for waiver received from Kenneth W. Dowd, Architect, on behalf of Richard A. and Ann C. Hill. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 26, No. 3, dated January 21, 2000. No public comment was received.

The petition requested a waiver from Rule 62B-33.007(3)(c), Florida Administrative Code, to allow improvements to a non-conforming single-family dwelling that extend outside the existing foundation, in Martin County. The waiver is associated with Coastal Construction Control Line permit number MI-388, that proposes an addition that extends no further than 3 feet seaward of the existing foundation and other improvements to an existing nonconforming single-family dwelling.

On February 17, 2000, the Department issued a final order granting a waiver to Richard A. and Ann C. Hill, file number MI-388 (Waiver). The final order granted a waiver from the ground floor elevation and foundation requirements. The general bases for the Department's decision to grant a waiver were that the improvements have sufficient setback from the beach and dune system, and that the actual foundation of the additions extend no further seaward than the existing building, and are not expected to result in significant adverse impacts to the beach and dune system. Therefore, the general purpose of the underlying statute (s. 161.053, F.S.) could be achieved, thereby satisfying the first criterion of Section 120.542, F.S., for the waiver. Additionally, a piling rig required for piling installation cannot be set up close enough to the existing dwelling to install the piles and vibration impact or auguring in the loose sandy subsoil will seriously undermine the existing building's nonconforming foundation. Based on the above mentioned construction process for the small addition, the technical difficulties required for construction of a conforming foundation would create a substantial hardship, therefore, the second criterion for a waiver is satisfied as well.

For a copy of the final order write or call Rosaline Beckham, Department of Environmental Protection, Office of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32304, telephone (850)488-1262, Extension 186.

Section VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration
 Department of Veterans' Affairs
 Department of Highway Safety and Motor Vehicles
 Department of Law Enforcement
 Department of Revenue
 Department of Education
 Administration Commission
 Florida Land and Water Adjudicatory Commission
 Board of Trustees of the Internal Improvement Trust Fund
 Department of Environmental Protection

DATE AND TIME: March 14, 2000, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

PURPOSE: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215, F.S. and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Information Resource Commission will take action on matters duly presented on its agenda, which may include administrative procedures matters, adoption of rules, approval of agency plans for the use of information technology resources, adoption of policies for the use of such resources, and other matters under the commission's authority pursuant to law.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters

within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members, at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF STATE

The **Historic Preservation Advisory Council** announces three public meetings to which all persons are invited.

DATES AND TIMES: Monday, April 3, 2000, 9:00 a.m.; Tuesday, April 4, 2000, 9:00 a.m.; Wednesday, April 5, 2000, 9:00 a.m.

PLACE: R. A. Gray Building, Auditorium, 500 South Bronough Street, Tallahassee, Florida

PURPOSE: To review applications submitted to the Bureau of Historic Preservation by December 15, 2000 for State grant assistance for historic preservation projects and to recommend priority ranking and funding levels for grant awards.

A copy of the agenda may be obtained by writing to Frederick Gaske, Chief, Bureau of Historic Preservation, Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)487-2333.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. Pursuant to Chapter 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting

in order to request any special assistance. Please contact the Bureau of Historic Preservation by telephone (850)487-2333, or by Fax (850)922-0496.

The **Department of State, Division of Cultural Affairs** announces the following public meetings, to which all persons are invited:

DATE AND TIME: Monday, March 16, 2000, 1:00 p.m.

PLACE: Duval County Health Department, Administration Building, Conference Room A, 515 West 6th Street, Jacksonville, FL 32210, (904)630-3229

PURPOSE: To hold an Orientation meeting to determine potential artwork sites for Art in State Buildings Project No. DOH 9620/9400, Duval County Health Department West, Jacksonville, Florida

COMMITTEE: Art Selection Committee

DATE AND TIME: Monday, March 20, 2000, 1:30 p.m.

PLACE: Baker County Health Department, 657 South 6th Street, Macclenny, FL 32063-2607, (904)259-6291, Ext. 117

PURPOSE: To hold a Slide Review meeting to select artwork for Art in State Buildings Project No. DOH 9730/9800, Baker County Health Department, Macclenny, Florida

COMMITTEE: Art Selection Committee

DATE AND TIME: Wednesday, March 22, 2000, 11:00 a.m.

PLACE: Santa Rosa County Health Department, Conference Room, 5527 Stewart Street, Milton, FL 32570, (850)983-5200

PURPOSE: To hold a Proposal meeting to discuss proposals from artists selected for Art in State Buildings Project No. DOH 9730/9400, Santa Rosa County Health Department, Navarre, Florida

COMMITTEE: Art Selection Committee

For more information or to obtain a copy of the agenda, please contact Lee Modica, Arts Administrator, Division of Cultural Affairs, The Capitol, Tallahassee, Florida, 32399-0250, (850)487-2980, Ext 116.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Kirby Mole, (850)487-2980, Ext 133. If you are hearing or speech impaired, please contact the agency by calling TT: (850)488-5779.

DEPARTMENT OF LEGAL AFFAIRS

The Legislative Reporting Committee of the **Florida Commission on the Status of Women** will hold a conference call.

DATE AND TIME: March 31, 2000, 10:30 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

PURPOSE: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Endangered Plant Advisory Council** announces a public meeting to which all persons are invited:

DATES AND TIMES: Wednesday, March 29, 2000, 2:00 p.m. through Friday, March 31, 2000, 12:00 Noon

PLACE: Division of Plant Industry, Doyle Conner Building, Auditorium, 1911 S. W. 34th Street, Gainesville, FL 32608

PURPOSE: To consider the following agenda items:

- (1) Funding Status Update for Grant Proposals.
- (2) Native Plant Use.
- (3) Changes in Latin Names for Listed Taxa.
- (4) Predicted Effects of Climatic Change on Florida Vegetation.
- (5) Florida Orchids.
- (6) Peperomia Review.
- (7) Lyonia spp. – Commercially Exploited?
- (8) Zephyranthes Review.
- (9) New Information on Agave spp.
- (10) New Listings for Regulated Plant Index.

If you need a special accommodation in order to attend this meeting because of a disability, please let us know by March 21, 2000.

A copy of the agenda may be obtained by writing to Mr. Danny Phelps, Secretary, Endangered Plant Advisory Council, Division of Plant Industry, P. O. Box 147100, Gainesville, Florida 32614-7100, Telephone (352)372-3505.

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Seed Technical Council to which all persons are invited:

DATE AND TIME: March 21, 2000, 1:00 p.m.

PLACE: Florida Department of Agriculture and Consumer Services, AES Conference, Building 8, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, Telephone (850)488-8731

PURPOSE: Seed Technical Council Meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: You may contact Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, L-29, Tallahassee, Florida 32399-1650, Telephone (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Seed Investigation and Conciliation Council to which all persons are invited:

DATE AND TIME: March 22, 2000, 9:30 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399-1650, Telephone (850)488-8731

PURPOSE: Seed Complaint.

GENERAL SUBJECT MATTER TO BE CONSIDERED: You may contact Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8 L-29, Tallahassee, Florida 32399-1650, Telephone (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

The Florida **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: March 21, 2000, 10:00 a.m. – 12:00 p.m.

PLACE: Holiday Inn Select, 316 West Tennessee Street, Gallery Room, Tallahassee, Florida

PURPOSE: This is a meeting of the Florida Propane Education, Safety and Research Council to discuss the Council's business plan, assessment collections, projected budget, membership and marketing proposals.

A copy of the agenda may be obtained by writing to Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650 or by calling Vicki O'Neil, (850)921-8001.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours in advance by contacting Ms. O'Neil at the number above.

DEPARTMENT OF EDUCATION

The **Department of Education** announces the following public meeting to which all persons are invited.

DATE AND TIME: March 17, 2000, 10:00 a.m. – 3:00 p.m.

PLACE: Tallahassee Community College, Library, 2nd Floor, Room 223, Tallahassee, Florida

PURPOSE: Meeting of the Florida Distance Learning Network Advisory Council.

A copy of the agenda may be obtained by contacting: Suzanne Martin, Interim Chief, Bureau of Educational Technology, Department of Education, 325 West Gaines Street, Room 501-B, Tallahassee, Florida, 32399-0400, (850)488-0980.

Persons with disabilities who require assistance to participate in the meeting are requested to notify Suzanne Martin at least 48 hours before the meeting.

The State of Florida, **Education Practices Commission** announces a Teacher and Administrator Hearing Panel to which all persons are invited.

DATE AND TIME: March 24, 2000, 8:30 a.m. or as soon thereafter as can be heard

PLACE: The Sheraton Suites, Tampa Airport, 4400 West Cypress Street, Tampa, Florida 33607, (813)873-6675

PURPOSE: A Teacher and Administrator Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining teachers.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing to the Education Practices Commission, Florida Education Center, 325 W. Gaines Street, Room #224-E, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards at (850)488-0547 at least five calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The public is invited to a telephone conference call meeting of the Executive Committee of the Florida **Board of Regents**.

DATE AND TIME: March 17, 2000, 9:00 a.m.

PLACE: Conference Room, 15th Floor, Florida Education Center, Tallahassee, Florida

PURPOSE: To consider legislative issues and updates and other matters pertaining to the State University System.

A copy of the agenda may be obtained by writing to: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity Programs, (850)201-7160 (Voice), (850)201-7333 (TDD), at least 7 days in advance, so that their needs can be accommodated.

The **Florida A & M University**, Florida Art in State Buildings Program announces the following public meeting to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Thursday, March 16, 1999, 10:00 a.m.

PLACE: Florida A & M University, Foster Tanner Fine Arts Building, West, Room 107, Tallahassee, Florida 32307, (850)561-2842

PURPOSE: To hold a Proposal Review Meeting to review proposals from the selected three (3) artists for Art in State Buildings Project #BR-371, FAMU Science & Research Facility, Leon County, Florida

For more information, please contact Kenneth Falana, User Agency Representative, Art In State Buildings Program, Florida A & M University, Tallahassee, Florida 32307, (850)561-2842.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Art In State Buildings Program.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces the following meetings to which all persons are invited:

THE FLORIDA BUILDING COMMISSION, "the COMMISSION"

DATE AND TIME: March 12, 2000, 1:00 a.m. – 6:00 p.m.

Meetings of Ad Hoc Committee on Role of the State with Overseeing Building Departments; Technical Advisory Committee and Ad Hoc for Alternative Procedures for Variances and Waivers Required Under Chapter 120.

DATE AND TIME: March 13, 2000, 8:00 a.m. – 5:30 p.m.

Meeting of the Florida Building Commission.

PURPOSE: To conduct public hearing on the Education/Training rule; to conduct public hearing on the Florida Building; to clarify Wind Design decision; to review and decide on Chapter 120 Variance Review Ad Hoc Recommendations; to Review Final Report to the Legislature; to Review State/Building Departments Oversight Ad Hoc Report; to clarify FBC and DCA Roles and Communication During the Legislative Review Process; to discuss Commissioners speaking at Associations; to hear a Report on Information/Communication System; to hear an Update on Copyright/Royalty Issues; to hear Threshold Inspector

Committee Report; to participate in Accessibility Sensitivity Awareness Training; to appoint Special Assignment Ad Hoc Committees including Ad Hoc on Building/Structural Rating; to review assignments for next month; and to hold meeting for the Threshold Inspector Certification Committee.

PLACE: Wyndham Hotel, Miami – Biscayne Bay, 1601 Biscayne Blvd., Miami, Florida 33132, Telephone (305)374-0000

DATE AND TIME: March 15, 2000, 9:00 a.m. – 4:00 p.m.

Meetings of Ad Hoc Committee on Manufactured and Prototype Building Review.

PURPOSE: To review the Manufactured Building Program/Prototype buildings and provide recommendations to the Commission for consideration.

PLACE: Sirata Beach Resort & Conference Center, 5300 Gulf Blvd., St. Petersburg Beach, Florida, (727)367-2771

A copy of the Committee and Commission meeting agendas may be obtained by sending a request in writing: Jean Easom, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at these meetings because of a disability or physical impairment should contact Ms. Jean Easom, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs** announces a meeting of the State Energy Program (SEP) Clean Fuel Florida Advisory Board (CFF) to which all interested parties are invited.

SEP CFF MEETING

DATE AND TIME: March 23, 2000, 1:00 p.m. – 5:00 p.m.

PLACE: Department of Community Affairs, 2555 Shumard Oak Boulevard, Kelley Training Center, Room 305, Tallahassee, Florida 32399-2100

ACTIONS TO BE TAKEN: The CFF will consider the following items:

- 1) Objectives
- 2) Baseline Status Report

APPEAL INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public meeting he or she may

need a record or transcript of the proceeding and for such purposes he or she may need to ensure that a record of the proceeding is made, which record may include testimony and evidence relevant to the appeal.

Anyone who wants a copy of the agenda or additional information on this meeting may write or call Alexander Mack, Community Program Administrator, 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 at (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).

DEPARTMENT OF LAW ENFORCEMENT

The **Division of Criminal Justice Standards and Training** announces a public meeting for a Probable Cause Determination to which all persons are invited to attend.

DATE AND TIME: Thursday, April 6, 2000, 1:00 p.m. – Open

PLACE: Florida Department of Law Enforcement, Tampa Bay Regional Operations Center, 4211 Lois Avenue, Tampa, Florida 33614

PURPOSE: To determine if probable cause exists to proceed with possible disciplinary action.

A copy of the Probable Cause Case agenda can be obtained by calling Brenda S. Miller, (850)410-8648, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Bureau of Standards, Post Office Box 1489, Tallahassee, Florida 32302-1489.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Donna Hunt, (850)410-8615, at least 2 weeks prior to the meeting.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation** announces public meetings to which all persons are invited:

PURPOSE: Regular Meeting of the Executive Committee.

DATE AND TIME: March 16, 2000, 8:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street (Burns Building), Tallahassee, Florida

DATE AND TIME: April 20, 2000, 8:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street (Burns Building), Tallahassee, Florida

DATE AND TIME: May 18, 2000, 8:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street (Burns Building), Tallahassee, Florida

DATE AND TIME: June 15, 2000, 8:30 a.m.
 PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street (Burns Building), Tallahassee, Florida
 DATE AND TIME: July 20, 2000, 8:30 a.m.
 PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street (Burns Building), Tallahassee, Florida
 DATE AND TIME: August 17, 2000, 8:30 a.m.
 PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street (Burns Building), Tallahassee, Florida
 A copy of the agenda may be obtained by writing Florida Department of Transportation, 605 Suwannee Street, Mail Station 57, Tallahassee, Florida 32399-0450.

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.
 DATE AND TIMES: March 15, 2000, 9:00 a.m., Committee Meetings; 10:30 a.m., Regular Monthly Meeting
 PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting.
 A copy of the agenda may be obtained by contacting: Florida Department of Citrus, Attention: Executive Office, P. O. Box 148, Lakeland, Florida 33802.
 In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone at (863)499-2510.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.
 DOCKET NO. 960545-WS – Investigation of utility rates of Aloha Utilities, Inc. in Pasco County.
 DATE AND TIME: March 21, 2000, 8:00 a.m.
 PLACE: Commission Conference Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida
 PURPOSE: 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 Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech

impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 981488-TI – Initiation of show cause proceedings against Accutel Communications, Inc. for Unlawful Billing Practices in violation of Section 364.10(1) and Section 364.604(2), F.S. and Insufficient Management Capability pursuant to Section 364.337(3), F.S.

DATE AND TIME: March 23, 2000, 9:30 a.m.

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida
 PURPOSE: 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 Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a service hearing in the following docket to which all interested persons are invited.

Docket No. 990456-TL – Request for review of proposed numbering plan relief for the 561 area code.

DATE AND TIME: March 23, 2000, 10:00 a.m. and 2:00 p.m.

PLACE: West Palm Beach City Hall, City Commission Chambers, 200 2nd Street, West Palm Beach, Florida

DATE AND TIME: March 24, 2000, 10:00 a.m.

PLACE: County Administrative Building, St. Lucie County Commission Chambers, 2300 Virginia Avenue, Ft. Pierce, Florida

The hearings will begin as scheduled and will continue until all witnesses have been heard. If no witnesses are present, the hearings may be adjourned. All persons desiring to present testimony are urged to appear at the beginning of the hearings.

PURPOSE: To permit members of the public to give testimony regarding the request for review of proposed numbering plan relief for the 561 area code. At the hearing, customers may be heard on any and all issues in the case relating to this request. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 991237-TP – Complaint by AT&T Communications of the Southern States, Inc. d/b/a Connect 'N Save and d/b/a Lucky Dog and d/b/a ACC Business against BellSouth Telecommunications, Inc. regarding improper application of switched access charges.

DATE AND TIME: March 23, 2000, 1:30 a.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: 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 Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990054-WU – Application for amendment of Certificate No. 106-W to add and delete territory in Lake County by Florida Water Services Corporation.

DATES AND TIME: June 21-22, 2000, 10:00 a.m.

PLACE: Will be noticed at a later date.

Customer testimony will be taken on June 21, 2000, 10:00 a.m. and 7:00 p.m.

PURPOSE: To permit parties to present testimony and exhibits relative to the application for amendment of Certificate No. 106-W to add and delete territory in Lake County by Florida Water Services Corporation and for such other purposes as the Commission may deem appropriate. At the hearing, all parties shall be given the opportunity to present testimony and other evidence on the issues identified by the parties at the prehearing conference held on June 5, 2000. All witnesses

shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S. and Chapter 25-28, FAC.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

REGIONAL PLANNING COUNCILS

The **Treasure Coast Regional Planning Council** announces a meeting of the Council's Overall Economic Development Program Committee to which all persons are invited:

DATE AND TIME: March 9, 2000, 2:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Treasure Coast Regional Planning Council Overall Economic Development Program Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: March 17, 2000, 9:30 a.m.

PLACE: Howard Johnson's Motor Lodge, 950 U.S. Highway One, Stuart, Florida

GENERAL SUBJECT MATTER: To conduct the monthly meeting of the Council.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

METROPOLITAN PLANNING ORGANIZATIONS

METROPLAN ORLANDO, The **Metropolitan Planning Organization** for the Orlando Urban Area, announces the following public meeting of its Governing Board to which all persons are invited:

DATE AND TIME: Wednesday, March 8, 2000, 9:00 a.m.
 PLACE: Metroplan Orlando Board Room, 315 East Robinson Street, Suite 355, Orlando, FL 32801
 PURPOSE: Regularly Scheduled Board Meeting
 AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Call to Order
2. Agenda Review
3. Approval of Minutes
4. Consent Items
5. Action Items
6. Presentations, if any.
7. Other Business
8. Chairman's Report
9. Executive Director's Report
10. Legislative Report

A copy of the detailed agenda may be obtained by contacting Virginia Lewis, Executive Assistant, METROPLAN ORLANDO, 315 East Robinson Street, Suite 355, Orlando, FL 32801, (407)481-5672, Extension 314.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact METROPLAN ORLANDO at (407)481-5672 at least 48 hours before the meeting.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

The Florida **Department of Labor and Employment Security**, Division of Workers' Compensation announces a meeting of its Workers' Compensation Advisory Council, Employee Customer Committee to which the public is invited.

DATE AND TIME: Friday March 17, 2000, 10:00 a.m. – 2:00 p.m.

PLACE: 301F Forrest Building, 2728 Centerview Drive, Tallahassee, Florida 32399

PURPOSE: The purpose of this meeting is to provide a forum for the discussion of the Workers' Compensation issues affecting employees.

For further information about this meeting contact: Rosa Smiley, 203R Forrest Building, 2728 Centerview Drive, Tallahassee, FL 32399, Telephone (850)487-1810.

Persons with a disability or handicap requiring reasonable accommodations should contact Rosa Smiley in writing at the above address or by telephone at least three business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Rosa Smiley 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 **Department of Labor and Employment Security, Division of Workers' Compensation**, Special Disability Trust Fund Advisory Sub-Committee announces a telephonic meeting to which the public is invited.

DATE AND TIME: Thursday, April 6, 2000, 9:00 a.m. – 11:00 a.m.

PLACE: Tallahassee, FL

PURPOSE: To discuss cases with request for settlement approval for \$500,000 or more.

Persons wishing to attend the phone conference must call Carolyn Walker on or before Monday, April 3, 2000 at (850)488-4896. For further information regarding the meeting, please contact Carolyn Walker, (850)488-4896.

Persons with a disability or handicap requiring reasonable accommodations should contact Carolyn Walker by telephone at least two business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Carolyn Walker using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The Florida **Division of Blind Services** and The Rehabilitation Council for the Blind announces the following meeting:

DATES AND TIMES: March 24, 2000, 8:30 a.m. – 5:00 p.m.;
 March 25, 2000, 8:30 a.m. – 12:00 p.m.

PLACE: Division of Blind Services, 2551 Executive Center Circle, W., Suite 200, Lafayette Bldg., Tallahassee, FL 32399, (850)488-1330

PURPOSE: Quarterly Meeting.

A copy of the agenda may be obtained by contacting Phyllis Dill, The Division of Blind Services, 2551 Executive Center Circle, West, Suite 200, Lafayette Bldg., Koger, Tallahassee, FL 32399 or at (850)488-1330 or through the Florida Telephone Relay System at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: March 14, 2000, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

PURPOSE: Board Meeting.

To consider District business and conduct public hearings on regulatory and land acquisition matters.

PURPOSE: Public hearing in accordance with Section 373.139(3)(a), F.S., concerning the proposed purchase of inholdings and additions property consisting of three parcels totaling 12.88 acres +/- in Dixie County, two parcels totaling 10 acres +/- in Gilchrist County and one parcel totaling 3.2 acres +/- in Columbia County, with funds from the Preservation 2000 Trust Fund.

DATE AND TIME: March 14, 2000, following the Board Meeting

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

PURPOSE: Water Resources Monitoring Workshop.

A copy of the agenda(s) may be obtained by writing SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact: Lisa Cheshire, (904)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: March 15, 2000, 10:00 a.m.

PLACE: South Florida Water Management District Miami Field Station, 90001 N. W. 58th Street, Miami, Florida

PURPOSE: Meeting to discuss the Lake Belt Detailed Master Plan, including wellfield protection and non-mining issues.

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 to make appropriate arrangements.

Those who desire more information may contact Jim Jackson, Project Manager, at (561)682-6334.

REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces that the authority will hold its regular February meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, March 15, 2000, 4:30 p.m.

PLACE: Citrus County Board Room, Old Masonic Bldg., 111 W. Main Street, Third Floor, Inverness, FL 34450

GENERAL MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing to the Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, FL 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

DEPARTMENT OF ELDER AFFAIRS

The **State Long-Term Care Ombudsman Council** announces the following calls to which all persons are invited:

DATES AND TIMES: Ways & Means Committee – March 1, 2000 and April 5, 2000, 10:00 a.m. – 11:00 a.m.; Policy and Procedures Committee – March 9, 2000 and April 13, 2000, 9:00 a.m. – 11:00 a.m.; Legislative Committee – March 2, 2000 and April 6, 2000, 9:00 a.m. – 10:00 a.m.

PLACE: The conference call number is Suncom 291-6580 and Non-Suncom (850)921-6580

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program.

You may contact the office of the Long-Term Care Ombudsman at (850)488-6190 for more information.

The **State Long-Term Care Ombudsman Council** announces a public meeting for all districts in Florida to which all persons are invited. You may contact the State Long-Term Care Ombudsman Office at (850)488-6190 for further information.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program.

DATE AND TIME: March 23, 2000, 9:00 a.m.

CITY: District One, Pensacola, FL

DATE AND TIME: March 15, 2000, 10:00 a.m.

CITY: District Two, Blountstown, FL

DATE AND TIME: March 16, 2000, 12:30 p.m.

CITY: District Three-A, Gainesville, FL

DATE AND TIME: March 9, 2000, 1:00 p.m.

CITY: District Three-B, Ocala, FL
 DATE AND TIME: March 21, 2000, 12:00 noon
 CITY: District Four, St. Augustine, FL
 DATE AND TIME: March 16, 2000, 1:30 p.m.
 CITY: District Five A, Largo, FL
 DATE AND TIME: March 9, 2000, 1:30 p.m.
 CITY: District Five B, New Port Richey, FL
 DATE AND TIME: March 21, 2000, 10:00 a.m.
 CITY: District Six, Tampa, FL
 DATE AND TIME: March 2, 2000, 12:30 p.m.
 CITY: District Seven, Orlando, FL
 DATE AND TIME: March 7, 2000, 11:00 a.m.
 CITY: District Eight, Ft. Myers, FL
 DATE AND TIME: March 20, 2000, 2:30 p.m.
 CITY: District Nine, West Palm Beach, FL
 DATE AND TIME: March 14, 2000, 1:30 p.m.
 CITY: District Ten, Plantation, FL
 DATE AND TIME: March 21, 2000, 1:15 p.m.
 CITY: District Eleven-South, S. Miami, FL
 DATE AND TIME: March 9, 2000, 10:30 p.m.
 CITY: District Eleven-North, N. Miami, FL

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the District 9, Managed Care Ombudsman Committee to which all interested parties are invited.

DATE AND TIME: Thursday, March 9, 2000, 1:00 p.m. – 4:00 p.m.

PLACE: AHCA Building, Room 195, 1710 East Tiffany Drive, West Palm Beach, FL 33407, (561)881-5080

PURPOSE: Regular monthly meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact us, (850)922-6476, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing to Attention: Annette Lewis-Howard, Agency for Health Care Administration, Bureau of Consumer Protection, 2727 Mahan Drive, Ft. Knox, Building 1, 2nd Floor, Tallahassee, FL 32308.

The **Agency for Health Care Administration** announces a meeting of the District 10, Managed Care Ombudsman Committee to which all interested parties are invited.

DATE AND TIME: Wednesday, March 10, 2000, 9:30 a.m. – 11:30 a.m.

PLACE: AHCA Building, Room 195, 1400 West Commercial Boulevard, Fort Lauderdale, FL 33309, (954)202-3200

PURPOSE: Regular monthly meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact us, (850)414-1833, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing to Attention: Annette Lewis-Howard, Agency for Health Care Administration, Bureau of Consumer Protection, 2727 Mahan Drive, Ft. Knox, Building 1, 2nd Floor, Tallahassee, FL 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE OF CORRECTION – The **Department of Business and Professional Regulation** announces the following meeting location HAS BEEN CHANGED by the Florida Board of Architecture and Interior Design (Board):

MEETING: Interior Design Committee Meeting

DATE AND TIME: March 8, 2000, 9:00 a.m.

MEETING: Architecture Committee Meeting

DATE AND TIME: March 8, 2000, 1:00 p.m.

MEETING: Rules Development Workshop

DATE AND TIME: March 8, 2000, 3:00 p.m.

MEETING: Board of Architecture and Interior Design

DATE AND TIME: March 9, 2000, 9:00 a.m.

PLACE: Wyndham Miami Beach Resort, 4833 Collins Avenue, Miami Beach, FL 33140, (305)532-3600

For further information please call, (850)488-6685, Ext. 4.

Board of Architecture and Interior Design

RULE NO.:	RULE TITLE:
61G1-11.005	Probable Cause Determination

NOTICE OF CORRECTION

The above-proposed rule development was published in the February 18, 2000 issue of the Florida Administrative Weekly, Vol. 26, No. 7. The time and location of the rule development workshop, which was originally published as March 8, 2000, at 1:30 p.m., at The Essex House, 1001 Collins Avenue, Miami Beach, Florida 33139, has been changed and will be held on the same date, at 3:00 p.m., The Wyndham Miami Beach Resort, 4833 Collins Avenue, Miami Beach, Florida 33140. The person to be contacted regarding the above changes is Sherry L. Landrum, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0750.

Board of Architecture and Interior Design

RULE NO.: 61G1-12.001
 RULE TITLE: Grounds for Disciplinary Proceedings

NOTICE OF CORRECTION

The above-proposed rule development was published in the February 18, 2000 issue of the Florida Administrative Weekly, Vol. 26, No. 7. The time and location of the rule development workshop, which was originally published as March 8, 2000, at 1:30 p.m., at The Essex House, 1001 Collins Avenue, Miami Beach, Florida 33139, has been changed and will be held on the same date, at 3:00 p.m., The Wyndham Miami Beach Resort, 4833 Collins Avenue, Miami Beach, Florida 33140. The person to be contacted regarding the above changes is Sherry L. Landrum, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0750.

Board of Architecture and Interior Design

RULE NO.: 61G4-12.004
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

NOTICE OF CORRECTION

The above-proposed rule development was published in the February 18, 2000 issue of the Florida Administrative Weekly, Vol. 26, No. 7. The time and location of the rule development workshop, which was originally published as March 8, 2000, at 1:30 p.m., at The Essex House, 1001 Collins Avenue, Miami Beach, Florida 33139, has been changed and will be held on the same date, at 3:00 p.m., The Wyndham Miami Beach Resort, 4833 Collins Avenue, Miami Beach, Florida 33140. The person to be contacted regarding the above changes is Sherry L. Landrum, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0750.

Board of Architecture and Interior Design

RULE NO.: 61G1-18.002
 RULE TITLE: Procedures for a Successor Architect Adopting as His Own the Work of Another Architect

NOTICE OF CORRECTION

The above-proposed rule development was published in the February 18, 2000 issue of the Florida Administrative Weekly, Vol. 26, No. 7. The time and location of the rule development workshop, which was originally published as March 8, 2000, at 1:30 p.m., at The Essex House, 1001 Collins Avenue, Miami Beach, Florida 33139, has been changed and will be held on the same date, at 3:00 p.m., The Wyndham Miami Beach Resort, 4833 Collins Avenue, Miami Beach, Florida 33140. The person to be contacted regarding the above changes is

Sherry L. Landrum, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0750.

The Florida **Electrical Contractors' Licensing Board** announces an Official Board and Committee Meeting via Telephone Conference Call to which all interested persons are invited.

DATE AND TIME: March 10, 2000, 10:00 a.m., or soon thereafter

Meet Me Number: (850)488-5778, Suncom 278-5778

PLACE: Department of Business and Professional Regulation, Electrical Contractor's Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771, Telephone (850)922-8044, Fax (850)922-2918

PURPOSE: Official Board Meeting.

A copy of the agenda may be obtained by writing the Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

For further information contact the Florida Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Susan McAleer at the Electrical Contractors' Licensing Board at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Susan McAleer using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees which all persons are invited:

DATE AND TIME: Wednesday, March 15, 2000, 10:00 a.m. – until conclusion of meeting

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

PURPOSE: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing the Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings and for such

purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting: Dennis Barton, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public telephone conference call which all persons are invited:
DATE AND TIME: Wednesday, March 22, 2000, 2:00 p.m.

CONFERENCE CALL NUMBER: 1(800)659-8304

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

PURPOSE: To act on recommendations from the Educational Advisory and Application Review committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing the Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting: Dennis Barton, (850)521-0500.

CORRECTION

This notice is being republished to correct the purpose of this meeting which was incorrectly stated in the original noticed meeting as an official meeting of the probable cause panel.

The correct purpose is "Official Board meeting and general business".

The **Florida Building Code Administrators and Inspectors Board** announces an official board meeting to which all interested persons are invited.

DATES AND TIMES: March 6, 2000, 9:00 a.m.; March 7, 2000, 8:00 a.m.

PLACE: Ocala/Silver Springs Hilton, 3600 S. W. 36th Avenue, Ocala, FL 34474

PURPOSE: Official Board meeting and General Business

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 the Florida Building Code Administrators and Inspectors at 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Amy Bennett at the Building Code Administrators and Inspectors Board at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Amy Bennett using the Florida dual party relay system which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Accountancy**, Committee on Continuing Professional Education announces the following public meeting to which all persons are invited:

DATE AND TIME: Monday, March 27, 2000, 9:00 a.m.

PLACE: Via Conference Call

PURPOSE: To review reporting forms and requests for course approval.

If you wish to participate in this meeting or receive a copy of the agenda, please contact Kim Thompson, Board of Accountancy, 2610 N. W. 43rd Street, Suite 1-A, Gainesville, FL 32606, (352)955-2165, as soon as possible.

The Florida **Real Estate Commission**, Education and Research Foundation Advisory Committee has scheduled a telephone conference call meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 21, 2000, 9:30 a.m.

PLACE: Suite 301, North Tower, 400 W. Robinson Street, Orlando Florida

PURPOSE: Official business of the Foundation. Including but not limited to proposed legislation affecting Chapter 475, review the progress of persons conducting research and studies, the results of any research project shall not be published or disseminated until it has been reviewed and approved in writing by the advisory committee, to create and promote education projects to expand the knowledge of the public and real estate licensees, to augment the existing real estate programs, to make studies of, and recommend changes in state statutes and municipal ordinances; request proposals for studies are requested by the governor or the presiding officers of the Legislature, prepare information of consumer interest concerning Florida real estate and to make the information available to the public and appropriate state agencies.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800, Ext. 5, 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).

A copy of the agenda, can be obtained by contacting Jo Ellen Peacock, Education Section.

The **Florida Real Estate Appraisal Board** announces a meeting of its Probable Cause Panel.

DATE AND TIME: Monday, March 6, 2000, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 301, Third Floor, 400 W. Robinson Street, North Tower, Orlando, FL 32801

PURPOSE: Official business of the Appraisal Board Probable Cause Panel. PROBABLE CAUSE IS NOT OPEN TO THE PUBLIC.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Real Estate Appraisal Board, (407)245-0800 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Appraisal Board using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Appraisal Board** announces a meeting to which everyone is invited.

DATE AND TIME: Tuesday, April 4, 2000, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 301, Third Floor, 400 W. Robinson Street, North Tower, Orlando, FL 32801, (407)245-0800

PURPOSE: Official business of the Appraisal Board. Including but not limited to: Rule/Statute amendments and Disciplinary actions.

Any person who decides to appeal a decision made by the Board with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Real Estate Appraisal Board, (407)245-0800 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Appraisal Board using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing to the Deputy Clerk, Florida Real Estate Appraisal Board, P. O. Box 1900, Orlando, Florida 32802-1900.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public workshop to which all persons are invited.

DATES AND TIMES: Wednesday, March 15, 2000, 10:00 a.m. – 4:00 p.m.; Thursday, March 16, 2000, 9:00 a.m. – 4:00 p.m.

PLACE: March 15 – Okeechobee, Florida. March 16 – Okeechobee Health Department Auditorium, 1728 N. W. 9th Avenue, Okeechobee, Florida.

PURPOSE: On March 15, the Lake Okeechobee Technical Advisory Committee (Lake Okeechobee TAC) will be touring Lake Okeechobee. This will be a boat trip for the TAC members. On March 16, the second meeting of the Lake Okeechobee TAC will be held. The purpose of the Lake Okeechobee TAC is to assist in the development of a Total Maximum Daily Load (TMDL) for total phosphorus in Lake Okeechobee. Discussion may include the in-lake phosphorus concentration target, biotic responses to phosphorus loading, the in-lake cycling of phosphorus with emphasis on the role of sediments in phosphorus cycling, tools currently available for modeling the Lake Okeechobee system and the formulation of a method for determining allowable phosphorus loading to the lake.

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 the meeting may be obtained by contacting Kim Shugar, Department of Environmental Protection, 2600 Blair Stone Road, MS #3525, Tallahassee, Florida 32399-2400 or by calling her, (850)921-9395.

The Bureau of Mine Reclamation, **Department of Environmental Protection** announces a public meeting of the Upper Suwannee Region Acquisition and Management Advisory Team (AMAT) and the Acquisition and Management Selection Team (AMST) to which all persons are invited.

DATE AND TIME: March 17, 2000, 10:00 a.m.

PLACE: Suwannee River Water Management District, 9225 County Road 49, Multi-Purpose Room, Live Oak, Florida 32060 (Just east of Live Oak at the intersection of County Road 49 and Hwy. 90).

GENERAL SUBJECT MATTER TO BE CONSIDERED: This joint meeting of the AMAT and AMST will commence at approximately 10:00 a.m. The purpose of this meeting is to discuss progress in land acquisition, and the potential for including other areas for acquisition within the strategic plan.

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist, Bureau of Personnel, (850)488-2996 or 1(800)955-8771 (TDD), at least forty-eight (48) hours before the meeting.

For further information or to obtain a copy of the agenda, contact Joseph Bakker, Bureau of Mine Reclamation, 2051 East Dirac Drive, Tallahassee, Florida 32310-3760, (850)488-8217.

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATES AND TIMES: Friday, March 17, 2000, 1:00 p.m.; Wednesday, April 5, 2000, 6:00 p.m.

PLACE: Rookery Bay National Estuarine Research Reserve, 300 Tower Road, Naples, Florida 34113

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and accept comments on the Rookery Bay NERR Management Plan.

A copy of the agenda may be obtained by contacting Gary D. Lytton, Environmental Administrator, Rookery Bay National Estuarine Research Reserve, 300 Tower Road, Naples, Florida 34113.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact Gary D. Lytton no later than five working days prior to the proceeding at the address given on the notice, Telephone (941)417-6310.

NOTICE OF CHANGE – The **Department of Environmental Protection** announces that the next meeting of the 303(d) List Methodology Technical Advisory Committee, previously scheduled for March 16, 2000, has been rescheduled to March 23, 2000 and will be held in a different location.

DATE AND TIME: Thursday, March 23, 2000, 9:00 a.m.

PLACE: Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss development of a methodology and rule to identify impaired waters for inclusion on the state's 303(d) list.

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: Personnel 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 the meeting may be obtained by writing to Mr. Jan Mandrup-Poulsen, Department of Environmental Protection, 2600 Blair Stone Road, Water Quality Assessment Section, MS #3555, Tallahassee, Florida 32399-2400 or by calling him, (850)921-9488.

The **Department of Environmental Protection** announces a meeting of the Total Maximum Daily Load (TMDL) Program Policy Advisory Committee to which all interested persons are invited.

DATE AND TIME: Friday, March 24, 2000, 9:00 a.m.

PLACE: Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

SUBJECT MATTER TO BE CONSIDERED: To discuss policy-related issues of the State's TMDL Program, including issues related to the development of the methodology to identify impaired waters for inclusion on the state's 303(d) list and related to the allocation of TMDLs to point and nonpoint sources.

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 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 the meeting may be obtained by writing to Mr. Jan Mandrup-Poulsen, Department of Environmental Protection, 2600 Blair Stone Road, Water Quality Assessment Section, MS #3555, Tallahassee, Florida 32399-2400 or by calling him, (850)921-9488.

The **Board of Trustees of the Internal Improvement Trust Fund** announces a technical advisory committee meeting to which all person are invited:

DATE AND TIME: Friday, March 24, 2000, 9:30 a.m. – 3:30 p.m.

PLACE: State of Florida Capital Office Center, 4050 Esplanade Way, Meeting Room 301, Tallahassee, Florida. (Directions: from Capital Circle, S. E., turn on Shumard Oak at traffic light, take left on Esplanade Way to building on left, public parking spaces in front.)

PURPOSE: This is the sixth meeting of the Sovereign Submerged Lands Technical Advisory Committee to continue the discussion of issues and prioritize rulemaking regarding sovereign submerged lands, specifically revisions to chapters 18-14, 18-18, 18-20 and 18-21. The agenda will include continued discussion on Forms of Authorization.

A copy of the agenda may be obtained by contacting: Alice Heathcock, Florida Department of Environmental Protection, Division of Water Resource Management, 2600 Blair Stone Road, MS 2500, Tallahassee, Florida 32399-2400, Telephone (850)921-9899, e-mail Alice.Heathcock@dep.state.fl.us.

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).

DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a meeting to be held at Tallahassee, Florida to which all persons are invited:

DATE AND TIME: March 17, 2000, 8:30 a.m. – 12:30 p.m.

PLACE: Department of Health, Conference Room 207, E. Charlton Prather, MD Building, 2585 Merchant's Row Boulevard, Tallahassee, Florida 32399, (850)245-4044

PURPOSE: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing Linda A. Keen, Executive Director, Correctional Medical Authority, 2020 Capital Circle, S. E., Bin B-04, Tallahassee, FL 32399-1732, (850)245-4044.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

The **Department of Health, Division of Medical Quality Assurance**, Florida Board of Medicine Probationers Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 23, 2000, 10:00 a.m.

PLACE: Tampa Marriot Airport, Tampa International Airport, Tampa, FL 33607, telephone (813)879-5151

PURPOSE: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing to Ashleigh France, Compliance Officer, Department of Health, Division of Medical Quality Assurance, Client Services Unit, HMQAMS, Bin Co1, 2020 Capital Circle, S. E., Tallahassee, FL 32399-3251.

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, he will need a record of the proceeding, and for such purpose, he may need to insure that a verbatim proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Ashleigh France at (850)487-9763 at least 10 calendar days prior to the meeting. If you are hearing or speech impaired, please call Ms. France using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Chiropractic Medicine** will hold a conference call meeting to which all persons are invited to attend.

DATE AND TIME: Monday, March 13, 2000, 11:00 a.m.

PLACE: Department of Health, 1940 North Monroe Street, Tallahassee, Florida at Meet Me Number (850)488-5776

PURPOSE: General board business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board at (850)487-3052 at least 48 hour prior to the meeting. If you are hearing or speech impaired, please call the Board 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 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 item may be obtained by writing to: Ms. Sherra W. Causey, Board of Chiropractic Medicine, 2020 Capital Circle, S. E. Bin #C07, Tallahassee, Florida 32399-3257.

The **Board of Chiropractic Medicine Probable Cause Panel** will hold a conference call meeting to which all persons are invited to attend.

DATE AND TIME: Monday, March 13, 2000, 11:30 a.m. at Meet Me Number (850)921-6433

PLACE: Department of Health, 1940 North Monroe Street, Tallahassee, FL 32399

PURPOSE: 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 at (850)487-3052 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 item may be obtained by writing to: Sherra W. Causey, Board of Chiropractic Medicine, 2020 Capital Circle, S. E. Bin #C07, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Hearing Aid Specialists** announces a General Business meeting and a Probable Cause Panel meeting. Several cases in which a finding of probable cause have already been found will be reconsidered at the probable cause panel meeting. All interested parties are invited to attend at the address listed below.

DATES AND TIME: March 23, 2000 and March 24, 2000, General Business meeting, 9:00 a.m. The Probable Cause Panel meeting will follow the General Business meeting. Reconsiderations are open to the public. The remainder of the meeting is not open to the public.

PLACE: Business and Professional Regulation Board Room, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1129

PURPOSE: General Business Meeting, Probable Cause panel Meeting and Reconsideration of probable cause cases.

A copy of the agenda may be obtained by writing to Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster by Friday, March 10, 2000.

The Florida **Board of Medicine**, Probable Cause Panel (South), announces a Telephone Conference Call.

DATE AND TIME: Friday, March 10, 2000, 2:00 p.m.

PLACE: Telephone Conference Call

PURPOSE: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

The meet me number may be obtained by contacting Pamela King, Regulatory Supervisor, Board of Medicine, 2020 Capital Circle, S. E., Bin C03, Tallahassee, Florida 32399-3253, (850)488-3600.

A copy of the agenda may be obtained by writing to Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 322317-4229, Telephone (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Department of Health, Board of Nursing Home Administrators** announces a Telephone Conference for a Probable Cause Panel Meeting to which all interested persons are invited.

DATE AND TIME: March 10, 2000, 10:00 a.m.

PLACE: Department of Health, 1940 North Monroe Street, Tallahassee, FL 32399

TELEPHONE NO: (850)921-5551

PURPOSE: Probable Cause Panel Meeting where probable cause was previously found.

A copy of the agenda and any probable cause materials which are open to the public may be obtained by writing to the Board of Nursing Home Administrators, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King at the Board of Nursing Home Administrators, (850)488-7549 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department 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 a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

The **Department of Health**, Bureau of Emergency Medical Services announces a public meeting to which all persons are invited.

DATES AND TIME: March 13, 2000; March 20, 2000, 1:00 p.m. – 2:00 p.m.

PLACE: Bureau of Emergency Medical Services, 4025 Esplanade Way, Tallahassee, FL 32301-4881. Toll free number for both calls: 1(800)647-7427.

PURPOSE: A committee appointed by the Bureau of Emergency Medical Services is holding several conference calls to assist the Department of Health in the implementation of the 1999 trauma legislation which requires the development of criteria for the consultation and transfer of trauma victims between trauma centers and general hospitals.

A copy of the agenda may be obtained by writing to the Department of Health, Bureau of Emergency Medical Services, 2020 Capital Circle, Southeast, Bin #C18, Tallahassee, Florida 32399-1738 or by calling Susan McDevitt, (850)245-4440, Ext. 2760.

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 before March 10, 2000 by contacting Susan McDevitt, (850)245-4440, Ext. 2760. 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). Purchase Order Number XO0699

The Florida **Department of Health**, Bureau of HIV/AIDS, on behalf of the Florida Minority HIV and AIDS Task Force announces an upcoming public forum and business meeting of the Task Force.

DATES AND TIMES: The public forum will be held Monday, March 20, 2000, 4:00 p.m. – 8:00 p.m. The business meeting will be held Tuesday, March 21, 2000, 9:00 a.m. – 3:00 p.m.

PLACE: The public forum will be held at the Orlando Regional Medical Center, 1414 Kuhl Avenue, Orlando, Florida 32806. The business meeting of the Task Force will be held at the Orange County Health Department, 832 West Central Boulevard, Orlando, Florida 32802. You may contact Maude Andrews, (407)649-6856, for directions.

PURPOSE: Pursuant to 1999 legislation, the Minority HIV/AIDS Task Force was created to “develop and provide specific recommendations to the Governor, the Legislature and the Department of Health on ways to strengthen HIV and AIDS prevention programs and early intervention and treatment efforts in the state’s black, Hispanic and other minority communities, as well as ways to address the many needs of the state’s minorities infected with HIV and their families.” All persons, including representatives of city and county governments, health officials and public and private community organizations are invited to attend.

Written comments for the Task Force to consider may be submitted to the Department of Health, Bureau of HIV/AIDS, 2020 Capital Circle, S. E., Bin #A09, Tallahassee, Florida 32399-1715.

Persons requiring special accommodations should contact Ronald Henderson, (850)245-4433 by March 10, 2000.

The **Miami-Dade County Health Department** announces a meeting of the Tobacco-Free Miami-Dade Community Partnership.

DATE AND TIME: Wednesday, March 8, 2000, 12:00 p.m. – 2:00 p.m.

PLACE: Silverman Hall at The Village

PURPOSE: Monthly meeting.

A copy of the agenda can be obtained by contacting Christine Kelly, (305)377-5010, Ext. 118.

If special accommodations are needed to attend this meeting because of a disability, please contact Christine Kelly as soon as possible.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The District 14, **Department of Children and Family Services**, Health and Human Services Board announces the following meetings to which all persons are invited.

Community Based Care Subcommittees will meet as follows:
Management/Administrative/Readiness Subcommittee Mtg.

DATE AND TIME: Thursday, March 2, 2000, 9:00 a.m.

PLACE: United Way of Central Florida, Board Room, 5605 US, Highway 98, South, Highland City, FL

PURPOSE: To plan the transition of child welfare services to community based care by researching and designing components for a model plan.

Management Information System Subcommittee meeting

DATES AND TIMES: Friday, March 3, 2000, 9:30 a.m.;
Friday, March 17, 2000, 9:00 a.m.

PLACE: United Way of Central Florida, Board Room, 5605 US Highway 98, South, Highland City, FL

PURPOSE: To develop an inventory of needed reports, define operational requirements and standards for record keeping, and define key data sources.

Finance Subcommittee meeting

DATES AND TIMES: Friday, March 3, 2000, 10:30 a.m.;
Friday, March 17, 2000, 10:30 a.m.

PLACE: United Way of Central Florida, ECR Conference Room, 5605 US Highway 98, South, Highland City, FL

PURPOSE: To access current revenue, costs, start-up costs, and develop revenue maximization plan.

PR/Marketing/Advocacy Subcommittee meeting

DATES AND TIMES: Wednesday, March 8, 2000, 3:00 p.m.;
Wednesday, March 22, 2000, 3:00 p.m.

PLACE: United Way of Central Florida, Board Room, 5606 US Highway 98, South, Highland City, FL

PURPOSE: Develop a communications plan.

Target Populations and Outcomes Subcommittee meeting

DATES AND TIMES: Wednesday, March 8, 1:00 p.m.;
Wednesday, March 22, 1:00 p.m.

PLACE: United Way of Central Florida, ECR Conference Room, 5605 US Highway 98, South, Highland City, FL

PURPOSE: To define mandated population, determine size and scope of target population and services, identify the data sources, and develop system performance standards related to access to services.

System of Care Subcommittee meeting

DATES AND TIMES: Friday, March 10, 2000, 1:00 p.m.;
Friday, March 24, 2000, 1:00 p.m.

PLACE: United Way of Central Florida, Board Room, 5606 US Highway 98, South, Highland City, FL

PURPOSE: To access current system strengths and weaknesses, analyze data, and define care management policies.

Protective Investigations and Legal Subcommittee meeting
 DATES AND TIME: Monday, March 13, 2000, 1:30 p.m.;
 Monday, March 27, 2000, 1:30 p.m.

PLACE: United Way of Central Florida, ECR Conference
 Room, 5605 US Highway 98, South, Highland City, FL
 Health and Human Services Board Executive Committee
 meeting

DATE AND TIME: Monday, March 6, 2000, 11:30 a.m.
 PLACE: Children and Family Services, Conference Room
 259, 4720 Old Highway 37, Lakeland, FL

PURPOSE: Develop board agenda.
 Child Protection Council meeting

DATE AND TIME: Thursday, March 9, 2000, 3:00 p.m.
 PLACE: Children and Families Service Center Office,
 Conference Room 101, 270 Bartow Municipal Airport,
 Bartow, FL

PURPOSE: To discuss foster care, adoptions, family
 preservation and other children and families issues.
 Alcohol, Drug Abuse and Mental Health Council meeting

DATE AND TIME: Monday, March 13, 2000, 2:00 p.m.
 PLACE: Children and Families Service Center Office,
 Conference Room 101, 270 Bartow Municipal Airport,
 Bartow, FL

PURPOSE: To discuss mental health and substance abuse
 issues.

Health & Human Services Board Business meeting
 DATE AND TIME: Tuesday, March 21, 2000, 4:30 p.m.
 PLACE: Children and Families Service Center Office,
 Conference, Room 101, 270 Bartow Municipal Airport,
 Bartow, FL

PURPOSE: To conduct general business.
 Polk County School Readiness Coalition meeting

DATE AND TIME: Wednesday, March 15, 2000, 8:30 a.m.
 PLACE: Polk County Opportunity Council, Resource Center,
 1045 Highway 17, South, Bartow, FL

PURPOSE: Develop a community plan to ensure all children
 enter kindergarten ready to learn.

Advisory Community-Based Care Council meeting
 DATE AND TIME: Thursday, March 30, 2000, 3:00 p.m.
 PLACE: Fort Meade Community Center, 10 S. W. Third
 Street, Fort Meade, FL

PURPOSE: To plan for community-based care in District 14.
 Family Care Council meeting

DATE AND TIME: Monday, February 20, 2000, 6:30 p.m.
 PLACE: Children and Families Service Center Office,
 Conference Room 101, 270 Bartow Municipal Airport,
 Bartow, FL

PURPOSE: To discuss issues relating to services for the
 developmentally disabled.

For copies of the agenda, further information, or persons
 needing accommodation to to participate in these conference
 call please contact, Patty Harrison at (941)619-4100, Extension
 157, 1(800)342-0825 or TDD (941)648-3337.

**FLORIDA RESIDENTIAL PROPERTY AND
 CASUALTY JOINT UNDERWRITING ASSOCIATION**

The **Florida Residential Property and Casualty Joint
 Underwriting Association** announces a telephonic meeting of
 its Board of Governors to be held on:

DATE AND TIME: Tuesday, March 14, 2000, 2:30 p.m., EST.
 PURPOSE: Items of discussion include, but are not limited to,
 the 2000 Line of Credit documents.

For additional information, please call 1(800)807-7647,
 Extension 3761.

WAGES BOARD

The State of Florida **Wages Board** announces a Conference
 Call Meeting to which all persons are invited:

DATE AND TIME: Wednesday, March 29, 2000, 8:00 a.m. –
 9:30 a.m.

PLACE: State of Florida WAGES Board Office, 102 West
 Whiting Street, Suite 502, Tampa, Florida 33602,
 (Meet-Me-Statewide Conference Call), (850)921-5230 or
 SunCom 291-5230

GENERAL SUBJECT MATTER TO BE CONSIDERED: The
 Board will discuss Regular Board Business.

A copy of the board agenda for conference call will be
 available by March 27, 2000, by contacting Elma Williams,
 (813)233-2261 or by writing the State WAGES Office, 102
 West Whiting Street, Suite 502, Tampa, FL 33602.

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
 (TTD).

**FLORIDA LOCAL GOVERNMENT FINANCE
 COMMISSION**

The **Florida Local Government Finance Commission**
 announces a public meeting to which all interested persons are
 invited.

DATE AND TIME: Friday, March 31, 2000, 10:30 a.m.
 PLACE: 2502 Rocky Point Drive, Suite 1060, Tampa, Florida
 33607

PURPOSE: Meeting of the Commission relating to its
 statewide pooled commercial paper program.

FLORIDA SURPLUS LINES SERVICE OFFICE

The **Florida Surplus Lines Service Office** announces a quarterly meeting of the Board of Governors to which all interested parties are invited:

DATE AND TIME: Wednesday, April 19, 2000, 10:00 a.m.

PLACE: Daytona International Speedway, 1801 W. International Speedway Blvd., Daytona Beach, FL 32114

PURPOSE: General Business Matters.

A copy of the agenda may be obtained by sending a faxed request to Kristen DeVitto, (850)513-9624.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Kristen a week prior to the meeting at (850)224-7676, Ext. 16.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF HEALTH

The Board of Nursing hereby gives notice that it has received a Petition for Declaratory Statement filed by Gail Cassel, RN, MBA, COHN-S. The Petitioner seeks the Board's interpretation of the application of Section 464.003(3)(a), F.S., to the circumstances outlined in the petition. Specifically, the Petitioner asks if the Nurse Practice Act allows licensed health care professionals (registered nurses and advanced practice nurses) to fulfill the health surveillance requirements for determination of an individual's ability to wear a respirator as required in 29 C.F.R. §1910.134.

The Board will consider this petition at the conclusion of the general business meeting, on April 11, 2000, Radisson Ponce De Leon & Conference Center, 4000 U.S. Highway 1, North, St. Augustine, Florida 32095, (904)824-2821.

Copies of the petition may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207.

The Board of Nursing hereby gives notice that the Petition for Declaratory Statement filed by Lois Newman, R.N., has been withdrawn. The Board published notice of receipt of the Petition in Vol. 25, No. 52, of the December 30, 1999, Florida Administrative Weekly. The Petition was on the agenda for the Board's consideration at its February 9, 2000, at which time said Petition was withdrawn.

The Board of Nursing hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of Florida Health Care Association. The Petitioner seeks the Board's interpretation of the scope of services the licensed practical nurse (LPN) is authorized to perform with regard to two issues.

The first issue concerns an LPN's ability to act, pursuant to 42 C.F.R. §483.30(a)(2), while on duty as a charge nurse in a nursing home facility, which includes the supervision of other nursing personnel and any other such duties as may be authorized by federal or state regulations whether a registered nurse is on-site or not. The second issue concerns the scope of an LPN's ability to act in a supervisory role over CNAs whether a registered nurse is on-site or not.

The Board will consider this petition at the conclusion of the general business meeting, on April 11, 2000, Radisson Ponce De Leon & Conference Center, 4000 U.S. Highway 1, North, St. Augustine, Florida 32095, (904)824-2821.

Copies of the petition may be obtained by writing: Dr. Ruth Stiehl, Executive Director, 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:

City of Tampa, Florida vs. Southwest Florida Water Management District; Rule Nos.: 40D-2, 40D-4, 40D-8; Case No.: 00-0742RP

Crystal Springs Recreational Preserve, Inc. and Two Rivers Ranch, Inc. vs. Southwest Florida Water Management District; Rule Nos.: 40D-8.041, 40D-80.073; Case No.: 00-0647RP

Friends of the River, a not for profit civic association; Philip Compton; B. John Ovink; Barbara R. Lewis; Ed Ross; Pamela F. Stein; Paul G. Stein; Elizabeth Taylor vs. Southwest Florida Water Management District; Rule No.: 40D-80.073; Case No.: 00-0646RP

Florida Academy of Cosmetic Surgery, Inc.; Charles Graper, M.D., D.D.S., F.A.C.S.; R. Gregory Smith, M.D. vs. Department of Health, Board of Medicine; Rule No.: 64B8-9.009(1)-(6); Case No.: 00-0743RP

Bink F. Williams vs. Department of Health; Rule No.: 64E-19; Case No.: 00-0364RP

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Florida Society of Anesthesiologists vs. Department of Health, Board of Medicine and Florida Society of Plastic and Reconstructive Surgeons, Inc.; Rule No.: 64B8-9.009; Case No.: 99-2974RP; Closed

Florida League of Health Systems, Inc.; Florida Hospital Association, Inc.; and the Association of Community Hospitals and Health Systems of Florida, Inc. vs. Department of Health, Board of Medicine; Rule No.: 64B8-9.009(1)-(6); Case No.: 99-2975RP; Closed

**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

CALL FOR BIDS

PROJECT NAME, NUMBER & LOCATION: Parking Garage Two, BR-879, Florida International University, University Park, Miami, Florida.

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: April 6, 2000, until 2:00 p.m., local time
PLACE: Florida International University, University Park, Facilities Management, Campus Support Complex, Room 240, Miami, Florida 33199, 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: Zyscovich, Inc., 100 N. Biscayne Boulevard, 27th Floor, Miami, Florida 33132, (305)372-5222.

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. Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

PRE-SOLICITATION/PRE-BID MEETING: 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: March 21, 2000, 2:00 p.m., local time
PLACE: Florida International University, University Park, Facilities Management, Campus Support Complex, Room 240, Miami, Florida

DEPOSIT: \$200.00 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 for \$200.00 per set for the printing and handling cost. Partial sets may be purchased at \$2.00 per sheet of the drawings and \$0.25 per page of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$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.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of North Florida, on behalf of the State of Florida, Board of Regents, announces that Professional Services in the discipline of architecture are required for minor projects.

Minor projects are specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$25,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1, 2000 – June 30, 2001.

Firms desiring to provide professional services shall apply by letter. Proximity of location will be a prime factor in the selection of the firm.

The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," dated 09/15/97. 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 four 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 \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms may be obtained by contacting:

Mr. Spyros D. Drivas, AIA, Director
 University Facilities Planning
 University of North Florida
 4567 St. Johns Bluff Road, South
 Jacksonville, Florida 32224-2645
 (904)620-2016

Submittal must be received in the Facilities Planning Office (Daniel Hall/Room 2026), University of North Florida by 5:00 p.m. local time, on April 4, 2000. Facsimile (FAX) submittal are not acceptable and will not be considered.

CALL FOR BIDS

made by the University of North Florida, on behalf of the State of Florida, Board of Regents.

PROJECT NAME, NUMBER & LOCATION: Golf Management & Learning Center, BR-926, 4567, St. Johns Bluff Road, South, Jacksonville, Florida.

PROJECT SCOPE: The project involves the construction of an approximate 8,000 SF building. Estimated cost is \$500,000-\$600,000.

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: April 4, 2000, until 1:00 p.m. local time.

PLACE: University of North Florida, J. J. Daniel Hall/Bldg. 1 (A & F Conference Room – #2002) 4567 St. Johns Bluff Road, South, Jacksonville, Florida, at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer at Rink, Reynolds, Diamond, Fisher, Attn: Eric Kasper (396-6353), 1301 Riverplace Blvd., Suite 500, Jacksonville, Florida 32207.

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. Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

PRE-SOLICITATION/PRE-BID MEETING: 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: March 23, 2000, at 3:00 p.m. local time

PLACE: University of North Florida, J. J. Daniel Hall/Bldg. 1 (A & F Conference Room – #2002), 4567 St. Johns Bluff Road, South, Jacksonville, Florida

DEPOSIT: \$30.00 per set of drawings and Project Manual is required with a limit of two (2) sets per general contractor or prime bidder; and one (1) 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 for \$20.00 per set for the printing and handling cost. Partial sets may be purchased at \$1.00 per sheet of the drawings and \$10.00 per copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

CALL FOR BIDS

made by the University of North Florida, on behalf of the State of Florida, Board of Regents.

PROJECT NAME, & LOCATION: Gravity Sanitary Sewer and Water Main, BR-957, 4567 St. Johns Bluff Road, South, Jacksonville, Florida.

PROJECT SCOPE: The estimated cost for this project is \$200,000.00 – \$300,000.00.

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: March 28, 2000, until 2:00 p.m. local time

PLACE: University of North Florida, J. J. Daniel Hall/ Building 1 (A & F Conference Room – #2002), 4567 St. Johns Bluff Road, South, Jacksonville, Florida, at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer at Reynolds, Smith and Hills, Inc., Paul Ina (296-2000), 4651 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. Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

PRE-SOLICITATION/PRE-BID MEETING: 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: March 16, 2000 at 2:00 p.m. local time

PLACE: University of North Florida, J. J. Daniel Hall/Bldg. 1 (A & F Conference Room – #2002), 4567 St. Johns Bluff Road, South, Jacksonville, Florida.

DEPOSIT: \$30.00 per set of drawings and Project Manual is required with a limit of two (2) sets per general contractor or prime bidder.

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 for \$20.00 per set for the printing and handling cost. Partial sets may be purchased at \$1.00 per sheet of the drawings and \$10.00 per copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

CALL FOR BIDS

made by Florida Gulf Coast University, on behalf of the State of Florida, Board of Regents.

PROJECT NAME & NUMBER: Loop Road Completion & Additional parking BR-1012

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: Wednesday, April 5, 2000, until 2:00 p.m., local time

PLACE: 10501 FGCU Blvd. South, Campus Support Complex Meeting Room #2, Florida Gulf Coast University, Fort Myers, Florida 33965-6565, 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: Johnson Engineering, Inc., 2158 Johnson Street, Fort Myers, Florida 33902-1550, Telephone (941)334-0046.

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. Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

PRE-SOLICITATION/PRE-BID MEETING: Bidders are 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: Wednesday, March 22, 2000, 10:00 a.m., local time

PLACE: 10501 FGCU Blvd., South, Campus Support Complex Meeting Room #2, Florida Gulf Coast University, Fort Myers, Florida 33965-6565

DEPOSIT: \$50.00 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/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 for \$50.00 per set for the printing and handing cost. Partial sets may be purchased at \$1.50 per sheet of the drawings and \$20.00 per copy of the Project Manual and are sold subject to the provisions of article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287-133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$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.

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: Additions, Remodeling, Renovations and Site Improvements at Jean Ribault High School No. 96 and William M. Raines High School No. 165 and Window Replacement at Jean Ribault Middle School No. 212: Stage I Roof Replacement of Building No. 2 and No. 3 at Raines High School No. 165

BID NUMBER: C-90390

SCOPE OF WORK: Remove and replace all roofing on Building No. 2 and No. 3 at William M. Raines High School No. 165

BIDS: Bids will be received until 2:00 p.m. on Tuesday, April 4, 2000 and immediately thereafter publicly opened, read aloud and recorded in Conference Room No. 513D, 5th Floor Facilities, School Board Building, 1701 Prudential Drive, Jacksonville, Florida, 32207.

All roofing contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on March 24, 2000, at 10:00 a.m. local time at William M. Raines High School No. 165, 3663 Raines Ave., Jacksonville Florida, 32209. 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 prime bidders shall be licensed state certified roofing contractors and registered corporations, subcontractors shall be licensed contractors as required by the laws of the State of Florida.

Contract documents for bidding may be obtained at the office of Akel, Logan & Shafer P.A., 110 Riverside Avenue, Jacksonville, Florida 32202-4995. A refundable deposit of seventy-five dollars per set is required. Duval County School Board point of contact is Dale Hughes, Plant Services (904)381-3873.

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 5 percent overall Minority Business Enterprise participation is required.

REGIONAL PLANNING COUNCILS

LEGAL NOTICE

SEALED PROPOSALS TO PROVIDE TRANSPORTATION PLANNING CONSULTANT SERVICES WILL BE RECEIVED BY THE LEE COUNTY METROPOLITAN PLANNING ORGANIZATION PURCHASING DESK, 4980 BAYLINE DRIVE, 4th FLOOR, N. FT. MYERS, FLORIDA 33918-3455, UNTIL 5:00 P.M. (LOCAL TIME), FRIDAY, APRIL 7, 2000. THE LEE METROPLITAN PLANNING ORGANIZATION RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS.

RFP # MPO 2000-001

“Annual Contract for

Transportation Planning Consultant Services”

The transportation planning work will include, but not be limited to, technical evaluation and modification of the Lee County Metropolitan Planning Organization’s (MPO) Florida Standard Urban Transportation Model Structure (FSUTMS), long range transportation plan alternatives analyses, long range transportation plan updates and amendments, financial revenue analyses, public involvement program participation, corridor studies, freight movement studies, traffic simulation, land use scenario testing, transit system studies, congestion management system update, ITS needs assessment, and other miscellaneous studies as directed. All statements shall be made upon the official Proposers Qualification Form that may be had by qualified consultants and that may be obtained from the

Purchasing Desk, Lee County Metropolitan Planning Organization, 4980 Bayline Drive, 4th Floor, N. Ft. Myers, Florida 33918-3455.

INVITATION TO PROPOSE: THE MPO HEREBY SOLICITS OFFERS FOR PROFESSIONAL SERVICES TO MEET THE NEEDS OF THE TRANSPORTATION PLANNING PROGRAM.

REQUESTS FOR RFP INFORMATION AND INSTRUCTIONS: ALL REQUESTS FOR INFORMATION AND INSTRUCTIONS FOR SUBMITTING A PROPOSAL MUST BE DIRECTED TO MS. PATTI ARMBRUSTER, PURCHASING AGENT. MATERIALS WILL BE SENT BY REGULAR MAIL TO THE REQUESTOR WITHIN TWO BUSINESS DAYS. MATERIALS WILL BE SENT BY FEDERAL EXPRESS OR CERTIFIED MAIL IF REQUESTED, AT THE EXPENSE OF THE REQUESTOR.

HOW TO APPLY: REQUEST FOR PROPOSALS (RFP) MAY BE OBTAINED BY CONTACTING: MS. PATTI ARMBRUSTER, LEE COUNTY METROPOLITAN PLANNING ORGANIZATION, 4980 BAYLINE DRIVE, N. FT. MYERS, FL 33918, TELEPHONE NUMBER (941)656-7720.

BY: Patti Armbruster
Purchasing Agent

This Public Notice was posted in the Lobby of the Southwest Florida Regional Planning Council and Lee County Metropolitan Planning Organization, 8490 Bayline Drive, 4th Floor, Lee County on Monday, February 28, 2000. The Lee County MPO does not discriminate based on age, race, color, sex, religion, national origin, disability or marital status.

EXPRESSWAY AUTHORITIES

**NOTICE TO PROFESSIONAL APPRAISERS
REQUEST FOR LETTERS OF INTEREST**

The Miami-Dade Expressway Authority (MDX) is seeking the services of two (2) qualified firms (the “Firm”) to provide Appraisal and Review Appraisal Services in connection with the acquisition of right-of-way for MDX Project No. 836-005, construction of the SR 836 Extension from N. W. 137th Avenue to N. W. 107th Avenue, MDX Project No. 836-003 (Interconnector) from SR 836 to SR 112, (the “Project”) and other miscellaneous appraisal services from time to time as may be required by MDX in Miami-Dade County. Shortlist consideration will be given to only those firms or individuals who are qualified pursuant to law and who have experience in preparing appraisals conforming with the Uniform Standards of Professional Appraisal Practice, as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

FEDERAL AND STATE DEBARMENT: By signing and submitting a Letter of Interest, the Firm certifies that no principal (which includes officers, directors, or executives) is presently suspended, proposed for debarment, declared

ineligible or voluntarily excluded from participation in this transaction by any federal or state or local department or agency.

SYSTEM: The Miami-Dade Expressway System is comprised of State Road 112, State Road 836, State Road 874, State Road 878 and State Road 924.

WORK DESCRIPTION: The Firm will provide Appraisal and Review Appraisal Services in connection with the acquisition of right-of-way for MDX Project No. 836-005, construction of the SR 836 Extension from N. W. 137th Avenue to N. W. 107th Avenue, and MDX Project No. 836-003 (Interconnector) from SR 836 to SR 112, (the "Project") and other miscellaneous appraisal services from time to time as may be required by MDX.

SELECTION PROCEDURE: Following an evaluation, a minimum of four (4) firms and/or individuals will be selected and asked to submit fee proposals on specific parcels and assignments will be issued following evaluation of the proposals. An oral presentation may be required.

Significant factors to be considered in the evaluation and selection are: State certification, staff support, discipline expertise and expert witness experience and qualifications, including results.

RESPONSE PROCEDURE: Qualified firms are encouraged to submit a Letter of Interest to MDX. Three (3) original Letters of Interest (one unbound) MUST be received by the Miami-Dade Expressway Authority, 3790 N. W. 21 Street, Miami, Florida 33142, Attn.: Sam Gonzalez, P. E., Chief Engineer, by Thursday, March 9, 2000 by 12:00 Noon, Eastern Time (the "Deadline Date").

After reviewing the documentation submitted, MDX will notify all firms in writing by, March 31, 2000, if they have been shortlisted and will mail one (1) copy of the Request For Technical Proposal to each shortlisted firm.

NOTE: In order to be shortlisted and invited to submit a proposal, a firm submitting a Letter of Interest must satisfy all of the following specific requirements/criteria.

SUBMITTAL OF LETTER OF INTEREST: The Letter of Interest shall be in writing, submitted on the letterhead of the Firm and shall not exceed three (3) pages in length exclusive of attachments. Two originals shall be submitted. The Letter of Interest MUST include at a minimum the information set out in the Criteria.

CRITERIA: The Letter of Interest shall contain the following information:

1. Project name.
2. Firm's name and address.
3. Documentation acceptable to MDX that the Firm involved in this professional service, as identified in Section 287.055, Florida Statutes, is prequalified by the Florida Department of Transportation Group 20.1, Appraisal; and Group 20.2, Appraisal Review;
4. Proposed responsible officer for the Firm.

5. Contact person, phone number, fax number and Internet Email address. The contact person shall be a single person who can be contacted to discuss contents or questions regarding references, listed projects or other matters contained in the Letter of Interest.
6. Proposed key personnel and their proposed roles (do not include resumes).
7. Sub-consultant(s) that may be used for the Project.
8. Indication as to whether the primary firm and/or sub-consultants are disadvantaged business enterprises (DBE).
9. An estimate of the Firm's current workload and available resources.
10. A list of similar projects completed NOT EARLIER THAN January 1, 1994, with references and phone numbers.

COMMUNICATION: Communications between any respondent and any member of MDX or its staff is strictly prohibited from the date of publication of the Request for Letter of Interest through the date of final MDX action with respect to the selection of the Firm. The only exception to this is any communication at a publicly noticed meeting of MDX or its Operations Committee. Any violation of the requirements set forth in this paragraph shall constitute grounds for immediate and permanent disqualification of the offending respondent.

DISADVANTAGED BUSINESS ENTERPRISES PROGRAM: MDX, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §200c et seq., the Florida Civil Rights Act of 1992, as amended, §760.10 et. seq., Fla. Stat. (1996) and other federal and state discrimination statutes, prohibits discrimination on the basis of race, color, sex, age, national origin, religion and disability or handicap. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women as employees in the work force.

MDX encourages small, minority and woman owned business to have full opportunity to submit bids in response to Solicitation Documents issued by MDX and bidders will not be discriminated against on the basis of sex, race, color, national origin, religion or disability or other protected status. The overall goal of MDX is to obtain an M/WMBE participation of twenty-five percent (25%) for the aggregate of its projects.

MDX RESERVES THE RIGHT TO REJECT ANY OR ALL LETTERS OF INTEREST RECEIVED.

NOTICE FOR PROFESSIONAL SERVICES FOR
CONSTRUCTION MATERIALS INSPECTION
AND TESTING

REQUEST FOR LETTERS OF INTEREST

The Miami-Dade Expressway Authority (MDX) is seeking the services of a qualified firm (the "Firm") to provide Construction Materials Inspection and Testing for the Miami-Dade Expressway Authority (MDX) in Miami-Dade County. The Firm will provide administrative and technical support to assist MDX in performing Inspections and Testing of Construction Materials and Products from time to time as requested by the MDX Chief Engineer during the length of this contract.

FEDERAL AND STATE DEBARMENT: By signing and submitting a Letter of Interest, the Firm certifies that no principal (which includes officers, directors or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal or state or local department or agency.

SYSTEM: The Miami-Dade Expressway System is comprised of State Road 112, State Road 836, State Road 874, State Road 878 and State Road 924.

WORK DESCRIPTION: The Firm's services shall include, but not be limited to, administrative and technical support to MDX in the Inspection and Testing of Construction Materials and Products, providing required support relative to sampling, recording of data, reporting, inspection and testing of bituminous materials, concrete, soils and aggregate, water, steel and prestress and precast products. The services shall be done in accordance with the applicable FDOT Standard Specifications for Road & Bridge Construction; Project Special Provisions; Standard Indexes; Approved Shop Drawings; Standard Operating Procedures; and Manual of Florida Sampling & Testing Methods. The selected firm will be considered as the Materials Engineer in responsible charge of certifying all materials incorporated in MDX projects.

SELECTION PROCEDURE: At least three firms will be shortlisted and requested to provide written technical proposals based on the Scope of Services contained in the Request For Proposals to be issued by MDX. An oral presentation may be required. After ranking of the firms and selection of a firm, the contract and contract fee will be negotiated.

Significant factors to be considered in the evaluation and selection are: State certification, staff support, discipline expertise, Miami-Dade County Court qualifications, Court testimony experience, including results.

RESPONSE PROCEDURE: Qualified firms are encouraged to submit a Letter of Interest to MDX. Three (3) original Letters of Interest (one unbound) MUST be received by the Miami-Dade Expressway Authority, 3790 N. W. 21 Street,

Miami, Florida 33142, Attn.: Sam Gonzalez, P. E., Chief Engineer, by Thursday, March 9, 2000 by 12:00 Noon, Eastern Time (the "Deadline Date").

After reviewing the documentation submitted, MDX will notify all firms in writing by, March 31, 2000, if they have been shortlisted and will mail one (1) copy of the Request For Technical Proposal to each shortlisted firm.

NOTE: In order to be shortlisted and invited to submit a proposal, a firm submitting a Letter of Interest must satisfy all of the following specific requirements/criteria.

SUBMITTAL OF LETTER OF INTEREST: The Letter of Interest shall be in writing, submitted on the letterhead of the Firm and shall not exceed three (3) pages in length exclusive of attachments. Two originals shall be submitted. The Letter of Interest MUST include at a minimum the information set out in the Criteria.

CRITERIA: The Letter of Interest shall contain the following information:

1. Project name.
2. Firm's name and address.
3. Documentation acceptable to MDX that the Firm involved in this professional service, as identified in Section 287.055, Florida Statutes, is prequalified by the Florida Department of Transportation in Group 9.3, Highway Materials Testing.
4. Proposed responsible officer for the Firm.
5. Contact person, phone number, fax number and Internet Email address. The contact person shall be a single person who can be contacted to discuss contents or questions regarding references, listed projects or other matters contained in the Letter of Interest.
6. Proposed key personnel and their proposed roles (do not include resumes or certifications).
7. Sub-consultant(s) that may be used for the Project and a brief description of their respective roles.
8. Indication as to whether the primary firm and/or sub-consultants are disadvantaged business enterprises (DBE).
9. An estimate of the Firm's current workload and available resources.
10. A list of similar projects completed NOT EARLIER THAN January 1, 1994, with references and phone numbers.

COMMUNICATION: Communications between any respondent and any member of MDX or its staff is strictly prohibited from the date of publication of the Request for Letter of Interest through the date of final MDX action with respect to the selection of the Firm or Joint Venture. The only exception to this is any communication at a publicly noticed meeting of MDX or its Operations Committee. Any violation

of the requirements set forth in this paragraph shall constitute grounds for immediate and permanent disqualification of the offending respondent.

DISADVANTAGED BUSINESS ENTERPRISES PROGRAM: MDX, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §200c et seq., the Florida Civil Rights Act of 1992, as amended, §760.10 et. seq., Fla. Stat. (1996) and other federal and state discrimination statutes, prohibits discrimination on the basis of race, color, sex, age, national origin, religion and disability or handicap. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women as employees in the work force.

MDX encourages small, minority and woman owned business to have full opportunity to submit bids in response to Solicitation Documents issued by MDX and bidders will not be discriminated against on the basis of sex, race, color, national origin, religion or disability or other protected status. The overall goal of MDX is to obtain an M/WMBE participation of twenty-five percent (25%) for the aggregate of its projects.

MDX RESERVES THE RIGHT TO REJECT ANY OR ALL LETTERS OF INTEREST RECEIVED.

**NOTICE TO DESIGN-BUILD FIRMS
REQUEST FOR LETTERS OF INTEREST**

The Miami-Dade Expressway Authority ("MDX") is seeking the services of a design-build firm or team of firms ("Firm") with the necessary expertise to provide design and construction associated with the roadway widening of SR 924 (Gratigny Parkway) from the Palmetto Expressway (SR 826) ramps to N. W. 62nd Avenue, MDX Project No. 924-001 (the "Project").

FEDERAL AND STATE DEBARMENT: By signing and submitting a Letter of Interest, the Firm certifies that no principal (which includes officers, directors or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal or state or local department or agency.

SYSTEM: The Miami-Dade Expressway System is comprised of State Road 112, State Road 836, State Road 874, State Road 878 and State Road 924.

WORK DESCRIPTION: The selected Firm will provide design-build services for the widening of the existing four-lane segment on SR 924 (Gratigny Park) to six lanes. This proposed improvement is approximately one mile long, and runs from the Palmetto Expressway (SR 826) ramps east to N. W. 62nd Avenue (W. 8th Ave.)

NATURE OF THE PROPOSED WORK AND SCOPE OF SERVICES: Work anticipated under this agreement may consist of any of the following:

The Gratigny Parkway runs in a general east-west direction through central Miami-Dade County, from N. W. 27th Avenue in the east to the Palmetto Expressway in the west. Most of the Gratigny Parkway is a six-lane limited access expressway with three lanes in each direction (east and west) separated by a jersey barrier and bordered by noise walls and/or landscape screening along most of the north side. The southern edge is also bordered with intermittent noise walls where residential areas are located adjacent to the Gratigny Parkway. The entire length of the Gratigny Parkway was originally intended to be six lanes from the inception of the roadway construction project that started in the late 1980s.

MDX will provide the Firm with design information, including design surveys, geotechnical information and pavement design to a level which the Firm can use towards the final design and construction of the Project. The selected Firm will need to verify the information provided by MDX. This is a high priority work item for MDX, and the work schedule requires completion of the Project within seven (7) months of the Notice to Proceed.

SELECTION PROCEDURE: At least three Firms will be shortlisted and requested to provide written technical proposals and submit a bid based on the Scope of Services contained in the Request For Proposals to be issued by MDX. An oral presentation may be required.

RESPONSE PROCEDURE: Qualified firms are encouraged to submit a Letter of Interest to MDX. Two original Letters of Interest (one unbound) **MUST** be received by the Miami-Dade Expressway Authority, 3790 N. W. 21st Street, Miami, Florida 33142, Attn.: Sam Gonzalez, P. E., Chief Engineer, by Thursday, March 16, 2000, by 12:00 noon, Eastern Time (the "Deadline Date").

After reviewing the documentation submitted, MDX will notify all firms in writing by March 24, 2000, if they have been shortlisted and will mail one (1) copy of the Request For Proposal to each shortlisted firm.

NOTE: In order to be shortlisted and invited to submit a proposal, a firm submitting a Letter of Interest must satisfy all of the following specific requirements/criteria.

SUBMITTAL OF LETTER OF INTEREST: The Letter of Interest shall be in writing, submitted on the letterhead of the Firm and shall not exceed three (3) pages in length exclusive of attachments. Two originals shall be submitted. The Letter of Interest **MUST** include at a minimum the information set out in the Criteria.

CRITERIA: The Letter of Interest shall contain the following information:

1. Project name.
2. Firm's name and address, and whether the Firm is a joint venture between the contractor and the design firm. MDX will award additional points for joint ventures.

3. Documentation acceptable to MDX that the Firm's contractor is prequalified under Rule 14-22, Florida Administrative Code in the following types of work: Hot Plant-Mix Bituminous Structural and Surface Courses; and Flexible Pavement.
4. Documentation acceptable to MDX that the Firm involved in this professional service, as identified in Section 287.055, Florida Statutes, is prequalified by the Florida Department of Transportation Group 3.1, Minor Highway Design, and Group 10.1 Construction Engineering & Inspection.
5. Proposed responsible officer for the Firm.
4. Contact person, phone number, fax number and Internet Email address. The contact person shall be a single person who can be contacted to discuss contents or questions regarding references, listed projects, or other matters contained in the Letter of Interest.
5. Proposed key personnel and their proposed roles (do not include resumes).
6. Sub-consultant(s) that may be used for the Project.
7. Indication as to whether the primary firm and/or sub-consultants are disadvantaged business enterprises (DBE).
8. An estimate of the Firm's current workload and available resources.
9. A list of similar projects completed NOT EARLIER THAN January 1, 1994, with references and phone numbers.

COMMUNICATION: Communications between any respondent and any member of MDX or its staff is strictly prohibited from the date of publication of the Request for Letter of Interest through the date of final MDX action with respect to the selection of the Firm. The only exception to this is any communication at a publicly noticed meeting of MDX or its Operations Committee. Any violation of the requirements set forth in this paragraph shall constitute grounds for immediate and permanent disqualification of the offending respondent.

DISADVANTAGED BUSINESS ENTERPRISES PROGRAM: MDX, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §200c et seq., the Florida Civil Rights Act of 1992, as amended, §760.10 et. seq., Fla. Stat. (1996) and other federal and state discrimination statutes, prohibits discrimination on the basis of race, color, sex, age, national origin, religion and disability or handicap. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women as employees in the work force.

MDX encourages small, minority and woman owned business to have full opportunity to submit bids in response to Solicitation Documents issued by MDX, and bidders will not

be discriminated against on the basis of sex, race, color, national origin, religion or disability or other protected status. The overall goal of MDX is to obtain and M/WMBE participation of twenty-five percent (25%) for the aggregate of its projects.

MDX RESERVES THE RIGHT TO REJECT ANY OR ALL LETTERS OF INTEREST RECEIVED.

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-98202000

PROJECT NAME: Fire Alarm Improvements, Northeast Florida State Hospital (Macclenny).

BID DATE AND TIME: March 21, 2000 until 2:00 p.m. Eastern Standard Time

PLACE OF BID OPENING: Maintenance Building Conference Room, Northeast Florida State Hospital, Highway 121 South, Macclenny, FL 32063. Telephone: (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: No bid will be accepted from any bidder who is not state certified in accordance with Chapter 489, Florida Statutes, as a Fire Alarm I Contractor (Type EF) or unlimited Electrical Contractor (Type EC).

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. on March 21, 2000 at the location where the bids are opened. In the event that the 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 & Families is encouraged to spend 21 percent (21%) of the monies actually expended for construction contractors with certified minority business enterprises. The Department of Children and Family Services encourages minority businesses to participate in the bidding process including any bidders conferences, pre-solicitation or pre bid meetings which are scheduled. Department of Children & Families further encourages contractors to utilize certified minority enterprises as subcontractors or subvendors whenever possible. Certified vendors are those firms certified by the State of Florida Commission on Minority Economic and Business Development, 2012 Capital Circle, S. E., #100, Hartman Building, Tallahassee, Florida 32399-2152, (850)487-4698.

**NOTICE TO ROOFING CONTRACTORS
INVITATION TO BID**

Proposals are requested from qualified roofing contractors by the Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 99240230
PROJECT: REROOFING OF THE HABILE CENTER
SUNLAND TREATMENT CENTER, MARIANNA MARIANNA, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those contractors who demonstrate current licensed status with the Department of Business and Professional Regulations. The Instructions to Bidders "Bidder Qualification Requirements and Procedures" are included in the specifications under Article B-2.

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: A Performance Bond and Labor and Material Payment Bond are required.

DATE AND TIME: Sealed bids will be received at the Architect's Office on March 23, 2000, until 2:00 p.m., local time, at which time they will be publicly opened and read aloud.

MANDATORY PRE-BID INSPECTION: We will conduct a mandatory prebid inspection with the architect at the project site on Tuesday, March 14, 2000 at 10:00 a.m. for all interested contractors.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, and with a copy of the contractor's license. The contract documents may be examined and obtained from the Architect/Engineer:

MR. RANDY LEWIS
MANAUSA, LEWIS AND DODSON, ARCHITECTS
2074 RAYMOND DIEHL ROAD
TALLAHASSEE, FLORIDA 32308
TELEPHONE: (850)385-9200

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted at 2:00 p.m., local time, on March 24, 2000, at the architect's office. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by Certified United States mail, Return Receipt requested. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in s. 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "Notice and Protest Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

**NOTICE TO PROFESSIONAL CONSULTANTS
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
CONSULTING ENGINEERING SERVICES**

The State of Florida, Department of Children and Family Services (DCF), Office of General Services, announces that professional services are required for the project listed below. Applications and questions related to this work or the procurement process are to be directed to Mr. Terry Knepper, P.E., Office of Design and Construction, Department of Children and Family Services, Building 3, Room 205F, 1317 Winwood Boulevard, Tallahassee, Florida 32399-0700, Phone (850)921-8901.

PROJECT NUMBER: DCF No. 99230810
PROJECT NAME: Potable Water System Modifications and Connection to Lee County Utilities System
PROJECT LOCATION: Gulf Coast Center, Lee County, Florida.

ESTIMATED ENGINEERING SERVICES BUDGET: \$150,000.

SAMAS NO: 60-10-2-021015-60400200-80-080050-00
RESPONSE DUE DATE: March 24, 2000, before 5:00 p.m., local time.

SERVICES TO BE PROVIDED: Engineering Design, Preparation of Construction Documents, Permitting, Bid Phase Services and Construction Phase Services.

GENERAL SCOPE OF SERVICES: The scope of services generally shall consist of the following:

1. Obtain and review all available reports, studies, records, drawings and other information relative to the project. Specific attention is to be given to the report prepared by Leggette,

Brashears & Graham, Inc., entitled, "Public Water Supply Feasibility Study", dated February 2000, recommending connection to Lee County Utilities System.

2. Consult/coordinate with DCF/Hospital staff, Florida Department of Environmental Protection (FDEP) and State Fire Marshal regarding permitting issues and hospital service requirements, and, in the form of a design memorandum, finalize a program of additions, improvements and/or replacement that is necessary to address maximum day demand and fire flow needs.

3. Perform final design of improvements and prepare construction drawings and specifications suitable for soliciting competitive bids.

4. Provide permitting assistance for new construction and abandonment/demolition of existing, unnecessary water supply and treatment facilities. It is anticipated that permits/coordination will be required with the Florida Department of Environmental Protection, South Florida Water Management District, State Fire Marshal and Florida Department of Management Services (regarding state building permit requirements).

5. Provide bidding assistance such as distribution of contract documents to potential bidders, evaluation of bids and recommendation of award.

6. Provide general construction phase services, including, but not limited to, conducting pre-construction conference, reviewing shop drawings, performing periodic site visits during construction, reviewing contractor pay requests, issuing substantial and final completion certifications and preparing record drawings. Resident project representation during construction may be included in the services to be provided, and the consultant will be advised accordingly prior to initiation of construction with its fee adjusted appropriately.

INSTRUCTIONS: All consulting engineering firms wishing to be considered shall submit five (5) 3-ring binder copies of the following:

1. Letter of Interest specifying the project and office location from which the firm will be doing the project. Proximity of location to project area will be a prime factor in the selection of the firm.

2. A current Professional Qualifications Supplement, (Department of Management Services, March 1999, or later edition of the Professional Qualifications Supplement). The Supplement shall address projects being performed for all State agencies, with projects being identified by each State agency for which they are being accomplished.

3. A copy of the firm's Florida Professional Registration License Renewal with the designation of professional(s) qualifying the firm to practice engineering. Proper registration at the time of application is required.

4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of good standing.

5. Evidence of Professional Liability Insurance in the amount of at least \$500,000.

6. Description of work to be assigned, percentage of overall project and identity of any subconsultant and/or MBE/WBE participation, if any. Applicants desiring selection credit as State Certified Minority Business Enterprises, either as Prime Consultant or subconsultant, shall include a copy of the State of Florida Minority Certification or Re-certification letter.

7. Names, specific qualifications and professional memberships of person(s) to be assigned to this project and their respective roles (do not include resumes).

8. Names, addresses and phone numbers of at least five (5) other agencies for whom similar services have been performed within the last five (5) years and the date, project name, brief project description, firm's project manager and specific services provided in each case.

9. Completed Standard Form 254.

10. Completed Standard Form 255.

11. If desired by the firm, additional examples of similar projects completed by persons to be assigned to this project, references, key personnel resumes and any other supporting information may be submitted in a separate 3-ring binder.

12. A stamped self-addressed envelope for notice of selection results.

Arrangements for a site visit(s) to observe the existing water supply, treatment and distribution system can be made through Mr. Frank Inzano, Maintenance and Construction Superintendent, Gulf Coast Center, 5820 Buckingham Road, Ft. Myers, Florida 33905, (941)694-2151. Site visits are optional, but will be a consideration in the final selection process.

All proposal information shall be plainly marked "Professional Qualifications, Consulting Engineer – Potable Water System Modifications and Connection to Lee County Utilities System for Gulf Coast Center, DCF Project No. 99230810" and when submitted, becomes the property of DCF to be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: Selection factors shall consider office location from which project will be accomplished, firm's professional personnel to be assigned to the project, familiarity with the area and Gulf Coast Center's potable water system, knowledge of Lee County's policies/procedures with regard to making connection to its water system, experience in performing similar projects within established budgets, past performance, potable water engineering experience, current/projected workloads,

recommendations of previous clients and demonstration of the firm's ability to accomplish the project satisfactorily and professionally.

From the proposals received, the Department shall shortlist a minimum of three (3) firms, who will be requested to provide either written or oral technical proposals, or both, prior to final ranking. The results of this selection will be posted at 1317 Winewood Boulevard, Building 3, Room 205F, Tallahassee, FL, during regular business hours at a date to be determined later. Shortlisted firms will be advised of the posting date in the letter notifying them individually of the selection results. Any protests of the selection must be made within 72 hours of posting the selection results. If no protest is received within 72 hours, negotiation and contract award will proceed with the selected firm.

MID-FLORIDA AREA AGENCY ON AGING

REQUEST FOR PROPOSALS

Competitive sealed proposals will be received by the Mid-Florida Area Agency on Aging, Inc. until 4:00 p.m. on April 14, 2000 for the designation of Community Care for the Elderly Lead Agencies, including the provision of an array of home and community based services to frail older persons residing in the counties of Alachua, Bradford, Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando, Lafayette, Lake, Levy, Marion, Putnam, Sumter, Suwannee, and Union. The Community Care for the Elderly program is administered pursuant to provisions of Chapter 430, F.S. The proposal package and application instructions may be obtained from the office of the Mid-Florida Area Agency on Aging, Inc. on March 3, 2000 or thereafter. A bidders conference will be conducted concerning this Request for Proposals at 2:00 p.m. on March 15, 2000. Interested parties are encouraged to attend the bidders conference at the following location:

Florida Farm Bureau Building – Suite 222
 5700 SW 34th Street
 Gainesville, Florida

The Mid-Florida Area Agency on Aging, Inc. reserves the right to reject any and all proposals.

Correspondence concerning this Request for Proposals should be addressed to:

Ms. Andrea Kirby, Program Division Administrator
 Mid-Florida Area Agency on Aging, Inc.
 5700 S. W. 34 Street, Suite 222
 Gainesville, Florida 32608
 (352)378-6649

HILLSBOROUGH COUNTY AVIATION AUTHORITY

NOTICE TO DESIGN/BUILD FIRMS

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from Design/Build Firms desiring to render Design/Build Services for the following project at Tampa International Airport, Tampa, Florida:

EXPAND AVIATION FUEL HYDRANT SYSTEM TO NEW AIR CARGO COMPLEX AND RELATED WORK

Services to be furnished shall include, but not be limited to, engineering design and surveys related to civil, electrical, mechanical, aviation fueling design, fabrication and installation of a aviation fuel hydrant system for the New Air Cargo Complex at Tampa International Airport. A more detailed scope of services will be included in the formal request for qualifications.

Qualified Design/Build Firms desiring consideration for this Project must give written notification in the form of a Letter of Interest to: William J. Connors, Jr., Senior Director of Planning and Development, Hillsborough County Aviation Authority, Post Office Box 22287, Tampa, Florida 33622

Interested parties may inquire as to project description, details, and required data submissions to: William J. Connors, Jr., Senior Director of Planning and Development, telephone number (813)870-8704. **ONLY A LETTER EXPRESSING INTEREST IN RECEIVING THE FORMAL REQUEST FOR QUALIFICATIONS IS REQUIRED AT THIS TIME.** Subsequent to receiving Letters of Interest, a Request for Qualifications will be sent to all respondents and adequate response time set forth in that package.

A MANDATORY Pre-Qualification Conference will be held on Thursday, March 30, 2000, 2:00 p.m., Local Time, at the Board Room of Hillsborough County Aviation Authority located in the Landside Terminal Building, Third Floor, Blue Side at Tampa International Airport. Details of this conference will be included in the Request for Qualifications.

Replies to this Notice must be received at or before 5:00 p.m., Local Time, Tuesday, March 14, 2000.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

By: /s/ Louis E. Miller
 Louis E. Miller, Executive Director

Section XII
Miscellaneous

DEPARTMENT OF BANKING AND FINANCE

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 Chapter 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., March 24, 2000):

APPLICATIONS FOR A NEW FINANCIAL INSTITUTION
Applicant and Proposed Location: Century Bank, 716 W. Fletcher Avenue, Tampa, Florida 33612

Correspondent: Jose Vivero, Post Office Box 17704, Tampa, Florida 33682-7704

Received: February 21, 2000

Applicant and Proposed Location: Garden Savings Bank, Loehmann's Plaza: Southeast Corner of PGA Boulevard and I-95, Palm Beach Gardens, Florida 33410

Correspondent: Cherry Strickland, Raymond B. Vickers, P. A., 424 E. Call Street, Tallahassee, Florida 32301

Received: February 22, 2000

APPLICATIONS FOR A TRUST SERVICE OFFICE

Servicing Financial Institution: PNC Trust Company of Florida, Vero Beach, Florida 32963-1741

Host Financial Institution: PNC Bank, FSB, 590 Beachland Boulevard, Vero Beach, Florida 32963-1741

Received: February 15, 2000

Servicing Financial Institution: PNC Trust Company of Florida, Naples, Florida 34103-2714

Host Financial Institution: PNC Bank, FSB, 3003 Tamiami Trail North, Vero Beach, Florida 32963-1741

Received: February 15, 2000

APPLICATION FOR INTERNATIONAL BANK OFFICE

Application and Location: Banco Itau' S.A., Rua Boa Vista, 176, Sao Paulo, SP, Brazil

Proposed Location: Miami, Florida

Received: February 18, 2000

EXPANDED FIELD OF MEMBERSHIPS

Name and Address of Applicant: PowerNet Credit Union, 5621 Harney Road, Tampa, Florida 33610

Expansion Includes: Members and indentured apprentices of the International Brotherhood of Electrical Workers Local 1924.

Received: February 16, 2000

Correspondent and Telephone Number: Timothy D. McMurry, President, (813)621-6454

Name and Address of Applicant: FAA Credit Union, 6600 Cow Pen Road, Miami Lakes, Florida 33014

Expansion Includes: Members and employees of members of the Airport West Chamber of Commerce.

Received: February 21, 2000

Correspondent and Telephone Number: Mara L. Falero, Vice President, Marketing and Branch Operations; (305)821-7060, Ext. 350

Name and Address of Applicant: City County Employees Credit Union, 719 South Missouri Avenue, Clearwater, Florida 34616-5916

Expansion Includes: Full-time or part-time employees or retirees of the Town of Belleair, Pinellas County, Florida.

Received: February 21, 2000

Correspondent and Telephone Number: Sandra Morrison, Chief Executive Officer, (727)442-7746

DEPARTMENT OF INSURANCE

IN THE MATTER OF: CASE NO.: 33539-99-CO
FLORIDA SURPLUS LINES
SERVICE OFFICE

ORDER APPROVING YEAR 2000 BUDGET

THIS MATTER came on for consideration upon the submission by the Executive Director of the Florida Surplus Lines Service Office (hereinafter, "FSLSO") to the Department of Insurance (hereinafter, the "DEPARTMENT") of a proposed Year 2000 budget and proposed service fee amount. The FSLSO has requested the DEPARTMENT to enter an Order approving FSLSO's Year 2000 budget and proposed service fee amount. The Treasurer and Insurance Commissioner, as agency head of the DEPARTMENT, having considered the FSLSO's request for an Order based upon the submission of the proposed amended budget as approved and adopted by the Board of Governors and being otherwise duly advised in the premises, hereby finds that:

1. The Treasurer and Insurance Commissioner, as head of the DEPARTMENT, has jurisdiction over the subject matter of, and the parties to, this proceeding, pursuant to section 626.921(3), Florida Statutes, and other applicable provisions of the Florida Insurance Code.

2. The FSLSO was created by the Legislature on May 30, 1997, to take effect on October 1, 1997, by Chapter 97-196, Laws of Florida.

3. The provisions relating to the creation and implementation of the FLSLO are codified in sections 626.921, 626.931, 626.932, 626.9325, and 626.933, Florida Statutes.

4. Pursuant to section 626.931(1), Florida Statutes, the FLSLO is a nonprofit association, created to promote in the State of Florida the orderly access to surplus lines insurance, to enhance the number and types of insurance products available to consumers, to provide a source of advice and counsel for the benefit of consumers, surplus lines agents, insurers, and government agencies regarding the operation of the surplus lines insurance market, and to protect the revenues of this State.

The FLSLO is required to submit to the DEPARTMENT for review and approval, an annual budget for the operation of the FLSLO and the amount of the service fee to be collected from all surplus lines agents for the cost of operation of the FLSLO pursuant to section 626.921(3), Florida Statutes. The maximum amount allowable for the service fee is .3 percent of the total gross premium of each surplus lines policy or document reported to the FLSLO.

On November 5, 1999, a proposed year 2000 budget was submitted to the Department. On December 3, 1999, an amended proposed year 2000 budget was submitted to the Department. On October 4, 1999, a proposal to retain the service fee at .3 percent of the total gross premium of each surplus lines policy or document reported to the FLSLO was submitted to the DEPARTMENT.

IT IS THEREFORE ORDERED THAT:

The FLSLO's amended proposed year 2000 budget and .3 percent service fee as submitted to the DEPARTMENT on December 3, 1999 and October 4, 1999 are hereby APPROVED. The budget as approved herein shall become effective on January 1, 2000 and shall continue in full force and effect until December 31, 2000. The .3 percent service fee as approved herein pursuant to section 626.921(3)(f) shall continue in full force and effect until December 31, 2000. The Executive Director of the FLSLO shall submit to the DEPARTMENT no later than October 1, 2000, for review and approval an annual budget and proposed service fee amount for 2001, pursuant to sections 626.921(3)(e) and (3)(f), Florida Statutes.

DONE and ORDERED this ____ day of _____, 1999.

/s/Bill Nelson/
BILL NELSON
 Treasurer and
 Insurance Commissioner

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to section 120.68, Florida Statutes, and Rule 9.110, Florida Rules of Appellate Procedure. Review proceedings must be instituted by filing a petition or notice of appeal with the General Counsel, acting as the Agency Clerk, at 612 Larson Building,

200 East Gaines Street, Tallahassee, Florida 32399-0333, and a copy of same with the appropriate district court of appeal within thirty (30) days of rendition of the Order.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-1000-005
 DATE RECEIVED: 02/17/00
 DEVELOPMENT NAME: LEGACY PLACE
 DEVELOPER/AGENT: PGA Gateway, Ltd./
 DEVELOPMENT TYPE: 28-24.031, 28-24.020,
 28-24.023, F.A.C.
 COUNTY LOCATION: Palm Beach
 LOCAL GOVERNMENT: Palm Beach County

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of Less
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Triumph Motorcycles America Limited, intends to allow the establishment of Motorcycle Enthusiasts Inc. d/b/a Motorcycle Enthusiasts, as a dealership for the sale of Triumph motorcycles and accessories, 5138 Commercial Way, Spring Hill (Hernando County), Florida 34606, on or after March 1, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Enthusiasts Inc. d/b/a Motorcycle Enthusiasts are: dealer operator: David Bernard, 5138 Commercial Way, Spring Hill, FL 34606; principal investor(s): David Bernard, 5138 Commercial Way, Spring Hill, FL 34606.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer

License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Chris W. Lacey, Chief Financial Officer, Triumph Motorcycles America Limited, 403 Dividend Drive, Peachtree City, GA 30269, USA.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on February 17, 2000, 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 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	Fixed Need Pool,	Hospice program,	District 11,	Hospice Care of Broward County, (PRH) same as applicant
NA	Fixed Need Pool,	Hospice program,	District 11,	Vitas Healthcare Corporation, (PRH) same as applicant

NOTICE OF CORRECTION

9266	Denial, addition of 5 comprehensive medical rehabilitation beds, Dade County, Healthsouth Rehabilitation Hospital d/b/a Healthsouth Rehabilitation Hospital-Miami, (PRH) same as applicant. This Notice corrects the description as the addition of 15 comprehensive medical rehabilitation beds instead of 5.
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On January 28, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of certified respiratory therapy technician Euruegenall J. Baker, license number TT 0001191. This Emergency Suspension Order was predicated

upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.225(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On February 21, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Thomas Richard Miller, R.N., license number RN 3020392. MILLER's last known address is: 2906 Southwest Lake Mount Place, Palm City, Florida 34990 and 3742 Southwest Coquina Cove Way #202, Palm City, Florida 34990. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 455.621(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 February 21, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Robin Scott King, R.Ph. license number PS 0017575. KING's last known address is: 2161 South Ambridge Point, Inverness, Florida 34452-8837. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 455.621(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 February 21, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Nancy Kay Hoffman, R.N., license number RN 3370382. HOFFMAN's last known address is: 8309 Carmel Place, Tampa, Florida 33615. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 455.621(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 February 21, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Dana Cady, D.H., license number DH 10742. CADY's last known address is: 7529 Isabell Drive, Apartment E, 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 Sections 455.621(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.

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for nursing facilities participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for nursing facilities, the Agency is publishing the proposed rates, the methodologies underlying the establishment of such rates and justifications for the proposed rates. The Agency is in the process of amending its long-term care reimbursement plan to incorporate changes to the reimbursement methodology as required by Section 30 of House Bill 1971, as incorporated into the General Laws of Florida, Chapter 99-394. Effective April 1, 2000, the Agency is to reimburse those facilities who qualify and choose to receive the adjustment for the cost of hiring additional certified nursing assistants and licensed nurses or for the cost of salary or benefit enhancements to retain such staff in these specific classes. A total annual direct care staff adjustment (DCSA) equaling the total funds appropriated (an annual amount of \$31,681,376) will be allocated and paid as an add-on to the patient care component of the per diem rate. To expend the appropriated funds, the Agency has developed a methodology in which participating providers will receive the adjustment based on an inversely proportionate ranking of total direct staffing hours per patient day compared to staffing standards set forth in Agency rule.

PROPOSED RATES: The proposed rates, effective April 1, 2000, for Medicaid nursing facilities that qualify and choose to receive the DCSA will be rates resulting from the current methodology used to calculate per diems plus the increase to the facilities' patient care component of the per diem as a result of its share of the DCSA.

METHODOLOGIES: The methodology underlying the establishment of the proposed rates for nursing facilities is based on the methodology currently being used for calculating rates, except that it will include an increase to the patient care per diem rate of certain providers effective April 1, 2000. The qualification criteria used to determine which providers participate in the distribution of funds includes the following:

- a) the provider must be an active Medicaid provider and submit direct care staffing, patient day, and cost data for the base period of January 1, 1999 through June 30, 1999 on a timely basis;
- b) the provider must notify the Agency of its intent to accept the adjustment;
- c) the provider must submit a plan of

how it intends to meet legislative intent in spending the DCSA, and; 4) the provider must agree to submit follow-up documentation as described in C below.

The direct care staffing ratios and direct care staffing adjustment will be calculated as follows:

A. Direct Care Staffing Ratios

1. From the data received for the period January 1, 1999 through June 30, 1999, the total direct staffing hours per patient day is calculated for CNAs and licensed nurses for each provider.
2. The direct care staffing ratios calculated in subsection 1 above are ranked from high to low.

B. Direct Care Staffing Adjustment

1. The total annualized Medicaid days for participating providers is projected from the six-month reporting period in Section A1 above.
2. The annualized Medicaid days are multiplied by a \$0.50 minimum add-on to determine the minimum amount that a provider will receive. The total minimum add-on amount for all providers is calculated.
3. The remaining amount to be allocated is calculated by subtracting the total minimum add-on calculated in subsection 2 above from the total amount of the DCSA.
4. All providers with a direct care staffing ratio of 5 or above will be assigned the value of 5 and will only receive the minimum amount in subsection 2 above.
5. All providers with a direct care staffing ratio of 2.3 or below will be assigned the value of 2.3 and will receive the maximum add-on amount available under this methodology.
6. To achieve an inversely proportionate distribution, each provider's staffing ratio is subtracted from the assigned value of 5, from subsection 4 above, to calculate an inverted hours per patient day. This results in providers with a lower staffing ratio receiving a higher result (e.g., $5 - 2.3 = 2.7$) and providers with a higher staffing ratio receiving a lower result (e.g., $5 - 5 = 0$).
7. For each provider, the Medicaid patient days are multiplied by the inverted hours per patient day, as calculated in subsection 8, to arrive at a unadjusted additional add-on amount
8. The amount calculated in subsection 7 above for each provider is adjusted proportionately so that the total amount for all providers equals the remaining amount to be allocated in subsection 3 above
9. Each provider receives a total DCSA which includes the minimum amount in subsection 2 above plus the remaining amount in subsection 8 above.

- 10. No changes or corrections to the data used to calculate the DCSA shall be made subsequent to the effective date of the DCSA except as noted in paragraphs C and D.
- C. All providers receiving a DCSA must provide documentation of direct care expenditures during the period May 1, 2000 through October 31, 2000 to demonstrate adherence to legislative intent. This documentation must be submitted to the Agency by November 30, 2000. Any amount deemed not to have been appropriately expended is to be reimbursed back to the Agency.
- D. When prospective rates are based on cost reports that include any of the additional costs associated with the DCSA, an appropriate adjustment to the patient care component of the per diem rate shall be made to prevent duplicative reimbursement.

JUSTIFICATION: The justification for the proposed rate change is based on the legislative direction provided in Section 30 of House Bill 1971, as incorporated into the General Laws of Florida, Chapter 99-394. This language directs the Agency to incorporate changes to the reimbursement methodology to increase the total annual patient care per diem rate of providers who qualify and choose to receive the adjustment. The Agency is proposing the above rates and changes in methodology, effective April 1, 2000, to comply with the legislative direction.

Providers, beneficiaries and their representatives and other concerned State residents may provide written comment on the proposed rates, methodologies and justification underlying the establishment of such rates. Written comments may be submitted to: Carol Shotwell, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308. Written comments should be submitted no later than March 10, 2000.

Copies of the proposed reimbursement plan incorporating the above changes may be obtained by contacting: Carol Shotwell, Medicaid Cost Reimbursement Section, at the address above.

The Agency for Health Care Administration intends to implement a specialized Intermediate Care Facility for the Developmentally Disabled Service Program, April 1, 2000. This program will provide ICF/DD services to persons with developmental disabilities with limited or minimal needs under the terms of a selective contracting waiver under the authority of Section 1915(b)(4) of the Social Security Act. The waiver program is subject to approval by the Federal Health Care Financing Administration.

REQUESTS FOR INFORMATION AND COMMENTS REGARDING THE PROPOSED IMPLEMENTATION OF THE SPECIALIZED ICF/DD PROGRAM SHALL BE

MADE IN WRITING TO: Nicola Moulton, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)487-2618.

A copy of the waiver proposal is available upon request, pursuant and subject to the provisions of Chapter 119, Florida Statutes, regarding Public Records.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE

The Florida Department of Environmental Protection has determined that the City of Lake Helen Water Distribution System Improvements and Water Storage Tank Replacement projects will not adversely affect the environment. The total project cost of the Water Distribution System Improvements is estimated at \$2,465,100 and the Water Storage Tank Replacement is estimated at \$520,300. The project may qualify for a Drinking Water State Revolving Fund (DWSRF) loan composed of federal funds and state matching funds. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Bob Holmden, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation has been designated the administrator of the HOME Investments Partnership Program (HOME) by the Department of Housing and Urban Development (HUD). This program administers and distributes the allocation of funds from HUD for the purpose of expanding the supply of decent, safe and affordable housing for low and very low income Floridians.

As of February 18, 2000, Florida Housing Finance Corporation has reallocated remaining 1998 funds in the amount of \$750,000 from the rental development activities to the Single Family Mortgage Revenue Bond Program for purchase assistance, an eligible activity under the HOME Homeownership Program in accordance with Rule 67-47, Florida Administrative Code. This funding is in addition to HOME funds previously provided to the Single Family Mortgage Revenue Bond Program.

Please address any written comments regarding this reallocation of funding to: Joyce Martinez, HOME Rental Administrator, or Robin Grantham, HOME Single Family Manager, no later than March 24, 2000, at Florida Housing Finance Corporation, Attention: HOME Program, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301, Telephone number (850)488-4197, Fax (850)921-6060.

Section XIII
Index to Rules Filed During Preceding Week

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**RULES FILED BETWEEN February 15, 2000
and February 21, 2000**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE

1-10.001	2/16/00	3/7/00	25/49	
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Division of Corporations

1N-1.001	2/16/00	3/7/00	25/49	
1N-1.002	2/16/00	3/7/00	25/49	
1N-1.003	2/16/00	3/7/00	25/49	
1N-1.004	2/16/00	3/7/00	25/49	
1N-1.005	2/16/00	3/7/00	25/49	
1N-2.001	2/16/00	3/7/00	25/49	

Folklife Program

1P-1.009	2/21/00	3/12/00	25/43	26/4
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DEPARTMENT OF EDUCATION

State Board of Education

6A-20.111	2/21/00	3/12/00	26/1	
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Community Colleges

6H-1.014	2/21/00	3/12/00	25/43	
6H-1.015	2/21/00	3/12/00	25/43	
6H-1.016	2/21/00	3/12/00	25/43	
6H-1.020	2/21/00	3/12/00	25/43	
6H-1.021	2/21/00	3/12/00	25/43	
6H-1.031	2/21/00	3/12/00	25/43	
6H-1.032	2/21/00	3/12/00	25/43	

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

9B-55.001	2/21/00	3/12/00	25/47	
9B-55.004	2/21/00	3/12/00	25/47	
9B-55.005	2/21/00	3/12/00	25/47	
9B-55.006	2/21/00	3/12/00	25/47	
9B-55.007	2/21/00	3/12/00	25/47	
9B-55.008	2/21/00	3/12/00	25/47	
9B-55.009	2/21/00	3/12/00	25/47	
9B-55.010	2/21/00	3/12/00	25/47	
9B-55.011	2/21/00	3/12/00	25/47	
9B-55.012	2/21/00	3/12/00	25/47	
9B-55.013	2/21/00	3/12/00	25/47	
9B-55.014	2/21/00	3/12/00	25/47	
9B-55.015	2/21/00	3/12/00	25/47	
9B-65.001	2/21/00	3/12/00	25/47	
9B-65.003	2/21/00	3/12/00	25/47	
9B-65.005	2/21/00	3/12/00	25/47	
9B-65.007	2/21/00	3/12/00	25/47	
9B-65.009	2/21/00	3/12/00	25/47	
9B-65.011	2/21/00	3/12/00	25/47	
9B-65.013	2/21/00	3/12/00	25/47	
9B-65.015	2/21/00	3/12/00	25/47	
9B-65.017	2/21/00	3/12/00	25/47	
9B-65.019	2/21/00	3/12/00	25/47	

DEPARTMENT OF THE LOTTERY

53-1.005	2/15/00	3/6/00	25/52	
53-20.001	2/21/00	3/12/00	25/47	
53-20.002	2/21/00	3/12/00	25/47	
53-20.003	2/21/00	3/12/00	25/47	26/4

Rule No.	File Date	Effective	Proposed	Amended
		Date	Vol./No.	Vol./No.

DEPARTMENT OF MANAGEMENT SERVICES

Florida Commission on Human Relations

60Y-1.001	2/15/00	3/6/00	25/51	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

61G5-18.00015	2/17/00	3/8/00	26/2	
61G5-18.011	2/17/00	3/8/00	26/2	

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-9.001	2/18/00	3/9/00	25/36	
64B3-9.004	2/18/00	3/9/00	25/36	
64B3-9.006	2/18/00	3/9/00	25/36	

Board of Medicine

64B8-9.001	2/18/00	3/9/00	25/52	
64B8-9.0092	2/18/00	3/9/00	25/52	

Rule No.	File Date	Effective	Proposed	Amended
		Date	Vol./No.	Vol./No.

Board of Osteopathic Medicine

64B15-6.0038	2/18/00	3/9/00	25/52	
64B15-14.005	2/18/00	3/9/00	25/52	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

65A-1.519	2/21/00	3/12/00	25/39	26/1
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Family Safety and Preservation Program

65C-6.001	2/21/00	3/12/00	25/47	
65C-6.002	2/21/00	3/12/00	25/47	
65C-6.003	2/21/00	3/12/00	25/47	
65C-6.004	2/21/00	3/12/00	25/47	
65C-6.006	2/21/00	3/12/00	25/47	
65C-6.007	2/21/00	3/12/00	25/47	

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Marine Fisheries

68B-14.0036	2/15/00	3/6/00	25/48	
68B-14.0045	2/15/00	3/6/00	25/48	

Section XIV
List of Rules Affected

Rule No. Proposed Amended Adopted
 Vol./No. Vol./No. Vol./No.

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.
w – Signifies Withdrawal of Proposed Rule(s)
c – Rule Challenge Filed
v – Rule Declared Valid
x – Rule Declared Invalid
d – Rule Challenge Dismissed
dw – Dismissed Upon Withdrawal

Rule No. Proposed Amended Adopted
 Vol./No. Vol./No. Vol./No.

STATE

				3D-30.0054	22/43c		
				3D-30.0055	22/48c		
					23/20c		
					24/53		
				3D-30.025	25/12		
				3D-30.026	25/12		
				3D-40.099	22/29c		
				3D-40.100	22/29c		
				3D-40.101	22/29c		
				3D-40.105	22/29c		
				3D-40.106	22/29c		
				3D-40.201	22/29c		
				3D-40.202	22/29c		
				3D-40.210	22/29c		
				3D-40.290	22/29c		
				3D-160.030	25/37		25/52
				3D-160.031	25/37	25/47	25/52
				3E-200.001(7)(a)(b)	20/8c		
1-10.001	25/49			3E-600.005	26/3	26/7	
1B-2.011	25/48	26/6		3E-600.013	25/47		26/3
1B-6.001	22/18			3E-600.0131	25/47		26/3
1C-3.100	25/46		26/6	3E-600.014	25/47		26/3
1C-3.116	25/46		26/6	3F-5.0015	21/2c		
1N-1.001	25/49			3F-5.0016	21/2c		
1N-1.002	25/49			3F-6.002	25/35		
1N-1.003	25/49			3F-6.005	25/35		
1N-1.004	25/49			3F-6.0053	25/35		
1N-1.005	25/49			3F-6.0055	25/35		
1N-2.001	25/49			3F-8.005		21/41	
1P-1.009	25/43	26/4			21/39c		

LEGAL AFFAIRS

					22/51	23/9	
				3F-8.007	25/31		
2-11.001	21/30c			3F-13.001	25/32		
2-11.002	21/30c			3F-13.002	25/32		
2-11.003	21/30c			3F-13.003	25/32		
2-11.004	21/30c			3F-13.004	25/32		
2-11.006	21/30c						
2-11.007	21/30c						

INSURANCE

2A-2.002	25/49		26/4				
2A-3.002	25/49		26/4	4-121.035	21/5c		
2B-1.003	25/49		26/6	4-123.002	25/33		

BANKING AND FINANCE

				4-127.001	25/42		
				4-127.002	25/42		
				4-127.003	25/42		
3A-68.005	20/40			4-141.020	20/11c		
3C-1.022	21/25				20/11c		
3C-100.03852	25/47	26/5		4-141.021	20/11c		
3C-560.106		23/30			20/11c		
3C-560.607	23/12				20/11c		
3D-20.0021	25/44		25/52	4-149	24/3c		
3D-30.0051	22/43c				24/3c		
3D-30.0052	22/43c				24/28c		
3D-30.0053	22/43c			4-149.001	23/45		
					24/46		
				4-149.002	23/45		
					24/46		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.003	23/45 24/46			4-149.053	23/45 24/46		
4-149.004	23/45 24/46			4-149.101	23/45 24/3c 24/3c 24/46	24/31	
4-149.005	23/45 24/46			4-149.102	23/45 24/3c 24/3c 24/46	24/31	
4-149.006	23/45 24/46			4-149.103	23/45 24/3c 24/3c 24/46	24/31	
4-149.007	23/45 24/46			4-149.104	23/45 24/3c 24/3c 24/46	24/31	
4-149.008	23/45 24/46			4-149.105	23/45 24/3c 24/3c 24/46	24/31	
4-149.009	23/45 24/46			4-149.106	23/45 24/3c 24/3c 24/46	24/31	
4-149.010	23/45 24/46			4-149.107	23/45 24/3c 24/3c 24/46	24/31	
4-149.020	23/45 24/46			4-149.108	23/45 24/3c 24/3c 24/46	24/31	
4-149.021	20/49c 23/45 24/46			4-149.109	23/45 24/3c 24/3c 24/46	24/31	
4-149.022	23/45 24/46			4-149.110	23/45 24/3c 24/3c 24/46	24/31	
4-149.023	23/45 24/46			4-149.1105	23/45 24/3c 24/3c 24/46	24/31	
4-149.024	23/45 24/46			4-149.111	23/45 24/3c 24/3c 24/46	24/31	
4-149.030	23/45 24/46			4-149.112	23/45 24/3c 24/3c 24/46	24/31	
4-149.031	23/45 24/46			4-149.113	23/45 24/3c 24/3c 24/46		
4-149.032	23/45 24/46			4-149.114	23/45 24/3c 24/3c 24/46		
4-149.033	23/45 24/46						
4-149.034	23/45 24/46						
4-149.035	23/45 24/46						
4-149.037	23/45 24/46						
4-149.038	23/45 24/46						
4-149.039	23/45 24/46						
4-149.040	23/45 24/46						
4-149.041	23/45 24/46						
4-149.043	23/45 24/46						
4-149.051	23/45 24/46						
4-149.052	23/45 24/46						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.115	24/3c			4-149.203	25/36		
4-149.116	24/3c			4-149.204	25/36		
4-149.117	24/3c			4-149.205	25/36		
4-149.118	24/3c			4-149.206	25/36		
4-149.119	24/3c			4-149.207	25/36		
4-149.120	23/45	24/31		4-150.002	24/30	25/8	25/52
	24/3c			4-150.003	24/30	25/8	25/52
	24/3c					25/46	25/52
	24/46			4-150.005	24/30	25/8	25/52
4-149.121	23/45	24/31		4-150.006	24/30		25/52
	24/3c			4-150.013	24/30	25/8	25/52
	24/3c			4-150.016	24/30	25/8	25/52
	24/46			4-150.017	24/30		25/52
4-149.122	23/45	24/31		4-150.018	24/30		25/52
	24/3c			4-150.019	24/30		25/52
	24/3c			4-150.102		22/10	25/52
	24/46				24/30	25/8	25/52
4-149.123	23/45	24/31		4-150.103		22/10	25/52
	24/3c				24/30	25/8	25/52
	24/3c					25/46	25/52
	24/46			4-150.105		22/10	25/52
4-149.124	24/3c				24/30	25/8	25/52
4-149.125	24/3c			4-150.106		22/10	25/52
4-149.126	24/3c				24/30	25/8	25/52
4-149.127	24/3c			4-150.107		22/10	
4-149.128	24/3c			4-150.114		22/10	25/52
4-149.129	24/3c				24/30	25/8	25/52
4-149.130	23/45	24/31		4-150.118	24/30		25/52
	24/3c			4-150.119	20/43	21/38	
	24/3c					22/10	25/52
	24/46				24/30		25/52
4-149.131	23/45	24/31		4-150.120		22/10	25/52
	24/3c				24/30		25/52
	24/3c			4-150.202	24/30	25/8	25/52
	24/46			4-150.203	24/30	25/8	25/52
4-149.132	23/45	24/31				25/46	25/52
	24/3c			4-150.205	24/30		25/52
	24/3c			4-150.213	24/30	25/8	25/52
	24/46			4-150.215	24/30		25/52
4-149.1325	24/20	24/20		4-150.216	24/30		25/52
4-149.133	23/45	24/31		4-150.217	24/30		25/52
	24/3c			4-150.218	24/30		25/52
	24/3c			4-154.101	24/45		
	24/46			4-154.102	24/45		
4-149.150	23/45	24/31		4-154.104	24/45		
4-149.151	23/45	24/31		4-154.108	24/45		
	24/46			4-154.109	24/45		
4-149.152	23/45	24/20		4-154.110	24/45		
		24/31		4-154.111	24/45		
	24/46			4-154.112	24/45		
4-149.190	23/45			4-154.113	24/45		
	24/3c			4-154.114	23/52c		
	24/46			4-154.115	24/45		
4-149.200	25/36			4-154.116	24/45		
4-149.201	25/36			4-154.410	23/52c		
4-149.202	25/36			4-154.512	23/52c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-154.520	24/3c 25/5c 25/5c 25/5c			4-192.038 4-192.053 4-192.058 4-196.001	18/17c 18/17c 18/17c 20/43c		
4-157.001	23/10	23/42			20/43c		
4-157.002	23/10	23/42			20/49c		
4-157.002(2)	23/19c			4-196.002	20/43c		
4-157.004	23/10	23/42			20/43c		
4-157.004(2)(b)	23/19c				20/43c		
4-157.004(4)	23/19c				20/49c		
4-157.017	23/10	23/42		4-196.003	20/43c		
4-157.022	23/10	23/42			20/43c		
4-157.022(1)(b)	23/19c				20/49c		
4-157.022(1), (2)(c),(4)	23/52c			4-196.004	20/43c		
4-157.022(2)	23/19c			4-196.005	20/43c		
4-157.022(3)	23/19c			4-196.006	20/43c		
4-157.022(4)	23/19c				20/49c		
4-157.022(5)	23/19c			4-196.007	20/43c		
4-157.023	23/10	23/42			20/49c		
4-157.023(1)(b)	23/52c			4-196.008	20/43c		
4-166.031	25/33	26/5		4-196.009	20/43c		
4-170.016	22/36c				20/49c		
4-170.0165	22/36c			4-196.009(2)	20/43c		
4-175.011	20/8c 20/20c			4-196.010	20/43c		
4-175.013	21/5c				20/43c		
4-176.022	25/33			4-196.011	20/43c		
4-190.030	24/44	24/51		4-196.012	20/43c		
4-190.031	24/44			4-196.013	20/43c		
4-190.035	24/44			4-196.014	20/43c		
4-190.036	24/44			4-196.015	20/43c		
4-190.037	24/44			4-196.016	20/43c		
4-190.038	24/44			4-196.017	20/43c		
4-190.039	24/44			4-196.018	20/43c		
4-190.056	24/44			4-196.019	20/43c		
4-190.057	24/44			4-196.020	20/43c		
4-190.058	24/44			4-196.021	20/43c		
4-190.059	24/44			4-196.022	20/43c		
4-190.0591	24/44			4-196.023	20/43c		
4-190.060	24/44			4-196.024	20/43c		
4-190.061	24/44				20/43c		
4-190.062	24/44				20/43c		
4-190.063	24/44			4-196.025	20/43c		
4-190.064	24/44			4-196.026	20/43c		
4-190.065	24/44			4-196.027	20/43c		
4-190.066	24/44	24/51		4-196.028	20/43c		
4-190.067	24/44				20/43c		
4-190.068	24/44				20/43c		
4-190.069	24/44				20/49c		
4-190.071	24/44			4-196.029	20/43c		
4-190.072	24/44			4-196.030	20/43c		
4-190.073	24/44				20/43c		
4-190.074	24/44				20/49c		
4-192.023	18/17c						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-196.030(5), (8)(b)(d)(e)	20/43c			4-223.005	18/31c		
4-196.031	20/43c				18/31c		
4-196.032	20/43c				18/31c		
4-196.033	20/43c				18/31c		
4-196.034	20/43c				18/31c		
4-196.035	20/43c			4-223.005(1)(g)	18/31c		
	20/49c			4-223.006	18/31c		
4-196.036	20/43c				18/31c		
4-196.037	20/43c				18/31c		
4-196.038	20/43c				18/31c		
4-196.039	20/43c				18/31c		
4-196.040	20/43c				18/31c		
	20/49c			4-223.006(2)(d)	18/31c		
4-211.031(21)(e), (24)-(27)	25/33c			4-223.007	18/31c		
	25/34c				18/31c		
4-211.050	25/33c				18/31c		
4-211.060	25/33c				18/31c		
4-213.050	19/30c				18/31c		
4-213.080	19/30c				18/31c		
4-213.090	19/30c			4-223.008	18/31c		
4-213.100	19/30c				18/31c		
4-213.120	19/30c				18/31c		
4-220.051(4)(h)(6)	25/23c				18/31c		
4-220.201(4)(f)	25/23c				18/31c		
4-220.2021(5)(a)	25/23c				18/31c		
4-223.001	18/31c				18/31c		
	18/31c			4-223.009	18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
4-223.002	18/31c				18/31c		
	18/31c			4-223.010	18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
4-223.003	18/31c				18/31c		
	18/31c			4-223.011	18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
4-223.004	18/31c			4-223.011(4)(a)3.	18/31c		
	18/31c			4-223.038	21/35		
	18/31c			4-224.002	23/33c		
	18/31c			4-224.004	23/33c		
	18/31c				23/33c		
	18/31c				23/33c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-224.012	23/33c			5D-1.0061	21/13		
	23/33c			5E-1.016	26/2		
	23/33c			5F-2.016	25/49		26/7
4-224.013	23/33c			5F-8.012	25/51		
	23/33c			5F-11.047	25/29c		
	23/33c			5H-1.001	22/11c		
4-224.014	23/33c				22/11c		
	23/33c				22/11c		
	23/33c				22/12c		
4-228.180	19/51	20/13			22/12c		
4-231.150	25/34c				22/12c		
4-231.160	25/34c			5H-12.001	21/10		
4A-37.084	25/34			5I-3.004	21/11		
4A-53.001	16/25			5I-4.008	20/47		
4A-53.002	16/25			5I-4.009	20/47		
4A-53.003	16/25			5I-4.010	20/47		
4A-53.004	16/25			5J-3.005	19/48		
4C-10.001	26/7			5J-3.006	19/48		
4D-4.051(3)(5)(6)	25/45c			5J-9.006	19/26		
4J-1.021	20/30c			5L-1.004	26/3		26/4w
	20/30c				26/4		26/7w
	20/30c			5L-1.010	26/3		26/4
4J-2.002	20/30c				26/4		26/7w
	20/30c						
4J-5.006	20/15c						
AGRICULTURE AND CONSUMER SERVICES				EDUCATION			
				6-1.0996	25/46		26/3
				6-2.001	25/38	25/47	25/52
5B-43.005	26/2			6-7.042	25/46		26/3
5B-43.009	26/2			6A-1.0011	20/34		
5B-43.011	26/2			6A-1.0014	25/32		
5B-60.004	25/44		26/4	6A-1.0761	24/17		
5B-60.006	25/44		26/4	6A-1.0996	25/27	25/34	
5B-60.007	25/44		26/4	6A-1.09981	25/45	25/51	26/4
5B-60.009	25/44		26/4	6A-3.075	20/38		
5B-60.010	25/44		26/4	6A-4.0006(2)(b),			
5B-60.011	25/44		26/4	(3)(c)	23/4c		
5B-60.012	25/44		26/4	6A-4.006(2)(b),			
5B-60.013	25/44		26/4	(3)(c)	24/28c		
5B-60.014	25/44		26/4		25/5c		
5B-60.015	25/44		26/4	6A-4.0161	24/17		
5B-60.016	25/44		26/4	6A-4.01761	24/28c		
5CER99-1			25/51		25/5c		
5C-3.002	21/7			6A-6.03012(5)(6)	25/5c		
5C-3.003	21/7			6A-6.03030	19/40		
5C-3.004	21/7			6A-6.03031	19/40		
5C-3.005	21/7			6A-6.05281	26/1		
5C-3.008	21/7			6A-6.0571	25/45		26/2
5C-3.013	21/7			6A-6.080	16/30		
5C-3.014	21/7			6A-7.0321	20/34		
5C-3.015	21/7			6A-7.042	25/27	25/34	
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5C-25.003	25/40		26/1w	6A-10.0315	26/3		
5C-25.004	25/40		26/1w	6A-14.030	25/42		25/51
5D-1.003	21/38			6A-14.0301	25/45		26/2

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6A-16.008	19/36	19/42		6H-1.030	25/38		26/2
6A-16.009	19/36	19/42		6H-1.031	24/32		
6A-16.016	19/36	19/42			25/43		
6A-16.026	26/2			6H-1.032	25/43		
6A-20.05281	26/1			6S-16.026	26/2		
6A-20.111	26/1			COMMUNITY AFFAIRS			
6C-6.001	25/51			9B-3.047	26/7		
6C-6.002	25/51			9B-43.005	21/7c		
6C-6.003	25/51			9B-43.011	21/43	22/46	
6C-8.007	21/33			9B-43.014	22/38		
6C-14.005	24/43			9B-55.001	25/47		
6C1-1.0062	Newspaper		26/1	9B-55.004	25/47		
6C1-1.201	Newspaper		26/1	9B-55.005	25/47		
6C1-3.025	Newspaper		26/1	9B-55.006	25/47		
6C1-3.048	Newspaper		26/1	9B-55.007	25/47		
6C1-7.019	Newspaper		26/1	9B-55.008	25/47		
6C2-1.001	Newspaper		26/4	9B-55.009	25/47		
6C2-1.002	Newspaper		26/4	9B-55.010	25/47		
6C2-1.003	Newspaper		26/4	9B-55.011	25/47		
6C2-1.006	Newspaper		26/4	9B-55.012	25/47		
6C2-1.008	Newspaper		26/4	9B-55.013	25/47		
6C2-1.050	Newspaper		26/4	9B-55.014	25/47		
6C2-1.051	Newspaper		26/4	9B-55.015	25/47		
6C2-1.052	Newspaper		26/4	9B-63.001	26/4		
6C2-1.053	Newspaper		26/4	9B-64.001	26/4		
6C2-1.054	Newspaper		26/4	9B-64.002	26/4		
6C2-1.056	Newspaper		26/4	9B-65.001	25/47		
6C2-5.0021	20/47c			9B-65.003	25/47		
6D-3.003	21/35			9B-65.005	25/47		
6D-13.001	24/33			9B-65.007	25/47		
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6E-1.0031	24/42		25/51w	9B-65.013	25/47		
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6E-1.0032	24/42		25/51w	9B-65.017	25/47		
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6E-1.0034	24/42		25/51w	9B-66.001	26/4		
	25/52		26/6w	9B-66.002	26/4		
6E-1.0035	24/42		25/51w	9B-66.003	26/4		
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6E-1.0045	24/42		25/51w	9B-66.005	26/4		
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9I-38.0025	23/46	24/7				19/38	
9I-38.003	23/46	24/7				19/52	
9I-38.004	23/46	24/7		10C-1.113	18/6		
9I-38.005	23/46	24/7		10C-1.601	20/26		
9I-38.006	23/46	24/7		10C-7.042	18/21	20/2	
9I-38.007	23/46	24/7		10C-7.0529	19/18		
9I-38.008	23/46	24/7		10C-7.069	19/18		
9I-38.009	23/46	24/7		10C-8.011-.304	23/7c		
9I-38.010	23/46	24/7		10C-8.303	22/35		
9I-38.011	23/46	24/7		10C-25.016	20/20		
9I-38.012	23/46	24/7		10C-32.002	20/48		
9I-38.013	23/46	24/7		10C-32.200	20/48		
9I-38.014	23/46	24/7		10D-5.092	19/22		
9I-38.0145	23/46	24/7		10D-5.093	19/22		
9I-38.015	23/46	24/7		10D-5.094	19/22		
9I-38.016	23/46	24/7		10D-5.095	19/22		
9I-38.065	23/46	24/7		10D-5.096	19/22		
9I-44.001	23/47	24/7		10D-5.097	19/22		
9I-44.002	23/47	24/7		10D-5.098	19/22		
9I-44.003	23/47	24/7		10D-5.099	19/22		
9I-44.004	23/47	24/7		10D-5.100	19/22		
9I-44.005	23/47	24/7		10D-5.101	19/22		
9I-44.006	23/47	24/7		10D-5.102	19/22		
9I-44.007	23/47	24/7		10D-5.103	19/22		
9I-44.008	23/47	24/7		10D-5.104	19/22		
9I-44.009	23/47	24/7		10D-5.105	19/22		
9I-44.010	23/47	24/7		10D-5.106	19/22		
9I-44.011	23/47	24/7		10D-5.107	19/22		
9I-45.006	21/17			10D-5.108	19/22		
9I-47.035	23/25			10D-5.109	19/22		
9J-5.0055	18/40			10D-5.110	19/22		
9J-8.004	22/39			10D-5.111	19/22		
9J-8.006	22/39			10D-5.112	19/22		
9J-9.011	21/39c			10D-5.113	19/22		
9J-9.012	21/39c			10D-5.114	19/22		
9J-14.017	19/44c			10D-5.115	19/22		
9J-14.027	21/13	22/42		10D-5.116	19/22		
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10D-42.030	19/19			12-25.005	26/7		
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10D-115.001	22/8			12A-1.007	25/51		
10D-125.005	20/13	20/34		12A-1.009	25/51		
10J-8.014	20/26c			12A-1.0091	25/51		
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11B-18.0051	18/40			12A-1.088	25/51		
11B-27.004	19/22			12A-1.093	25/51		
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12B-7.009	25/52			14-15.0081	21/43		
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12D-7.0155	25/40		25/51	14B-1.003	26/3		
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12D-8.005	25/40	25/46	25/51	14B-1.007	26/3		
12D-8.0062	21/14c			HIGHWAY SAFETY AND MOTOR VEHICLES			
12D-13.002	25/40		25/51	15-3.001	21/47c		
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12D-13.009	25/40		25/51			22/11	
12D-13.064	25/40		25/51	15A-10	22/2c		
12D-16.002		20/46	26/4		22/2c		
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		25/51	26/4	15A-10.027(8)	22/2c		
12D-16.010	25/40		25/52w	15A-10.034(4)	22/2c		
12D-16.030	25/40		25/52w	15C-7.005	20/40c		
12D-16.040	25/40		25/52w		20/40c		
12D-16.050	25/40		25/52w	15C-15.001	22/52	23/11	
12D-16.060	25/40		25/52w				
12D-16.080	25/40		25/52w				
12D-16.080	25/40		25/52w				
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17-111.060	15/34			17-703.500	16/33		
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17-296.600	20/24c			17-710.300	15/42		
17-296.601	20/24c			17-710.420	15/42		
17-296.604	20/16	20/23		17-710.440	15/42		
	20/24c			17-773.200	17/39	17/46	
17-312	20/26c			17-773.900	17/39	17/46	
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17-330	20/26c			18-4.001	22/1		
	20/26c			18-21.004	25/48	25/50	
17-330.100(1), (2),(3)	20/24c			18-21.019	24/15		26/5w
17-330.200(3)	20/24c			18-23.001	20/14	20/27	
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17-331	20/26c			18-23.005	20/14	20/27	
17-341	20/26c			18-23.006	20/14	20/27	
	20/26c			STATE BOARD OF ADMINISTRATION			
17-343.050	20/29c			19-8.010	20/13c		
17-503.420	16/15			19-8.011	25/47		25/51w
17-503.430	16/15			19B-4.001	25/47		26/5
17-503.500	16/15			19B-4.002	25/47		26/5
17-503.850	17/33			19B-5.001	25/47		26/5
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17-604.550	18/8				25/47		26/5
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17-625.700	20/28	20/45		CITRUS			
17-660.300	15/50	16/8		20-34.007	21/24		
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17-671.200	15/32			20-39.014	22/20		
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17-671.300	15/32			20-48.001	25/35		26/4
17-671.310	15/32			20-48.002	25/35		26/4
17-701	20/13c			20-48.003	25/35		26/4
	20/15c			20-48.004	25/35	25/45	26/4
17-701.200	19/33	19/37				25/51	26/4
17-701.210	19/33	19/37		20-48.005	25/35	25/45	26/4
17-701.220	19/33	19/37				25/51	26/4
17-701.220	19/33	19/37					26/4
17-701.300	19/33	19/37					26/4
17-701.320	19/33	19/37					26/4
17-701.330	19/33	19/37					26/4
17-701.340	19/33	19/37					26/4

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20-48.008	25/35	25/45	26/4	25-30.060	22/38		
20-48.009	25/35		26/4	25-30.436	24/53		26/4
20-48.010	25/35		26/4	25-30.450	24/53		26/4
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20-64.024	20/29c			25-30.456	24/53		26/4
20-94.006	15/41	15/48		25-30.570	24/53		26/4
20-97.010	26/2			25-30.580	24/53		26/4
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20-104.002	21/32			EXECUTIVE OFFICE OF THE GOVERNOR			
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20-111.003	25/49			27E-4.002	20/11		
20-111.007	25/49			27E-4.003	20/11		
20-111.008	25/49	26/5		27E-4.004	20/11		
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21-6.017	17/45			27E-4.006	20/11		
21-12.025	21/31			27E-4.007	20/11		
21-15.009	12/45			27E-4.008	20/11		
21-17.001	15/47			ADMINISTRATION COMMISSION			
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21G-17.011	18/43c			28-22.101	25/41		26/5w
21M-49.002	19/6c				26/6		
21M-50.002	19/6c			28-22.102	25/41		26/5w
21M-50.003	19/6c				26/6		
21M-50.007	18/53 19/6c	20/24		28-22.103	25/41		26/5w
21M-50.009	19/6c				26/6		
21P-16.003	18/14			28-22.104	25/41		26/5w
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23-23.011	20/8				26/6		
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25-4.141	24/53		26/4		26/6		
25-4.202	24/53		26/4	28-22.107	25/41		26/5w
25-4.300	25/13	25/48			26/6		
25-4.301	25/13	25/48		28-22.108	25/41		26/5w
25-4.302	25/13	25/48			26/6		
25-6.002	24/53		26/4	28-22.109	25/41		26/5w
25-6.043	24/53		26/4		26/6		
25-6.0438	24/53		26/4	28-22.110	25/41		26/5w
25-6.049	25/42				26/6		
25-14.003	15/52			28-22.111	25/41		26/5w
25-17.087	24/53		26/4		26/6		
25-21.022	18/24			28-22.112	25/41		26/5w
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25-24.555	24/53		26/4	28-22.113	25/41		26/5w
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28-22.122	25/41 26/6		26/5w	30C-2.0021	26/4		
28-22.123	25/41 26/6		26/5w	30C-2.003	26/4		
28-22.124	25/41 26/6		26/5w	30C-2.004	26/4		
28-22.125	25/41 26/6		26/5w	30C-2.005	26/4		
28-22.126	25/41 26/6		26/5w	30C-2.006	26/4		
28-22.127	25/41 26/6		26/5w	30C-2.007	26/4		
28-22.128	25/41 26/6		26/5w	30C-2.008	26/4		
28-22.129	25/41 26/6		26/5w	30C-2.009	26/4		
28-22.130	25/41 26/6		26/5w	30C-2.010	26/4		
28-22.131	25/41 26/6		26/5w	30C-2.011	26/4		
28-22.132	25/41 26/6		26/5w	30C-2.012	26/4		
28-22.301	25/41 26/6		26/5w	30C-2.013	26/4		
28-22.302	25/41 26/6		26/5w	30C-2.014	26/4		
28-22.303	25/41 26/6		26/5w	LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT			
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28-22.305	25/41 26/6		26/5w		20/8c		
28-22.307	25/41 26/6		26/5w		20/8c		
28-22.308	25/41 26/6		26/5w	CORRECTIONS			
28-22.309	25/41 26/6		26/5w	33-2.001	23/25		
28-22.310	25/41 26/6		26/5w	33-3.004(3)(d)	24/8c		
28-24.029	19/40	19/43			24/8c		
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28-24.031	19/40	19/43			24/8c		
28-24.032	19/40	19/43		33-3.004(3)(d),(15)	24/7c		
28-24.036	19/40	19/43		33-3.005(8)(b)	24/7c		
28-24.037	19/40			33-3.0051	24/18		
				33-3.0081	25/35	25/43	
				33-3.0082	25/35	25/43	
				33-3.0084	25/35	25/43	
				33-3.0085	25/35	25/43	
				33-3.015	21/43		
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				33-5.002	22/23c		
				33-5.003	22/23c		
				33-5.004	22/23c		
				33-5.005	22/23c		
				33-5.006	22/23c		
				33-5.007	22/23c		
				33-5.008	22/23c		
					24/18		
				33-5.009	22/23c		
				33-5.010	22/23c		
				33-5.011	22/23c		
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				33-5.013	22/23c		

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33-6.006	24/18					25/48	26/4
33-8.0142	19/43			38F-6.009	24/47	25/4	26/4
33-11.0065	24/18					25/48	26/4
33-15.001	22/23c			38F-6.012	24/47	25/4	26/4
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33-15.004	22/23c			38F-6.015	24/47	25/4	26/4
33-22.003	17/12			38F-8.055	22/4		
33-22.009	17/12			38F-55.001	25/49		26/5
33-22.011	17/12			38F-55.011	25/49		26/5
33-25.031	20/11c			38I-60.200	20/7		
33-32.021	19/5			38J-1.002	23/46c		
33-32.022	19/5				26/1		
33-38.001	25/35	25/43		38J-1.002(7),(8),(9)	24/10c		
33-38.003	25/35	25/43		38J-1.003	23/46c		
33-38.005	25/35	25/43			26/1		
33-38.006	25/35	25/43		38J-1.003(2)	24/10c		
33-38.009	25/35	25/43		38J-1.004	23/46c		
33-38.010	25/35	25/43			26/1		
33-38.011	25/35	25/43		38J-1.004(1)	24/10c		
33-38.012	25/35	25/43		38J-1.005	23/46c		
33-203.201	26/1				26/1		
33-208.101	25/51			38J-1.005(1)(b),			
33-302.106	26/3			(3)(a)(d)	24/10c		
33-401.401	25/46		26/4	38J-1.005(5)	24/10c		
33-501.401	25/43	25/49		38J-1.006	23/46c		
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33-504.201	25/36	25/46	26/1	38J-1.006(2)	24/10c		
33-507.001	26/3			38J-1.007	23/46c		
33-507.002	26/3				26/1		
33-507.201	26/3			38J-1.007(1)	24/10c		
33-507.202	26/3			38J-1.008	26/1		
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33-602.210	25/44	25/50	26/5	39-25.004	19/48c		
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				40A-1.1003	25/50		
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38D-15.003	26/7			40A-1.1020	25/50		
38D-15.005	26/7			40A-1.2025	25/50		
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40A-6.011	25/50				20/44c		
40A-6.371	25/50				20/44c		
40B-1	20/26c				20/44c		
	20/26c				20/44c		
40B-4	20/26c				20/44c		
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40C-1	20/26c				20/47c		
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40C-1.181	20/18				20/47c		
40C-2	21/47c				20/47c		
40C-2.101	25/5c				20/47c		
40C-3.035	25/42	25/47	25/52		20/47c		
40C-4	20/26c				20/47c		
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40C-4.051	24/52				20/47c		
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40C-6	20/26c				21/5c		
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40C-20	21/47c				21/5c		
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40C-41.011	23/12c				21/5c		
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40C-42	20/26c				24/48		
	20/26c			40D-2.321	20/48		
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40C-44	20/26c			40D-2.501	20/48		
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40D-4.051	20/24c			40D-8.628(1)	21/12c		
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40D-4.301	20/24c 20/24c				20/26c 20/26c		
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46-3.025	21/6c			46-39.0047	22/39c		
46-3.027	21/6c			46-39.005	21/6c		
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46-3.029	21/6c			46-39.007	21/6c		
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46-3.038	21/6c			46-42.003	20/35		
46-4.001	21/6c			46-42.007	21/6c		
46-4.002	16/48c			46-43.005	21/6c		
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46-4.0081	21/6c			53ER99-39			25/44
46-4.0085	21/6c			53ER99-40			25/49
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53-19.003	25/43		25/52	59A-5.010	21/26c		
53-19.0035	25/43			59A-5.011	21/26c		
53-32.001	25/39		26/6	59A-5.012	21/26c		
53-32.002	25/39		26/6	59A-5.013	21/26c		
53-32.003	25/39		26/6	59A-5.014	21/26c		
53-32.004	25/39		26/6	59A-5.015	21/26c		
53-32.005	25/39		26/6	59A-5.016	21/26c		
53-32.006	25/39	25/51	26/6	59A-5.017	21/26c		
53B-20.001	25/47			59A-5.018	21/26c		
53B-20.002	25/47			59A-5.019	21/26c		
53B-20.003	25/47	26/4		59A-7.020	20/25		
				59A-7.034	21/45c		
				59A-7.035	21/45c		
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				59A-8.007	25/38		26/2
				59A-8.008	25/38		26/2
				59A-8.0086	25/38		26/2
				59A-8.0095	25/38	25/47	26/2
				59A-8.0185	25/38	25/47	26/2
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				59A-8.020	25/38	25/47	26/2
				59A-8.0215	25/38	25/47	26/2
				59A-8.0218	25/38	25/47	26/2
				59A-8.022	25/38	25/47	26/2
				59A-8.024	25/38	25/47	26/2
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				59A-8.0245	25/38	25/47	26/2
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				59AA-2.001	22/48c		
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				59B-7.021	19/30		
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				59B-7.022(5)	19/36c		
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58-14.001	20/1c						
58-14.003	20/1c						
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59A-3.170	21/20						
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59B-7.028	19/30			59E-1.006	20/27		
59B-7.029	19/30			59E-1.007	20/27		
59B-9.015	25/43		25/52	59E-7.012	25/43		25/52
59B-9.021	25/43		25/52	59E-7.201	19/50c		
59B-10.050	21/45c			59E-7.202	19/50c		
59B-10.051	21/45c			59E-7.203	19/50c		
59B-10.052	21/45c			59E-7.204	19/50c		
59B-10.053	21/45c			59E-7.205	19/50c		
59B-10.054	21/45c			59E-7.206	19/50c		
59B-10.055	21/45c			59E-7.207	19/50c		
59B-10.056	21/45c			59E-7.208	19/50c		
59B-10.057	21/45c			59EE-1.001	22/29c		
59C-1.031	23/8c				22/29c		
	23/8c				22/39c		
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59C-1.033(7)(c)	25/45c			59F-1.002	20/33		
59C-1.036	22/48c			59F-1.005(2),(3),(4)	20/43c		
	22/48c			59G-3.010	24/7		
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59C-1.036(2)(i)	22/48c			59G-4.240	25/48		
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59C-1.044	19/44c			59G-4.270	26/4		
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59D-1.004(5)	19/47c				20/49c		
59D-1.007(1)(d)	19/47c				21/33c		
59D-2.003(10)(b)	19/48c				22/34c		
59D-2.003(12)	19/48c				25/46		26/1
59D-2.003(15)	19/48c			59G-6.020	22/2c		
59D-2.003(16)	19/48c			59G-7.056	22/34c		
59D-2.011(1)(2)	19/48c			59G-8.100	21/45c		
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59H-1.007	26/3			59T-16.001	23/22	23/35		
59H-1.008	26/3			59T-16.002	23/22	23/35		
59H-1.009	26/3			59U-11.019	20/51	21/7		
59H-1.010	26/3			59U-14.002	23/24	23/35		
59H-1.011	26/3			59U-16.002	23/14c			
59H-1.012	26/3			59V-3.007	20/34	20/48		
59H-1.013	26/3				20/40c			
59H-2.003	26/3			59X-28.150	21/2c			
59H-2.004	26/3			59Y-5.001	23/11			
59H-2.005	26/3							
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59H-2.007	26/3			60A-1.001	25/40		25/51	
59H-2.009	26/3			60A-1.002	25/40		25/51	
59H-2.010	26/3			60A-1.006	25/40		25/51	
59M-3.001	22/11c			60A-1.007	25/40		25/51	
	22/11c			60A-1.008	25/40	25/46	25/51	
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59M-3.005	21/25			60A-1.010	25/40		25/51	
59O-2	22/42c			60A-1.013	25/40		25/51	
59O-2.002	20/47c			60A-1.015	25/40		25/51	
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59O-2.002(7)	20/47c			60A-1.018	25/40		25/51	
59O-2.003	22/34	24/49		60D-13.006	24/6c			
59O-3	22/42c			60K-3.004	25/44			
59O-3.002	22/34	24/49		60K-3.005	25/44			
59O-3.003	20/47c			60K-3.006	25/44			
59O-5	22/42c			60K-3.007	25/44			
59O-5.001(1)(b),				60K-3.0071	25/44	26/4		
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59O-5.002	22/42c			60K-3.009	25/44			
59O-5.003	22/42c			60K-3.0091	25/44			
59O-5.004	22/42c			60K-3.0092	25/44			
59O-5.006	20/47c			60K-3.0094	25/44			
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59O-7	22/42c			60K-4.001	25/44			
59O-9	22/42c			60K-4.002	25/44			
59O-9.002	20/47c			60K-4.0021	25/44			
59O-9.002(4)	20/47c			60K-4.003	25/44			
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59O-9.004	20/47c			60K-4.0032	25/44			
59O-9.004(7)	20/47c			60K-4.00321	25/44			
59O-10	22/42c			60K-4.0034	25/44			
59O-10.004	20/47c			60K-4.004	25/44			
59O-10.005	22/42c			60K-4.006	25/44			
59O-13.006	20/47c			60K-4.007	25/44			
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59P-31.006	22/36c			60K-4.0081	25/44			
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59Q-9.002	20/39			60K-4.010	25/44			
59R-9.012	20/39c			60M-1.009	25/45		26/1	
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60S-9.001	25/46		26/3	61-20.5082	26/2		
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60Z-1.001	25/49		26/6	61B-30	20/26c		
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60Z-1.003	25/49		26/6	61B-30.004	20/19		
60Z-1.004	25/49		26/6		20/36c		
60Z-1.005	25/49		26/6	61B-30.006	22/45		
60Z-1.006	25/49		26/6	61B-31	20/26c		
60Z-1.007	25/49		26/6	61B-31.001	23/2		
60Z-1.008	25/49		26/6		26/3		
60Z-1.009	25/49		26/6	61B-31.001(3),(5)	20/36c		
60Z-1.010	25/49		26/6		20/44c		
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60Z-1.013	25/49		26/6	61B-32.001	21/30		
60Z-1.014	25/49		26/6	61B-32.002(1)	21/12c		
60Z-1.015	25/49		26/6	61B-37.001		20/31	26/6
60Z-1.016	25/49		26/6		25/46		26/6
60Z-1.017	25/49		26/6	61B-37.002	25/46		26/6
60Z-1.018	25/49		26/6	61B-37.004	25/46		26/6
60Z-1.019	25/49		26/6	61B-39.001	22/33		
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60Z-1.021	25/49		26/6	61B16-26.606	23/50		
60Z-1.022	25/49		26/6	61C-1.002	22/23	22/36	
60Z-1.023	25/49		26/6	61C-3.002	22/23	22/36	
60Z-1.024	25/49		26/6	61C-76.0061	21/35		
60Z-1.025	25/49		26/6	61C-76.0062	21/35		
60Z-2.001	25/49		26/6	61D-2.001	22/12c		
60Z-2.002	25/49		26/6	61D-2.002	22/11c		
60Z-2.003	25/49		26/6		22/12c		
60Z-2.004	25/49		26/6	61D-2.003	22/12c		
60Z-2.005	25/49		26/6	61D-2.004	22/12c		
60Z-2.006	25/49		26/6	61D-2.005	22/12c		
60Z-2.007	25/49		26/6	61D-2.008	22/12c		
60Z-2.008	25/49		26/6	61D-2.013	22/12c		
60Z-2.009	25/49		26/6	61D-2.014	22/12c		
60Z-2.010	25/49		26/6	61D-2.015	22/12c		
60Z-2.011	25/49		26/6	61D-2.020	22/12c		
60Z-2.012	25/49		26/6	61D-3.001	22/12c		
60Z-2.013	25/49		26/6	61D-3.002	22/12c		
60Z-2.014	25/49		26/6	61D-3.003	22/12c		
60Z-2.015	25/49		26/6		23/36	23/44	
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				61D-4.001	22/11c		

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61D-5.007	22/12c			61G1-16.005	26/6		
61D-6	22/11c			61G1-23.070	26/6		
61D-6.004	22/12c			61G1-24.002	25/33	25/46	26/1
61D-6.005	22/12c			61G2-3.005	21/33		
61D-6.008	22/12c			61G2-3.0055	23/38	24/6	
61D-6.009	22/12c			61G2-4.001	21/29		
61D-7	22/11c			61G3-19.011	25/31	26/4	
	22/25c			61G4-12.006	25/43	25/49	26/7
61D-7.001(1)	22/11c			61G4-12.009	25/43		26/5
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61D-7.020	22/12c			61G4-15.027	25/30	25/47	26/4
61D-7.020(13)(a)(b)	22/11c			61G4-15.028	25/30	25/47	26/4
61D-7.021	22/12c			61G4-15.029	25/30	25/47	26/4
61D-7.022	22/12c			61G4-15.030	25/43		26/7
61D-7.022(5)(b)2.	22/11c			61G4-16.002	26/6		
61D-7.023	22/12c			61G4-16.003	26/6		
61D-7.024	22/12c			61G4-16.009	26/3		
61D-8	22/11c			61G4-17.001	19/29		
	22/25c			61G4-18.001	25/43		26/4
61D-8.001	22/12c				25/47		26/2
61D-8.001(1)	22/11c			61G4-18.002	26/3		
61D-8.002	22/12c			61G4-18.004	26/3		
61D-8.003	22/11c			61G4-18.007	26/3		
61D-8.005	22/12c			61G4-18.011	19/38		
61D-9	22/11c			61G4-18.012	19/38		
	22/25c			61G5-18.00015	26/2		
61D-9.001	22/12c			61G5-18.011	26/2		
61D-9.001(1)	22/11c			61G5-20.004	25/40	26/5	
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61D-9.004	22/12c			61G5-32.001	25/40		
61D-9.005	22/12c			61G6-5.0035	25/44		
61D-11.010	24/3			61G6-6.001	25/46		26/6
61E1-3.001	25/33			61G6-7.001		24/23	26/6
61E8-2.004	19/46c				25/46		26/6
61F3-8.002	20/27	20/32		61G6-7.006	22/51	23/6	
61F5-16.001	19/44c					23/19	
61F5-17.015	20/9c					23/31	
61F6-27.003(3)	19/41c					23/49	
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61F8-3.001	20/3c			61G7-5.001(4)	19/44c		
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61F8-3.003	20/3c			61G8-17.001	26/6		
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61F8-3.008	20/3c				25/52		26/7
	20/3c			61G8-17.006	26/6		
	20/3c			61G8-21.001	25/37	25/52	26/6
61F9-6.0035	19/36			61G8-21.002	26/6		
61F9-6.011	19/36			61G8-21.004	26/6		
61F9-6.013	19/36			61G8-22.001	25/37	25/52	26/6
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61G10-11.004	24/24	25/10	25/51	61K1-1.001	25/1	25/34	
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61G10-11.009	24/24		25/51	61K1-1.0023	25/1	25/34	
61G10-11.010	24/24		25/51	61K1-1.0024	25/1	25/34	
61G11-25.001	20/22			61K1-1.0025	25/1	25/34	
61G14-10.0015	25/51		26/5	61K1-1.0027	25/1	25/34	
61G14-11.001	25/31	25/44	25/52	61K1-1.0028	25/1	25/34	
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61G14-20.001	25/31	25/44	25/52	61K1-1.0035	25/1	25/34	
61G14-20.002	25/31		25/52	61K1-1.004	25/1	25/34	
61G15-18.013	25/47		26/4	61K1-1.0043	25/1		
61G15-19.005	26/5			61K1-1.005	25/1	25/34	
61G15-19.0051	26/5			61K1-1.006	25/1	25/34	
61G15-19.006	26/5			61K1-1.007	25/1		
61G15-19.007	26/5			61K1-1.008	25/1		
61G15-19.0071	26/5			61K1-1.009	25/1		
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61G15-32.002	26/5			61K1-1.011	25/1		
61G15-32.003	26/5			61K1-1.012	25/1	25/34	
61G15-32.004	26/5			61K1-1.013	25/1	25/34	
61G15-32.009	26/5			61K1-1.017	25/1		
61G16-1.0071	25/42			61K1-1.018	25/1		
61G16-2.001	23/12			61K1-1.019	25/1	25/34	
61G16-2.005	25/42		26/5	61K1-1.023	25/1		
61G16-5.003	21/43	21/50		61K1-1.030	25/1		
61G17-1.006	21/6			61K1-1.035	25/1		
61G17-7.0025	25/38	25/49	26/4	61K1-1.037	25/1	25/34	
61G18-10.020	26/4			61K1-1.040	25/1		
61G18-12.009	26/6			61K1-1.042	25/1		
61G18-16.004	26/4			61K1-1.070	25/1	25/34	
61G19-9.001	25/42		25/52	61K1-1.080	25/1		
61H1-54.002	21/29						
61J2-1.011	25/45	25/52	26/7	ENVIRONMENTAL PROTECTION			
61J2-1.013	25/45		26/2	62-4.050	20/21	21/22	
61J2-1.016	25/45		26/2	62-4.070(5)	25/45c		
61J2-2.027	25/45		26/2	62-4.090	21/6c		
61J2-2.029	25/45		26/2	62-4.244	25/51	26/6	
61J2-3.008	25/45		26/2	62-17.151	24/45	24/45	
61J2-3.009	25/45		26/2	62-17.161	24/45	24/45	
61J2-3.010	25/45		26/2	62-160	22/12c		
61J2-3.011	25/45		26/2	62-204.800	22/12c		
61J2-3.014	25/45		26/2		26/7		
61J2-3.015	25/45		26/2	62-210.200	22/12c		
61J2-3.020	25/45	25/52	26/7	62-210.300	21/6c		
61J2-4.0061	25/45		26/2	62-210.900(1),(5)	22/12c		
61J2-5.015	25/45	25/52	26/7	62-210.990	20/36		
61J2-10.016	25/45		26/2	62-212.400(6)	22/12c		
61J2-10.017	25/45		26/2	62-212.410	22/12c		
61J2-10.018	25/45		26/2	62-212.500	22/12c		
61J2-10.019	25/45		26/2	62-212.510	22/12c		
61J2-10.020	25/45		26/2	62-213.420(1)(b)2.	22/12c		
61J2-10.029	25/45		26/2	62-213.430	20/52	21/7	
61J2-24.001	25/45		26/2		21/6c		

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62-213.430(6)	22/12c			62-555	22/12c		
62-296.401	22/32	22/38			22/42c		
62-302.600	21/2c			62-560	22/12c		
62-302.600(3)(b)62.	21/2c				22/42c		
62-302.700	21/17c			62-561.100	24/52		
		22/8		62-600	22/12c		
	25/34				22/42c		
62-302.700(9)(i)(38)	21/49c			62-601	22/12c		
62-312	21/34c				22/42c		
62-312.122	24/18			62-602.200	25/37	25/46	25/51
	24/18			62-602.250	25/37		25/51
62-330.200	26/7			62-602.300	25/37	25/46	25/51
62-341.602	21/22	21/22		62-602.350	25/37		25/51
62-342.100	24/36			62-602.400	25/37	25/46	25/51
62-342.200	24/36			62-602.450	25/37		25/51
	26/7			62-602.500	25/37		25/51
62-342.300	24/36			62-602.530	25/37		25/51
62-342.400	24/36			62-602.550	25/37	25/46	25/51
62-342.450	24/36	24/45		62-602.560	25/37		25/51
62-342.470	24/36	24/45		62-602.570	25/37		25/51
62-342.500	24/36			62-602.580	25/37		25/51
62-342.550	24/36			62-602.600	25/37	25/46	25/51
62-342.600	24/36			62-602.650	25/37		25/51
62-342.650	24/36			62-602.660	25/46	25/46	25/51
62-342.700	24/36	24/45		62-602.700	25/37	25/46	25/51
62-342.750	24/36			62-602.710	25/37	25/46	25/51
62-342.800	24/36			62-602.720	25/37		25/51
62-342.850	24/36			62-602.750	25/37		25/51
62-342.900	24/36			62-602.800	25/37		25/51
62-343	21/34c			62-602.850	25/37	25/46	25/51
62-343.010	21/22			62-602.870	25/37		25/51
62-343.020	21/22			62-602.900	25/37		25/51
62-343.030	21/22			62-603	22/12c		
62-343.040	21/22				22/42c		
62-343.050	21/22			62-604	22/12c		
62-343.060	21/22				22/42c		
62-343.070	21/22			62-610	25/5c		
62-343.080	21/22			62-610.814	24/52		
62-343.090	21/22			62-611	22/12c		
62-343.100	21/22				22/42c		
62-343.110	21/22			62-620	22/12c		
62-343.120	21/22				22/42c		
62-343.130	21/22			62-620.100	22/11c		
62-343.140	21/22				22/12c		
62-343.900	21/22				25/51		
62-520.100	22/11c			62-620.325	22/11c		
62-524.400	20/45				22/12c		
62-528	21/6c			62-620.330	22/11c		
	21/6c			62-620.335	22/11c		
62-550.200	22/11c			62-620.370(7)	25/45c		
62-550.310	20/47			62-620.400	22/11c		
62-550.730	20/19			62-620.410	22/11c		
62-551	22/12c			62-620.412	22/11c		
	22/42c			62-620.420	22/11c		
62-551.200	22/11c			62-620.425	22/11c		

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62-620.435	22/11c			62-711.500	25/51		
62-620.440	22/11c			62-711.520	25/51		
62-620.445	22/11c			62-711.530	25/51		
62-620.450	22/11c			62-711.540	25/51		
62-620.455	22/11c			62-711.550	25/51		
62-620.460	22/11c			62-711.700	25/51		
62-620.510	22/11c			62-711.801	25/51		
62-620.511	22/11c			62-712.100	21/34		
62-620.512	22/11c			62-712.200	21/34		
62-620.515	22/11c			62-712.300	21/34		
62-620.550	22/11c			62-712.400	21/34		
62-620.610	22/11c			62-712.410	21/34		
62-620.620	22/11c			62-712.420	21/34		
62-620.800	22/11c			62-712.430	21/34		
62-620.810	22/11c			62-712.440	21/34		
62-620.820	22/11c			62-712.450	21/34		
62-621	22/12c			62-712.460	21/34		
	22/42c			62-712.500	21/34		
62-621.200	21/52			62-712.800	21/34		
62-621.250	25/51		26/6	62-712.810	21/34		
62-621.300	25/51		26/6	62-712.900	21/34		
62-621.700	25/51		26/6	62-722	22/12c		
62-650	22/12c				22/42c		
	22/42c			62-723	22/12c		
62-650.120	22/11c				22/42c		
62-660	22/12c			62-728	22/11c		
	22/42c			62-730.020	25/36		26/7
62-660.300	22/11c			62-730.021	25/36		26/7
62-670	22/12c			62-730.030	25/36		26/7
	22/42c			62-730.050	23/7		
62-671	22/12c			62-730.160	25/36		26/7
	22/42c			62-730.170	25/36		26/7
62-673	22/12c			62-730.180	25/36		26/7
	22/42c			62-730.181	25/36		26/7
	22/42c			62-730.183	25/36		26/7
62-701	22/12c			62-730.184	25/36		26/7
	22/42c			62-730.185	25/36		26/7
62-701.720	22/11c			62-730.220		20/51	26/7
62-702	22/12c				25/36		26/7
	22/42c			62-737.400	25/41	25/48	
62-703	22/12c			62-737.840	25/41		26/2
	22/42c			62-740	21/45c		
62-704	22/12c			62-761	22/12c		
	22/42c				22/42c		
62-707	22/12c				24/22c		
	22/42c			62-761.891	24/14		
62-707.500	22/30			62-762	22/12c		
62-709	22/12c				22/42c		
	22/42c			62-767	22/12c		
62-710	21/18c				22/42c		
	22/12c			62-770	22/12c		
	22/42c				22/42c		
62-711	22/12c			62-771	22/12c		
	22/42c				22/42c		
62-711.300	25/51			62-771.300	21/52		
62-711.400	25/51			62-773.350(9),(10)	22/42c		

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	22/42c			64B-8.005	26/5		
62-775.100	22/23c			64B-8.009	26/5		
62-775.400	22/23c			64B-8.013	26/5		
62-775.410	22/23c			64B-8.014	26/5		
62-775.500	21/52	22/15		64B-8.015	26/5		
62-788.400	25/5			64B-8.016	26/5		
62B-33.002	22/25c			64B-8.017	26/5		
62B-33.005	22/25c			64B-8.018	26/5		
62B-33.0051	22/25c			64B2-10.012	26/4		
62B-49	21/34c			64B2-11.001	26/4		
62B-54.001	25/45	26/5		64B2-14.001	26/4		
62B-54.002	25/45	26/5		64B2-16.0075	26/7		
62B-54.003	25/45	26/5		64B3-2.001	23/51		
62B-54.004	25/45	26/5		64B3-2.002	22/34	24/49	
62D-2.014	21/52	22/13		64B3-2.003	22/34	24/49	
62N-3.002	21/43			64B3-3.003	23/51		
62N-22.005	24/45c			64B3-3.004	23/51		
62N-22.005(1),(2), (3),(5)	24/45c			64B3-3.7001	24/22c		
62N-22.023	23/2c			64B3-4.001	25/36	25/49	
62N-36.004	21/43			64B3-6.001	25/38		25/52
62Q-16.001	25/44		26/2	64B3-9.001	25/36		
62Q-16.002	25/44		26/2	64B3-9.004	25/36		
62Q-16.004	25/44		26/2	64B3-9.006	25/36		
62Q-16.005	25/44		26/2	64B3-9.013	25/36	26/7	
62Q-16.006	25/44		26/2	64B3-11.004	25/36	26/7	
62Q-16.007	25/44		26/2	64B3-13.004	25/38	25/49	26/3
62Q-16.009	25/44		26/2	64B4-3.001	25/22		
62Q-16.010	25/44		26/2	64B4-3.003	25/45		26/1
62Q-16.301	25/44		26/2	64B4-3.0035	25/32	25/45	25/51
62R-7.002	21/17			64B4-4.002	25/32		
62R-7.010	23/34			64B4-4.017	25/32		
62R-7.020	21/17			64B4-4.018	25/32		
62R-7.022	21/17			64B4-5.007	25/32		
62R-7.025	21/17			64B4-6.0013	25/32		
62R-7.026	21/17			64B4-6.0045	25/32		
62R-7.028	21/17			64B4-7.002	24/7c		
	22/47			64B6-4.007	26/7		
62R-7.032	21/17			64B7-25.0011	25/43	26/3	26/7w
62S-1.100	25/36			64B7-25.0012	25/43		26/3
62S-1.200	25/36			64B7-26.002	25/43		26/3
62S-1.400	25/36			64B7-26.005	25/43		26/3
62S-1.450	25/36			64B7-27.004	25/36		26/7w
62S-1.600	25/36			64B7-27.012	24/12		
62S-1.620	25/36			64B7-28.008	25/43		26/3
62S-1.640	25/36			64B7-30.002	25/43		26/3
				64B7-30.007	25/43		26/3
				64B7-31.001	25/43		26/3
				64B7-32.001	26/6		
				64B8-5.001	25/33	25/50	26/4
64B-1.009	25/39	26/1	26/7	64B8-8.001	25/43		25/51
64B-3.004	26/4			64B8-8.011	25/47		26/3
64B-3.005	26/4			64B8-8.017	25/47		26/3
64B-8.001	26/5			64B8-9.001	25/52		
64B-8.002	26/5						
64B-8.003	26/5						

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64B8-9.0091	25/52	26/7		64B16-28.140	24/38		
64B8-9.0092	25/52			64B16-28.820	26/1		
64B8-30.002	26/6			64B16-30.003	26/1		
64B8-30.008	25/43		25/51	64B17-1.001	26/6		
64B8-44.003	26/5			64B17-3.004	26/6		
64B8-51.002	25/47		26/6	64B17-4.004	26/6		
64B8-51.006	25/47		26/6	64B18-11.001	25/47		26/5
64B8-52.003	25/48	25/52	26/6	64B18-23.001	25/27		
64B8-54.0021	25/47	26/7		64B18-24.001	25/50		26/6
64B8-54.004	25/47		26/6	64B19-11.0035	25/45		26/3
64B8-55.001	25/47			64B19-12.0041	25/45		26/3
64B8-55.0021	25/47			64B19-13.0015	25/45		
64B9-3.002	25/40			64B20-2.002	25/45		
64B9-3.0025	26/4			64B20-2.004	25/43		
64B9-3.007	25/9			64B20-3.011	25/43		25/52
64B9-3.014	25/40			64B20-6.001	25/43		25/52
64B9-4.001	26/4			64B20-6.002	25/43		25/52
64B9-4.002	26/4			64B24-6.005	26/2		
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64B9-4.003	26/4			64B32-1.002	26/7		
64B9-4.004	26/4			64B32-1.004	26/7		
64B9-4.006	26/4			64B32-2.003	26/6		
64B9-4.009	25/29			64B32-3.005	26/6		
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64B9-5.005	26/4			64B32-6.006	26/6		
64B9-6.001	25/29			64B32-7.001	26/6		
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64B9-8.003	26/4			64D-3.001	26/6		
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64B11-4.003	25/26	25/43 25/48	26/3 26/3	64D-3.004	26/6		
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64B13-4.008	26/4			64D-3.013	26/6		
64B13-5.001	26/4			64D-3.014	26/6		
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64B13-23.001(1)	25/43c			64D-3.019	26/6		
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64B14-5.002	26/7			64D-3.025	26/5		
64B14-5.003	26/7			64D-3.027	26/6		
64B14-5.004	26/7			64E-1	25/5c		
64B15-6.002	26/6			64E-1.001	25/51		
64B15-6.0038	25/52			64E-1.0015	25/51		
64B15-14.005	25/52			64E-1.002	25/51		
64B16-27.400	26/1			64E-1.003	25/51		
				64E-1.004	25/51		
				64E-1.005	25/51		
				64E-1.006	25/51		
				64E-1.007	25/51		
				64E-1.100	25/51		

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64E-1.102	25/51			64E-8.009	25/39	25/47	26/3
64E-1.103	25/51			64E-8.012	25/39	25/47	26/3
64E-1.104	25/51			64E-9.003	25/47		
64E-1.105	25/51			64E-19.001	25/38	25/47	26/3
64E-1.106	25/51			64E-19.002	25/38	25/47	26/3
64E-1.107	25/51			64E-19.003	25/38	25/47	26/3
64E-1.108	25/51			64E-19.004	25/38	25/47	26/3
64E-1.109	25/51			64E-19.005	25/38	25/47	26/3
64E-1.110	25/51			64E-19.006	25/38	25/47	26/3
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64E-2.003		24/47	26/6	64E-19.008	25/38	25/47	26/3
	25/44		26/6	64E-20.002	25/49	26/6	
64E-2.004		24/47	26/6	64E-20.003	25/49	26/6	
	25/44		26/6	64E-20.004	25/49	26/6	
64E-2.013	25/44	26/1	26/6	64E-20.005	25/49	26/6	
64E-2.015	25/44		26/6				
64E-2.017	25/44		26/6				
64E-2.0175	25/44		26/6				
64E-2.023	25/44		26/6				
64E-2.024	25/44	26/1	26/6	65A-1.400	25/21c		
64E-2.025	25/44		26/6	65A-1.519	25/39	26/1	
64E-2.026	25/44		26/6	65A-1.725	25/38		
64E-2.027	25/44		26/6	65A-1.900		25/44	
64E-2.028	25/44		26/6			26/4	
64E-2.029	25/44		26/6	65A-2.022	25/41		
64E-2.031	25/44	26/1	26/6	65A-2.024	25/41		
64E-2.034	25/44		26/6	65A-2.031	25/41		
64E-6.001	25/48			65A-2.032	25/41		
64E-6.002	25/48			65A-2.033	25/41		
64E-6.003	25/48			65A-2.034	25/41		
64E-6.004	25/48			65A-2.035	25/41		
64E-6.005	25/48			65A-2.036	25/41		
64E-6.006	25/48			65A-4.100	26/4		
64E-6.007	25/48			65A-4.101	26/7		
64E-6.008	25/48			65A-4.201(3)	24/19c		
64E-6.009	25/48			65A-4.206	25/46	26/6	
64E-6.010	25/48			65A-4.213	25/32		
64E-6.013	25/48			65A-4.216	25/32		
64E-6.014	25/48			65A-15.0095	26/4		
64E-6.015	25/48			65A-33.001	25/43	26/1	26/7w
64E-6.0151	25/48			65A-33.003	25/43		26/6
64E-6.017	25/48			65A-33.004	25/43		26/6
64E-6.018	25/48			65A-33.005	25/43		26/6
64E-6.0181	25/48			65A-33.006	25/43		26/6
64E-6.0182	25/48			65A-33.007	25/43		26/6
64E-6.021	25/48			65A-33.008	25/43		26/6
64E-6.025	25/48			65A-33.011	25/43		26/6
64E-6.028	25/48			65C-6.001	25/47		
64E-6.029	25/48			65C-6.002	25/47		
64E-6.030	25/48			65C-6.003	25/47		
64E-8.001	25/39		26/3	65C-6.004	25/47		
64E-8.002	25/39		26/3	65C-6.006	25/47		
64E-8.003	25/39		26/3	65C-6.007	25/47		
64E-8.004	25/39		26/3	65C-20.009	25/41		
				65C-20.011	25/41		
				65C-20.013	25/41		

CHILDREN AND FAMILY SERVICES

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
65C-21.001	23/20			65D-30.012	26/6		
65C-22.001	25/41	26/6		65D-30.013	26/6		
65C-22.003	25/41	26/6		65D-30.014	26/6		
65C-22.005	25/41			NAVIGATION DISTRICTS			
65C-22.006	25/41	26/6		66B-1.004	25/47		
65C-25.001	25/41			66B-1.006	25/47		
65C-25.002	25/41			66B-1.008	25/47		
65C-25.003	25/41			66B-2.004	25/47		
65C-25.004	25/41			66B-2.006	25/47		
65C-25.005	25/41			66B-2.008	25/47	26/1	
65C-25.006	25/41			FLORIDA HOUSING FINANCE CORPORATION			
65C-25.007	25/41			67-21.014	25/45		26/3
65C-25.008	25/41			67-21.019	24/46	24/46	
65D-16.003	26/6			67-32.002	25/35	25/45	25/51
65D-16.004	26/6			67-32.003	25/35		25/51
65D-16.007	26/6			67-32.004	25/35	25/45	25/51
65D-16.008	26/6			67-32.005	25/35		25/51
65D-16.009	26/6			67-32.006	25/35		25/51
65D-16.010	26/6			67-32.007	25/35		25/51
65D-16.011	26/6			67-32.008	25/35		25/51
65D-16.012	26/6			67-32.009	24/28		
65D-16.014	26/6			67-32.010	25/35	25/45	25/51
65D-30.001	26/6			67-32.011	25/35	25/45	25/51
65D-30.002	26/6			67-37.011	25/37		
65D-30.003	26/6			67-38.002	26/5		
65D-30.004	26/6			67-38.0025	26/5		
65D-30.005	26/6			67-38.003	26/5		
65D-30.006	26/6			67-38.004	26/5		
65D-30.007	26/6			67-38.005	26/5		
65D-30.008	26/6			67-38.006	26/5		
65D-30.009	26/6						
65D-30.010	26/6						
65D-30.011	26/6						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
67-38.007	26/5			67-48.021	25/35	25/45	26/7
67-38.008	26/5			67-48.022	25/35	25/45	26/7
67-38.010	26/5			67-48.023	25/35	25/45	26/7
67-38.011	26/5			67-48.025	25/35		26/7
67-38.012	26/5			67-48.026	25/35	25/45	26/7
67-38.013	26/5			67-48.027	25/35	25/45	26/7
67-38.014	26/5			67-48.028	25/35	25/45	26/7
67-38.0145	26/5			67-48.029	25/35	25/45	26/7
67-38.015	26/5			67-48.030	25/35		26/7
67-38.016	26/5			67-48.031	25/35	25/45	26/7
67-43.005	25/33c			67-48.032	25/35		26/7
67-48.001	25/35		26/7				
67-48.002	25/35	25/45	26/7				
		25/50	26/7				
		26/2	26/7				
67-48.003	25/35	25/45	26/7	68AER99-1			25/52
67-48.004	25/35	25/45	26/7	68A-15.061	25/52	26/7	
67-48.005	25/33c			68A-25.002	25/52	26/7	
	25/35	25/45	26/7	68B-13.0015	25/48		
67-48.006	25/35	25/45	26/7	68B-13.002	25/48		
67-48.007	25/35	25/45	26/7	68B-13.005	25/48		
67-48.008	25/35		26/7	68B-13.006	25/48		
67-48.009	25/35	25/45	26/7	68B-13.007	25/48		
67-48.0095	25/35	25/45	26/7	68B-13.008	25/48		
67-48.010	25/35	25/45	26/7	68B-13.009	25/48		
67-48.0105	25/35		26/7	68B-13.010	25/48		
67-48.012	25/35	25/45	26/7	68B-13.011	25/48		
67-48.013	25/35	25/45	26/7	68B-14.0036	25/48		
67-48.014	25/35		26/7	68B-14.0038	25/44		25/51
67-48.015	25/35		26/7	68B-14.0045	25/48		
67-48.017	25/35		26/7	68B-39.004	25/52		
67-48.018	25/35		26/7	68B-46.001	25/52		
67-48.019	25/35		26/7	68B-46.002	25/52	26/7	
67-48.020	25/35	25/45	26/7	68C-22.005	26/7		
67-48.0205	25/35		26/7				

FISH AND WILDLIFE CONSERVATION COMMISSION