

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE CHAPTER TITLE: Elections
 RULE CHAPTER NO.: 1S-2

RULE TITLE: Write-in Procedures Governing Electronic Voting Systems
 RULE NO.: 1S-2.0031

PURPOSE AND EFFECT: The purpose of rule development for these rules is to update write-in procedures for electronic voting systems due to the recent Election Reform act.

SUBJECT AREA TO BE DISCUSSED: Procedures for write-in positions on the ballot.

SPECIFIC AUTHORITY: 101.5608(3),(4) FS.

LAW IMPLEMENTED: 101.011(6), 101.5608, 101.5614, 103.022 FS.

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

TIME AND DATE: 3:00 p.m.– 5:00 p.m., Monday, April 15, 2002

PLACE: Room 100, 107 West Gaines Street, The Collins Building, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amy K. Tuck, Assistant General Counsel, Room 100, 107 West Gaines Street, Tallahassee, Florida 32399, (850)245-6200 or atuck@mail.dos.state.fl.us.

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

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 establish in rule the description of the Division’s grant programs and their specific eligibility and evaluation criteria. The amendment also removes publications currently incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: Specific grant program descriptions, eligibility and evaluation criteria for the Division’s grant programs.

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

TIME AND DATE: 9:00 a.m., Friday, April 12, 2002

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 DEVELOPMENT IS: Linda Downey, Chief, Bureau of Grant Services, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301

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

DEPARTMENT OF INSURANCE

RULE TITLES: Applicability and Scope
 RULE NOS.: 4-154.102

Guaranteed Availability of Individual Health Coverage to Eligible Individuals 4-154.112

PURPOSE AND EFFECT: To amend Florida Administrative Code to reflect out-of state insurers obligation to comply with Chapter 4-154, F.A.C. Additionally, the amendment clarifies requirements for quoting insurance coverage.

SUBJECT AREA TO BE ADDRESSED: Guaranteed availability of individual health coverage to eligible individuals.

SPECIFIC AUTHORITY: 624.308, 627.643, 627.6487(4)(b) FS.

LAW IMPLEMENTED: 624.307(1), 627.642, 627.643, 627.6487 FS.

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

TIME AND DATE: 9:00 a.m., April 18, 2002

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

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-154.102 Applicability and Scope.

(1) These rules shall apply to all individual and family accident and health insurance policies, subscriber contracts of medical, surgical, or health maintenance organizations and to franchise insurance policies issued or issued for delivery in this state on and after the effective date hereof (except for policies issued to employees or members who are being added to existing franchise plans). The requirements contained in these rules shall be in addition to any other applicable rules previously adopted.

(2) Rules 4-154.110 through 4-154.112 and Rules 4-154.114 through 4-154.116, F.A.C., shall also apply to individual health insurance coverage, issued or issued for delivery out-of-state, subject to the provisions of Sections 627.6425 or 627.6487, Florida Statutes.

Specific Authority 624.308, 627.643 FS. Law Implemented 624.307(1), 627.642, 627.643 FS. History—New 1-1-75, Formerly 4-37.02, 4-37.002, Amended 9-19-00,_____.

4-154.112 Guaranteed Availability of Individual Health Coverage to Eligible Individuals.

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

(c)1. The practice of quoting an eligible individual a rate that is not actuarially supportable or that is well in excess of general industry maximums constitutes an unfair trade practice with the intent of denying eligible individuals coverage guaranteed by Section 627.6487, Florida Statutes.

2. Eligible individuals must be offered these policy forms using the rate schedule and rating manual filed with and approved by the Department. Otherwise, eligible individuals must be offered the rate schedule in effect for general applicability to any applicant, unless such difference in rate is actuarially supportable based on benefit differences and not due to consideration of the eligible group of individuals as a separate class.

3. If in the application of the company's underwriting standards, the eligible individual is determined to be uninsurable, the highest approved rate class may be used.

4. Rates in each approved rate class must be generally applicable to all individuals and be based on sound actuarial practices without regard to whether the individual is ~~being~~ an eligible individual.

(3) through (8) No change.

Specific Authority 624.308, 627.6487(4)(b) FS. Law Implemented 624.307(1), 627.6487 FS. History—New 9-19-00, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Frank Dino, Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rich Robleto, Bureau Chief, Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance

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

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

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Co-Payments	4-191.035
Filing, Approval of Subscriber Contract and Related Forms	4-191.051
Rates	4-191.054
Actuarial Memorandum and Definitions	4.191.055
Prescribed Forms	4-191.107

PURPOSE AND EFFECT: The amendments are to make corrections to comply with statutory changes, to require that all HMOs offer all plans with option of the existing PCP and out of pocket maximums, and to make technical corrections.

SUBJECT AREA TO BE ADDRESSED: Rates, forms, and contracts for HMO's.

SPECIFIC AUTHORITY: 641.36, 624.308(1) FS.

LAW IMPLEMENTED: 628.4615, 641.19(18), 641.20185, 641.21(1), 641.21(1)(e), 641.22(2), 641.26(1), 641.26(2), 641.29, 641.3007(4)(b), 641.3007(4)(c), 641.31(2), 641.31(3), 641.31(4), 641.3922(3) FS.

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

TIME AND DATE: 2:00 p.m., April 18, 2002

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

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-191.035 Co-Payments.

(1) No change.

~~(2) Co-payments in total shall not exceed the dollar amounts as determined by a formula which will be the HMO industry average annual reported commercial premium per member for the past two years. The formula is calculated as follows:~~

~~(a) Total commercial premiums for the previous two (2) years divided by two (2) equals the total average annual commercial premium;~~

~~(b) The total average annual commercial premium times 115 percent;~~

~~(c) The total commercial enrollment for the previous two (2) years divided by two (2) equals total average commercial enrollment;~~

~~(d) The total average annual commercial premium divided by the total average annual commercial enrollment equals the total average commercial premium per member.~~

~~Co-payments for individuals will be limited to the average stated above, with a maximum of \$1,500.00; family co-payment limits shall be twice the average calculated above, with a maximum of \$3,000. Co-payments for the primary care provider shall not exceed \$15.00 per office visit. Co-payments for specialty care and primary care must be reasonable to ensure access to proper health care. Exceptions may be made if the HMO demonstrates an adverse effect on the financial condition or small group rating is involved and not in conflict with Rule 4-191.054. For each plan provided by the HMO, the HMO shall offer each group and each individual subscriber (in the case of non-group coverage) the option of a primary care co-payment not to exceed \$15.00, and a maximum individual co-payment not to exceed \$1,500.00 and a corresponding family co-payment not to exceed \$3,000.~~

(3) A co-payment may be established which is a percentage of a specific dollar amount if the percentage co-payment is requested and justified by an employer group with 500 or more members residing in the State of Florida and involves a bidding process. Any request of this nature must be filed and approved by the Department on a specific case basis, and The annual maximum co-payments for all plans must be expressed in specific dollar amounts of not more than the amount determined by the formula described in paragraph (2) of this rule.

(4) In the case of a high deductible contract, as defined in Section 641.20185, Florida Statutes, the deductible established under the contract must be satisfied before the application of any co-payments. Such deductible shall not be included in the calculation of the co-payment maximums as detailed in paragraph 4-191.035(2)(d), F.A.C.

Specific Authority 641.36 FS. Law Implemented 641.19(18), 641.20185, 641.31(4) FS. History--New 5-28-92, Amended _____.

4-191.051 Filing, Approval of Subscriber Contract and Related Forms.

(1) through (2) No change.

(3) One ~~Two~~ copies of each form filing shall be submitted at the time of filing. HMOs in possession of a Certificate of Authority shall submit all contract filings to the Bureau of Life and Health Forms and Rates, Division of Insurer Services and Market Conduct Review, Department of Insurance, Post Office Box 8040, Tallahassee, Florida 32399-0300, 32301-8040, or submitted electronically to lhfrbureau@doi.state.fl.us. All filings sent by Federal Express or any other form of special delivery shall be delivered to: Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 1st Floor, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0328.

(4)(a) Each HMO shall provide one ~~two~~ copies of a written informed consent notice used to disclose the intent of testing a person for HIV infection or other specific sickness as required in Section 641.3007(4)(b), Florida Statutes. The form shall include the following:

1. Explanation of the testing;
2. Purpose of the test;
3. Potential uses of the form information and limitations;
4. The meaning of the test results; and
5. Person's rights to confidential treatment of the information obtained.

(b) No change.

(5) Each HMO shall include a copy of the following forms:

(a) Form DI4-1507, The Florida Department of Insurance, Treasurer and Fire Marshal Life and Health Forms and Rates Universal Standardized Data Letter, completely filled out in accordance with Form DI4-1507A, The Florida Department of Insurance, Treasurer and Fire Marshal Life and Health Forms and Rates Universal Standardized Data Letter Instruction Sheet, as adopted in Rule 4-149.022, F.A.C.

(b) Form DI4-1356, The Florida Department of Insurance, Treasurer and Fire Marshal Florida HMO Contract Checklist (Includes Individual, Large and Small Group), as adopted in Rule 4-149.022, F.A.C.

Specific Authority 641.36 FS. Law Implemented 641.21(1)(e), 641.3007(4)(b),(c), 641.31(2),(3) FS. History--New 2-22-88, Amended 10-25-89, Formerly 4-31.051, Amended 5-28-92, _____.

4-191.054 Rates.

(1) Before charging or quoting premiums to subscribers, an HMO shall file the rating methodology by which those premiums were determined with the Department.

(a) All materials submitted shall be legible. A filing which is illegible or which contains illegible material will be disapproved without any further processing.

(b) For purposes of this rule and Rule 4-191.055, F.A.C., and the time periods established in Section 641.31, Florida Statutes, a filing is considered "filed" with the Department upon receipt of the material required in paragraph (2)(a), below. For purposes of this rule and Rule 4-191.055, F.A.C., the term "filed" does not mean "approved". Such premiums may be put into effect immediately, but the Department retains the right to disapprove the methodologies and the rates filed. If formally disapproved, use of the rating methodologies shall be discontinued immediately and shall not be applicable to new or renewal business written on or after the effective date of the filing. New rating methodologies which respond to the findings of the Department shall be filed by the HMO. If the Department finds that premiums charged were excessive, inadequate, or unfairly discriminatory in the original filing, the premiums determined by the newly filed rating methodology shall be applicable only to new or renewal business written on or after the effective date of the responsive filing.

(2) Filings of rating methodologies shall provide adequate information, so that the Department, in accordance with generally accepted actuarial principles as applied to Health Maintenance Organizations, may verify that the rating methodology does not produce inadequate, excessive, or unfairly discriminatory premiums. All rate classifications should be clearly identified, and the formulas and/or methods of calculating premiums adequately described, as defined in Rule 4-191.055, F.A.C.

(a) The ~~hard copy~~ components of HMO rate filings shall consist of one ~~two~~ copies of all of the items in subparagraphs 1. through 4 ~~3~~.

1. through 3. No change.

4. Form DI4-1507, The Florida Department of Insurance, Treasurer and Fire Marshal Life and Health Forms and Rates Universal Standardized Data Letter, completely filled out in accordance with Form DI4-1507A, The Florida Department of Insurance, Treasurer and Fire Marshal Life and Health Forms and Rates Universal Standardized Data Letter Instruction Sheet, as adopted in Rule 4-149.022, F.A.C.

(b) Filings, as that term is defined in subsection (a), shall be mailed to: Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, Post Office Box 8040, Tallahassee, Florida ~~32301-8040~~ ~~32314-5340~~ or submitted electronically to lhfrbureau@doi.state.fl.us. All filings sent to the Department by Federal Express or any other form of special delivery shall be delivered to: Bureau of Life

and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 1st Floor, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0328 ~~3201~~.

(c) 1. Every HMO submitting a rate filing shall be notified as to whether the filing has been affirmatively approved by the Department, or has been disapproved by the Department, including disapprovals for failure of the material to meet the definition of a "filing" or for illegibility, within any statutory review period of the date of receipt of the filing.

2. Every HMO submitting a rate filing which does not comply with the requirement of Rules 4-191.054 and 4-191.055, F.A.C., or for which the Department determines that additional information is necessary for a proper review, will be notified of the additional information necessary deficiencies in the filing within the statutory time limit.

3. Every HMO shall submit the required data by a date certain stated in the clarification deficiency letter to allow the Department sufficient time to perform a proper review.

4. Failure to correct the filing deficiencies by the date certain in the clarification deficiency letter will result in an affirmative disapproval of the filing by the Department.

(3) through (5) No change.

(6)(a) Rates for group conversion contracts, issued on a group or on an individual basis are exempt from the loss ratio requirements below. The loss ratio for group conversion contracts shall not be less than 120%. The premium for a converted contract may not exceed 200 percent of the standard risk rate, as published in Rule 4-149, Part X, F.A.C.

(a) through (b) renumbered (b) through (c) No change.

(7) through (8) No change.

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

~~(a) The first such filing for each policy form for each company shall be submitted on or after December 1, 1996, but in no event later than March 1, 1997, or 14 months after the date of the last rate filing approval.~~

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

(10) Prohibitions. A premium schedule is unfairly discriminatory if it incorporates any of the following: The Department has determined that certain rating activities are against the public policy of this state and are therefore prohibited because the activities may result in premium escalations which are not viable for the subscriber or result in unfair discrimination in sales practices, an example of which is inappropriate risk selection criteria.

(a) Select and Ultimate Premium Schedules, as defined in Rule 4-191.055(4)(j), F.A.C., are prohibited.

(b) Attained age premium schedules where the slope by age is substantially different from the slope of the ultimate claim cost curve are prohibited. Attained age premium schedules are defined in Rule 4-191.055(4)(a), F.A.C.

Specific Authority 641.36 FS. Law Implemented 641.21(1)(e), 641.22(2),(6), 641.31(2),(3), 641.3922(3) FS. History—New 2-22-88, Amended 10-25-89, Formerly 4-31.054, Amended 10-8-96,_____.

4-191.055 Actuarial Memorandum and Definitions.

(1)(a) In order for a rate filing to be reviewed properly by the Department, the actuarial memorandum required by Rule 4-191.054(2)(a)2, F.A.C., shall contain the items listed in subsection (2), below, for a new product filing, a rate revision or justification of existing rates.

(b)1. Pricing assumptions shall reflect HMO experience to the degree credible, and industry experience where HMO experience is not credible, available or appropriate.

2. Assumptions shall reflect what the HMO fully expects to occur, rather than assumptions developed primarily for rate filing purposes, based on sound actuarial principles.

3. All such items shall be adequately justified by supporting data. In reviewing these assumptions, the Department will use, as an initial point of reference, comparisons of the assumptions with those from similar products of the same HMO, similar products of other HMOs and independent studies.

4. Additional information will be required if, given the particular facts and circumstances of the filing, the Department determines that the additional information is necessary to properly complete its review of the filing to determine if the benefits are reasonable in relation to the premiums charged.

(c) All filings reviewed under Rules 4-191.054 through 4-191.055, F.A.C., shall be reviewed in accordance with sound actuarial principles and, except where the context plainly does not involve an actuarial determination, all adverbs in these rules such as “properly” and “appropriately” shall be construed in light of those principles.

(2) No change.

(3) Descriptions.

(a) No change.

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

1. through 15. No change.

16. Minimum Required Loss Ratio for the Form: This section shall state the minimum required loss ratio for the form as defined in Rule 4-191.054(6)(a) and (b), F.A.C.

17. Loss Ratio: This loss ratio is defined in Rule 4-191.054(6)(c)(b), F.A.C.

18. through 24. No change.

(4) Definitions.

(a) No change.

(b) Credible Data:

1. If a policy form has 2000 or more subscribers inforce, then full (100%) credibility is given to the experience; if fewer than 500 subscribers are inforce, then zero (0%) credibility is given. Linear interpolation is used for inforce amounts between 500 and 2000.

2. For group policy forms, the numbers in this definition refer to group subscribers certificates.

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

(c) No change.

(d) Group Size: For Group HMO Policy Forms the group size is the average number of subscribers certificates per employer.

(e) through (h) No change.

(i) Renewal Clauses:

1. ~~Optionally Renewable means that renewal can be declined on any individual or group contract at the option of the HMO.~~

2. ~~Conditionally Renewable means that renewal can be declined by class, by geographic area or for stated reasons other than deterioration of health. The HMO may revise rates on a class basis.~~

3. Guaranteed Renewable means that renewal cannot be declined by the HMO for any reason other than those detailed in Sections 641.31074, and 627.6425, Florida Statutes, fraud, misrepresentation, or failure to pay the premium when due, but the HMO can revise rates on a class basis.

4. ~~Non-Cancelable means that renewal cannot be declined for any reason other than fraud, misrepresentation, or failure to pay the premium when due and that rates cannot be revised by the HMO.~~

5. ~~Non-Renewable means that there is a contractual provision which prevents a policy duration of more than a specific period which shall be no more than one (1) year.~~

(j) through (k) No change.

Specific Authority 641.36 FS. Law Implemented 641.22(2), 641.31(2),(3) FS. History—New 10-8-96, Amended 4-20-98,_____.

4-191.107 Prescribed Forms.

(1) The forms listed below are incorporated into, and made a part of, these rules by reference.

FORM NUMBER	DESCRIPTION	DATE OF LATEST REVISION
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(a) through (t) No change.

(u)	DI4-563	Health Maintenance Organizations Requirements Summary	10/91
(v)	DI4-564	Standardized Data Letter Health Maintenance Organizations	10/91

(2) Form DI4-1507, Form DI4-1507A, and Form DI4-1356 as incorporated in Rule 149.022, F.A.C., are also used for purposes of this rule chapter.

(3)(2) Copies of all forms listed in subsection (1) above may be obtained through the Department of Insurance, Bureau of Specialty Insurers, Tallahassee, Florida 32399-0300.

Specific Authority 641.36 FS. Law Implemented 628.4615, 641.21(1), 641.26(1),(2), 641.29 FS. History--New 2-22-88, Amended 10-25-89, Formerly 4-31.107, Amended 5-28-92, 8-15-94.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

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

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

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

LAW IMPLEMENTED: 186.511 FS.

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

TIME AND DATE: 8:00 a.m., April 25, 2002

PLACE: Holiday Inn at U.S. 90 and I-75, Lake City, Florida

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

29C-9.001 Strategic Regional Policy Plan.

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

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Rules of Conduct RULE NO.: 33-208.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise the requirements and process for staff to report arrests or criminal charges.

SUBJECT AREA TO BE ADDRESSED: Employee rules of conduct.

SPECIFIC AUTHORITY: 20.215, 944.09 FS.

LAW IMPLEMENTED: 944.09, 944.14, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.002 Rules of Conduct.

The Department of Corrections requires all employees to familiarize themselves with all rules and regulations pertaining to their positions and duties, and that employees abide by these rules and regulations. The following rules of conduct and performance standards are applicable both on and off the job to all Department of Corrections employees. Some of these rules of conduct are found again in abbreviated form in the next section titled "Range of Disciplinary Actions," however, all rules of conduct are enforceable by appropriate disciplinary action regardless of whether they are listed in the range of disciplinary actions.

(1) through (2) No change.

(3) Each employee shall make a full written report within 3 calendar days to his or her supervisor ~~the secretary, warden, regional director, circuit administrator or officer in charge~~, of any criminal charge filed against him or any arrest for any violation of any law or ordinance except minor traffic violations for which the fine or bond forfeiture is \$200 ~~\$100.00~~ or less.

(4) through (27) No change.

Specific Authority 20.315, 944.09, FS. Law Implemented 944.09, 944.14, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47, FS. History--New 10-8-76, Amended 10-11-77, 4-19-79, 6-18-83, Formerly 33-4.02, Amended 8-15-89, 10-20-90, 1-31-91, 3-20-91, 1-30-96, 3-24-97, 4-19-98, Formerly 33-4.002, Amended.

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

DATE AND TIME: 6:30 p.m. – 9:00 p.m., April 25, 2002 (rescheduled from March 21, 2001)

PLACE: South Florida Water Management District, Okeechobee Service Center, Auditorium, 2nd Floor, 205 North Parrott Ave., Okeechobee, FL 34972, (863)462-5260

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 the District Clerk, (561)686-8800, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical issues: Michelle Pearcy, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 2174, or (561)682-2174 (mpearcy@sfwmd.gov). For procedural issues: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (jjenniso@sfwmd.gov).

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Water Shortage Plan RULE CHAPTER NO.: 40E-21

PURPOSE AND EFFECT: The purpose and effect of the rule development is to amend and update Chapter 40E-21, F.A.C., relating to the Water Shortage Plan.

SUBJECT AREA TO BE ADDRESSED: Regulations, procedures, and specific restrictions related to water shortage declarations will be addressed, including water shortage restrictions relating to golf courses, recreation areas, industrial production and use, new landscaping, existing lawn/landscape watering, agriculture, pesticide application, other outdoor water uses, irrigation systems, nurseries, and flood irrigation; water shortage triggers; variances; and enforcement.

SPECIFIC AUTHORITY: 120.54, 373.044, 373.113 FS.

LAW IMPLEMENTED: 120.54, 373.026, 373.042, 373.0421, 373.103, 373.119, 373.175, 373.246, 373.603, 373.609 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: 6:30 p.m. – 9:00 p.m., April 25, 2002 (rescheduled from March 21, 2001)

PLACE: South Florida Water Management District, Okeechobee Service Center, Auditorium, 2nd Floor, 205 North Parrott Ave., Okeechobee, FL 34972, (863)462-5260

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 the District Clerk, (561)686-8800, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical issues: Michelle Pearcy, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 2174 or (561)682-2174 (mpearcy@sfwmd.gov). For procedural issues: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (jjenniso@sfwmd.gov).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM: Michelle Pearcy, 3301 Gun Club Road, West Palm Beach, FL 33406, (E-Mail: mpearcy@sfwmd.gov).

LAND AND WATER ADJUDICATORY COMMISSION

Gateway Services District

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

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule amendment is to change the name of the Gateway Services District (“District”) to the “Gateway Services Community Development District” to more accurately reflect its status as a uniform community development district chartered under chapter 190, FS, and to amend the District’s boundaries. The petition to amend the District’s name and boundaries submitted by the Board of Supervisors of the District requests that the Florida Land and Water Adjudicatory Commission amend Chapter 42F-1, Florida Administrative Code, to change the District’s name and add approximately 150 acres to the existing boundaries. After expansion as proposed, the District will consist of and serve approximately 5,474 acres. Approximately 125 acres generally located wholly within the City of Fort Myers and about 25 acres generally located wholly within unincorporated Lee County are proposed to be added to the District. There is no real property within the proposed expanded District boundaries which is to be excluded from the jurisdiction of the District. Further, the amendment of the external boundaries of the

District by its expansion by approximately 150 acres does not comprise (singularly or cumulatively) more than 10% of the District's initial service area and will not result in the addition of more than 250 acres. Finally, the District has obtained the consent of the owners of 100% of the property described above and which is proposed to be added to the District.

SUBJECT AREA TO BE ADDRESSED: Expansion of the boundaries and change of name of the Gateway Services District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 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. – 12:00 Noon, Monday, April 15, 2002

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tim Franklin, Young, van Assenderp, Varnadoe & Anderson, P.A., P. O. Box 1833, Tallahassee, Florida 32302-1833, telephone (850)222-7206, or Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884

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

LAND AND WATER ADJUDICATORY COMMISSION

Bayside Improvement Community Development District

RULE CHAPTER TITLE: Bayside Improvement Community
RULE CHAPTER NO.: Development District

42N-1

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

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule amendment is to amend the boundaries of the Bayside Improvement Community Development District ("District") by approximately 72 acres. The petition to amend the District's boundaries submitted by the Board of Supervisors of the District requests that the Florida Land and Water Adjudicatory Commission (the "Commission") amend Chapter 42N-1, Florida Administrative Code, to change the District's name and add approximately 72 acres to the existing boundaries. After expansion as proposed, the District will consist of and serve approximately 1822 acres. Approximately 72 acres generally located wholly within the City of Bonita Springs are proposed to be added to the District. The expansion parcel is bounded on the north and east by land serviced by the

existing Bayside Improvement Community Development District; on the south by wetlands and the Spring Creek Estates neighborhood; and, on the west by Estero Bay. There is no real property within the proposed expanded District boundaries which is to be excluded from the jurisdiction of the District. Further, the amendment of the external boundaries of the District by its expansion by approximately 72 acres does not comprise (singularly or cumulatively) more than 10% of the District's initial service area and will not result in the addition of more than 250 acres. Finally, the District has obtained the consent of the owners of 100% of the property described above and which is proposed to be added to the District.

SUBJECT AREA TO BE ADDRESSED: Expansion of the boundaries of the Bayside Improvement Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 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: 12:00 Noon – 2:00 p.m., Monday, April 15, 2002

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tim Franklin, Young, van Assenderp, Varnadoe & Anderson, P.A., P. O. Box 1833, Tallahassee, Florida 32302-1833, telephone (850)222-7206, or Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884

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

**Section II
 Proposed Rules**

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Clarifying Form of Write-in Slot and
RULE NO.: Write-in Candidates on Ballots 1S-2.003

PURPOSE AND EFFECT: This rule is no longer necessary as it applies to voting machines, which are repealed effective September 2, 2002.

SUMMARY: The Department of State is repealing rules regarding voting machines.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None 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: 101.5608(4) FS.

LAW IMPLEMENTED: 101.5608(4) 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Amy K. Tuck, Assistant General Counsel, Division of Elections, Department of State, Room 100, 107 West Gaines Street, Tallahassee, Florida 32399, (850)245-6200

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.003 Clarifying Form of Write-in Slot and Write-in Candidates on Ballots.

Specific Authority 101.5608(4) FS. Law Implemented 101.5608(4) FS. History—New 12-17-71, Repromulgated 1-1-75, Formerly 1C-7.03, Amended 7-7-86, Formerly 1C-7.003, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Amy K. Tuck, Assistant General Counsel

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 18, 2002

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLE: Certificate of Authority Renewal

RULE NO.: 3D-30.041

PURPOSE AND EFFECT: The purposes and effects of this amendment are to implement legislative changes to Section 497.407, F.S., by Laws of Florida 2000-195 and to change the renewal period to commence on July 1 of each year.

SUMMARY: The renewal period is changed to commence July 1 to allow for processing delays. New renewal form DBF-COA-R3 reduces a completed application from the former fifteen (15) pages to the new form's three (3) pages.

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

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

SPECIFIC AUTHORITY: 497.103(1), 497.105(1), 497.105(5), 497.407 FS.

LAW IMPLEMENTED: 497.105(1), 497.407 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0350

THE FULL TEXT OF THE PROPOSED RULE IS:

3D-30.041 Certificate of Authority Renewal.

(1) Each active certificate of authority shall be renewed for the annual period beginning ~~July~~ ~~June~~ 1 of each year upon approval by the Board of Funeral and Cemetery Services. The application for renewal will be presented to the Board upon receipt and review by the Department of a non-refundable renewal fee ~~as established by Section 497.407(4), F.S., of \$250 as set by the Board,~~ a financial statement as of the entity's most recent fiscal year end, and a completed Annual COA Renewal Statement. Certificate of Authority Renewal, Form DBF-COA-R1, effective 1-18-96, Annual COA Financial Statement, Form DBF-COA-R2, effective 1-18-96, and Annual COA Renewal Statement, Form DBF-COA-R3, revised 12-6-01 effective 1-18-96, are hereby incorporated by reference and available by mail or electronically from the Department of Banking and Finance, Division of Finance, ~~Suite 553,~~ Fletcher Building, Tallahassee, Florida 32399-0350.

(2) Failure to submit the statements as required in subsection (1) may result in the levy of a fine by the Board of Funeral and Cemetery Services in the amount of \$50 per day for each day the financial and renewal statements are not submitted as follows:

(a) Annual COA Financial Statement must be submitted to and received by the Department of Banking and Finance, Board of Funeral and Cemetery Services, ~~Suite 553,~~ Fletcher Building, Tallahassee, Florida, 32399-0350, within 3 months of the end of the certificateholder's fiscal year.

(b) Annual COA Renewal Statement and the required renewal fee must be submitted to and received by the Department of Banking and Finance, Board of Funeral and Cemetery Services, ~~Suite 553,~~ Fletcher Building, Tallahassee, Florida 32399-0350, on or before April 1 of each year.

(3) No change.

(4) The Department or Board may request additional information from the Certificate of Authority to verify or confirm statements made in the Annual COA Renewal Statement and the Annual COA Financial Statement within one year after the end of the renewal period.

~~(5)~~(4) In the event the renewal application is denied by the Board, the renewal fee paid is not refundable. If a hearing is requested on the denial, the certificate shall remain in active status during the pendency of the hearing.

~~(6)~~(5) Any Certificate of Authority not approved or denied by the Board prior to July ~~June~~ 1 of each year shall automatically expire on July ~~June~~ 1 and the entity shall be required to cease and desist from all selling of preneed funeral and cemetery goods and services. All preneed sales agent registrations associated with the certificate of authority will be terminated. New applications for certification/registration must be submitted to and approved by the Board in order to return the certificate and agent registrations to active status. The applicants shall be subject to all requirements of initial application.

Specific Authority 497.103(1), 497.105(1),(5), 497.407 FS. Law Implemented 497.105(1), 497.407 FS. History—New 6-24-96, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Diana Evans, Executive Director, Board of Funeral and Cemetery Services
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Donald B. Saxon, Director, Division of Securities and Finance
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 8, 2002

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE CHAPTER TITLE: Best Management Practices (BMPS) for Indian River Area Citrus Groves

RULE CHAPTER NO.: 5M-2

RULE TITLES:	RULE NOS.:
Purpose	5M-2.001
Definitions	5M-2.002
Approved BMPS	5M-2.003
Presumption of Compliance	5M-2.004
Notice of Intent to Implement	5M-2.005
Record Keeping	5M-2.006

PURPOSE AND EFFECT: The purpose of this rule is to effect pollutant reduction through the implementation of non-regulatory and incentive based programs which may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.

SUMMARY: The rule establishes a procedure for submitting a “Notice of Intent to Implement,” that, when filed with the Florida Department of Agriculture and Consumer Services (FDACS), and implemented, provides a presumption of compliance with state water quality standards and release from the provisions of s. 376.307(5), F.S., for those pollutants addressed by the practices. Once filed with FDACS, the Notice

of Intent shall enable the applicant to apply for assistance with implementation as identified in s. 403.067(7)(d), F.S. This rule also provides that records maintained by the applicant confirming implementation of non-regulatory and incentive-based programs are subject to FDACS inspection.

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: 403.067(7)(d) FS.

LAW IMPLEMENTED: 403.067(7)(d) 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: 1:00 p.m., April 22, 2002

PLACE: Florida Department of Agriculture and Consumer Services, Agricultural Environmental Services Conference Room, 3125 Conner Blvd., Lab 8, Tallahassee, FL 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mark Jennings, Environmental Specialist III, Office of Ag Water Policy, Conner Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650 (850)488-6249 or FAX (850)921-2153

THE FULL TEXT OF THE PROPOSED RULES IS:

5M-2 BEST MANAGEMENT PRACTICES (BMPS) FOR INDIAN RIVER AREA CITRUS GROVES

5M-2.001 Purpose.

The purpose of this rule is to effect pollutant reduction through the implementation of non-regulatory and incentive based programs which may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.

Specific Authority 403.067(7)(d) FS. Law Implemented 403.067(7)(d) FS. History—New

5M-2.002 Definitions.

“Non-regulatory and Incentive-based Programs” may include, but are not limited to, best management practices, cost sharing, waste minimization, pollution prevention, public education, pollutant trading or other equitable, economically based agreements.

Specific Authority 403.067(7)(d) FS. Law Implemented 403.067(7)(d) FS. History—New

5M-2.003 Approved BMPS.

The document titled Water Quality/Quantity BMPs for Indian River Area Citrus Groves (May, 2000) is hereby incorporated and adopted by reference in this rule for Brevard, Indian River, Martin, Okeechobee, Palm Beach, St. Lucie and Volusia

counties. Copies of the document may be obtained from the University of Florida, Indian River Research and Education Center, 2199 South Rock Road, Ft. Pierce, Florida 34945.

Specific Authority 403.067(7)(d) FS. Law Implemented 403.067(7)(d) FS. History–New

5M-2.004 Presumption of Compliance.

In order to obtain the presumption of compliance with state water quality standards and release from the provisions of s. 376.307(5), F.S. for those pollutants addressed by the practices, the applicant must:

(1) Conduct an assessment of the subject properties using the Citrus Grower Best Management Practices Checklist incorporated in the document titled Water Quality/Quantity BMPs for Indian River Area Citrus Groves (May 2000).

(2) Submit a Notice of Intent to Implement as outlined in Rule 5M-2.005, F.A.C.

(3) Implement the non-regulatory and incentive-based programs identified as a result of the assessment of the subject properties and listed in the Notice of Intent to Implement.

(4) Maintain documentation to verify the implementation and maintenance of the non-regulatory and incentive-based programs.

Specific Authority 403.067(7)(d) FS. Law Implemented 403.067(7)(d) FS. History–New

5M-2.005 Notice of Intent to Implement.

A Notice of Intent to Implement non-regulatory and incentive based programs identified in the document titled Water Quality/Quantity BMPs for Indian River Area Citrus Groves shall be submitted to FDACS, Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Tallahassee, Florida 32301.

(1) Such notice shall identify practices the applicant will implement. The notice shall also include: the name of the property owner; the location of the grove(s); the property tax ID number(s); a timeline for implementation; the gross acreage on which each practice will be implemented; the name and contact information of an authorized representative; and the notarized signature of the owner, lease holder, or an authorized agent.

(2) Once filed with FDACS, the Notice of Intent to Implement shall enable the applicant to apply for assistance with implementation as identified in s. 403.067(7)(d), F.S.

Specific Authority 403.067(7)(d) FS. Law Implemented 403.067(7)(d) FS. History–New

5M-2.006 Record Keeping.

All participants must preserve sufficient documentation to confirm implementation of the non-regulatory and incentive based programs identified in the Notice of Intent to Implement. All documentation is subject to FDACS inspection.

Specific Authority 403.067(7)(d) FS. Law Implemented 403.067(7)(d) FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE: Rich Budell, Assistant Director, Office of Ag Water Policy
 NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Chuck Aller, Director, Office of Ag Water Policy

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

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

If an accommodation is needed for a disability in order to participate in this meeting, please notify the Bureau of Personnel Management, Department of Agriculture and Consumer Services, (850)488-1806, at least seven days prior to the meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Communities Trust

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Florida Forever Program	9K-7
RULE TITLES:	RULE NOS.:
Purpose	9K-7.001
Definitions	9K-7.002
General Requirements and Eligibility Standards	9K-7.003
Submission of Application and Application	
Materials	9K-7.004
Communications to the Governing Board	9K-7.005
Application Review	9K-7.006
Project Evaluation Criteria	9K-7.007
Ranking and Selection of Applications	9K-7.008
Project Approval	9K-7.009
Modification to the Project Boundary	9K-7.010
Preparation and Acceptance of the	
Management Plan	9K-7.011
Title, Acquisition Procedures, Project Plans, Lease	
Agreements and Transfer of Title	9K-7.012
Annual Stewardship Report Requirement	9K-7.013

PURPOSE, EFFECT AND SUMMARY: The purpose of this rule is to establish Florida Communities Trust grant application procedures using Florida Forever funds. The purpose of the program described in this rule chapter is to provide grants to Local Governments and Nonprofit Environmental Organizations for the acquisition of community-based projects, urban open spaces, natural resource conservation areas, parks, greenways, and outdoor recreation areas to implement Local Comprehensive Plans.

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: 380.507(11) FS.

LAW IMPLEMENTED: 120.55(1)(a)4., 259.105, 380.501-.515 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: 1:00 p.m., Monday, April 22, 2002

PLACE: Randall Kelley Training Center, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Janice Browning, Executive Director, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-2207, Suncom 292-2207, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: C. Erica White, Assistant General Counsel, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-0410

THE FULL TEXT OF THE PROPOSED RULES IS:

9K-7.001 Purpose.

This rule chapter sets forth the procedures that must be followed for grant applications for Florida Forever funds awarded by Florida Communities Trust.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.501-.515 FS. History—New 5-27-01, Repromulgated.

9K-7.002 Definitions.

(1) “Acquisition” means the act of obtaining real property or interests and rights therein by appropriate legal means in furtherance of The Florida Forever Act and this rule chapter.

(2) “Acquisition Plan” applies to Project Sites with multiple parcels or multiple owners and means a written description of the priority parcels and the general order in which the parcels will be acquired to assure that, in the event that all parcels cannot be acquired, the purposes of the project can be achieved.

(3) “Applicant” means an eligible Local Government entity(ies) or Nonprofit Environmental Organization entity(ies) which entity(ies) eligible pursuant to this rule chapter to submit submit an Application(s) or Partnership Application(s) for Florida Forever funds through the Trust. Eligible entities are limited to Local Governments, Nonprofit Environmental Organizations, and partnerships between or among Local Governments and Nonprofit Environmental Organizations. An Applicant who has been approved for funding by the Trust and

who has executed a Grant Contract ~~Conceptual Approval Agreement~~ with the Trust shall also be referred to as a Recipient.

(4) “Application” means a formal request by an Applicant on an approved form for Florida Forever funds from the Trust, and consisting of a project proposal together with required documentation submitted pursuant to this rule chapter.

(5) “Award” means a grant from the Trust pursuant to the procedures developed in this rule chapter.

(6) “Board of Trustees” means the Governor and Cabinet sitting as the Board of Trustees of the Internal Improvement Trust Fund.

~~(7) “Conceptual Approval Agreement” means a written contract between the Trust and the Recipient setting forth the requirements and responsibilities for Acquisition and management of the Project Site.~~

~~(7)(8)~~ “Department” means the Florida Department of Community Affairs.

~~(8)(9)~~ “Donation” means a voluntary transfer of title and possession of cash or real property without consideration; the conveyance of land by the owner at a purchase price below its market value can be considered a donation of a portion of the purchase price only when the owner expresses the intent, in advance of purchase and sale negotiations, to make a bargain sale, with no conditions placed on the bargain sale or donation.

~~(9)(10)~~ “Florida Forever Funds” means proceeds from the Florida Forever Trust Fund created by Section 259.1051, F.S., and distributed to the Department of Community Affairs pursuant to Sections 259.105(3)(c) and 380.5115, F.S., for the purpose of providing Acquisition Awards through the Florida Communities Trust Florida Forever Program.

~~(10)(11)~~ “Future Land Use Map” means a map or map series included within the future land use element of a local comprehensive plan that meets the requirements of Rule 9J-5.006(4), F.A.C.

~~(11)(12)~~ “Governing Board” means that six-member governing body described in Sections 380.504 and 380.505, F.S.; the powers of the Trust are vested in its Governing Board members, pursuant to Section 380.505, F.S.

~~(12)(13)~~ “Grant Award Agreement” means a recordable document that states all conditions to be placed on the Project Site upon its conveyance to the Recipient using Trust Funds.

~~(13)~~ “Grant Contract”, formerly known as the “Conceptual Approval Agreement”, means a written contract between the Trust and the Recipient setting forth the requirements and responsibilities for Acquisition and management of the Project Site.

(14) “Greenway” means a linear open space protected and managed as part of linked conservation lands or recreation opportunities, including waterway trails such as canoe or paddling trails. Greenways typically follow natural landscape features such as rivers, streams, shorelines, man-made corridors such as utility and abandoned railroad right-of-ways,

and scenic roadways or any area defined in Section 260.13, F.S. Greenways may protect the habitat of native plants and wildlife, maintain wildlife movement routes and natural connections, or provide opportunities for outdoor recreation.

(15) "Habitat" means a natural community or communities composed of physical and biological elements that typically support populations of plants and animals.

(16) "Joint Acquisition" means the entire Project Site or a portion of the Project Site will be acquired by the Applicant and the Trust together through a voluntarily-negotiated transaction.

(17)(16) "Listed Animal Species" means animal species listed as endangered, threatened or of special concern by the Florida Fish and Wildlife Conservation Commission in Chapter 68A-27, F.A.C.

(18)(17) "Local Comprehensive Plan" means a plan that meets the requirements of Sections 163.3177, 163.3178, and 163.3191, F.S., and has been found to be in compliance in accordance with Section 163.3184, F.S.

(19)(18) "Local Government" means a county or a municipality within the State of Florida.

(20)(19) "Low-income Community" means a U.S. Census tract where 51 percent of the residents are low-income families with an annual income that does not exceed 80 percent of the median income for the area or that does not exceed 80 percent of the median income for the State, whichever is higher, as most recently determined by U.S. Department of Housing and Urban Development.

(21)(20) "Management Plan" means a plan prepared by the Recipient under this rule chapter and approved by the Trust regarding the long-term care and management of the Project Site.

(22)(21) "Match" means the provision of cash, eligible Project Costs, value of real property donated by a party(ies) other than the Applicant, or real property owned by the Applicant, provided the Match is from an eligible source as set forth in Section 259.105(3)(c), F.S.

(23)(22) "Natural Community" means a community that is dominated by native plant species as described in the Florida Natural Areas Inventory publication, "Guide to the Natural Communities of Florida." A Natural Community generally possesses the following characteristics: the plant species composition includes most of the more common species typical of that natural community type; the community may contain small areas of exotic or invasive plants that could be easily controlled by prescribed burning or other forms of management; evidence of historical disturbance may be present but disturbance has not destroyed or prevented the re-establishment of a mature natural community type; and, the community is not substantially disturbed by recent human activities, except for such disturbance as low intensity forestry activities that allow the natural community to recover to previous conditions.

~~(24)(23)~~ "Nonprofit Environmental Organization" means a ~~any~~ private nonprofit organization, existing under the provisions of Section 501(c)(3) of the United States Internal Revenue Code which has and can demonstrate that the conservation of natural resources or protection of the environment are among its principal purposes and goals.

~~(25)(24)~~ "Outdoor Recreation" means the pursuit of leisure-time activities that occur in an outdoor setting and that are dependent on some particular element or combination of elements in the natural environment. Examples of such activities include bicycling, walking, hiking, skating, swimming, horseback riding, boating, camping, fishing, hunting, picnicking, studying nature, and visiting archaeological and historical sites.

~~(26)(25)~~ "Partnership Application" means an Application for an Award submitted to the Trust by two or more eligible Applicants.

~~(27)(26)~~ "Phased Project" means the phased continuation of a project which has been approved for funding by the Trust in a prior funding cycle. A Phased Project is generally characterized as a unified project but which, as a result of numerous owners, unique or linear configuration, or funding limitations, causes the project to be difficult or burdensome to develop and complete during a single funding cycle of the Trust and is instead developed as part of two or more Trust funding cycles.

~~(28)(27)~~ "Pre-acquired" means the Project Site or a portion of the Project Site has been ~~or will be~~ acquired by the Applicant through a voluntarily-negotiated transaction within 24 months prior to ~~or 18 months after~~ the Application deadline.

~~(29)(28)~~ "Project Cost" means the total of all eligible costs associated with the Acquisition of the Project Site in accordance with this rule chapter and Chapter 9K-8, F.A.C., and may include the cost of the following items: purchase price for Acquisition of all or a portion of the Project Site; certified survey ~~Certified Survey~~ containing an adequate legal description of the Project Site; any assessment or examination essential and necessary to determine Project Site boundary, ~~if any~~; appraisal report(s) and appraisal review of the Project Site; title report and title insurance premium; reasonable real estate fees or commissions paid by the Recipient for Acquisition and environmental site assessment(s) performed pursuant to Rule 9K-8.012, F.A.C.

~~(30)(29)~~ "Project Plan" means the compilation of items to be approved by the Trust that when taken together provide a detailed description of a proposed project that has received ~~conceptual~~ approval for an Award from the Trust. ~~A~~ Project Plan shall be prepared by the Recipient pursuant to the requirements of this rule chapter and Chapter 9K-8, F.A.C., and shall be approved by the Trust prior to disbursement of Florida Forever Funds.

(31)(30) “Project Site” means the specific area(s), defined by a boundary map or legal description and Certified Survey, where Trust funds are proposed in an Application to be used for all or a portion of the Acquisition. Project Site may include non-contiguous areas, so long as connectivity through other public ownership (excluding road right-of-ways and water bodies unless parcels are directly across from each other) is demonstrated, and the non-contiguous areas are part of a unified scheme of development and management.

(32)(34) “Reasonable Assurance” means the Applicant’s ability to demonstrate to the Trust that there is a substantial likelihood that the project will be successfully implemented and managed in accordance with the Application and the Grant Contract Conceptual Approval Agreement, and may include the Trust’s inquiry into: the Applicant’s current and prospective financial condition; the Applicant’s history in acquiring, developing and managing similar projects; the Applicant’s financial commitment to the subject project as evidenced by the amount and type of any Match in the form of monies or real estate; and the character and background of the Applicant’s partners, directors, officers, managers, project administrators, controlling shareholders (if applicable), and appointed or elected officials.

(33)(32) “Recipient” means an Applicant that has been approved for funding by the Trust and who has executed a Grant Contract Conceptual Approval Agreement with the Trust for an Award.

(34)(33) “Recreational Trail System” means a network of land-based trails linear corridor and any adjacent support parcels connecting parks, schools, residential and commercial, or retail areas on land providing public access for recreation and authorized alternative modes of transportation such as bicycling, walking, running, hiking, skating, and horseback riding.

(35)(34) “Reimbursement” means recognition of those eligible Project Costs incurred for Pre-acquired parcel(s) or Reimbursement Acquisition parcels, either for a one parcel Project Site or at the Acquisition of additional parcels.

(36) “Reimbursement Acquisition” means the entire Project Site or remaining portion of the Project Site will be acquired by the Applicant through a voluntarily-negotiated transaction within 18 months after the Application deadline.

(37)(35) “Standard Metropolitan Statistical Area” or “Metropolitan Statistical Area” means an area that has been defined or designated by the United States Census Bureau or by the Office of Management and Budget of the Executive Office of the President.

(38)(36) “Trust” means the Florida Communities Trust, a nonregulatory agency and instrumentality, which is a public body corporate and politic, created within the Department of Community Affairs pursuant to Chapter 380, Part III, F.S., or the Governing Board of the Florida Communities Trust.

(39)(37) “Urban Area” means an area of or for development characterized by social, economic and institutional activities which are predominantly based on the manufacture, production, distribution, or provision of goods and services in a setting which typically includes residential and nonresidential development uses other than those which are characteristic of rural areas.

(40)(38) “Urban Service Area” means built-up areas where public facilities and services such as sewage treatment systems, roads, schools, and recreation areas, are already in place. For the purpose of this rule, it may also include other similar designations that have been formally adopted by a local government on its Future Land Use Map, or it may be an area that is currently provided services such as those listed above.

(41)(39) “Voluntarily-Negotiated Transaction” means an arm’s length market value transaction between a willing seller and a willing buyer. The use of condemnation or the threat of condemnation is not considered a Voluntarily-Negotiated Transaction.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.501-.515 FS. History—New 5-27-01, Amended.

9K-7.003 General Requirements and Eligibility Standards. The following constitutes the general procedures for the Florida Forever Program of the Florida Communities Trust.

(1) Application Form. Application Form FF-2FF-1 (effective _____) is prescribed for use with these rules and is incorporated by reference. Applications for funding must be submitted on Application Form FF-2FF-1. Applicants may only submit one Applicant form per Project Site. A copy, or instructions for receiving the Application Form in an electronic format, may be obtained by writing to the Executive Director, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, or by calling 850-922-2207 (SunCom 292-2207). As a part of the Application process the Trust may request supplementary information from Applicants:

(2) Notice of Application Period. The Trust shall announce the amount of Florida Forever bond funds available for Awards, the limitation on Award amounts, and applicable deadlines in the Notice of Application Period published in the Florida Administrative Weekly.

(3) Limitation of Awards. The total amount of any Award or combination of Awards applied for by any Local Government(s) or Nonprofit Environmental Organization(s) Applicant under any Application(s) or Partnership Applications(s) for any project(s) a project or projects shall not exceed ten percent of the total Florida Forever Funds as advertised available for Awards in the Notice of Application Period announcing the cycle. All award(s) for Partnership Applications shall, for purposes of calculation of award limitations, be divided equally among the Local Government(s) or Nonprofit Environmental Organization(s).

(4) Match Requirement. All Local Governments shall provide a minimum of 25 percent match toward the Project Costs, including:

(a) Partnership Applications between Local Governments (other than a small Local Government as defined in Rule 9K-7.003(4)(c)1., F.A.C., below) and Nonprofit Environmental Organizations shall be required to provide a Match.

(b) Partnership Applications between two or more Local Governments shall be required to provide a Match unless all of the Local Governments are small Local Governments as defined in Rule 9K-7.003(4)(c)1., F.A.C., below.

(c) A minimum Match shall not be required under the following circumstances:

1. The Trust shall award a portion of the Florida Forever funds for Awards, for which no Match is required, for the benefit of small Local Governments, as follows: county governments with populations of 75,000 or fewer and municipal governments with populations of 10,000 or fewer.

2. The Trust shall award a portion of the Florida Forever funds for Awards, for which no Match is required, for the benefit of Nonprofit Environmental Organizations that have provided the Trust with Reasonable Assurance that they can develop and manage the Project Site in a qualified, competent and professional manner.

(5) Eligible Sources of Match. For any Match, Applicant may use funds generated by a Local Government, Nonprofit Environmental Organization, state or federal grants or loans, private cash donations, or the commitment by the owner(s) ~~Owner(s)~~ in advance of negotiations of the value of a bargain sale or donation of all or part of the purchase price of the Project Site. Applicants may not use funds from the Florida Forever Trust Fund for any part of any local Match. Real property owned by the Applicant or donated by a party other than the Applicant may be an eligible source for a Match, provided that any real property owned by the Applicant has been acquired, by the Applicant through a Voluntarily-Negotiated Transaction, within 24 months prior to or 18 months after the Application deadline. Further, any real property utilized by an Applicant as a Match must be included in the Application, shall be considered part of the Project Site and shall be subject to the same conditions that are placed on the remainder of the Project Site.

(6) Site Acquisition. The Acquisition of a Project Site shall take place under one of the following procedures:

(a) For a Project Site that consists of five or fewer ownerships to be jointly acquired with the Trust, the Recipient may ~~can~~ request that the Trust or the Recipient act as the party responsible for the Acquisition activities.

(b) For a Project Site that consists of six or more ownerships to be jointly acquired with the Trust, the Recipient shall ~~will~~ be required to act as the party responsible for the Acquisition activities.

(7) Site Management. Each Applicant is required to provide a Management Plan as outlined in this rule chapter. To ensure that future management funds will be available for the management of the site in perpetuity pursuant to Section 259.105, F.S., and Chapter 380, Part III, F.S., the Applicant shall be required to provide the Trust with Reasonable Assurance that they have the financial resources, background, qualifications and competence to manage the Project Site in perpetuity in a reasonable and professional manner. Where the Application or Partnership Application does not include at least one Local Government, the Trust shall: require the Recipient to post a performance or other bond in an amount sufficient to insure performance by the Recipient that the Project Site shall be reasonably and professionally managed in perpetuity; require the Recipient to establish an endowment or other fund in an amount sufficient to insure performance; require a guaranty or pledge by the Local Government, in whose jurisdiction the Project Site is located, which shall require the Local Government to take over the responsibility for management of the Project Site in the event the Nonprofit Environmental Organization is unable to; require the Local Government to be a named co-signer on the Grant Award Agreement; or require such other assurances as the governing board may deem necessary to adequately protect the public interest.

Specific Authority 380.507(11) FS. Law Implemented 120.55(1)(a)4., 259.105, 380.505-.515 FS. History—New 5-27-01, Amended _____.

9K-7.004 Submission of Application and Application Materials.

(1) Applications must be submitted by mail or delivery to the Executive Director, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. To be timely submitted, Applications must be received on or before the published Application deadline.

(2) Deadlines for submitting Applications shall be announced in the Florida Administrative Weekly at least 75 calendar days prior to each deadline.

(3) Applications must be transmitted with an original signature cover letter on Applicant's letterhead, signed by the appropriate representative, official or administrator, binding the Applicant to fulfill the commitments made in the Application, ~~and identifying~~ and identifying the employee or representative that will act as the key contact between the Trust and the Applicant(s), and contain a statement, written by the Local Government having jurisdiction over the Project Site, that the proposed uses of the Project Site will be consistent with the Local Comprehensive Plan.

(4) Applicants must submit four (4) ~~six~~ complete sets of Application materials. One set shall contain original text and non-text items. The remaining three ~~five~~ sets shall contain legible copies of text and non-text items, unless otherwise specified in the Application form.

(5) Applications must be received on or before after the published Application deadline. Applications received after the published Application deadline shall be deemed late, and will not be considered by the Trust, unless an exception for good cause is made by the Executive Director of the Trust. Good cause shall be based on whether the Applicant made diligent effort to provide the Application on or before the published deadline, but due to the failure of the delivery service the Application was not timely received.

(6) To receive consideration by the Trust, all Applicants must submit a completed Application Form ~~FF-2FF-1~~ and provide the following information as exhibits to the Application:

(a) Copy of each Local Comprehensive Plan objective and policy cited or relied upon in the Application.

(b) All proposed text and map amendments to the Local Comprehensive Plan cited or relied upon in the Application as pertaining to the Project Site.

(c) United States Geological Survey 7 1/2 minute quadrangle map with the boundary of the Project Site clearly delineated.

(d) County Tax Appraiser's map clearly delineating the project site boundary ~~property boundaries~~, access points, names of the property owners, and parcel tax identification numbers, and ownership boundaries using an appropriate scale.

(e) Aerial photograph (1 inch = 2,000 feet or greater detail) with the Project Site boundary clearly delineated.

(f) Natural Communities map of an appropriate scale that depicts the Natural Communities on the Project Site, utilizing the Florida Natural Areas Inventory classification system and providing the approximate acreage of the various Natural Communities.

(g) Physical improvements map of an appropriate scale that clearly delineates all existing physical improvements, alterations, or disturbances occurring on the Project Site, and including all cleared areas, buildings, roads, fences, docks, power lines, billboards, borrow pits, manmade lakes and excavations, and known easements and rights-of-ways, and the approximate acreage of the foregoing.

(h) Future Land Use Map covering the Project Site and surrounding area that indicates future land use designations and which clearly delineates the Project Site boundaries.

(i) Resource conservation, open space, and outdoor recreation map that identifies the Project Site and surrounding lands in a three ~~five~~-mile radius that are used for natural resource conservation and outdoor recreation and including all parks, preserves, wildlife management areas, greenways, trails, linkages and designated outdoor recreation areas.

(j) Map depicting any applicable 100-year floodplain, coastal high-hazard area, or wellfield protection zone with the boundary of the Project Site clearly delineated.

(k) Conceptual site plan that clearly delineates the project site boundary and shows the approximate location of all proposed site improvements.

(l) One set of labeled photographs of the Project Site which depict all on-site features on the Project Site and including Natural Communities, waterbodies, shorelines, plants, Habitat, unique biological or geological features, and historical or archaeological features. Each photograph submitted shall include a legend that identifies the photograph location and key features that the photograph is intended to depict.

(m) If applicable, evidence of status as a Nonprofit Environmental Organization as defined in Rule 9K-7.002(23), F.A.C.

(n) If the Applicant is a Nonprofit Environmental Organization which anticipates being designated as the management entity pursuant to subsection 9K-7.003(7), F.A.C., evidence that the Nonprofit Environmental Organization has the financial resources, background qualifications and competence existing to manage the Project Site in perpetuity or in cooperation with a Local Government.

(7) If applicable, an Acquisition Plan that lists the priority parcels and the general order of Acquisition.

(8) If applicable, a signed statement from the owner(s) of the top priority parcels referenced in subsection 9K-7.004(7), F.A.C., indicating their willingness to consider an offer to purchase their parcel(s).

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.508, 380.510 FS. History--New 5-27-01, Amended.

9K-7.005 Communications to the Governing Board.

After an Application has been submitted for funding under the conditions described herein, all communications to the Governing Board of the Trust regarding any Application under consideration shall be in writing and mailed or delivered to the Executive Director for distribution to all members of the Governing Board or be presented in writing or orally to the Governing Board at the ranking and selection meeting.

Specific Authority 380.507(11) FS. Law Implemented 380.508 FS. History--New 5-27-01, Repromulgated.

9K-7.006 Application Review Determination ~~of Application Completeness.~~

~~(1) Following closure of an Application submission period, Trust staff will review all Applications for completeness. A Notice of Completeness will be sent to Applicants by first class mail within 30 days following the Application deadline. The notice will state whether or not the Application was timely received and whether or not the Application was found to be complete.~~

(1)(2) Applications received by the Application deadline shall be reviewed and evaluated by Trust staff based on the materials submitted. Applicants will be notified of the timely receipt and status of their Application(s). A determination of

completeness will be based on the inclusion of all items listed in this rule chapter. Failure to timely provide the information required shall be deemed to be a request to withdraw the Application unless the Executive Director determines from a review of the Application that the Application meets the minimum requirements and intent of this rule chapter and is sufficiently complete and adequate for staff review.

(3) If an Application is found to be incomplete, the Applicant will be notified of the deficiency in the Notice of Completeness and provided an opportunity to complete the Application. Materials requested in the Notice of Completeness must be received by the Trust within 21 days following the date that the Notice of Completeness is mailed to the Applicant. Failure to timely provide the information required in the Notice of Completeness shall be deemed to be a request to withdraw the Application unless the Executive Director determines from a review of the Application that the Application meets the minimum requirements and intent of this rule chapter and is sufficiently complete and proper for staff review.

~~(2)(4)~~ No additional information shall be accepted after the Application deadline stated in the Notice of Completeness, unless specifically requested by the Trust staff for clarification of information provided in the Application received by the published Application deadline purposes. ~~Without exception Any any~~ clarification information requested by the Trust ~~must~~ shall be received by the Trust no later than 48 hours ~~30 calendar days~~ prior to the ranking and selection meeting, ~~or it will not be considered by the Trust. Information that by the due diligence of the Applicant could not have been discovered and submitted with the Application will be considered new information. The Trust may accept new information subsequent to the Application deadline but all new information must be received by the Trust no later than seven calendar days prior to the ranking and selection meeting.~~

Specific Authority 380.507(11) FS. Law Implemented 380.508 FS. History—New 5-27-01, Amended _____.

9K-7.007 Project Evaluation Criteria.

The evaluation of ~~complete~~ Applications shall be based on the criteria set forth in this rule chapter and in Application Form ~~FF-2FF-1~~. Trust staff will be responsible for evaluating Applications and recommending point scores to the Governing Board. Trust staff shall utilize the information contained in the Application (including ~~all required~~ exhibits) and all information obtained during its review of the Application for scoring recommendations to the Governing Board. Personnel from other state agencies, regional planning councils, water management districts, and other public and private groups may assist the Trust staff in project evaluation as requested by Trust ~~staff~~ Staff on an application-by-application basis. Unless otherwise noted, an Application shall receive all the points assigned to a particular criterion if the criterion is met; no partial scores will be given for a criterion. If a criterion does

not apply to the proposed Project Site, the Applicant should state “No” in the response to the criterion. ~~Criteria that are missing or not answered will not be evaluated, will not be considered incomplete in the Notice of Completeness, and will not be awarded points.~~

(1) Furtherance of specified general standards ~~(up to 50 points)~~ (points may be awarded based on the following criteria):

(a) Designation of Parcels:

1. Partially Pre-acquired. A portion of the Project Site has been acquired by the Applicant through a voluntarily-negotiated transaction within 24 months prior to the Application deadline (5 points).

~~2.(a)~~ Pre-acquired. The entire Project Site has been acquired by the Applicant through voluntarily-negotiated transaction within 24 months prior to the Application deadline (10 5 points).

(b) Phased Project. The proposed project is a continuation of a previous project that was selected for Trust FCF funding such that it constitutes a Phased Project (5 points).

(c) Providing a greater share of the Match. The Applicant is committed to ~~providing a greater percentage of the Match for an Award. Up to 25 points based on whether:~~

1. ~~the Applicant P~~provides a Match between 40 percent to 49 percent of the Project Costs (10 points); or

2. ~~the Applicant P~~provides a Match between 50 percent to 59 percent of the Project Costs (20 points); or

3. ~~the Applicant P~~provides a Match for 60 percent or more of the Project Costs (25 points).

(d) No prior funding. This is the Applicant’s first Application to the Trust FCF, or the Applicant has previously submitted an Application but was not funded (5 points).

(e) Innovative Acquisition. The proposed project provides for alternatives to the Acquisition of fee interests in land, such as Acquisition of less than fee interest of the Project Site through conservation easements (5 points).

(f) Multiple benefits. The Acquisition of the Project Site furthers the purpose(s) of a recent (within the last 10 years) or proposed purchase of adjacent conservation or Outdoor Recreation lands by other federal, state, local, or nonprofit agencies. (5 points).

(2) Furtherance of Outdoor Recreation, natural and cultural resources ~~(up to 135 points)~~ (points may be awarded based on the following criteria):

(a) Providing Outdoor Recreation or open space. The Project Site provides for Outdoor Recreation or open space ~~Up to 35 points, based on whether the proposed project:~~

1. ~~P~~provides Outdoor Recreation areas or open space adjacent to other publicly-owned upland areas ~~or facilities~~, such as existing parks, museums, schools, libraries, affordable housing or transit stations. Recreational Trail Systems, or Greenways (5 points);

2. ~~P~~rovides two or more resource-based Outdoor Recreation facilities, such as a nature trail, picnic pavilion, fishing pier, wildlife observation platform area, canoe launch, boardwalk or camping area (5 points).

3. ~~P~~rovides two or more user-oriented Outdoor Recreation facilities, such as playgrounds, basketball courts, tennis courts, bocci ball courts, shuffleboard courts, volleyball courts or fitness trail swimming areas (5 points);

4. ~~P~~rovides access to a shoreline or beach and managed for recreation uses (5 points);

5. ~~the proposed project~~ Further Outdoor Recreation or open space within an Urban Area (points may be awarded based on the following criteria) (~~up to 15 points~~) ~~based on whether the Project Site is located:~~

a. Within an Urban Service Area (5 points);

b. Within an Urban Service Area and is also within one-half mile of a built-up commercial, ~~industrial~~ or high density mixed-use Urban Area (5 points);

c. within an Urban Service Area and is also within a built-up commercial, ~~industrial~~, or high density mixed-use Urban Area (5 points).

(b) Providing Greenways and Recreational Trail Systems. The Project Site provides for new or enhanced Greenways or ~~and land-based~~ Recreational Trail Systems (points may be awarded based on the following criteria) Up to 20 points, based on whether the proposed project:

1. ~~P~~rovides new or enhanced land-based nature, ~~waterway~~, bike or equestrian trails that are at least one-quarter mile in length (5 points);

2. Enhances or connects existing local, regional or statewide land-based Recreational Trail Systems ~~by connecting, extending or closing gaps in existing Recreational Trail Systems or by providing trailhead or trailside facilities~~ (5 points);

3. Enhances or connects existing local, regional or statewide network of ~~linked~~ Greenways ~~by connecting, extending or closing gaps in an existing network of linked~~ Greenways (5 points);

4. Further a locally-adopted Greenway or land-based Recreational Trail System plan (5 points).

(c) Providing educational opportunities. The Project Site provides for environmental or historical educational opportunities (points may be awarded based on the following criteria) Up to 15 points, based on whether the proposed project:

1. ~~P~~rovides interpretive signs which educate visitors about the natural environment or unique history of the Project Site (5 points);

2. ~~P~~rovides at least 24 environmental or historical education classes or programs per year at the Project Site conducted by trained educators or resource professionals (5 points);

3. Includes a staffed nature center or museum building which provides, ~~through adequate staffing~~, year-round educational classes or programming concerning the natural environment or unique history of the area (5 points).

(d) Protecting natural and biological resources. The Project Site protects natural and biological resources (points may be awarded based on the following criteria) Up to 20 points, based on whether the Project Site:

1. Consists of predominantly Natural Communities that have not been impacted by human disturbance or alteration (5 points);

2. Contains one or more Natural Communities identified by the Florida Natural Areas Inventory as “imperiled” or “critically imperiled” (5 points);

3. Contains Habitat recognized as typically suitable for one or more Listed Animal Species (5 points);

4. Contains Habitat recognized as typically suitable for one or more Listed Animal Species and ~~said Habitat~~ is located in a Strategic Habitat Conservation Area, as identified by the Florida Fish and Wildlife Conservation Commission (5 points).

(e) Landscaping or restoration. The Project Site provides for new or enhanced landscaping or restoration (points may be awarded based on the following criteria) Up to 15 points, based on the following criteria:

1. Degraded or altered areas on the Project Site will be landscaped with native vegetation (5 points);

2. Degraded or altered upland communities on the Project Site will be restored as a Natural Community (5 points);

3. Degraded or altered wetland communities on the Project Site will be restored as a Natural Community (5 points).

(f) Water quality. The Project Site provides for the protection or enhancement of water quality (points may be awarded based on the following criteria) Up to 15 points, based on the following criteria:

1. The proposed project will improve the quality of surface waters occurring on or adjacent or in close proximity to the Project Site by the elimination of existing pollution sources, removal of impervious surfaces, or other means (5 points);

2. The Project Site is adjacent to and will protect ~~an~~ Outstanding Florida Waters as designated by the Department of Environmental Protection (5 points);

3. The proposed Project Site will protect Class I waters as identified by the Department of Environmental Protection, or the Project Site is located within a locally-designated wellfield protection zone (5 points).

(g) Historical resources. The Project Site protects ~~provides~~ new or enhances historic resources (points may be awarded based on the following criteria) Up to 15 points, based on whether the Project Site:

1. Contains, or is within one-quarter mile of, a site listed in the Florida Master Site File with the Division of Historical Resources (5 points);

2. Contains a resource that is listed on the Florida Master Site File and is also recognized by a local historic board or the Division of Historical Resources as being historically significant at the local, regional or state level (5 points);

3. Contains a resource that is listed on the National Register of Historic Places by the National Park Service (5 points).

(3) Furtherance of Community Planning (points may be awarded (up to 110 points), based on the following criteria):

(a) Local Comprehensive Plan. Acquisition of the Project Site will assist the Local Government in furthering the Local Comprehensive Plan directives. When used in this part, the term "furthered" means that proposed project(s) will assist the Local Government in realizing the objectives or policies of the Local Comprehensive Plan. For each criterion that is furthered by an objective or policy of the Local Government Plan, the objective or policy number is to be cited in the response to the criterion and a copy of the objective or policy, and any associated exhibits or documents, shall be included as an exhibit as provided in this rule chapter. ~~If a copy of the entire objective or policy that is cited in response to a criterion is not included in the exhibit, that objective or policy will not be evaluated as to whether it furthers that criterion. If a criterion addresses specific resources or facilities, these must be present on the Project Site in order for points to be awarded.~~

If the Project Site is located entirely in one jurisdiction, the Local Comprehensive Plan of the jurisdiction shall be evaluated for scoring purposes. If the Project Site is located in two or more jurisdictions, the Local Comprehensive Plan of each jurisdiction shall be compared for compatibility and evaluated for scoring purposes and each jurisdiction's Local Comprehensive Plan must be furthered for points to be awarded.

Points may be awarded based on the following criteria:

Up to 50 points, based on the following criteria:

1. Provides acreage or outdoor recreational facilities necessary to maintain or improve adopted levels of service standards for recreation (5 points).

2. Ensures acquisition of natural areas or open space through public acquisition (5 points).

3. Provides new or enhanced public access to water bodies and saltwater beaches (5 points).

4. Provides for new or enhanced Greenways, or Recreational Trail Systems (5 points).

5. Ensures the preservation of Natural Communities or Listed Animal Species Habitat (5 points).

6. Provides for coordination between the Local Government(s) and other among federal, state and local agencies or non-profit organizations acquiring or managing natural areas or open space ~~for outdoor recreation~~ (5 points).

7. Provides for restoration or enhancement of degraded natural areas, such as restoration of Natural Communities, restoration of natural hydrology, or removal of non-native vegetation (5 points).

8. Ensures the protection or enhancement of surface or groundwater quality (5 points).

9. Ensures the preservation of historical, cultural or archaeological features on the Project Site (5 points).

10. Directs development to a locally designated urban infill, urban redevelopment or downtown revitalization area as defined in Section 163.3164, F.S. (5 points).

(b) Hazard Mitigation. The proposed project furthers hazard mitigation (points may be awarded based on the following criteria). ~~Up to 15 points, based on whether the proposed project:~~

1. Provides recreational opportunities and open space areas that direct residential and commercial development away from a Coastal High Hazard Area or a 100-year flood plain (5 points).

2. Is located within an area identified in the ~~Local~~ County's adopted Government's Local Mitigation Strategy as a mitigation priority (5 points).

3. Provides recreational opportunities or open space areas opportunities within a state-designated "brownfield" area (5 points).

(c) Priority investment areas and special state-designated areas. The Project Site will provide new or enhanced Outdoor Recreation or open space within an identified priority investment area or other special state-designated area targeted for investment or redevelopment (points may be awarded based on the following criteria). ~~Up to 45 points, based on whether the proposed project is:~~

1. Within an area designated as a "Front Porch Community" (5 points).

2. Within an area designated as an active "Florida Main Street Community" (5 points).

3. Within an area designated as an "Eastward Ho! Corridor" under Executive Order 94-54 (5 points).

4. Within an area designated as a current or previously designated "Waterfront Florida Community" (5 points).

5. Within an area defined as a "Low-Income Community" under ~~Section Rule~~ Section Rule 9K-7.002, F.A.C. (5 points).

6. Within an area designated as a "Rural Area of Critical Economic Concern" (5 points).

7. Within the boundary of a locally designated urban infill, urban redevelopment or downtown revitalization area as defined in Section 163.3164, F.S. (5 points).

8. Within a designated "Area of Critical State Concern" under Section 380.05, F.S. (5 points).

9. Within an area subject to an adopted rate of growth ordinance. (5 points).

~~10.9.~~ Within or adjacent to a state or federally designated area, not identified elsewhere in the Application criteria, that is intended to protect or restore natural resources, such as the Aquatic Preserve, the National Estuarine Research Reserve National Estuary Program, the Marine Sanctuary, and the American Heritage River boundaries (5 points).

(4) The proposed project furthers and exemplifies "project excellence." Up to 10 points, based on whether the proposed project exhibits strong community-based support, possesses exemplary characteristics, ~~or~~ assists an otherwise disadvantaged community, or voluntarily helps resolve land use conflicts and issues in a manner that was not adequately addressed by the criteria established in this rule chapter.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History—New 5-27-01, Amended _____.

9K-7.008 Ranking and Selection of Applications.

(1) Evaluation Report. After a period for review, not to exceed 90 ~~120~~ calendar days from the Application deadline, the Trust staff shall prepare a written evaluation report, based on information provided in the Application, to for consideration by the Governing Board. Staff shall also provide a copy of the evaluation report to the Applicant prior to the Governing Board meeting provided for in subsection 9K-7.008(2), F.A.C.

(2) The Governing Board shall meet for the purpose of ranking and selecting Applications for funding at a publicly noticed meeting for this purpose.

(a) The Governing Board shall consider each Application and ~~approve or modify~~ the scores point scoring totals assigned in the Trust staff evaluation report. The Board may modify staff recommended scores in order to settle unresolved issues arising from written objections from Applicant(s) to scores received in the evaluation report. Applicant objections to staff recommended scores must be submitted in writing to the Trust staff at least 48 hours prior to the Board ranking and selection meeting, in order to be considered. Decisions to modify point totals shall be based on review of Applications by the Governing Board, and public presentations to the Governing Board by Trust staff, Applicants and other members of the general public.

(b) All proposed amendments to the Local Comprehensive Plan that are included with the Application, ~~and submitted within the Application deadline established by the Trust,~~ will be considered in the staff evaluation preliminary Application scoring. Proposed amendments cited in the Application must be adopted by the Local Government prior to the date of the Governing Board ranking and selection meeting in order for points to be awarded in the final score.

(c) ~~After approval of the score of each Application, After a final determination of the scoring of each Application,~~ the Governing Board shall consider the scores point totals, and the

~~statutory~~ requirements of this rule chapter, and rank the Applications in descending order, with the highest ranking Application being given highest funding priority.

1. At least 75 percent of the funds available shall be matched by Local Governments on a dollar-for-dollar basis.

2. At least 30 percent of the total allocation shall be used within Metropolitan Statistical Areas and one-half of that amount shall be used within localities where the Project Site is located in built-up commercial, industrial, or mixed-use areas and functions to intersperse open spaces within congested urban core areas.

3. No less than five percent of the total allocation shall be used to acquire lands for Recreational Trail Systems, provided that in the event these funds are not needed for such projects, they will be available for other Trust projects.

(d) In the event of tied scores, the Trust shall rank the Applications by:

1. Scores received in the Community Planning Section set forth in subsection 9K-7.007(3), F.A.C. The Trust shall consider the point totals in this evaluation category, and rank the tied Applications in descending order, with highest ranking score in this section being given highest funding priority. In the event of further tied scores, the Trust shall rank the Applications by the criteria specified by paragraph 2. of this subsection.

2. Scores received in the Outdoor Recreation Section set forth in subsection 9K-7.007(2), F.A.C. The Trust shall consider the point totals in this evaluation category, and rank the tied Applications in descending order, with highest ranking score in this section being given highest funding priority. In the event of further tied scores, the Trust shall rank the Applications by the criteria specified by paragraph 3. of this subsection.

3. Scores received in the General Standards Section set forth in subsection 9K-7.007(1), F.A.C. The Trust shall consider the point totals in this evaluation category, and rank the tied Applications in descending order, with highest ranking score in this section being given highest funding priority order. In the event of further tied scores, the Trust shall rank the Applications by the criteria specified by paragraph 4. of this subsection.

4. The order in which Applications were received prior to the Application deadline.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History—New 5-27-01, Amended _____.

9K-7.009 Project Approval Conceptual Approval of Projects.

(1) Following the ranking and selection of Applications described above but prior to ~~the conceptual approval meeting,~~ the Trust staff shall conduct site visits or other investigations. If such visits or investigations reveal undisclosed facts or erroneous evaluation conclusions, the Trust staff shall report

such findings to the Governing Board. The Trust shall impose conditions based on Applicant representations and findings from site visits and other investigations relevant to these findings. Applicants will be advised of the conditions prior to Trust approval and completion of Such conditions will be imposed on the Applicant by the Grant Contract Conceptual Approval Agreement at the conceptual approval meeting. Applicants will be advised of the conditions prior to the conceptual approval meeting. Any such conditions imposed on the Applicant must be met by the Applicant prior to receiving Project Plan approval. Further, the Trust shall have the right to alter the ranking of Applications based on the site visit or investigation findings.

(2) ~~At the conclusion of the conceptual approval meeting, those projects selected will be considered to have received conceptual approval for funding. The Trust shall publish a Final Notice of Project Conceptual Approval and Funding in the Florida Administrative Weekly that shall list all Applications considered, whether the Application has received conceptual approval, and the amount of funding conceptually approved for each selected project.~~

(3) Any person with substantial interests that are or may be determined by the ~~conceptual~~ approval of funds for projects by the Trust may request an administrative proceeding pursuant to Section 120.57, F.S. ~~within 21 days of publication of the Notice of Conceptual Approval.~~

(4) If for any reason funds awarded to an ~~conceptually~~ approved project become available prior to the ranking and selection meeting for the next Application cycle, those funds may be committed to other project(s) ~~for the same series funding cycle~~ based upon available funds.

(5) The established time frame for ~~conceptual~~ funding approval ~~for funding~~ shall be for a period not to exceed 12 months ~~from the conceptual approval meeting. Approval Conceptual approval shall be evidenced by an fully executed Grant Contract Conceptual Approval Agreement~~ between the Trust and the Recipient. When the established time frame has expired and an ~~conceptually~~ approved project has not received Project Plan approval, ~~conceptual the project approval~~ shall be terminated and Trust funds committed to the project shall then be committed to other approved Applications ~~that are conceptually approved in subsequent funding cycles.~~ The Trust may extend the ~~Grant Contract Conceptual Approval Agreement~~ beyond the established time frame if the Recipient demonstrates that significant progress is being made toward Project Plan approval or that extenuating circumstances warrant an extension of time. All requests for extensions shall be made in writing to the Executive Director, prior to the expiration of the established timeframe, fully explaining the reason for the delay and why the extension is necessary.

(6) ~~The Pursuant to Section 380.510(3)(f), F.S., the time period of the Grant Contract Conceptual Approval Agreement and extensions shall not exceed a total of 24 months; unless,~~

however, the Trust extends an Award beyond 24 months when the Recipient demonstrates that significant progress is being made toward closing the project or that extenuating circumstances warrant an extension of time.

(7) The Trust may unilaterally terminate the ~~Grant Contract Conceptual Approval Agreement~~ prior to the established time frame, if it is determined by the Trust that no significant progress is being made toward the Acquisition of the Project Site or other circumstances are present which would, in all likelihood, preclude or prevent the successful Acquisition of the Project Site within the established time frame.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History—New 5-27-01, Amended.

9K-7.010 Modification to the Project Boundary.

Modifications to the boundary of a Project Site selected for ~~conceptual~~ approval will be considered by the Trust on a case-by-case basis. Requests to modify the project boundary shall be submitted to the Trust within 12 months of the approval of the ~~Grant Contract Conceptual Approval Agreement~~. Requests for boundary amendments received after said deadline shall not be considered unless an exception is granted by the Executive Director based upon the demonstration of good cause. Good cause shall be based on whether the boundary modification is necessary to the successful development and management of the Project Site. The following procedures are established to guide the submission and review of boundary modification requests.

(1) A written request for boundary modification must be submitted and contain the items listed below. The request must be transmitted with an original signature cover letter on the Recipient's letterhead, signed by the appropriate authorized representative named in the ~~Grant Contract Conceptual Approval Agreement~~, and include a statement binding the Recipient to fulfill the commitments made in the request for boundary modification.

(a) An explanation of how the proposed modification complies with the intent and purpose of the project as stated in the original Application;

(b) An explanation of why the requested boundary change was not contained in the original Application;

(c) An explanation of the effect on the overall project if the requested modification is not approved;

(d) A written statement signed by the Recipient detailing any and all changes to the original Application which result from the boundary modification being proposed; and

(e) An amended acquisition plan.

(2) Following receipt of a request for boundary modification, Trust staff shall conduct a preliminary review to determine if the information provided includes the required

items listed in this rule chapter. Trust staff shall notify the Recipient's key contact of any additional information or clarification that is needed to complete the review.

(3) Trust staff shall prepare a recommendation for consideration and approval by the Trust following the same review procedures used to evaluate the original Application. The report will contain the following:

(a) ~~Whether~~ the proposed boundary modification is consistent with the purpose and intent of the original Application;

(b) ~~Whether~~ the proposed boundary modification would facilitate the Acquisition of the overall Project Site;

(c) ~~Whether~~ the proposed boundary modification would change the final project score if it had been part of the original Application and whether the revised score would result in any change in the funding status of the project;

(d) ~~Whether~~ the Trust has funds available to cover the additional Project Costs and that the increase in the Trust Award would not exceed the Award limit contained in this rule chapter.

(4) Trust staff may conduct a site visit to verify representations made in the boundary modification request before final approval of the boundary change.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History—New 5-27-01, Amended.

9K-7.011 Preparation and Acceptance of the Management Plan.

(1) Prior to release of Florida Forever Funds for a project, the Recipients shall submit a Management Plan for approval by the Trust. Phased Projects or additions to Trust funded projects can be combined into existing Management Plans. The Management Plan, which is intended to explain how the Project Site will be managed to further the purposes of the project and meet the terms and conditions of the Grant Contract Conceptual Approval Agreement, shall include the following:

(a) An introduction containing the project name, location and other background information relevant to management.

(b) The stated purpose for acquiring the Project Site as proposed in the Application and a prioritized list of management objectives.

(c) The identification of known natural resources including natural communities, listed plant and animal species, soil types, surface and groundwater characteristics ~~and a plan to inventory all unknown resources.~~

(d) A detailed description of all proposed uses including existing and proposed physical ~~and access~~ improvements and the impact on natural resources.

(e) A detailed description of proposed restoration or enhancement activities, if any, including the objective of the effort and the techniques to be used.

(f) A scaled site plan drawing showing the project site boundary, existing and proposed physical improvements and any natural resource restoration or enhancement areas.

~~(g) A description of management needs and problems associated with implementing the Management Plan.~~

~~(g)(h)~~ The identification and protection of known cultural or historical resources and a commitment to conduct surveys prior to any ground disturbing activity, if applicable.

~~(h)(i)~~ A description of proposed educational displays and programs to be offered, if applicable.

~~(i)(j)~~ A description of how the management will be coordinated with other agencies and public lands, if applicable.

~~(k) Cost estimates based on categories established by the Land Management Uniform Accounting Council.~~

~~(j)(l)~~ A schedule for implementing the development and management activities of the Management Plan.

~~(k)(m)~~ Cost estimates and funding ~~Funding~~ sources to implement the Management Plan.

(2) If the Recipient is not the proposed managing entity, the Management Plan must include a signed agreement between the Recipient and the managing entity stating the managing entity's willingness to manage the site, the manner in which the site will be managed to further the purpose(s) of the project, and identification of the source of funding for management.

(3) The Trust shall approve the Management Plan upon confirmation that it is consistent with the purposes of the Application and the terms and conditions of the Grant Contract Conceptual Approval Agreement.

(4) Any revision or modification to the approved Management Plan will require review and approval by the Trust. The Recipient shall provide a written request for any Management Plan change including all appropriate supporting materials.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History—New 5-27-01, Amended.

9K-7.012 Title, Acquisition Procedures, Project Plans, Lease Agreements and Transfer of Title.

This rule chapter and Chapter 9K-8, F.A.C., shall govern in all matters of title, acquisition procedures, Project Plans, lease agreements and transfer of title for lands acquired with Florida Forever funds received under the Florida Forever Program.

Specific Authority 380.507(11) FS. Law Implemented 380.508, 380.510 FS. History—New 5-27-01, Repromulgated.

9K-7.013 Annual Stewardship Report Requirement.

(1) Each award to a Recipient shall include a condition that, after Acquisition of the Project Site, a stewardship report is required from the Recipient for a period lasting at least five years from completion of all site improvements and restoration activities identified in the approved Management Plan. The stewardship report is intended to verify that conditions imposed at the time the award was made are being followed

and to monitor the stewardship and use of the property. The stewardship report shall be due on January 30 of each year and include discussion of the following items for the year being reported:

- (a) ~~A~~ll work completed;
- (b) ~~A~~ll program activities conducted;
- (c) ~~D~~escription of how the project protects and maintains natural resources and the results of all monitoring reports;
- (d) ~~L~~isting of gross revenues for the year, such as all fees, concessions, sales and other revenues received;
- (e) ~~D~~escription of all easements, concessions and leases in effect for all or any portion of the year;
- (f) ~~D~~escription of all physical improvements and activities that are behind schedule and a listing of revised start and completion dates for each improvement and activity;
- (g) ~~L~~isting of all funding sources allocated or received for management activities;
- (h) ~~L~~isting of all development and management costs expended for the year; and
- (i) ~~L~~isting of all revisions needed to the approved Management Plan and including all appropriated supporting materials as attachments.

(2) The stewardship report requirement may be phased out as follows:

(a) To initiate the five year phase-out of the stewardship report requirement, the Recipient shall provide the following:

- 1. ~~W~~ritten statement of completion certifying that the project site was developed in accordance with the approved Management Plan;
- 2. ~~A~~s-built master site plan drawing;
- 3. ~~P~~hotographic record of all completed site improvements and restoration activities; and
- 4. ~~U~~pdated Management Plan, if appropriate.

(b) Upon the Trust's acceptance of the Recipient's statement of completion, and timely submission of five consecutive stewardship reports that have met the requirements of this rule chapter, the Trust may suspend the stewardship report requirement if the Recipient has demonstrated that the terms and conditions of the Grant Award Agreement and the approved Management Plan made are being followed. After suspension of the stewardship report requirement, if the Trust finds that the terms and conditions of the Grant Award Agreement are not being followed, the stewardship report requirement shall be reimposed for an additional two years.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History--New 5-27-01, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janice Browning, Executive Director, Florida Communities Trust

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Janice Browning, Executive Director, Florida Communities Trust

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 19, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 22, 2002

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Communities Trust

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Land Acquisition Procedures With Florida Forever Program 9K-8

RULE TITLES: RULE NOS.:

Definitions 9K-8.002

General Information 9K-8.003

Election by Recipient of Titleholder and Negotiating Entity; Rules Governing Acquisitions; Title 9K-8.004

Appraisal Procedures, Appraisal Report Requirements and Determination of Maximum Approved Purchase Price 9K-8.007

Preparation and Acceptance of Project Plans 9K-8.011

PURPOSE, EFFECT AND SUMMARY: The purpose of this rule is to establish Florida Communities Trust land acquisition procedures using Florida Forever funds. The purpose of the program described in this rule chapter is to provide grants to Local Governments and Nonprofit Environmental Organizations for the acquisition of community-based projects, urban open spaces, natural resource conservation areas, parks, greenways, and outdoor recreation areas to implement Local Comprehensive Plans.

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: 380.507(11) FS.

LAW IMPLEMENTED: 259.105, 380.501-.515, 380.507(11), 380.508, 380.510 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: 1:00 p.m., Monday, April 22, 2002

PLACE: Randall Kelley Training Center, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact: Janice Browning, Executive Director, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-2207, Suncom 292-2207, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: C. Erica White, Assistant General Counsel, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-0410

THE FULL TEXT OF THE PROPOSED RULES IS:

9K-8.002 Definitions.

The definitions set forth in Rule 9K-7.002, F.A.C., shall apply as used in this rule chapter and are incorporated herein by reference. Additionally, the following definitions shall apply as used in this rule chapter:

(1) through (9) No change.

(10) ~~“Florida Forever Funds” means proceeds from the Florida Forever Trust Fund created by Section 380.5115, F.S., and distributed to the Department pursuant to Section 295.105(3)(c), F.S., for the purpose of providing Acquisition grants through the Florida Communities Trust.~~

(11) through (20) renumbered (10) through (19) No change.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.501-.515 FS. History–New 5-27-01, Amended.

9K-8.003 General Information.

(1) through (2) No change.

(3) The Recipient shall designate an employee or officer who shall serve as the key contact for the exchange of information regarding the Acquisition activities and who shall be responsible for ensuring compliance with the provisions of all applicable statutes, the Grant Contract Conceptual Approval Agreement, rules of the Trust and any local land acquisition ordinances that may apply.

(4) No change.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.501-.515 FS. History–New 5-27-01, Amended.

9K-8.004 Election by Recipient of Titleholder and Negotiating Entity; Rules Governing Acquisitions; Title.

(1) Section 259.105(3)(c), allocates proceeds deposited into the ~~Forever~~ Florida Forever Trust Fund to the Department to provide land Acquisition grants through the Florida Communities Trust pursuant to Chapter 380, Part III, F.S. Title to real property purchased with these funds may be vested in the Recipient or the Board of Trustees.

(2) At the time the Recipient executes the Grant Contract Conceptual Approval Agreement, the Recipient shall elect one of the following options; either

(a) through (b) No change.

(3) If the Recipient elects to hold title, then the following applies:

(a) The election is subject to approval by the Trust, such approval indicated when the Grant Contract Conceptual Approval Agreement governing the grant funds is executed between the Recipient and the Trust;

(b) No change.

(c) The Acquisition of a Project Site shall take place under one of the following procedures:

1. For a Project Site that consists of five or fewer ownerships to be acquired, the Recipient ~~may~~ can request that the Trust or the Recipient act as the party responsible for the Acquisition activities.

2. For a Project Site that consists of six or more ownerships to be acquired, the Recipient will be required to act as the party responsible for the Acquisition activities.

(d) through (4) No change.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.501-.515 FS. History–New 5-27-01, Amended.

9K-8.007 Appraisal Procedures, Appraisal Report Requirements and Determination of Maximum Approved Purchase Price.

(1) through (4) No change.

(5) Determination of Maximum Approved Purchase Price.

(a) For purposes of calculating the Trust and the Recipient shares of the purchase price paid for real property, a Maximum Approved Purchase Price shall be determined. The Grant Contract Conceptual Approval Agreement will describe financial participation by the Trust and the Recipient on a percentage basis. The Trust considers that the maximum purchase price in which it will participate shall be the Maximum Approved Purchase Price. If the Recipient or its Agent negotiates a purchase price higher than the Maximum Approved Purchase Price, the Recipient shall pay all the purchase price amount over the Maximum Approved Purchase Price, in addition to the Match percentage share of the Maximum Approved Purchase Price.

(b) through c.3. No change.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Hobbycraft Programs

RULE NO.: 33-508.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide procedures for the operation of hobbycraft programs for inmates.

SUMMARY: The proposed rule sets forth procedures for the operation and supervision of hobbycraft programs for inmates, sets forth criteria for participation in the program, describes approved hobbycraft activities, provides for suspension of program privileges, and describes the process for obtaining supplies and equipment.

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, 946.25 FS.

LAW IMPLEMENTED: 944.09, 946.25 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-508.101 Hobbycraft Programs.

(1) Definitions.

(a) Chief of Security – refers to the highest ranking correctional officer at a facility who is responsible for overseeing and coordinating the security operations of the unit.

(b) Education Supervisor – refers to the staff member at an institution who is responsible for oversight of all inmate programs therein.

(c) Hobbycraft – refers to a program which allows inmates to create arts and crafts by hand.

(d) Inmate Wellness Program – refers to the physical and passive activities designed to facilitate changes in behavior to improve health and quality of life for the inmate population.

(e) Inmate Welfare Trust Fund – refers to the fund held by the department for the benefit and welfare of inmates as provided by s. 945.21502, F.S.

(f) Program Center – refers to the administrative office of the program manager for education and transition.

(g) Program Manager – refers to the staff member responsible for education and transition programs in a department service center area.

(h) Wellness Education Specialist – refers to the institutional staff member responsible for the administration of the institution's inmate wellness program.

(i) Wellness Program Administrator – refers to the Office of Program Services staff member responsible for the overall administration of the department's inmate wellness program.

(2) Specific Procedures.

(a) Hobbycraft clubs shall be established at all major institutions.

(b) The wellness education specialist shall report directly to the education supervisor at the institution.

(c) The wellness education specialist shall be responsible for hobbycraft operation, to include:

1. Coordinating and supervising the program and ensuring that direct staff supervision is provided during operating hours;

2. Maintaining a list of current participants and inmate sign-in sheets;

3. Maintaining a waiting list of approved requests to participate;

4. Maintaining a project work file on each inmate enrolled in the program, to include the following:

a. Inmate personal property lists,

b. Classification print-out which determined eligibility,

c. Sign-in sheets,

d. Copies of the inmate bank trust fund special withdrawals and hobbycraft supplies orders, and

e. Copies of invoices for supplies received;

5. Reviewing and approving all raw materials or supplies ordered in conjunction with the chief of security and the assistant warden for programs;

6. Coordinating the receipt of tools and equipment with the chief of security;

7. Maintaining an inventory of all items and tool control directly or in conjunction with security staff;

8. Arranging for the donation or disposal of hobbycraft items; and

9. Completing an Inmate Personal Property List, Form DC6-224, when a participating inmate receives hobbycraft supplies or materials. Form DC6-224 is incorporated by reference in Rule 33-602.201, F.A.C.

(d) The wellness education specialist is authorized to designate correctional officers assigned to the wellness program to conduct the duties described in paragraph (2)(c) above.

(3) Criteria For Placement In Program.

(a) Inmates in general population will be allowed to participate in any hobbycraft activity available at the institution.

(b) Participating inmates must have a clear disciplinary record for the prior four month period.

(c) Inmates must have a satisfactory or above-satisfactory job assignment rating for a period of four months. If an inmate is unable to work due to valid reasons, such as medical or mental health appointments, court appearances, or transfers not based on disciplinary reasons, he will be given credit for meeting eligibility criteria.

(d) Any inmate found guilty of a disciplinary infraction will be removed from hobbycraft and will not be eligible for placement in the program or on the waiting list until six months from the time his disciplinary obligation has been met.

(e) Inmates in close management or death row status shall be authorized to participate in the cell-based hobbycraft activity of drawing, to include sketch pads, crayons, water-based markers, chalk pastels, or charcoal.

(f) Inmates in the youthful offender extended day program must be in Phase III of that program in order to participate in hobbycraft activities.

(4) Entrance Requirements.

(a) Inmate participation in the hobbycraft club is considered a privilege.

(b) An inmate desiring to participate in the program must submit an Inmate Request, Form DC6-236, to the wellness education specialist. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

(c) The wellness education specialist shall submit the name of the inmate to the classification supervisor.

(d) The classification supervisor shall provide the wellness education specialist with a computer printout for determination of the inmate's eligibility for participation in the hobbycraft club. This printout will contain the eligibility information described in subsection (3) of this rule.

(e) If approved by the wellness education specialist, the wellness education specialist shall place the inmate's name on the active participation list or on the waiting list, depending on locker space availability, and shall notify the inmate in writing of that action on Form DC6-236.

(f) If disapproved, the wellness education specialist shall notify the inmate in writing, via Form DC6-236, that the inmate has been disapproved and provide the reason why he has been disapproved.

(g) Notification for approval or disapproval in hobbycraft shall be given to the inmate within ten days of the decision.

(h) The name of the inmate placed on the waiting list or approved for participation will be submitted by the wellness education specialist to health services in order to verify that the inmate is medically suitable to participate.

(5) Hobbycraft Clubs/Activities Established At Various Institutions.

(a) Inmates [except those described in paragraph (3)(e)] shall be permitted to participate in the following activities, except as provided in paragraph (5)(b):

1. Sewing activities to include crocheting, knitting, needlepoint, macrame, quilting, doll-making, construction of doll-clothes, puppet-making, weaving, rug latching, hooking, and braiding.

2. Paper activities to include origami, kirigami, paper mache, and the construction of paper flowers/decorations and children's books.

3. Wood activities to include woodcarving, making toys or jewelry boxes, and popsicle/matchsticks/tooth pick projects.

4. Art activities to include drawing and sketching with pen/pencil, pastels, crayons, charcoal, water/oil paint; working with clay, creating sculpture, and calligraphy writing.

5. Horticulture to include the cultivation of bonsai plants and small flower-dishes.

6. Institutions which currently have ceramics, leatherwork, or woodcarving activities, shall be allowed to continue these activities. These institutions shall be authorized to support these activities with donated tools and equipment.

(b) Hobbycraft activities will be conducted in a location designated by the warden.

(c) Participation in hobbycraft activities will not substitute for or conflict with job or program assignments.

(d) An hourly schedule for the hobbycraft program activities shall be established and posted in the close management posting areas and the inmate bulletin boards at each institution.

(6) Suspension/Loss Of Hobbycraft Privileges.

(a) An inmate's hobbycraft privileges shall be subject to suspension or revocation due to concerns for the safety and security of the institution. This decision shall be made jointly with the warden and chief of security.

(b) An inmate's hobbycraft privileges shall be revoked due to:

1. Violation of department rules resulting in a finding of guilt at a disciplinary hearing.

2. Failure to actively participate in hobbycraft for at least fourteen days within a three month period determined by sign-in sheets, or

3. Determination that the inmate is operating tools or equipment in an unsafe manner, abusing the hobbycraft privilege, damaging tools or equipment, or misappropriating tools, equipment or supplies.

(c) An inmate's hobbycraft privileges shall be subject to temporary suspension for the following reasons.

1. The inmate is absent from the institution for more than six months for reasons beyond his control such as medical reasons or being out to court. In this case, the inmate will be removed from the program and placed on the top of the waiting list upon his return.

2. Inmates in hobbycraft who are transferred will be placed on the waiting list at the receiving institution. The wellness education specialist at the sending institution shall by e-mail notify the wellness education specialist at the receiving institution of the inmate's participation in hobbycraft.

(d) An inmate shall be allowed to appeal a decision to revoke or suspend hobbycraft privileges through the grievance process outlined in Chapter 33-103, F.A.C.

(7) Purchasing Supplies/Financial Responsibilities

(a) The inmate shall purchase materials, supplies, and kits utilized in the program. All inmates wishing to purchase materials or supplies must submit Form DC2-304, Special Withdrawal, and Form DC5-202, Hobbycraft Supplies Order Form, to the wellness education specialist. Form DC5-202 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of The General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is . Form DC2-304 is incorporated by reference in Rule 33-203.201, F.A.C.

(b) The wellness education specialist, in coordination with the chief of security, shall review the inmate's request against catalogs and vendor manuals to verify the authenticity of the materials and assess any security implications.

(c) The wellness education specialist shall submit for processing the completed DC2-304 and DC5-202 to the Bureau of Finance and Accounting, Inmate Bank Section.

(d) All materials and supplies must be purchased from vendors approved by the wellness education specialist and sent directly through the U.S. Mail or other approved commercial shipping services.

(e) An inmate shall not receive materials or hobbycraft supplies from other inmates, visitors, volunteers, employees, or organizations.

(8) Service Center Responsibilities.

(a) Once the service center receives the completed DC2-304 and DC5-202, the inmate bank accounting staff shall review the inmate's account to see if the inmate has sufficient funds to cover the cost.

(b) If there are sufficient funds, the funds will be withdrawn out of the inmate's bank account and the inmate will receive a withdrawal notification receipt from inmate bank system noting that funds were deducted from the inmate's bank account.

(c) An inmate must have sufficient funds in his or her bank account to cover the cost of project materials and supplies in order to participate in the program.

(9) Possession/Storage of Hobbycraft Materials.

(a) All tools and equipment utilized in hobbycraft will be the property of the Department.

(b) An inmate shall only be allowed to possess hobbycraft materials or supplies in quantities or sizes that can be stored in his assigned hobbycraft locker in the hobbycraft area. Hobbycraft tools or materials shall not be stored elsewhere.

(c) No personal property other than hobbycraft materials or supplies shall be maintained in these lockers.

(d) Inmates shall not store supplies or products for other inmates in hobbycraft lockers or personal housing lockers

(10) Inventory/Searches.

(a) Tools will be maintained in accordance with current department tool and sensitive item control measures.

(b) The wellness education specialist shall maintain an Inmate Personal Property List, Form DC6-224, of the hobbycraft materials and supplies of each inmate participating in hobbycraft.

(c) Inmate hobbycraft lockers shall be subject to random search by wellness staff and security staff.

(11) Distribution of Completed Hobbycrafts. Inmates participating in hobbycraft will distribute completed hobbycraft projects either by mailing them to persons of their choice, excluding staff or relatives of staff, or by donating them to governmental agencies, schools or non-profit organizations. Completed hobbycraft projects may not be distributed to other inmate families or representatives.

(12) Toxic, Caustic or Flammable Materials.

(a) Toxic, caustic, or flammable materials will not be used by an inmate for any hobby craft program in any institution.

(b) All items used in the hobbycraft program will be maintained in accordance with current department tool and sensitive item control measures.

(13) Disposition.

(a) The Department will not be liable for lost, stolen, or damaged hobbycraft items.

(b) When an inmate is terminated from the program, his hobbycraft products will be disposed of in one of the following manners.

1. Completed items may be mailed home at the expense of the inmate;

2. Completed items may be donated to an agency or non-profit organization;

3. Materials and incomplete projects will be inventoried and boxed in accordance with Rule 33-602.201, F.A.C., and mailed out at the expense of the inmate.

4. The materials and incomplete projects may be donated to the department if the inmate is unable or unwilling to provide postage for mail-out.

5. Items may be discarded if determined by the wellness education specialist to be of no other use.

(c) Upon transfer to another institution, the materials will be inventoried and boxed in accordance with Rule 33-602.201, F.A.C., and either donated to the department or mailed home at the expense of the inmate.

Specific Authority 944.09, 946.25 FS. Law Implemented 944.09, 946.25 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Nimer
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 12, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 5, 2001

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Procedural
RULE CHAPTER NO.: 40D-1
RULE TITLE: Forms and Instructions
RULE NO.: 40D-1.659

PURPOSE AND EFFECT: The purpose of this amendment is to adopt the environmental resource permitting form entitled Statement of Proper Operation and Maintenance into the District Rules. The form will be incorporated by referenced into Rule 40D-1.659, Florida Administrative Code, in compliance with Section 120.55(1)(a)4., Florida Statutes.

SUMMARY: Forms which the District uses in dealings with the public must be formally adopted by rule, pursuant to Section 120.55(1)(a)4., Florida Statutes. The Statement of Proper Operation and Maintenance form is used to certify the periodic inspections of surface water management systems in accordance with District rules and permit conditions.

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

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

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

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.659 Forms and Instructions.

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

GROUND WATER

(1) through (19) No change.

SURFACE WATER

Application for Permit – Used for Docks or Piers and Bulkheads

(1) through (13) No change.

(14) STATEMENT OF INSPECTION FOR PROPER OPERATION AND MAINTENANCE FORM NO. 04.10 R-023 (/02)

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.116, 373.216, 373.219, 373.229, 373.239, 373.413, 373.414, 373.416, 373.419, 373.421 FS. History–New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-95, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 10-26-00, 6-26-01, 11-29-01,_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 27, 2002

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

DEPARTMENT OF THE LOTTERY

RULE TITLES:	RULE NOS.:
How to Play FLORIDA LOTTO	53-28.001
FLORIDA LOTTO Drawings	53-28.002
FLORIDA LOTTO Prize Divisions	53-28.003
Determination of Prize Winners	53-28.035
FLORIDA LOTTO Odds of Winning	53-28.004
FLORIDA LOTTO Rules and Prohibitions	53-28.005
FLORIDA LOTTO Estimated Jackpot	53-28.006
FLORIDA LOTTO Payment Options	53-28.007

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to update and clarify Chapter 53-28, FLORIDA LOTTO.

SUMMARY: The proposed rule amendments update Chapter 53-28 to reflect game changes made by emergency rule to FLORIDA LOTTO in October of 1999. The proposed rule amendments also add advance play provisions, streamline the drawing provisions in Rule 53-28.002, F.A.C. reflect an increase in the ticket cancellation period made by emergency rule in March of 2001, and clarify other provisions and features of the game.

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: 24.105(9)(a),(b),(c),(d),(e),(f), 24.115(1) FS.

LAW IMPLEMENTED: 24.105(9)(a),(b),(c),(d),(e),(f), 24.115(1), 24.116(1), 24.117(2), 24.124(1) 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 23, 2002

PLACE: Department of the Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Diane D. Schmidt, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011, (850)487-7724

THE FULL TEXT OF THE PROPOSED RULES IS:

53-28.001 How to Play FLORIDA LOTTO.

(1) FLORIDA LOTTO is an on-line game in which pPlayers select six (6) numbers from a field of one (1) to fifty-three forty-nine (49).

(2) Players may use a FLORIDA LOTTO play slip to make their selections. There are five panels on a play slip. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting six numbers from each panel played, or may mark the "Quick Pick" box for the terminal to randomly select one or more of the six numbers. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by an on-line retailer in order to obtain a ticket. Retailers are authorized to manually enter numbers selected by a player. Players can select their numbers by using a play slip, or may receive their numbers by using the Quick Pick feature.

(3) Players may play up to fifty-two consecutive FLORIDA LOTTO drawings by using the "advance play" feature. To use the advance play feature, players may either mark the number of drawings desired in the Advance Play section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive advance drawings selected shall apply to each panel played. There are panels on a play slip. A player electing to use a play slip must select six (6) numbers from each panel played. Each panel played must contain six (6) number selections. Each panel played will cost one dollar (\$1.00).

~~(4) Players must use only blue or black ball point pen or pencil for making selections.~~

~~(5) Play slips must be processed by an on-line retailer in order to obtain a ticket.~~

~~(6) Retailers can enter numbers selected by a player manually.~~

Specific Authority ~~24.105(9)(a),(b),(h)~~ FS. Law Implemented ~~24.105(9)(a),(b),(h)~~ ~~24.115~~ FS. History—New 11-22-93, Amended

53-28.002 FLORIDA LOTTO Drawings.

(1) FLORIDA LOTTO drawings shall be conducted twice per week, on Wednesday and Saturday at least once per week.

(2) FLORIDA LOTTO drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm ("Accountant") who shall certify to the integrity, security, and fairness of each drawing. The drawing machine used for each drawing shall be determined by random selection. An employee of the Lottery's Security Division shall select two (2) cards from a container holding a number of cards equivalent to the number of available drawing machines. Each card shall contain one (1) number which shall correspond to the number assigned to one (1) numbered drawing machine. The two (2) cards shall be drawn individually and handed individually to an accountant employed by an independent certified accounting firm. The machine corresponding to the number contained on the first card drawn shall be designated the primary drawing machine and the machine corresponding to the number contained on the second card drawn shall be designated the backup drawing machine. The backup drawing machine shall be used only when necessitated by equipment failure.

(3) The equipment (ball set and drawing machine) used in a FLORIDA LOTTO drawing shall be determined by random selection and shall be inspected by an employee of the Florida Lottery's Security Division ("Draw Manager") and the Accountant before and after each drawing. The ball set to be used in a drawing shall be determined by random selection. The Security employee shall select two (2) cards from a container holding a number of cards equivalent to the number of available ball sets. Each card shall contain one (1) number which shall correspond to the number assigned to one (1) numbered ball set. The two (2) cards shall be drawn individually and handed individually to an accountant employed by an independent certified public accounting firm. The ball set corresponding to the number contained on the first card drawn shall be designated the primary ball set and the ball set corresponding to the number contained on the second card drawn shall be designated the backup ball set. The backup ball set shall be used only when necessitated by equipment failure. Each set contains forty-nine (49) balls numbered one (1) through forty-nine (49).

(4) The equipment shall be configured so that six balls are drawn from one set of balls numbered one through fifty-three. The two (2) selected sets of balls are weighed and recorded. A set which does not fall within the manufacturer's weight tolerances for that set of balls shall be rejected and a replacement set selected using the procedures in (3) above.

(5) Once the ball set has been selected and inspected, the selected drawing machine shall be loaded by the Draw Manager and the ball set mixed by the action of an air blower. The primary set of balls is placed in the selected drawing machine and six (6) test drawings are conducted. If the balls fail the test twice, the backup set of balls is then placed in the drawing machine and six (6) test drawings are conducted on the backup set of balls. Failure shall mean that the same numbered ball is drawn four times in the six test drawings and two times in four additional test drawings. If both the primary and backup sets of balls fail the test drawings, a backup machine will be used with the backup ball sets and six (6) additional tests will be conducted. If the backup ball set fails the six (6) additional tests, another set of balls will be selected and procedures will be followed as set forth in paragraphs three (3) through five (5) until a ball set passes all required tests and procedures.

(6) Six balls shall be drawn by vacuum action into the display devices. The numbers shown on the six balls, after certification by the Draw Manager and the Accountant, are the official winning numbers for the drawing. Once a set of balls has satisfactorily passed the required testing, the selected drawing machine is loaded by the Draw Manager, who randomly inserts the balls into the loading tubes.

(7) In the event a malfunction in the drawing procedures occurs, or the drawing equipment malfunctions, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in section (2). In using such substitute procedures the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity. The forty-nine (49) balls in the loading tubes of the FLORIDA LOTTO machine are dropped into the mixing chamber and mixed by the action of an air blower.

(8) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers. Six (6) of the forty-nine (49) balls are drawn by vacuum action into the six (6) display tubes. The numbers shown on the six (6) balls, after certification by the Draw Manager and the certified public accounting firm, are the official winning numbers for the drawing.

(9) Each drawing is witnessed by an accountant employed by an independent certified public accounting firm who attests to the fairness of the drawing and the equipment used in the drawing.

~~(10) Equipment used in each drawing is tested and inspected before and after each drawing and then secured. Ball sets used in each drawing are weighed and recorded before and after each drawing and then secured.~~

~~(11) In the event a malfunction in the drawing procedures occurs or the drawing equipment itself malfunctions, the Lottery shall use such substitute procedures as are fair and necessary to perform the drawing. Such substitute procedures shall be determined in consultation with the accountant referred to in subsection (9). In using such substitute procedures the Lottery shall strive to maintain the highest level of public confidence and integrity in FLORIDA LOTTO drawings.~~

~~(12) The official winning numbers shall consist of those numbers selected in the official drawing conducted by the Lottery and certified by the designated Lottery Draw Manager and certified public accounting firm charged with witnessing the drawing. The official winning numbers shall be announced only after the numbers have been certified by the Draw Manager and certified public accounting firm to be the correct winning numbers. The Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.~~

Specific Authority 24.105(9);~~(10)(d),(f)~~ FS. Law Implemented 24.105(9);~~(10)(d),(f)~~ FS. History—New 11-22-93, Amended _____.

53-28.003 FLORIDA LOTTO Prize Divisions.

(1) FLORIDA LOTTO is a pari-mutuel game. For each draw, 50 fifty percent (~~50%~~) of the gross revenue from the sale of FLORIDA LOTTO tickets in the corresponding FLORIDA LOTTO sales period sales in a FLORIDA LOTTO sales week shall be allocated as the winning pool for the payment of prizes as provided below the Jackpot, second prize, third prize and fourth prize. A player wins FLORIDA LOTTO by matching a single panel ("A", "B", "C", "D", or "E") of numbers in any order with three (3), four (4), five (5), or six (6) of the official winning FLORIDA LOTTO numbers selected from a field of one (1) through forty-nine (49) for the draw date(s) for which the ticket was purchased.

(2) The Jackpot prize pool shall consist of 63.5 sixty-seven percent (~~67%~~) of the winning pool for the drawing plus any Jackpot grand prize money carried forward from the previous draws. The Jackpot prize shall be divided equally among the number of players matching all six (6) official winning numbers. If there is no not a Jackpot winner in a drawing, the Jackpot pool shall be carried over and added to the Jackpot pool of the next FLORIDA LOTTO drawing.

(3) The second prize pool Second Prize shall consist of 12.3 five percent (~~5%~~) of the winning pool for the drawing. The second prize pool shall be divided equally among the number of players matching five (5) of the six (6) official winning numbers. If there is no not a winner in the second

prize category for a drawing, the second prize pool shall be carried over and added to the Jackpot second prize pool of the next FLORIDA LOTTO drawing.

(4) The third prize pool ~~Third Prize~~ shall consist of 10 ~~twelve percent (12%)~~ of the winning pool for the drawing. The third prize pool shall be divided equally among the ~~number of~~ players matching four (4) of the six (6) official winning numbers. If there is no winner in the third prize category for a drawing, the third prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(5) The fourth prize pool ~~Fourth Prize~~ shall consist of 14.2 ~~sixteen percent (16%)~~ of the winning pool for the drawing. The fourth prize pool shall be divided equally among the ~~number of~~ players matching three (3) of the six (6) official winning numbers. If there is no winner in the fourth prize category for a drawing, the fourth prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(6) Except for the Jackpot prize which will pay the exact amount, the second, third and fourth prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the fourth prize shall be no less than \$3.50. All rounding differences in the second, third and fourth prizes ~~shall~~ will be used to fund future prizes in Lottery games or for special Lottery prize promotions.

Specific Authority 24.105(9)(40)(c), 24.115(1) FS. Law Implemented 24.105(9)(40)(c), 24.115(1) FS. History—New 11-22-93, Amended 7-31-95, 11-30-99, _____.

53-28.035 Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, or E) must match the official winning FLORIDA LOTTO numbers for the draw date for which the ticket was purchased. The prizes are set forth as follows:

- (1) Jackpot Prize: Six of six official winning numbers.
- (2) Second Prize: Five of six official winning numbers.
- (3) Third Prize: Four of six official winning numbers.
- (4) Fourth Prize: Three of six official winning numbers.

Specific Authority 24.105(9) FS. Law Implemented 24.105(9) FS. History—New _____.

(Substantial rewording of Rule 53-28.004 follows. See Florida Administrative Code for present text.)

53-28.004 FLORIDA LOTTO Odds of Winning.

The odds of winning the prizes described in Section 53-28.035, Florida Administrative Code are as follows:

- (1) Jackpot Prize – 1: 22,957,480.
- (2) Second Prize – 1: 81,409.50.
- (3) Third Prize – 1: 1,415.82.
- (4) Fourth Prize – 1: 70.79.

(5) The overall odds of winning a prize in a FLORIDA LOTTO drawing are 1: 67.36.

Specific Authority 24.105(9)(40) FS. Law Implemented 24.105(9)(40)(e) FS. History—New 11-22-93, Amended _____.

53-28.005 FLORIDA LOTTO Rules and Prohibitions.

(1) By purchasing a FLORIDA LOTTO ticket, a the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(2) FLORIDA LOTTO prize payments shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. The play slip is not a valid receipt.

(3) Tickets shall not be purchased by or sold to persons minors under the age of eighteen (18).

(4) Subject to a retailer's hours of operation and on-line system availability, FLORIDA LOTTO tickets are available for purchase between the hours of 6:00 a.m. and 10:40 p.m., Eastern Time (ET), on Wednesday and Saturday, and between the hours of 6:00 a.m. and midnight, ET, on Sunday, Monday, Tuesday, Thursday, and Friday. A FLORIDA LOTTO ticket can be cancelled by the retailer which sold the ticket within twenty (20) minutes after printing, except that no FLORIDA LOTTO ticket may be cancelled within ten (10) minutes of the scheduled FLORIDA LOTTO drawing relative to that ticket or after FLORIDA LOTTO sales are concluded each evening at midnight. No FLORIDA LOTTO ticket may be cancelled except through the optical mark reader.

(5) The scheduled time for the Wednesday and Saturday FLORIDA LOTTO drawings is approximately 11:00 p.m., ET. Ticket sales for a specific FLORIDA LOTTO drawing will close approximately twenty minutes prior to that drawing. A FLORIDA LOTTO ticket shall not be purchased any later than approximately ten (10) minutes prior to the FLORIDA LOTTO drawing.

(6) Retailer cancellations of FLORIDA LOTTO tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no FLORIDA LOTTO ticket shall be cancelled after game close for the related drawing. The two-hour cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related FLORIDA LOTTO close of game. It is the responsibility of the player to determine the accuracy of selected panels of numbers on ticket(s). In the event that ticket(s) given to the player by the retailer contain selections which are not consistent with the player's selections, the player should immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel a ticket. A retailer is not required to cancel a ticket which is produced upon request of the player by the "quick pick" method of number selection.

(7) It is the responsibility of the player to determine the accuracy of selected panels of numbers and draw date(s) on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the "quick pick" method of number selection.

Specific Authority 24.105(9)(j) ~~24.105(2)(a)2~~; FS. Law Implemented 24.105(9)(j), ~~24.105(2)(b)2~~, 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History—New 11-22-93, Amended _____.

53-28.006 FLORIDA LOTTO Estimated Jackpot Pool.

For each drawing Each week the Lottery will announce the estimated deferred payment annuity value of the Jackpot that can be won by a single player, based upon the estimated cash value of the Jackpot pool determined by projected and historical sales figures, current interest rates, and funds from rollovers, if any. If the cash available in the Jackpot pool is insufficient to yield at least one million dollars over the designated annuity period for each winning ticket, the Lottery will pay the Jackpot winner or winners in cash. In the event the cash available in the Jackpot pool is insufficient to yield the announced estimated Jackpot value over the designated deferred payment period, the Lottery may add prize money rendered unclaimable by Section 24.115, Florida Statutes F.S., to the Jackpot pool to render it sufficient to yield the announced estimated Jackpot. Use of unclaimable prize money to increase the Jackpot pool for FLORIDA LOTTO shall only occur when the Lottery has determined in writing prior to the drawing that circumstances warrant the use of such funds to positively impact sales. Nothing in this rule shall be construed to prohibit a guaranteed Jackpot.

Specific Authority 24.105(9)(c) ~~24.115(4)~~ FS. Law Implemented 24.105(9)(c), ~~24.115(4)~~ FS. History—New 11-22-93, Amended 6-21-99, _____.

53-28.007 FLORIDA LOTTO Payment Options.

(1) Effective for draw dates on and after October 24, 1998, Players can choose one (1) of two (2) payment options for receiving their portion of the FLORIDA LOTTO Jackpot prize. Payment options are "Cash Option" and "Annual Payment."

(2) Jackpot winners have sixty (60) days after the winning draw date to choose between the two payment options. Once the jackpot winner signs the Winner Claim Form and exercises the winner's chosen option, the election of that option shall be final. Winner Claim Form DOL-173-2, Revised 2/01 07/93, and Spanish Winner Claim Form DOL 173-S, Revised 2/01 Addendum B, Effective 10/21/98, are incorporated herein by reference and may be obtained from the Florida Lottery, Winner Validation, 250 Marriott Drive Capitol Complex, Tallahassee, Florida 32399-9939 4027. In order to select the

Cash Option, the Jackpot winner must claim his or her prize within sixty (60) days after the winning draw date, otherwise, If the Jackpot winner does not elect the Cash Option within sixty days after the winning draw date, the Annual Payment option will be applied, subject to the provisions of subsection 53-28.007(5), F.A.C.

(3) A Jackpot winner who chooses the Cash Option for payment will receive one lump sum cash payment of his or her portion of the amount in the Jackpot pool that is available immediately for investment, less applicable withholding taxes. Cash Option prizes will be paid in one lump sum cash payment. The jackpot winner who chooses the Cash Option for payment will receive his or her portion of the amount in the jackpot pool that is available immediately for investment.

(4) If a Jackpot winner elects the Annual payment option, his or her portion of the amount in the Jackpot pool will be invested in U.S. Treasury securities covering a twenty-nine year period to provide an income stream to the winner of thirty equal annual installments, less applicable withholding taxes. The jackpot winner whose ticket, including an advance play ticket, was purchased prior to November 15, 1998, shall be paid in twenty (20) annual payments if:

(a) the Jackpot winner elects the Annual Payment Option;

(b) the Jackpot winner does not make an election within sixty (60) days after the winning draw date as provided in subsection (2); and

(c) the cash available in the Jackpot pool is sufficient to yield at least a total of one million dollars in twenty (20) annual installments for each winning ticket.

(5) If the cash available in the Jackpot pool is insufficient to yield at least one million dollars over the designated deferred payment period for each winning ticket, the Lottery shall pay the Jackpot winner or winners in a single cash payment of their share of the amount in the Jackpot pool available immediately for investment, less applicable withholding taxes. The jackpot winner whose ticket, including an advance play ticket, was purchased on November 15, 1998, or thereafter shall be paid in thirty (30) annual payments if:

(a) the Jackpot winner elects the Annual Payment Option;

(b) the Jackpot winner does not make an election within sixty (60) days after the winning draw date as provided in subsection (2); and

(c) the cash available in the Jackpot pool is sufficient to yield at least a total of one million dollars in thirty (30) annual installments for each winning ticket.

(6) Federal income taxes shall will be applied and withheld from the prize amount at the time payment is made, pursuant to applicable provisions of the Internal Revenue Code and Code of Federal Regulations.

(7) Any interest or earnings accrued on a FLORIDA LOTTO Florida Lotto Jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

the primary drawing machine and the machine corresponding to the number contained on the second card drawn shall be designated the backup drawing machine. The backup drawing machine shall be used only when necessitated by equipment failure.

(3) The equipment (ball set and drawing machine) used in a FANTASY 5 drawing shall be determined by random selection and shall be inspected by an employee of the Florida Lottery's Security Division ("Draw Manager") and the Accountant before and after each drawing. The ball set to be used in a drawing will be determined by random selection. The Security employee will select two (2) cards from a container holding a number of cards equivalent to the number of available ball sets. Each card will contain one (1) letter which will correspond to the letter assigned to one (1) lettered ball set. The two (2) cards shall be drawn individually and handed individually to an accountant employed by an independent certified public accounting firm. The ball set corresponding to the letter contained on the first card drawn shall be designated the primary ball set and the ball set corresponding to the letter contained on the second card drawn shall be designated the backup ball set. The backup ball set shall be used only when necessitated by equipment failure. Each set contains twenty-six (26) balls numbered one (1) through twenty-six (26).

(4) The equipment shall be configured so that five balls are drawn from one set of balls numbered one through thirty-six. The two (2) selected sets of balls are weighed and the weights are recorded. A set which does not fall within the manufacturer's weight tolerances for that set of balls shall be rejected and a replacement set selected using the procedures in (3) above.

(5) Once a ball set has been selected and inspected, the selected drawing machine shall be loaded by the Draw Manager and the ball set mixed by the action of an air blower. The primary ball set is placed in the selected drawing machine and six (6) test drawings are conducted. If the balls fail the six (6) test drawings twice, the backup set of balls is then placed in the drawing machine and six (6) test drawings are conducted on the backup set of balls. Failure shall mean that the same numbered ball is drawn four times in the six test drawings and two times in four additional test drawings. If both the primary and backup sets of balls fail the test drawings, a backup machine will be used with the backup ball sets and six (6) additional tests will be conducted. If the backup ball set fails the six (6) additional tests, another set of balls will be selected and procedures will be followed as set forth in paragraphs three (3) through five (5) until a ball set passes all required tests and procedures.

(6) Five balls shall be drawn by vacuum action into the display devices. The numbers shown on the five balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing. Once a set of

balls has satisfactorily passed the required testing, the selected drawing machine is loaded by the Draw Manager, who randomly inserts the balls into the loading tubes.

(7) In the event a malfunction in the drawing procedures occurs or the drawing equipment malfunctions, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in subsection (2). In using such substitute procedures, the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity. The twenty-six (26) balls in the loading tubes of the FANTASY 5 machine are dropped into the mixing chamber and mixed by the action of an air blower.

(8) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers. Five (5) of the twenty-six (26) balls are drawn by vacuum action into a ball display device. Either display tubes or a display tray shall be used as the ball display device, dependent upon which draw machine is selected. The numbers shown on the five (5) balls, after certification by the Draw Manager and the certified public accounting firm, are the official winning numbers for the drawing.

(9) Each drawing is witnessed by an accountant employed by an independent certified public accounting firm who attests to the fairness of the drawing and the equipment used in the drawing.

(10) Equipment used in each drawing is tested and inspected before and after each drawing and then secured. Ball sets used in each drawing are weighed and recorded before and after each drawing and then secured.

(11) In the event a malfunction in the drawing procedures occurs or the drawing equipment itself malfunctions, the Lottery shall use such substitute procedures as are fair and necessary to perform the drawing. Such substitute procedures shall be determined in consultation with the accountant referred to in subsection (9). In using such substitute procedures the Lottery shall strive to maintain the highest level of public confidence and integrity in FANTASY 5 drawings.

(12) The official winning numbers shall consist of those numbers selected in the official drawing conducted by the Lottery and certified by the designated Lottery Draw Manager and certified public accountant firm charged with witnessing the drawing. The official winning numbers shall be announced only after the numbers have been certified by the Draw Manager and certified public accounting firm to be the correct winning numbers. The Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

Specific Authority 24.105(2)(a); 24.105(9)(4)(d),(f) FS. Law Implemented 24.105(9)(4)(d),(f) FS. History—New 11-22-93, Amended 6-21-99, 8-31-99, _____.

53-29.003 FANTASY 5 Prize Divisions.

(1) FANTASY 5 is a pari-mutuel game. For each draw, fifty percent (50%) of the gross revenue sales shall be allocated as the winning pool for the payment of the top prize Grand Prize, second prize and third prize. Free FANTASY 5 tickets issued as a fourth prize shall not be included in gross revenue calculations. A player wins FANTASY 5 by matching a single panel ("A", "B", "C", "D", or "E") of numbers in any order with three (3), four (4) or five (5) of the official winning FANTASY 5 numbers selected from a field of one (1) through twenty-six (26) numbers for the draw date(s) for which the ticket was purchased.

(2) The top prize pool Grand Prize shall consist of ~~sixty-two percent (62%)~~ ~~sixty percent (60%)~~ of the winning pool for the drawing plus any money carried forward from the previous draws. Prize money allocated to the top prize Grand Prize pool shall be divided equally among the players who match all five (5) official winning numbers. If there is ~~no~~ ~~not a~~ top prize Grand Prize winner in a drawing, the top prize Grand Prize pool shall roll down and be added to the second prize pool for that FANTASY 5 drawing ~~be carried over and added to the Grand Prize pool of the next FANTASY 5 drawing.~~

(3) ~~The second~~ ~~Second~~ prize pool shall consist of ten percent (10%) of the winning pool for the drawing ~~plus any money rolled down from the top prize.~~ The second prize pool shall be divided equally among the players matching four (4) of five (5) official winning numbers. If there is ~~no~~ ~~not a~~ winner in the second prize category for a drawing, the second prize pool shall be carried over and added to the top prize Grand Prize pool of the next FANTASY 5 drawing.

(4) ~~The third~~ ~~Third~~ prize pool shall consist of ~~twenty-eight percent (28%)~~ ~~thirty percent (30%)~~ of the winning pool for the drawing. The third prize pool shall be divided equally among the players matching three (3) of five (5) official winning numbers. If there is ~~no~~ ~~not a~~ winner in the third prize category for a drawing, the third prize pool is carried over and added to the top prize Grand Prize pool of the next FANTASY 5 drawing.

(5) ~~A fourth prize shall consist of one free FANTASY 5 quick pick ticket (\$1.00 value), except as follows. A player who submits by mail a FANTASY 5 lottery ticket which entitles the claimant to a free FANTASY 5 quick pick ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket. Fourth prizes shall not utilize any portion of the winning pool for the drawing. A free FANTASY 5 quick pick ticket shall be for the next FANTASY 5 drawing after the ticket is validated. Except for the Grand Prize which will pay the exact amount, the second and third prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the third prize shall be no less than \$3.50. All rounding differences in the second and third prizes will be used to fund future prizes in Lottery games or for special Lottery prize promotions.~~

~~(6) Except for the top prize, which will pay the exact amount, cash prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the third prize shall not be less than \$3.50. All rounding differences in the second and third prizes will be used to fund future prizes in Lottery games or for special Lottery prize promotions.~~

Specific Authority 24.105(9)(~~10~~)(c), 24.115(1) FS. Law Implemented 24.105(9)(~~10~~)(c), 24.115(1) FS. History—New 11-22-93, Amended 8-27-95, 11-30-99, _____.

53-29.035 Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, or E) must match the official winning FANTASY 5 numbers for the draw date for which the ticket was purchased. The prizes are set forth as follows:

- (1) Top Prize: Five of five official winning numbers.
- (2) Second Prize: Four of five official winning numbers.
- (3) Third Prize: Three of five official winning numbers.
- (4) Fourth Prize: Two of five official winning numbers.

Specific Authority 24.105(9) FS. Law Implemented 24.105(9) FS. History—New _____.

(Substantial rewording of Rule 53-29.004 follows. See Florida Administrative Code for present text.)

53-29.004 FANTASY 5 Odds of Winning.

The odds of winning the prizes described above are as follows:

- (1) Top Prize – 1:376,992
- (2) Second Prize – 1:2,432.21
- (3) Third Prize – 1:81.07
- (4) Fourth Prize – 1:8.39
- (5) The overall odds of winning a prize in a FANTASY 5 drawing are 1:7.58.

Specific Authority 24.105(9)(~~10~~) FS. Law Implemented 24.105(9)(~~10~~)(e) FS. History—New 11-22-93, Amended _____.

53-29.005 FANTASY 5 Rules and Prohibitions.

(1) ~~By~~ ~~When~~ purchasing a ticket to play the FANTASY 5 ticket game, a the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(2) ~~FANTASY 5 prize payments shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.~~

(3) Tickets shall not be purchased by or sold to persons under the age of eighteen (18).

(4) ~~Subject to a retailer's hours of operation and on-line system availability, FANTASY 5 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET). A FANTASY 5 ticket can be cancelled by the retailer which sold the ticket within twenty (20) minutes after printing, except that no FANTASY 5 ticket shall be cancelled within ten (10) minutes of the scheduled~~

~~FANTASY 5 drawing relative to that ticket or after FANTASY 5 sales are concluded each evening at midnight. No FANTASY 5 ticket may be cancelled except through the optical mark reader.~~

(5) The scheduled time for the daily FANTASY 5 drawing is approximately 11:15 p.m., ET. Ticket sales for a specific FANTASY 5 drawing will close approximately thirty-five minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next FANTASY 5 draw date. A FANTASY 5 ticket shall not be purchased for a specific drawing any later than ten (10) minutes prior to the drawing.

(6) Retailer cancellations of FANTASY 5 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no FANTASY 5 ticket can be cancelled after game close for the related drawing and no fourth prize (free FANTASY 5 quick pick ticket) can be cancelled at any time. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related FANTASY 5 close of game. It is the responsibility of the player to determine the accuracy of selected panels of numbers on ticket(s). In the event that ticket(s) given to the player by the retailer contain selections which are not consistent with the player's selections, the player should immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel a ticket. A retailer is not required to cancel a ticket which is produced upon request of the player by the "quick pick" method of number selection.

(7) It is the responsibility of the player to determine the accuracy of selected panels of numbers and draw date(s) on a ticket. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a cancelable FANTASY 5 ticket produced upon request of the player by the quick pick method of number selection.

Specific Authority 24.105(9)(j) ~~24.105(2)(a)2~~; FS. Law Implemented 24.105(9)(j) ~~24.105(2)(b)2~~, 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History--New 11-22-93, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane D. Schmidt, Office of the General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr. General Counsel

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 4, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLES: How to Play CASH 3
CASH 3 Drawings

RULE NOS.: 53-30.001
53-30.002

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to update provisions relating to How to Play CASH 3 and CASH 3 Drawings.

SUMMARY: The proposed rule amendments add advance play provisions to Rule 53-30.001, F.A.C., and also clarify other provisions and features of the game. The proposed rule amendments also reflect in permanent form, changes made to Rule 53-30.002, F.A.C., by emergency rule in December of 2001.

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: 24.105(9)(a),(b),(c),(d),(f),(h),(j) FS.

LAW IMPLEMENTED: 24.105(9)(a),(b),(c),(d),(f),(h),(j) 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 23, 2002

PLACE: Department of the Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Diane D. Schmidt, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011, (850)487-7724

THE FULL TEXT OF THE PROPOSED RULES IS:

53-30.001 How to Play CASH 3.

(1) CASH 3 is an on-line ~~three (3) digit~~ game in which a player must select any three digit number from 000 to 999 inclusive. The digits may be the same or different; for example, 111, 122, and 123 are all valid selections.

(2) Players may choose play amounts of \$.50 or \$1.00 per number selection, per drawing, for a total of \$.50, \$1.00, \$1.50, \$3.00, or \$6.00, depending upon the play type selected and number of combinations covered. Each play costs \$.50, \$1.00, \$1.50, \$3.00 or \$6.00.

(3) Players may make their CASH 3 ticket selections by using a play slip to mark their selections or by telling the retailer their desired selections.

(a) There are five panels on a play slip. Players electing to use a play slip to make their CASH 3 selections must mark the play type, play amount and three numbers (or mark the "Quick Pick" box for the on-line terminal to randomly select one or

more of the three numbers) for each panel played. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by an on-line retailer in order to obtain a ticket.

(b) Players electing to make their CASH 3 ticket selections by telling the retailer may specify the play type, play amount, and their three desired number selections (or tell the retailer they desire to use the quick pick feature for the on-line terminal to randomly select one or more of the three numbers). The on-line terminal defaults to straight play and to a 50-cent play amount if the play type and play amount are not specified by the player in conjunction with the selection of the quick pick feature.

(4) A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the on-line terminal comprise a 3-way combo or 6-way combo play type as described below. After the player has given the on-line retailer his or her selection(s) for processing, the on-line retailer will enter the player's selection(s) into the terminal. However, the player may elect to have the Lottery's on-line computer terminal randomly "quick pick" the player's selection(s). A player electing the "quick pick" feature to select a combination play as described above will not be able to select the total cost of the ticket. The terminal shall produce the player's CASH 3 ticket(s).

(5) A player who selects either the box play type or the straight/box play type and elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the on-line terminal comprise a 3-way or 6-way box combination as described below.

(6) Players may play future drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either mark the play slip or tell the retailer the advance play selections they desire. For purposes of this subsection (6), a seven-day period begins on the date of the next scheduled CASH 3 drawing and continues through the next six consecutive days. The advance play options are described more fully in paragraphs (a) and (b) below.

(a) Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings only. Players shall mark the desired number of consecutive drawings in the "Days" section of the play slip. The number of consecutive drawings marked will include the next available drawing and will apply to each panel played.

(b) Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

1. Any single day in a seven-day period;
2. Any two non-consecutive days in a seven-day period;

3. Any two or more consecutive days in a seven-day period.

(c) Notwithstanding the provisions set forth in paragraphs (a) and (b) above, after the game closes for the current draw date, an advance play ticket for an entire seven-day play period cannot be purchased until the next day.

(7)(3) CASH 3 can be played and won as follows:

(a) "Straight" play. In a straight play, if a player's digits are drawn in the exact order as they were chosen by the player, the player wins \$250.00 for a 50-cent play or \$500 for a \$1.00 play.

1. A "3-way ~~combo combination~~" is a play in which the player has selected a number with two (2) identical digits. The ~~combo combination~~ involves three (3) straight play combinations; for example, a 122 ~~combo combination~~ covers the combinations 122, 212, and 221. A "3-way ~~combo combination~~" pays \$250 for a \$1.50 play (\$.50 per combination) or \$500 for a \$3.00 play (\$1.00 per combination).

2. A "6-way ~~combo combination~~" is a play in which the player has selected a number in which all three (3) digits are different. The ~~combo combination~~ involves six (6) straight play combinations; for example, a 123 ~~combo combination~~ covers the combinations 123, 132, 213, 231, 312, and 321. A "6-way ~~combo combination~~" pays \$250 for a \$3.00 play (\$.50 per combination) or \$500 for a \$6.00 play (\$1.00 per combination).

(b) "Box" play. A box play allows a player to win if the player's selections are drawn in any order.

1. A "3-way box ~~Box-3~~" is a play in which the player has selected a number with two (2) identical digits. Therefore, the play involves three (3) combinations; for example, a 122 box covers the combinations 122, 212, and 221, and pays a winner \$80.00 for a 50-cent play or \$160.00 for a \$1.00 play.

2. A "6-way box ~~Box-6~~" is a play in which the player has selected a number in which all three (3) digits are different. Therefore, the play involves six (6) combinations; for example, a 123 box covers the combinations 123, 132, 213, 231, 312, and 321, and pays a winner \$40.00 for a 50-cent play or \$80.00 for a \$1.00 play.

(c) "Straight and Box" play. A player may also choose a "straight and box" for \$1.00, which combines a 50-cent straight play and a 50-cent box play.

1. A "Straight and 3-way box ~~Box-3~~" play pays a winner \$330.00 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$80.00 if the player's digits are drawn in any other order.

2. A "Straight and 6-way box ~~Box-6~~" play pays a winner \$290.00 if a player's digits are drawn in the exact order as printed on the ticket, or \$40.00 if the player's digits are drawn in any order.

(d) A "Front Pair" play allows a player to select only two (2) digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two (2) digits as printed on the ticket match, in exact order, the first two (2) numbers drawn by the Lottery.

(e) A "Back Pair" play allows a player to select only two (2) digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two (2) digits as printed on the ticket match, in exact order, the last two (2) numbers drawn by the Lottery.

~~(8)~~(5) A liability limit of \$10 million is established for CASH 3. When the play of a particular three digit number for a drawing reaches the Lottery's CASH 3 liability limit of \$10 million, no further ticket sales for any type of play that would involve that three digit number will be allowed for that drawing. In addition, no Front Pair or Back Pair play that involves the first two or last two digits, respectively, of the three digit number will be allowed for that drawing.

Specific Authority 24.105(9), ~~(4)(a),(b),(c),(h),(j)~~ FS. Law Implemented 24.105(9), ~~(4)(a),(b),(c),(h),(j)~~; ~~24.115(1)~~ FS. History--New 11-22-93, Amended 9-12-01, _____.

53-30.002 CASH 3 Drawings.

(1) No change.

(2) CASH 3 drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm ("Accountant") who shall certify to the integrity, security, and fairness of each drawing. The three (3) drawing machines used for each CASH 3 drawing will be determined by random selection. An employee of the Lottery's Security Division will select three (3) cards from a container holding a number of cards equivalent to the number of available machines. Each card will contain one (1) number which will correspond to one (1) numbered drawing machine. The three (3) cards shall be drawn one (1) at a time and handed one at a time to an accountant employed by an independent certified public accounting firm. The first card drawn shall be designated "A". The second card drawn shall be designated "B". The third card drawn shall be designated "C". The machines corresponding to the numbers on the designated cards will be the three (3) drawing machines used for the CASH 3 drawing. The alternate drawing machine chosen for the PLAY 4 game shall be designated as the alternate drawing machine for CASH 3.

(3) The equipment (ball set(s) and drawing machine(s)) used in a CASH 3 drawing shall be determined by random selection and shall be inspected by an employee of the Florida Lottery's Security Division ("Draw Manager") and the Accountant before and after each drawing. The ball sets to be used in the drawing will be determined by random selection. The Security employee will select three (3) cards from a container holding a number of cards equivalent to the number of available ball sets. Each card will contain one (1) number which will correspond to the number assigned to one (1) numbered ball set. The three (3) cards shall be drawn one (1) at a time and handed one at a time to an accountant employed by

an independent certified public accounting firm. The ball set corresponding to the number contained on the first card drawn shall be designated as ball set "A". The ball set corresponding to the number contained on the second card drawn shall be designated as ball set "B". The ball set corresponding to the number contained in the third card drawn shall be designated as ball set "C". The alternate ball set chosen for the PLAY 4 game shall be designated as ball set "ALT" (alternate). The alternate ball set will be used only when necessitated by equipment failure. Each ball set contains ten (10) balls numbered zero (0) through nine (9).

(4) The equipment shall be configured so that one ball is drawn from each of three units of balls numbered zero through nine. The four (4) selected sets of balls are weighed and recorded. A set which does not fall within the manufacturer's weight tolerances for that set of balls shall be rejected and a replacement set selected using the procedures in (3) above.

(5) Once the ball set(s) has been selected and inspected, the selected drawing machine(s) shall be loaded by the Draw Manager and the ball set(s) mixed by the action of an air blower. Ball set "A" is placed in drawing machine "A", ball set "B" in drawing machine "B", and ball set "C" in drawing machine "C". Six (6) test drawings are conducted for each ball set. If the balls fail the test twice, the alternate set of balls is placed in the drawing machine and six (6) test drawings are conducted on the alternate set of balls. Failure shall mean that the same numbered ball is drawn four times in the six test drawings and two times out of four additional test drawings. If more than one (1) ball set fails the test drawings, the Security employee shall select additional ball sets by following the procedures set forth in subparagraphs (3) through (5) until a ball set passes all required tests and procedures.

(6) Three balls shall be drawn by vacuum action, one each into three separate display devices. The numbers shown on the three balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing. Once three (3) sets of balls have satisfactorily passed the required testing, the three (3) selected drawing machines are loaded by the Draw Manager, who randomly loads the assigned set of balls into the loading tube on each designated machine.

(7) In the event a malfunction in the drawing procedures occurs, or the drawing equipment malfunctions, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in subsection (2). In using such substitute procedures the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity. The ten (10) balls numbered zero (0) through nine (9) in the loading tube of each of the three CASH 3 machines are dropped into the mixing chamber and mixed by the action of an air blower.

~~(8) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers. One (1) of the ten (10) balls in each machine is drawn by vacuum action into the display tube of each of the three (3) machines, commencing with drawing machine "A" and followed in order by drawing machines "B" and "C". The numbers shown on the three (3) balls, in the order drawn, after certification by the Draw Manager and the certified public accounting firm, are the official winning numbers for that drawing.~~

~~(9) Each drawing is witnessed by an accountant employed by an independent certified public accounting firm who attests to the fairness of the drawing and the equipment used in the drawing.~~

~~(10) Equipment used in each drawing is tested and inspected before and after each drawing and then secured. Ball sets used in each drawing are weighed and recorded before and after each drawing.~~

~~(11) In the event a malfunction in the drawing procedures occurs or the drawing equipment itself malfunctions, the Lottery shall use such substitute procedures as are fair and necessary to perform the drawing. Such substitute procedures shall be determined in consultation with the accountant referred to in subsection (9). In using such substitute procedures the Lottery shall strive to maintain the highest level of public confidence and integrity in CASH 3 drawings.~~

~~(12) The official winning numbers shall consist of those numbers selected in the official drawing conducted by the Lottery and certified by the designated Lottery Draw Manager and certified public accounting firm charged with witnessing the drawing. The official winning numbers shall be announced only after the numbers have been certified by the Draw Manager and certified public accounting firm to be the correct winning numbers. The Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.~~

Specific Authority 24.105(9), ~~(10)~~(d),(f) FS. Law Implemented 24.105(9), ~~(10)~~(d),(f) FS. History—New 11-22-93, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Diane D. Schmidt, Office of the General Counsel.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr. General Counsel

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 4, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLES:	RULE NOS.:
How to Play PLAY 4	53-31.001
PLAY 4 Drawings	53-31.002

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to update provisions relating to How to Play PLAY 4 and PLAY 4 Drawings.

SUMMARY: The proposed rule amendments add advance play provisions to Rule 53-31.001, F.A.C., and also clarify other provisions and features of the game. The proposed rule amendments also reflect in permanent form, changes made to Rule 53-31.002, F.A.C., by emergency rule in December of 2001.

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: 24.105(9)(a),(b),(c), (d),(f),(h),(j) FS.

LAW IMPLEMENTED: 24.105(9)(a),(b),(c),(d),(f),(h),(j) 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 23, 2002
PLACE: Department of the Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Diane D. Schmidt, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011, (850)487-7724

THE FULL TEXT OF THE PROPOSED RULES IS:

53-31.001 How to Play PLAY 4.

(1) PLAY 4 is an on-line ~~four (4)~~ digit game in which a player must select any four (4) digit number from 0000 through 9999 inclusive. The digits may be the same or different; for example, 1111, 1212, and 1348 are all valid selections.

(2) ~~Players may choose play amounts of \$.50 or \$1.00 per play, per drawing. Each play costs either 50 cents or \$1.00.~~

(3) Players may make their PLAY 4 ticket selections by marking a play slip or by telling the retailer their desired selections.

(a) There are five panels on a play slip. Players electing to use a play slip to make their PLAY 4 ticket selections must mark the play type, play amount, and four numbers (or mark the "Quick Pick" box for the on-line terminal to randomly select one or more of the four numbers) for each panel played.

Players must use only blue or black ink or pencil for making selections. Play slips must be processed by an on-line retailer in order to obtain a ticket.

(b) Players electing to make their PLAY 4 ticket selections by telling the retailer may specify to the retailer the play type, play amount and their four desired number selections (or tell the retailer they desire to use the quick pick feature for the on-line terminal to randomly select one or more of the four numbers). The on-line terminal defaults to straight play and to a 50-cent play amount if the play type and play amount are not specified by the player in conjunction with the selection of the quick pick feature.

(4) A player who selects the box play type, as described below, and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the on-line terminal comprise a 4-way box, 6-way box, 12-way box, or 24-way box combination as described below. After the player has given the on-line retailer his or her selection(s) for processing, the on-line retailer will enter the player's selection(s) into the terminal. However, the player may elect to have the Lottery's on-line computer terminal randomly "quick pick" the player's selection(s). A player electing the "quick Pick" feature to select a combination play as described above will not be able to select the total cost of the ticket. The terminal shall produce the player's PLAY 4 ticket(s).

(5) Players may play future drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either mark the play slip or tell the retailer the advance play selections they desire. For purposes of this subsection (5), a seven-day period begins on the date of the next available PLAY 4 drawing and continues through the next six consecutive days. The advance play options are described more fully in paragraphs (a) and (b) below.

(a) Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings only. Players shall mark the number of consecutive drawings in the "Days" section of the play slip. The number of consecutive drawings marked will include the next available drawing and will apply to each panel played.

(b) Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

1. Any single day in a seven-day period;
2. Any two non-consecutive days in a seven-day period;
3. Any two or more consecutive days in a seven-day period.

(c) Notwithstanding the provisions set forth in paragraphs (a) and (b) above, after the game closes for the current draw date, an advance play ticket for an entire seven-day play period cannot be purchased until the next day.

(6)(3) PLAY 4 can be played and won as follows:

(a) "Straight" play. In a straight play, if a player's digits are drawn in the exact order as they were chosen by the player, the player wins \$2,500 for a 50-cent play or \$5,000 for a \$1.00 play.

(b) "Box" play. A "box" play allows a player to win if the player's selections are drawn in any order.

1. A "4-way box" is a play in which the player has selected a number with three (3) identical digits. Therefore, the play involves four (4) combinations; for example, a 1112 box covers the combinations 1112, 1121, 1211 and 2111, and pays a winner \$599 for a 50-cent play or \$1,198 for a \$1.00 play.

2. A "6-way box" is a play in which the player has selected a number with pairs of two (2) unique digits numbers. Therefore, the play involves six (6) combinations; for example, a 1122 box covers the combinations 1122, 1212, 1221, 2112, 2121, and 2211, and pays a winner \$400 for a 50-cent play or \$800 for a \$1.00 play.

3. A "12-way box" is a play in which the player has selected a number with two (2) identical digits. Therefore, the play involves twelve (12) combinations; for example, a 1123 box covers the combinations 1123, 1132, 1213, 1231, 1312, 1321, 2113, 2131, 2311, 3112, 3121, and 3211, and pays a winner \$200 for a 50-cent play or \$400-00 for a \$1.00 play.

4. A "24-way box" is a play in which the player has selected a number with four (4) unique digits. Therefore, the play involves twenty-four (24) combinations; for example, a 1234 box covers the combinations 1234, 1243, 1324, 1342, 1423, 1432, 2134, 2143, 2314, 2341, 2413, 2431, 3124, 3142, 3214, 3241, 3412, 3421, 4123, 4132, 4213, 4231, 4312, and 4321, and pays a winner \$100 for a 50-cent play or \$200 for a \$1.00 play.

~~(7)(5)~~ A liability limit of \$5 million is established for PLAY 4. When the play of a particular four digit number for a drawing reaches the Lottery's PLAY 4 liability limit of \$5 million, no further ticket sales for any type of play that would involve that four digit number will be allowed for that drawing.

Specific Authority 24.105(9)(10)(a),(b),(c),(h),(j) FS. Law Implemented 24.105(9)(10)(a),(b),(c),(h),(j), 24.115 FS. History—New 11-22-93, Amended 9-12-01,_____.

53-31.002 PLAY 4 Drawings.

(1) No change.

(2) PLAY 4 drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm ("Accountant") who shall certify to the integrity, security, and fairness of each drawing. The four (4) drawing machines used for each PLAY 4 drawing will be determined by random selection. An employee of the Lottery's Security Division will select five (5) cards from a container holding a number of cards equivalent to the number of available machines. Each card will contain one (1) number which will correspond to one (1) numbered drawing machine. The five (5) cards shall be drawn individually and handed individually to an accountant employed by an independent

certified public accounting firm. The first card drawn shall be designated "D". The second card drawn shall be designated "E". The third card drawn shall be designated "F". The fourth card drawn shall be designated "G". The machines corresponding to the numbers on the designated cards will be the four (4) drawing machines used for the PLAY 4 drawing. The fifth envelope drawn shall be designated "ALT" (alternate). The alternate machine shall be used only when necessitated by equipment failure. The alternate machine will be used as the alternate machine for CASH 3.

(3) The equipment (ball set(s) and drawing machine(s)) used in a PLAY 4 drawing shall be determined by random selection and shall be inspected by an employee of the Florida Lottery's Security Division ("Draw Manager") and the Accountant before and after each drawing. The ball sets to be used in the drawing will be determined by random selection. The Security employee will select five (5) cards from a container holding a number of cards equivalent to the number of available ball sets. Each card will contain one (1) number which will correspond to the number assigned to one (1) numbered ball set. The five (5) cards shall be drawn one (1) at a time and handed individually to an accountant employed by an independent certified public accounting firm. The ball set corresponding to the number contained on the first card drawn shall be designated as ball set "D". The ball set corresponding to the number contained on the second card drawn shall be designated as ball set "E". The ball set corresponding to the number contained on the third card drawn shall be designated as ball set "F". The ball set corresponding to the number contained on the fourth card drawn shall be designated as ball set "G". The ball set corresponding to the number contained on the fifth card drawn shall be designated as ball set "ALT" (alternate). This alternate ball set will be used as the alternate ball set in the CASH 3 drawing. The alternate ball set shall be used only when necessitated by equipment failure. Each ball set contains ten (10) balls numbered zero (0) through nine (9).

(4) The equipment shall be configured so that one ball is drawn from each of four units of balls numbered zero through nine. The five (5) selected sets of balls are weighed and the weights are recorded. A set which does not fall within the manufacturer's weight tolerances for that set of balls shall be rejected and a replacement set selected using the procedures in (3) above.

(5) Once the ball set(s) has been selected and inspected, the selected drawing machine(s) shall be loaded by the Draw Manager, and the ball set(s) mixed by the action of an air blower. Ball set "D" is placed in drawing machine "D", ball set "E" in drawing machine "E", ball set "F" in drawing machine "F" and ball set "G" in drawing machine "G". Six (6) test drawings are conducted for each ball set. If a ball set fails the tests twice, the alternate set of balls is placed in the drawing machine and six (6) test drawings are conducted on the alternate set of balls. Failure shall mean that the same

numbered ball is drawn four times in the six test drawings and two times out of four additional test drawings. If more than one (1) ball set fails the test drawings, the Security employee shall select additional ball sets by following the procedures set forth in subparagraphs (3) through (5) until a ball set passes all required tests and procedures.

(6) Four balls shall be drawn by vacuum action, one each into four separate display devices. The numbers shown on the four balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing. Once four (4) sets of balls have satisfactorily passed the required testing, the four (4) selected drawing machines are loaded by the Draw Manager, who randomly loads the assigned set of balls into the loading tube on each designated machine.

(7) In the event a malfunction in the drawing procedures occurs or the drawing equipment malfunctions, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in subsection (2). In using such substitute procedures the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity. The ten (10) balls numbered zero (0) through nine (9) in the loading tube of each of the four (4) PLAY 4 machines are dropped into the mixing chamber and mixed by the action of an air blower.

(8) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers. One (1) of the ten (10) balls in each machine is drawn by vacuum action into the display tube of each of the four (4) machines, commencing with drawing machine "D" and followed in order by drawing machines "E", "F" and "G". The numbers shown on the four (4) balls, in the order drawn, after certification by the Draw Manager and the certified public accounting firm, are the official winning numbers for that drawing.

(9) Each drawing is witnessed by an accountant employed by an independent certified public accounting firm who attests to the fairness of the drawing and the equipment used in the drawing.

(10) Equipment used in each drawing is tested and inspected before each drawing. Ball sets used in each drawing are weighed and the weights are recorded before and after each drawing.

(11) In the event a malfunction in the drawing procedures occurs or the drawing equipment itself malfunctions, the Lottery shall use such substitute procedures as are fair and necessary to perform the drawing. Such substitute procedures shall be determined in consultation with the accountant referred to in subsection (9). In using such substitute procedures the Lottery shall strive to maintain the highest level of public confidence and integrity in PLAY 4 drawings.

~~(12) The official winning numbers shall consist of those numbers selected in the official drawing conducted by the Lottery and certified by the designated Lottery Draw Manager and certified public accounting firm charged with witnessing the drawing. The official winning numbers shall be announced only after the numbers have been certified by the Draw Manager and certified public accounting firm to be the correct winning numbers. The Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.~~

Specific Authority ~~24.105(9)(a),(b),(d),(f)~~ FS. Law Implemented ~~24.105(9)(a),(b),(d),(f)~~ FS. History—New 11-22-93, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane D. Schmidt, Office of the General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr. General Counsel

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 4, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLES: How to Play MEGA MONEY
MEGA MONEY Drawings

RULE NOS.: 53-32.001
53-32.002

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to update and clarify provisions regarding How to Play MEGA MONEY and MEGA MONEY Drawings.

SUMMARY: The proposed rule amendments add advance play provisions to Rule 53-32.001, F.A.C., and also clarify other provisions and features of the game. The proposed rule amendments also streamline the drawing provisions in Rule 53-32.002, F.A.C.

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: 24.105(9)(a),(b),(d),(f),(h) FS.

LAW IMPLEMENTED: 24.105(9)(a),(b),(d),(f),(h) 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 23, 2002

PLACE: Department of the Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Diane D. Schmidt, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011, (850)487-7724

THE FULL TEXT OF THE PROPOSED RULES IS:

53-32.001 How to Play MEGA MONEY.

(1) MEGA MONEY is an on-line game in which pPlayers select four numbers from a field of one through thirty-two and one Mega Ball number from a separate field of one through thirty-two.

(2) Players may use a MEGA MONEY play slip to make their selections. There are five panels on a play slip, each containing an upper play area and a lower play area. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting five numbers (four in the upper play area and one in the lower play area) from each panel played, or may mark the “Quick Pick” box for the terminal to randomly select any or all of the five numbers from either or both play areas. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by an on-line retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player. Each panel played must contain five number selections: four in the upper play area and one in the lower play area. Each panel played will cost one dollar per draw.

(3) Players may play up to ten consecutive MEGA MONEY drawings by using the “advance play” feature. To use the advance play feature, players may either mark the number of drawings desired in the Advance Play section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive advance drawings selected shall apply to each panel played. Player must use only blue or black ballpoint pen or pencil for making selections.

(4) Play slips must be processed by an on-line retailer in order to obtain a ticket.

(5) Players can select their numbers by using a play slip, or may mark the “quick pick” box and the computer will randomly select any or all of the numbers from either or both play areas.

(6) Retailers can manually enter numbers selected by a player.

Specific Authority ~~24.105(9)(a),(b),(d),(f),(h)~~ FS. Law Implemented ~~24.105(9)(a),(b),(d),(f),(h)~~ FS. History—New 2-20-00, Amended _____.

53-32.002 MEGA MONEY Drawings.

(1) No change.

(2) MEGA MONEY drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm (“Accountant”) who shall certify to the integrity, security, and fairness of each drawing. The drawing machine used for each drawing shall be

determined by random selection. An employee of the Lottery's Security Division (the "Draw Manager") shall select two cards from a number of cards equal to the number of available drawing machines. Each card shall contain one number which shall correspond to the number assigned to one numbered drawing machine. The two cards shall be drawn individually and handed individually to an accountant employed by an independent certified public accounting firm. The machine corresponding to the number contained on the first card drawn shall be designated the primary drawing machine and the machine corresponding to the number contained on the second card drawn shall be designated the backup drawing machine. The backup drawing machine shall be used only when necessitated by equipment failure.

(3) The equipment (one ball set and one drawing machine) used in a MEGA MONEY drawing shall be determined by random selection and shall be inspected by an employee of the Florida Lottery's Security Division ("Draw Manager") and the Accountant before and after each drawing. The ball set to be used in a drawing will be determined by random selection. The Draw Manager will select two cards from a number of cards equal to the number of available ball sets. Each card will contain one number which will correspond to the number assigned to one numbered ball set. The two cards shall be drawn individually and handed individually to an accountant employed by an independent certified public accounting firm. The ball set corresponding to the number contained on the first card drawn shall be designated the primary ball set and the ball set corresponding to the number contained on the second card drawn shall be designated the backup ball set. The backup ball set shall be used only when there is question as to the reliability of the primary ball set. Each set contains sixty-four balls comprised of one set of balls numbered one through thirty-two and the MEGABALL set numbered one through thirty-two.

(4) Each ball set contains sixty-four balls comprised of two subsets of thirty-two balls each. Balls in each subset are numbered one through thirty-two. Each MEGA MONEY drawing machine contains two separate mixing chambers and two ball display devices. The primary ball set is weighed and the weight is recorded. A primary ball set which does not fall within the manufacturer's weight tolerances shall be rejected and the backup ball set is weighed using the procedures herein.

(5) Once a set of balls has been selected and inspected, the selected MEGA MONEY drawing machine shall be loaded by the Draw Manager by placing each subset of thirty-two balls into its mixing chamber. The two subsets of balls shall be mixed by the action of an air blower. The primary ball set is placed in the primary drawing machine and six test drawings are conducted, using the following testing criteria. If the same numbered ball is drawn four times in the six test drawings, four additional test drawings are conducted. If the same numbered ball is drawn two times in the four additional test drawings, the primary ball set is rejected. The backup ball set is weighed, and

if it falls within the manufacturer's weight tolerance, is placed in the primary drawing machine and tested using the testing criteria. If both the primary and backup ball sets fail the test drawings, the backup drawing machine will be used with the backup ball set and additional tests will be conducted. If the backup ball set fails the additional tests, another ball set will be selected and procedures will be followed as set forth in subsections (3), (4), and (5) until a ball set passes all required tests and procedures.

(6) Four balls from one subset of thirty-two balls and one MEGABALL from the other subset of thirty-two balls are drawn by vacuum action into their respective display device. The numbers shown on the four balls and the number shown on the MEGABALL, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing. Once a ball set has satisfactorily passed the required testing, the selected drawing machine is loaded by the Draw Manager, who randomly inserts the balls into the loading tubes.

(7) In the event a malfunction in the drawing procedures occurs or the drawing equipment malfunctions, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in subsection (2). In using such substitute procedures, the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity. The two units of thirty-two balls each, located in the loading tubes of the MEGA MONEY machine are dropped into their respective mixing chambers and mixed by the action of an air blower.

(8) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers. Four balls from the first unit of thirty-two balls and one MEGABALL from the second unit of thirty-two balls are drawn by vacuum action into the display tubes. The numbers shown on the four balls from the first unit and the number shown on the one MEGABALL from the second unit are the official winning numbers for the drawing after certification by the Lottery Draw Manager and the accountant employed by the independent certified public accounting firm.

(9) Each drawing is witnessed by an accountant employed by an independent certified public accounting firm who certifies that all drawing procedures have been followed.

(10) Equipment used in each drawing is tested and inspected before and after each drawing and then secured. Ball sets used in each drawing are weighed and recorded before and after each drawing and then secured.

(11) In the event a malfunction in the drawing procedures occurs or the drawing equipment itself malfunctions, the Lottery shall use such substitute procedures as are fair and necessary to perform the drawing. Such substitute procedures shall be determined in consultation with the accountant referred to in subsection (9). In using such substitute

procedures, the Lottery shall strive to maintain the highest level of public confidence and integrity in MEGA MONEY drawings.

(12) The Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

Specific Authority 24.105(9)(10)(d),(f) FS. Law Implemented 24.105(9)(10)(d),(f) FS. History--New 2-20-00, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane D. Schmidt, Office of the General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr. General Counsel

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 4, 2002

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Managed Care and Health Quality

RULE TITLE: Medicaid Contracts for Prepaid Health Plans RULE NO.: 59G-8.100

PURPOSE AND EFFECT: The purpose of this rule is to amend subsection (17) of Rule 59G-8.100, Florida Administrative Code, related to reimbursement for prepaid health plans. The proposed rule implements the provisions specified in Section 409.9124, Florida Statutes, requiring the Agency to adopt by rule a methodology for reimbursing managed care plans under contract with the Agency to provide services to Medicaid eligible subscribers.

SUMMARY: The proposed rule and the attachment incorporated by reference herein, delineate the payment methodology to be used by the Agency in calculating the monthly capitation payment paid by the Agency to the managed care organization per member for each of the various eligibility categories, by age group, for all covered services required by each member during the month. The methodology proposed is based on the recommendations prepared by the consulting firm of Milliman & Roberts.

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

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

SPECIFIC AUTHORITY: 409.919, 409.9124 FS.

LAW IMPLEMENTED: 409.9124(1) FS.

Written comments or suggestions on the proposed rule may be submitted to the Bureau of Managed Care within 21 days of the date of this notice for inclusion in the record of the proceeding.

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

TIME AND DATE: 10:00 a.m. – 1:00 p.m., April 22, 2002

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the hearing, please advise the Agency at least 5 calendar days before the hearing by contacting: Jane Ross, (850)922-6830.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elfie Stamm, Bureau of Managed Health Care, 2727 Mahan Drive, Building 1, Mail Stop 26, Tallahassee, Florida 32308, phone (850)922-6830

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-8.100 Medicaid Contracts for Prepaid Health Plans.

(1) through (16) No change.

(17) Payment Methodology for Covered Services. Capitation payment rates are calculated annually by the ~~agency department~~ based on historical fee-for-service expenditures adjusted forward to the contract period. The agency shall not pay more for a defined scope of services to a defined number of enrollees under a capitation arrangement than the projected cost of providing those same services on a fee-for-service basis. The payment methodology, entitled "Agency for Health Care Administration, Payment Methodology for Participating Medicaid Managed Health Care Plans" is incorporated herein by reference. A copy of the referenced document may be obtained by writing to the Chief of the Bureau of Managed Health Care, 2727 Mahan Drive, Building 1, Mailstop 26, Tallahassee, Florida 32308.

(18) through (24) No change.

Specific Authority ~~409.026(1),(2),(6)~~; 409.919, 409.9124 FS. Law implemented 409.9124(1), FS. History--New 3-9-81, Amended 7-9-84, Formerly 10E-7.524, Amended 4-5-89, Formerly 10C-7.0524, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elfie Stamm

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rhonda Medows, MD, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 19, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 16, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLES:	RULE NOS.:
Unexcused Absences	61-20.004
Fees	61-20.504
Special Assessment	61-20.505
Continuing Education Provider Approval	61-20.5081
Continuing Education Course Approval	61-20.5082
Prelicensure Education Provider Approval	61-20.510

PURPOSE AND EFFECT: The Board reviewed rules 61-20.504, 61-20.5081, 61-20.5082 and 61-20.510 and determined changes were necessary to update the rule's text. The Board also deemed it necessary to promulgate new Rules 61-20.004 and 61-20.505, F.A.C., pursuant to Sections 455.207(3) and 455.219(2), F.S.

SUMMARY: The proposed amendments in Rules 61-20.504, 61-20.5081, 61-20.5082 and 61-20.510 is to update certain fees and to clarify and delete specific language regarding approved forms. Rule 61-20.004, F.A.C., is being promulgated by the Board to address unexcused absences from regularly scheduled meetings by council members and Rule 61-20.505 is being promulgated to implement Section 455.219(2), F.S.

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

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

SPECIFIC AUTHORITY: 455.207(3), 455.219, 468.4315, 468.433 FS.

LAW IMPLEMENTED: 455.207(3), 455.2171, 455.2179, 455.219(2),(3),(6), 455.2281, 455.271, 468.4315(2), 468.433, 468.4337, 468.435 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julie Baker, Executive Director, Regulatory Council of Community Association Managers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61-20.004 Unexcused Absences.

(1) No council member may be absent from three (3) consecutive regularly scheduled council meetings unless those absences are excused. Reasons for granting excused absences shall be, but are not limited to the following:

(a) Illness of injury of the council member;

(b) Illness, injury or death of a member of the council member's family;

(c) Court order, subpoena, or business with a court which has the sole prerogative of setting the date of such business;

(d) Unavoidable travel delays or cancellations;

(e) Any conflict or extraordinary circumstance or event approved by the council Chair of the individual action on behalf of the Chair;

(2) An otherwise excused absence is not excused if the council member fails to notify the council office of the impending absence prior to the regularly scheduled meeting at which the absence will occur unless the failure to notify the council office is the result of circumstances surrounding the reason for the absence which the council excuses after the absence has occurred.

(3) An absence for any other reason than those stated in sections (1) or (2) constitutes an unexcused absence for the purpose of declaring a vacancy on the council after three (3) consecutive unexcused absences. The council member shall be notified, in writing, after two (2) consecutive unexcused absences that their unexcused absence at the next regularly scheduled meeting shall terminate their membership on the council.

Specific Authority 455.207(3) FS. Law Implemented 455.207(3) FS. History--New

61-20.504 Fees.

The following fees are adopted by the Council:

(1) through (2) No change.

(3) Examination fee;

When the examination is not conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, \$100.00 payable to the department. When the examination is conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, ~~\$50.00~~ \$61.00 payable to the Department plus \$39.00 payable to the testing service.

(4) Re-examination fee;

When the examination is not conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, \$100.00 payable to the department.

When the examination is conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, ~~\$50.00~~ \$61.00 payable to the Department plus \$39.00 payable to the testing service.

(5) through (6) No change.

(7) Renewal fees. The renewal fee will be waived for a licensee who pays the initial License fee within a 90-day period prior to the end of the biennial period.

(a) No change.

(b) The biennial renewal fee for a licensee renewing as inactive ~~\$100.00~~ \$10.00.

(8) through (16) No change.

Specific Authority 468.4315 FS. Law Implemented 455.2171, 455.219(3),(6), 455.2281, 455.271, 468.4315(2), 468.433, 468.435 FS. History–New 5-4-97, Amended 5-10-98, 9-9-98, 2-11-99, 3-13-00, 11-2-00, 1-3-01,_____.

61-20.505 Special Assessment.

(1) Each Community Association Manager licensee licensed on or before January 1, 2002, whether active or inactive, shall pay a special assessment fee of \$200.00, to the Department. Payment of the fee must be received by the Department no later than 5:00P.M. on September 30, 2002.

(2) The special assessment fee applies to all licensees including those whose licenses have been suspended and/or placed on probation by the Department.

(3) Failure to pay the special assessment fee as required above shall constitute grounds for disciplinary action. Licensees who fail to pay the special assessment fee as required above shall be charged with violating Section 468.436(1)(b)2., F.S.

Specific Authority 455.219(2) FS. Law Implemented 455.219(2) FS. History–New _____.

61-20.5081 Continuing Education Provider Approval.

(1) No change.

(2) Entities or individuals who wish to become approved providers of continuing professional education shall make application to the Council, on forms prepared by the Department BPR form 33-011, entitled, “COMMUNITY ASSOCIATION MANAGER’S CONTINUING EDUCATION PROVIDER APPROVAL APPLICATION”, incorporated herein by reference and effective 11-1-00, which copies may be obtained from the Council.

(2)(3) No change.

(3)(4) Continuing education provider status shall be valid from the date of approval until May 31 of every odd numbered year. Providers may renew their provider status within 90 days of May 31 of the odd numbered year. Those seeking renewal of provider status must reapply on BPR form 33-011, referenced in Subsection (2) above, to the Council and submit the appropriate renewal fee pursuant to Rule 61-20.504(14), F.A.C. Providers who fail to renew their provider status on a timely basis in accordance with this rule shall not offer or advertise a course as an approved course for continuing education. Renewal of provider status shall be for a two year period until May 31 of the next odd numbered year. Providers who are to expire June 30, 2002 shall have a new expiration date of May 31, 2003.

(5) through (10) renumbered (4) through (9) No change.

Specific Authority 468.4315(2),(3) FS. Law Implemented 455.2179, 468.4337 FS. History–New 5-14-98, Amended 3-13-00, 2-5-01, 3-19-01,_____.

61-20.5082 Continuing Education Course Approval.

(1) Continuing education courses shall be valid for purposes of the continuing education requirement only if such courses have been approved by the Council. The Council shall approve a course as a continuing education course for the purpose of this rule when the following requirements are met:

(a) Written application for course approval shall be received by the Council prior to the date the course is offered; on ~~BPR form 33-013, entitled “COMMUNITY ASSOCIATION MANAGER’S CONTINUING EDUCATION COURSE APPROVAL APPLICATION,”~~ incorporated herein by reference and effective 11-1-00, which copies may be obtained from the Council.

(b) through (d) No change.

(2) through (4) No change.

Specific Authority 468.4315(2), 468.433 FS. Law Implemented 468.433, 468.4337 FS. History–New 3-13-00, Amended 2-5-01, 3-19-01,_____.

61-20.510 Prelicensure Education Provider Approval.

(1) No change.

(2) Entities or individuals who wish to become approved providers of prelicensure education shall make application to the Council, on a form prepared by the Department BPR form 33-012, entitled “COMMUNITY ASSOCIATION MANAGER’S PRELICENSURE EDUCATION PROVIDER APPROVAL APPLICATION”, incorporated herein by reference and effective 1-3-01, which copies may be obtained from the Council.

(3) Each provider application shall contain the following information; and shall be accompanied by the following documentation and other information as required by BPR form 33-012, referenced above:

(a) through (d) No change.

(3)(4) Prelicensure education provider status shall be valid from the date of approval until May 31 of every even numbered year. Those seeking renewal of provider status must reapply on BPR form 33-012, referenced in Subsection (2) above, to the Council and submit the appropriate renewal fee pursuant to Rule 61-20.504(16), F.A.C. Providers who fail to renew their provider status on a timely basis in accordance with this rule shall not offer or advertise a course as an approved course for prelicensure education.

(5) through (9) renumbered (4) through (8) No change.

Specific Authority 468.4315(2), 468.433(2)(d) FS. Law Implemented 468.433(2)(d) FS. History–New 1-3-01, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Regulatory Council of Community Association Managers
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 15, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 22, 2002

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE TITLES: RULE NOS.:

Board Approval of Continuing Education Providers 61G10-18.002
 Approval of Continuing Education Courses 61G10-18.006

PURPOSE AND EFFECT: The Board proposes to amend these rules to clarify the requirements for education credit for biennial renewals, to clarify requirements for continuing education provider status, to clarify requirements for approval of continuing education courses and to change the application deadline for approval of continuing education course approval from 4 months to 60 days prior to next scheduled board meeting.

SUMMARY: Rule 61G10-18.002, F.A.C., sets forth the requirements for becoming a continuing education provider and explains how and where an applicant can apply for approval. Rule 61G10-18.006, F.A.C., sets forth the requirements for approval of continuing education courses to be offered by approved providers.

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

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

SPECIFIC AUTHORITY: 455.2124, 455.2179, 481.306, 481.313, 481.325(2) FS.

LAW IMPLEMENTED: 455.2179, 481.313 553.841 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A NOTICE OF HEARING DATE WILL BE SCHEDULED AND ANNOUNCED IN THE FAW (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Leon Biegalski, Executive Director, Florida Board of Landscape Architecture, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G10-18.002 Board Approval of Continuing Education Providers.

(1) To demonstrate the education and/or experience necessary to instruct landscape architects in the conduct of their practice for continuing education credit, an applicant for continuing education provider status must be either a vendor of equipment material or software used in the practice of landscape architecture, an accredited educational institution, a commercial educator, a governmental agency, a state or national professional association whose primary purpose is to

promote the knowledge, skills and abilities associated with the practice of landscape architecture, or a landscape architect with a Florida license to practice landscape architecture who is not under disciplinary restrictions pursuant to any order of the Board. In addition, the applicant must demonstrate particular education, experience or skill which sets the applicant apart from the landscape architects who the applicant proposes to instruct.

(2) through (a) No change.

~~(b) A description of the type of courses the provider expects to conduct for credit;~~

~~(c) An outline and course materials for each course;~~

~~(b)(4) Type of organization applying: Accredited University, College or Community College, Private School, Professional Organization, Association or Independent Entity; The particular qualifications of the prospective provider to conduct the proposed courses, which qualifications set the applicant apart from the landscape architects the applicant proposes to instruct;~~

~~(c) The name, address and telephone number of both a prospective instructor and alternate instructor as well as the qualifications that set the instructor and alternate instructor apart from the landscape architects the applicant proposes to instruct;~~

~~(c)(f) A sample copy certificate of completion which the provider shall supply to all licensees who successfully complete courses given by the provider. The certificate of completion shall indicate on its face area, for the course to be conducted by the applicant which certificate shall state the provider name, the provider number, course title, and the course number, licensee name, licensee license number, date course was completed, total number of hours successfully completed in each subject covered during the continuing education course; assigned to the provider by the Board office for that course; and~~

~~(d)(g) A non refundable application fee of \$250.~~

(3) No change.

Specific Authority 455.2124, 455.2179, 481.306, 481.313 FS. Law Implemented 455.2179, 481.313, 553.841 FS. History—New 9-19-01, Amended.

61G10-18.006 Approval of Continuing Education Courses.

(1) through (2) No change.

(3) The application shall be submitted no later than 60 days prior to the next scheduled Board meeting at which the application is to be considered for approval so that it is received four (4) months prior to the date on which the course is first to be conducted. It shall include:

(a) A description of the subject or subjects to be covered;

(b) An outline of the course which includes the subjects, topics, and subtopics to be presented;

(c) through (5)(e) No change.

~~(f) Laws and rules related to the practice of Landscape Architecture.~~

(6) through (9) No change.

Specific Authority 481.306, 481.325(2), 455.2179 FS. Law Implemented 455.2179 FS. History--New 9-19-01, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Landscape Architecture
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Landscape Architecture
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 18, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 8, 2002

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLES: RULE NOS.:
Grounds for Disciplinary Proceedings 61G15-19.001
Disciplinary Guidelines; Range of Penalties;
Aggravating and Mitigating Circumstances 61G15-19.004
Confidentiality of Investigations 61G15-19.008

PURPOSE AND EFFECT: The purpose of amending this rule chapter is to add additional grounds for disciplinary proceedings for professional engineers performing building code inspector or plans examiner duties, amend the disciplinary guidelines to include violations relating to building code inspection or plans examinations, and provide for conditions allowing disclosure of the existence of an active investigation prior to the finding of probable cause.

SUMMARY: Rule 61G15-19.001, F.A.C., has been amended to set forth grounds for disciplining professional engineers engaging in the performance of building code inspector or plans examiner duties. Rule 61G15-19.004, F.A.C., has been amended to establish penalty ranges for violations arising from engineers performing building code inspections, plans examinations or special inspections. Rule 61G15-19.008, F.A.C., has been created to provide grounds for disclosure of the existence of active investigations prior to a finding of probable cause in cases of negligence or misconduct involving threshold buildings.

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: 455.225, 455.227, 471.008, 471.031, 471.033, 471.038(6) FS.

LAW IMPLEMENTED: 455.225, 455.227, 471.025(1), 471.031, 471.033, 471.038(6) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

61G15-19.001 Grounds for Disciplinary Proceedings.

(1) through (6) No change.

(7) A professional engineer who performs building code inspector or plans examiner duties in accordance with Section 471.045, Florida Statutes, or Sections 468.603(6),(7), Florida Statutes, shall be subject to disciplinary action for commission of the following:

(a) Violating or failing to comply with any provision of Chapter 471, Florida Statutes, or the rules of the Board of Professional Engineers;

(b) Having been convicted of a crime in any jurisdiction which directly relates to the practice of building code inspection or plans examination;

(c) Making or filing a false report or record, inducing another to file a false report or record, failing to file a report or record required by state or local law, impeding or obstructing such filing, or inducing another person to impede or obstruct such filing.

(8) A professional engineer shall not be negligent in the practice of engineering while performing duties as a special inspector. Negligence is herein defined as the failure by a professional engineer to utilize due care in performing in an engineering capacity or failing to have due regard for acceptable standards of engineering and special inspection principles. Failure to comply with the procedures set forth in the Responsibility Rules for Professional Engineers Providing Threshold Building Inspection, as adopted by the Board of Professional Engineers, shall be considered non-compliance with this section unless the deviation or departures therefrom are justified by the specific circumstances of the project in question and the sound professional judgment of the engineer.

Specific Authority 471.033(2) FS. Law Implemented 471.025(1), 471.033(1)(f),(g),(2) FS. History--New 1-8-80, Amended 6-23-80, 3-23-81, 6-4-85, Formerly 21H-19.01, Amended 5-14-86, 4-23-87, 11-8-88, 1-11-89, 7-3-90, 11-9-92, Formerly 21H-19.001, Amended 11-27-94, _____.

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

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

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM
<u>(t) Conviction of crime related to building code inspection or plans examination (61G15-19.001(7)(a))</u>	<u>Misdemeanor: reprimand & one (1) year probation</u>	<u>Reprimand, \$5,000 fine, one (1) year suspension and two (2) year probation revocation</u>
<u>(u) False reporting (61G15-19.001(7)(c))</u>	<u>Felony: and \$500 fine One (1) year suspension, two (2) year probation and \$1,000 fine</u>	<u>Revocation and \$5,000 fine</u>
<u>(v) Negligence as a Special Inspector (61G15-19.001(8))</u>	<u>Reprimand, two (2) year probation and \$1,000 fine</u>	<u>Reprimand, \$5,000 fine, five (5) year suspension and ten (10) year probation, or revocation</u>

(3) No change.

Specific Authority 455.227, 471.008, 471.031, 471.033 FS. Law Implemented 455.227, 471.031, 471.033 FS. History—New 1-7-87, Formerly 21H-19.004, Amended 11-27-94, 5-22-01, 11-15-01,_____.

61G15-19.008 Confidentiality of Investigations.

(1) In accordance with Section 455.225, investigation records are confidential until an investigation ceases to be active. An investigation ceases to be active when the case is dismissed prior to a finding of probable cause and the board has not exercised its option to pursue the case, or ten (10) days after the Board makes a determination regarding probable cause. However, in accordance with Section 471.038(6), Florida Statutes, in response to an inquiry about the licensure status of an individual, the management corporation shall disclose the existence of an active investigation if the nature of the violation under investigation involves the potential for substantial physical or financial harm to the public.

(2) The following violations have been deemed to involve the potential for substantial physical or financial harm to the public:

Negligence, as defined in Rule 61G15-19.001(4), or misconduct, as defined in Rule 61G15-19.001(6), Florida Administrative Code, involving threshold buildings as defined in Section 553.71(7), Florida Statutes.

Specific Authority 471.038(6) FS. Law Implemented 471.038(6) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 21, 2002 and January 18, 2002

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLES: Experience
Foreign Degrees

RULE NOS.: 61G15-20.002
61G15-20.007

PURPOSE AND EFFECT: The purpose is to amend subsection 61G15-20.002(2), F.A.C., to reduce the number of references from 5 to 3 all of whom must be professional engineers. In addition, paragraphs 61G15-20.007(2)(d) & (e), F.A.C., are amended to combine required credit hours in engineering science and engineering design into one category for course eligibility.

SUMMARY: The Board has determined that combining credit hour requirements in the areas of engineering science and engineering design to one category brings Florida requirements more in line with the national standard. Further, the Board has determined to reduce the number of verifications of required experience from 5 to 3 to simplify the application process while requiring all verifiers to be professional engineers.

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

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

SPECIFIC AUTHORITY: 471.013(1)(a), 471.008 FS.

LAW IMPLEMENTED: 471.005(6), 471.013, 471.015 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

61G15-20.002 Experience.

(1) No change.

(2) In order to verify an applicant's experience record, the Board will require evidence of employment from employers or supervisors who are employed in the engineering profession or are professional engineers, who shall set forth the quality and character of the applicant's duties and responsibilities. In addition to the employer verification, an applicant must list ~~three~~ five personal references who are professional engineers. ~~Two of the personal references must be professional engineers, the other three shall be employed in the engineering profession.~~ Should the Board find the information submitted by the applicant is insufficient or incomplete, the Board may require the applicant to supply additional references or evidence regarding the applicant's experience and background or both so that an intelligent decision may be made on whether admittance to the examination is allowable.

The Board will accept as equivalent to one year's experience a masters degree in engineering from a college or university approved pursuant to Section 471.013, Florida Statutes. The Board will also accept as equivalent to one year's experience a doctorate in engineering from a college or university approved pursuant to Section 471.013, Florida Statutes.

Specific Authority 471.013(1)(a) FS. Law Implemented 471.005(6), 471.013(1)(a) FS. History--New 1-8-80, Amended 3-11-80, 6-23-80, 7-7-83, 9-13-84, Formerly 21H-20.01, Amended 8-18-87, 12-4-91, Formerly 21H-20.002, Amended 12-26-94.

61G15-20.007 Foreign Degrees.

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

(d) ~~48~~ 32 college credit hours of engineering science and engineering design. Courses in this area have their roots in mathematics and basic sciences but carry knowledge further toward creative application. Examples of traditional engineering science courses are mechanics, thermodynamics, electrical and electronic circuits, materials science, transport phenomena, and computer science (other than computer programming skills). Courses in engineering design stress the establishment of objectives and criteria, synthesis, analysis, construction, testing, and evaluation. In order to promote breadth, at least one engineering course outside the major disciplinary area is required.

~~(e) 16 college credit hours of engineering design. Courses in engineering design stress the establishment of objectives and criteria, synthesis, analysis, construction, testing, and evaluation.~~

~~(e)(f)~~ In addition, evidence of attainment of appropriate laboratory experience, computer based skills with engineering applications, competency in English, knowledge of probability and statistics and understanding of the ethical, social, economic and safety considerations of engineering practice must be presented.

(3) through (7) No change.

Specific Authority 471.008 FS. Law Implemented 471.013, 471.015 FS. History--New 7-20-95, Amended 6-5-96, 4-16-98, 1-17-99, 7-28-99, 1-6-02.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2002

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Continuing Education Requirement RULE NO.: 64B1-7.0015

PURPOSE AND EFFECT: To amend the existing rule to address statutory continuing education requirements for medical errors continuing education and to address the continuing education requirements for renewal of license.

SUMMARY: Amending an existing rule to require continuing education in medical errors, allow continuing education credit for attending Board of Acupuncture meetings and to provide for requirements for continuing education on initial renewal of license.

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

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

SPECIFIC AUTHORITY: 456.013, 456.033, 456.036, 457.104, 457.108, 457.1085 FS.

LAW IMPLEMENTED: 456.013, 456.033, 456.036, 457.107, 457.108, 457.1085, 457.109 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Eaton, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-7.0015 Continuing Education Requirement.

(1) No change.

(2) As a condition of initial licensure or renewal of license, each licensee shall complete a 2-hour course relating to the prevention of medical errors. The 2-hour course shall count

toward the total number of continuing education hours required for the profession. The course shall be approved by the Board and include a study of root-cause analysis, error reduction and prevention, and patient safety.

(3)(2) Credit hours are not retroactive or cumulative. All credit hours must be earned within the biennium for which they are claimed.

(4) 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 each biennium thereafter.

(5) Continuing education credit up to a maximum of 2 hours will be awarded for each hour of attendance at a Board meeting or Board committee meeting. Only one credit will be granted for each hour of attendance. The continuing education credit obtained by attending a Board meeting or Board committee meeting may be used to satisfy the requirement for continuing education in Florida Laws and Rules.

(6)(3) The Board and/or the Department will audit a number of licensees who are selected at random as is necessary to assure that the continuing education requirements are met. Each licensee shall retain such receipts, vouchers or certificates as may be necessary to document completion of the continuing education requirements for a period of 2 years following the biennium for which they are applied. Failure to document compliance with the continuing education requirements, or furnishing false or misleading information regarding compliance shall be grounds for disciplinary action under Rule 64B1-9.001, F.A.C.

Specific Authority 456.013, 456.033, 456.036, 457.104, 457.107, 457.108, 457.1085 FS. Law Implemented 456.013, 456.033, 456.036, 457.107, 457.108, 457.1085, 457.109 FS. History—New 3-18-97, Formerly 59M-7.0015, Amended 4-25-00, 4-3-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Acupuncture, Division of Medical Quality Assurance, Department of Health, 4052 Bald Cypress Way, BIN C06, Tallahassee, Florida 32399-3256

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Eaton, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2001

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Disciplinary Guidelines
PURPOSE AND EFFECT: The Board proposes an amendment to an existing rule concerning disciplinary guidelines.

RULE NO.: 64B1-9.001

SUMMARY: The proposed amendments to the disciplinary guidelines for the Board of Acupuncture to give guidance to the licensee as to the penalty for practicing acupuncture injection therapy without proper notice to the Board and without proper training.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost was prepared.

Any person who desires 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: 456.079, 457.104 FS.

LAW IMPLEMENTED: 456.072, 456.079, 457.109 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen Eaton, Executive Director, Board of Acupuncture, Division of Medical Quality Assurance, Department of Health, 4052 Bald Cypress Way, BIN C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-9.001 Disciplinary Guidelines.

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

(cc) Practicing acupuncture injection therapy without first providing notice to the Board of intent to practice acupuncture injection therapy and proof of successful completion of the required course of study. For the purpose of this rule the required course of study for the practice of acupuncture injection therapy shall not be a home study course and the required course shall at a minimum require 60 hours of training in the following areas:

1. History and development of acupuncture injection therapy;
2. Differential diagnosis;
3. Definitions, concepts, and pathophysiology;
4. The nature, function, channels entered, and contraindications of herbal, homeopathic, and nutritional injectables;
5. Diseases amenable to treatment with acupuncture injection therapy and the injectables appropriate to treat them;
6. Identification of appropriate points for treatment, including palpatory diagnosis;
7. A review of anatomy and referral zones;
8. Universal precautions including management of blood borne pathogens and biohazardous waste;
9. Procedures for injections, including preparing the injectables, contraindications and precautions;

10. 10 hours of clinical practice on a patient or patients; and

11. Administration techniques and equipment needed. The usual recommended penalty shall be revocation and a fine of \$1,000.00.

(2) through (4) No change.

Specific Authority 456.079(1), 457.104 FS. Law Implemented 456.072, 456.079(3), 457.109 FS. History—New 12-8-86, Amended 8-6-89, Formerly 21AA-9.001, 61F1-9.001, Amended 11-21-95, Formerly 59M-9.001, Amended 8-3-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture, Division of Medical Quality Assurance, Department of Health, 4052 Bald Cypress Way, BIN C06, Tallahassee, Florida 32399-3256

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Eaton, Executive Director, Board of Acupuncture, Division of Medical Quality Assurance, Department of Health, 4052 Bald Cypress Way, BIN C06, Tallahassee, Florida 32399-3256

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2001 and December 7, 2001

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Supervisor RULE NO.: 64B3-5.002

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

SUMMARY: The rule corrects text to communicate its intent to require the appropriate education as well as the experience for licensure as a supervisor. The Board also clarifies that sciences are included in the total hours and describes how supervisors may add categories.

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

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

SPECIFIC AUTHORITY: 483.805(4), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.815, 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.002 Supervisor.

Qualifications and Responsibilities.

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

(c) A baccalaureate degree, with eight semester hours each of academic biological and chemical science included in ~~for~~ a total of 24 semester hours of academic science and/or medical laboratory technology, and five years of pertinent clinical laboratory experience in the categories for which licensure is sought, two years of which shall be post baccalaureate, including a minimum of one year in each category for which licensure is sought.

(d) through (g) No change.

(i) Be licensed in a specialty as a technologist, meet the education and experience requirements under paragraph 64B3-5.002(1)(a), (b) or (c), F.A.C., and completes 25 hours of Board approved continuing education in the area of administration and supervision, which includes examination(s), accumulated over no longer than five years prior to application for licensure. Course content must include the guidelines set forth in subsection 64B3-3.003(7), F.A.C. This continuing education may not be used to satisfy biennial renewal requirements.

~~(2) Examinations Required for Adding Categories to an Active Supervisor's License. Licensed supervisors may add a category or categories by passing a technologist level examination and by providing proof of one year's experience for each category to be added.~~

~~(a) To add a new category in which the supervisor has not been licensed by examination at the technologist level to an active supervisor's license, an examination in the category must be passed.~~

~~(b) If the applicant was licensed by examination at the technologist level in a category and currently qualifies for supervisor licensure by education and experience, a supervisor application is required but an examination in the category is not required. If licensed as a technologist in more than one category, new categories will be added to an active supervisor's license only in the categories for which pertinent clinical laboratory experience has been verified. Categories for which pertinent clinical laboratory experience has not been verified will not be added to an active supervisor's license.~~

Specific Authority 483.805(4), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 59O-5.002, Amended 5-26-98, 1-11-99, 6-10-99, 3-11-01, 9-19-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Clinical Laboratory
Personnel
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 22, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: March 15, 2002

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Optical Establishment Inspections
RULE NO.: 64B12-8.023

PURPOSE AND EFFECT: The Board proposes to add a new rule with regards to optical establishment inspections.

SUMMARY: The Board determined how often an establishment would be inspected and the criteria for the inspector.

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

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

SPECIFIC AUTHORITY: 484.005, 484.007, 484.014, 484.015 FS.

LAW IMPLEMENTED: 484.007, 484.014, 484.015 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-8.023 Optical Establishment Inspection.

(1) Each optical establishment registered by the Department of Health to operate in the State of Florida shall be subject to periodic inspections by Department personnel or its designee at least once every other year. Such inspections may be conducted at all reasonable hours including but not limited to regular business hours and may occur with or without notice.

(2) The inspection of the optical establishment shall include the following:

(a) Identification of the owner of the establishment, including the current name, street, mailing address and telephone number and in the case of a partnership, corporation, association, or entity, the identification of the registered agent or other person to receive service or papers or documents.

(b) Verification that the establishment location is permitted.

(c) Verification that the optical establishment has not changed ownership.

(d) Verification that if a change of ownership occurred within 30 days after such a change in ownership of the establishment that the permit was returned to the Department for cancellation.

(e) Determination if any provisions of Chapter 484, Part 1, or the rules promulgated pursuant thereto have been violated including.

1. Whether prescription written by a physician or optometrist for any lenses, spectacles, eyeglasses, contact lenses, or other optical devices are kept on file for a period of 2 years, and

2. Whether a violation of Sections 484.014 or 456.072, Florida Statutes has occurred.

(f) Determination that the minimum equipment required by Rule 64B12-10.007, Florida Administrative Code is maintained in each office in which an optician practices opticianry. The equipment required is pupillary gauges, thickness gauge, one set of hand tools necessary for fitting of eye glasses, one lensometer or vertometer or similar instrument, one colmascope or similar instrument, one frame heater, one lens measure, set of sample frames and mountings, keratometer or similar instrument and slit lamp or similar instrument if fitting and adapting contact lenses, and a set of trial soft contact lenses, if fitting and adapting contact lenses.

(g) Determination of whether a licensed optician is on the premises when optical devices are prepared or dispensed.

(h) The optical establishment permit is displayed.

Specific Authority 484.007, 484.014, 484.015 FS. Law Implemented 484.007, 484.014, 484.015 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Opticianry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 19, 2001

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Application for Examination and Licensure RULE NO.: 64B12-9.0015

PURPOSE AND EFFECT: The Board proposes to update the existing rule text with regards to application for examination and licensure.

SUMMARY: The Board amended an existing rule setting forth the requirements for application for licensure, providing for application procedures and the requirements for completion of a two-hour course on Florida laws and rules.

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

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

SPECIFIC AUTHORITY: 456.013, 456.017, 456.072(2), (5), 484.005, 484.007, 484.014(2) FS.

LAW IMPLEMENTED: 456.013, 456.017, 455.213(1), 456.072(2), (5), 484.007, 484.014(2) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-9.0015 Application for Examination and Licensure.

(1) Any person seeking licensure as an optician shall submit to the Board a completed application to take the examination on form DH-MQA 1065, 3/02 ~~DPR-DO-002~~ provided by the Department. The application shall be accompanied with the application fee specified in Rule 64B12-11.002, F.A.C., which is non-refundable, and the examination fee specified in Rule 64B12-11.003, F.A.C., which shall be refunded if the applicant is denied examination or does not timely complete application.

(2) A completed application with appropriate fees shall be received in the Board office at least 60 days prior to the examination.

(3) Any application which is not accompanied with the appropriate fees shall not be accepted for review and shall be returned to the applicant.

(4) Any application which does not provide all information required by the application forms shall be not be considered by the Board until it has been completed. Any

applicant who fails to complete the application within 12 6 months of its receipt in the Board office shall be required to apply as an initial applicant.

(5) Upon certifying applicants for the licensure examination, the Board shall also certify applicants for licensure, contingent and effective upon the following:

(a) ~~S~~uccessful completion of required examinations,

(b) Successful completion of a two-hour laws and rules course by a Board approved continuing education provider, to be effective March 1, 2003.

(c) Successful completion of a two-hour continuing education course relating to the prevention of medical errors. The course must be approved by the Board and shall include a study of root-cause analysis, error reduction and prevention, and patient safety.

(d) ~~and N~~o discovery of disqualifying factors prior to licensure, and

(e) ~~Successful examination candidates must pay~~ Payment of the initial licensure fee and obtain licensure within one year of notification of successful passage of the examination.

If the successful candidate does not obtain licensure within one year of notification of successful passage of the examination, the candidate shall appear before the Board to verify their competence in the practice of opticianry.

(6) Should the applicant be unable to sit for the examination due to illness, death of a family member, or similar circumstances beyond the applicant's control, then the examination fee shall be applied to the next examination for which the applicant can sit.

(7) A licensee whose license has been revoked may reapply for licensure. Such applicant shall satisfy all current requirements and qualifications required by an initial applicant including examination and shall pay all outstanding administrative fines and penalties before reapplying for licensure. The applicant shall follow the same application procedures as initial applicants for licensure.

Specific Authority 456.013, 456.017, 456.072(2), (5), 484.005, 484.007, 484.014(2) FS. Law Implemented 456.013, 456.017, 455.213(1), 456.072(2), (5), 484.007, 484.014(2) FS. History—New 3-30-89, Amended 3-29-92, 2-18-93, Formerly 21P-9.0015, Amended 5-2-94, Formerly 61G13-9.0015, 59U-9.0015, Amended 1-4-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

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

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

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Examination Review Procedure
RULE NO.: 64B12-9.003

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

SUMMARY: The Board has decided to repeal this rule as the Department of Health’s rules govern examinations and the procedures for the same.

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

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

SPECIFIC AUTHORITY: 456.017(2) FS.

LAW IMPLEMENTED: 456.017(2) FS.

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-9.003 Examination Review Procedure.

Specific Authority 456.017(2) FS. Law Implemented 456.017(2) FS. History—New 12-6-79, Formerly 21P-9.03, Amended 4-22-90, Formerly 21P-9.003, 61G13-9.003, 59U-9.003, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Delinquent License
RULE NO.: 64B12-12.009

PURPOSE AND EFFECT: The Board proposes to add a new rule with regards to delinquent license.

SUMMARY: The Board set forth in this new rule the requirements to change license status from delinquent status to active or inactive 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 provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.036, 484.008 FS.

LAW IMPLEMENTED: 456.036, 484.008 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-12.009 Delinquent License.

(1) The failure of any licensee to elect active or inactive status before the license expires shall cause the license to become delinquent.

(2) The delinquent licensee must affirmatively apply for active or inactive status during the biennium in which the license becomes delinquent. The failure by the delinquent licensee to cause the license to become active or inactive before the expiration of the biennium in which the license became delinquent shall render the license null and void without further action by the board or the Department.

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

(a) Submit to the Board a written request for either active status or inactive status.

(b) If active is requested, demonstrate compliance with the continuing education requirements set forth in Rule 64B12-15.001, F.A.C.

(c) Pay to the Board the delinquent fee as set forth in Rule 64B12-11.0095, F.A.C.,

(d) Pay to the Board either the active status or inactive status renewal fee, and

(e) If applicable, pay to the Board the change of status fee as set forth in Rule 64B12-11.0105, F.A.C.

Specific Authority 456.036 FS. Law Implemented 456.036 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Opticianry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 23, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 19, 2001

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Apprenticeship Requirements and Training Program
RULE NO.: 64B12-16.003

PURPOSE AND EFFECT: The Board proposes to update the existing rule text setting forth the apprenticeship requirements and training program.

SUMMARY: The Board determined that the apprenticeship training program requirements would be more effective if a primary sponsor completed the apprentice training verification.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 484.005 FS.
LAW IMPLEMENTED: 484.002, 484.007(1)(d)4. FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-16.003 Apprenticeship Requirements and Training Program.

(1) All apprenticeship training must be conducted by the sponsor(s) with whom the apprentice is currently registered with the Agency. Credits shall be granted to apprentices if the training is properly documented according to this rule. An apprentice shall not receive credit for any training received from a person other than the properly registered sponsor(s).

(2) An apprentice shall have no more than two sponsors at any given time. If an apprentice has two sponsors, one sponsor shall be primary sponsor responsible for the secondary sponsor and the apprentice. The primary sponsor shall be responsible for the completion, filing, signature and

verification of the Apprenticeship Sponsor Attestation Apprentice/Sponsor Semiannual/Final Report Form (DPR/DO/021/Rev. 3-1-95 DH-MQA 1063, 1/02) and the Termination Form (DPR/DO/020/Rev. 3-1-95), which will be effective on February 21, 1996, which is are hereby adopted and incorporated by reference, and is both of which are available from the Board office at Department of Health, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. The secondary sponsor may work with the apprentice in a store or office other than the primary store or office as long as the apprentice works under the apprenticeship requirements and training program.

(3) through (6) No change.

Specific Authority 484.005 FS. Law Implemented 484.002, 484.007(1)(d)4. FS. History-New 10-12-80, Amended 8-31-83, 8-30-84, Formerly 21P-16.03, Amended 3-5-87, 7-15-87, 1-26-88, 3-30-89, 10-17-90, 5-27-92, 9-30-92, 1-27-93, Formerly 21P-16.003, Amended 9-14-93, 5-2-94, Formerly 61G13-16.003, Amended 2-21-96, 4-23-97, Formerly 59U-16.003, Amended 10-1-97, 2-16-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Opticianry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 23, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 11, 2002

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Termination of Apprenticeship
RULE NO.: 64B12-16.004

PURPOSE AND EFFECT: The Board proposes to update the existing rule text with regards to termination of apprenticeship.

SUMMARY: The Board determined that an amendment to the rule was necessary to require the sponsor notify the Department when no longer providing training to an apprentice.

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

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

SPECIFIC AUTHORITY: 484.005, 484.007(1) FS.
LAW IMPLEMENTED: 484.007(1)(d)4. FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-16.004 Termination of Apprenticeship.

(1) If an apprentice terminates apprenticeship with a sponsor or the sponsor is no longer providing training to an apprentice, the sponsor apprentice shall submit to so notify the Department within 30 days from the date of the termination, a completed Apprenticeship Sponsor Attestation Form, as set forth in Rule 64B12-16.003(2), F.A.C. on Form AHCA/OP/001/Rev. 5-97, "Termination Form," effective 7-10-97, which is hereby adopted and incorporated by reference and can be obtained from the Board office at address set forth in Rule 64B12-8.006(1), F.A.C.

(2) The apprentice shall file a final report with the Board which contains the information required by Rule 64B12-16.008(4), within 30 days of termination.

(2)(3) Failure to comply with the requirements of this rule shall subject the apprentice to discipline or denial of licensure and the sponsor to discipline.

Specific Authority 484.005, 484.007(1) FS. Law Implemented 484.007(1)(d)4. FS. History--New 10-12-80, Formerly 21P-16.04, Amended 3-5-87, 3-30-89, Formerly 21P-16.004, 61G13-16.004, Amended 7-10-97, Formerly 59U-16.004, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

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

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

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Termination of Sponsor RULE NO.: 64B12-16.006

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

SUMMARY: The Board has decided to repeal this rule for termination of sponsor setting out the sponsor requirements in Rule 64B12-16.004, F.A.C.

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

Any person who wishes to provide information regarding 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: 484.005, 484.007(1) FS.

LAW IMPLEMENTED: 484.007(1)(d)4. FS.

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-16.006 Termination of Sponsor.

(1) If for any reason the sponsor is no longer providing training to an apprentice, the sponsor shall so notify the Department, within 30 days from the date of the termination, on the "Termination Form," as provided in Rule 62B12-16.004(1), F.A.C.

(2) Upon termination of sponsorship, the sponsor shall file a final report with the Board stating that training in each subject area has been received by the apprentice.

(3) Failure to comply with the requirements of this rule shall subject the sponsor to discipline.

Specific Authority 484.005, 484.007(1) FS. Law Implemented 484.007(1)(d)4. FS. History--New 10-12-80, Formerly 21P-16.06, Amended 3-5-87, 3-30-89, 9-30-92, Formerly 21P-16.006, 61G13-16.006, Amended 7-10-97, Formerly 59U-16.006, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Enforcement RULE NO.: 64B12-16.008

PURPOSE AND EFFECT: The Board proposes to update the existing rule text setting forth the requirements for the apprentice and sponsor during the apprenticeship.

SUMMARY: The Board determined that an amendment to the rule was required to insure information for apprentice training is timely supplied to the Board and Department.

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

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

SPECIFIC AUTHORITY: 484.005, 484.007(1) FS.

LAW IMPLEMENTED: 484.007(1)(d)4. FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-16.008 Enforcement.

(1) Apprentices and sponsors shall comply with the provisions of this chapter, the rules of the Department and the Board, and Chapters 456 and 484, F.S.

(2) Failure to adhere to these standards is a violation of Chapters 456.072 and 484.014, F.S., and shall subject either the apprentice or the sponsor, or both, to disciplinary action.

~~(3)(a) For apprentices registered prior to November 1, 1996, sponsors and apprentices must file a complete report with the Board each twelve (12) months ending October 30 during which an apprentice has been supervised, which states that the training in each subject pursuant to Rule 64B12-16.003(6) has been provided in the preceding twelve (12) months. Reports must be received in the board office no later than 30 days after the reporting period ends. Failure to timely file a report will result in no credit being granted for the reporting period.~~

~~(b) For apprentices registered after November 1, 1996, sponsors and apprentices must file a complete report with the Board each twelve (12) month period ending on the anniversary of the date on which the apprentice became registered with the Department, during which an apprentice has been supervised, which states that the training in each subject pursuant to Rule 64B12-16.003(6), F.A.C., has been provided in the preceding twelve (12) months. Reports must be received in the board office no later than 30 days after the reporting period ends. Failure to timely file a report will result in no credit being granted for the reporting period.~~

(3)(4) The sponsor and the apprentice shall supply to the Board all information requested which reasonably relates to the apprenticeship program and the Board's duty to properly monitor the program for compliance with program standards.

After six months of failure to submit the completed Apprenticeship Sponsor Attestation Form reports, credits will not be counted.

(4)(5) If an Apprenticeship Sponsor Attestation Form a report is not in compliance with this Chapter, the rules of the Department and the Board and Chapters 456 and 484, F.S., the Board shall deny credit for hours of apprenticeship claimed and/or the Board, the Apprentice Review Committee or Board staff shall initiate a complaint against the licensee who appears to be in violation.

Specific Authority 484.005, 484.007(1) FS. Law Implemented 484.007(1)(d)4. FS. History—New 10-12-80, Formerly 21P-16.08, Amended 3-5-87, 5-13-90, 9-30-92, Formerly 21P-16.008, Amended 5-2-94, Formerly 61G13-16.008, Amended 2-21-96, 4-10-97, Formerly 59U-16.008, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

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

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

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

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE CHAPTER TITLE: School Health Services Program RULE CHAPTER NO.: 64F-6

RULE TITLES: Non-public Schools RULE NOS.: 64F-6.007

Supplemental School Health Services 64F-6.008

PURPOSE AND EFFECT: The purpose is to repeal rules that repeat provisions of a statute and are, therefore, redundant.

SUMMARY: Rule 64F-6.007, F.A.C., outlines responsibilities and requirements for county health departments to notify non-public schools of their eligibility to participate in the school health services program. Rule 64F-6.007, F.A.C., is redundant and unnecessary, because this language is already in s. 381.0056(6), F.S. Rule 64F-6.008, F.A.C., also repeats provisions of a statute, 381.0057(7), F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There are no regulatory costs.

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: 381.0056, (formerly s. 402.32 FS.), 381.0057 FS. (formerly s. 402.321 FS.)

LAW IMPLEMENTED: 381.0056(5)(r),(6) (formerly s. 402.32(5)(r),(6) FS.), 381.0057 FS. (formerly s. 402.321 FS.)

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

TIME AND DATE: 10:00 a.m., April 23, 2002
PLACE: Department of Health, 4025 Esplanade Way, Room 125-N, Tallahassee, FL
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bob Peck, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723, telephone (850)245-4444, Ext. 2965

THE FULL TEXT OF THE PROPOSED RULES IS:

64F-6.007 Non-public Schools.

Specific Authority 402.32(8) FS. Law Implemented 402.32(5)(r),(6) FS. History-New 3-10-85, Formerly 10D-84.20, Amended 4-6-94, 4-25-96, Formerly 10D-84.020, Repealed.

64F-6.008 Supplemental School Health Services.

Specific Authority 402.321(7) FS. Law Implemented 402.321 FS. History-New 4-6-94, Amended 4-25-96, Formerly 10D-84.021, Repealed.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 1, 2002

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Elections

RULE NOS.: RULE TITLES:
1S-1.001 Numbering System
1S-1.002 Style and Form for Filing Rules; Certification Accompanying Materials
1S-1.003 Florida Administrative Weekly (FAW)

NOTICE OF CHANGE

Notice is hereby given that the hearing date for the above proposed rules published in the March 1, 2002, Vol. 28, No. 9, issue of the Florida Administrative Weekly has been rescheduled as follows:

TIME AND DATE: 10:00 a.m. - 12:00 Noon, April 16, 2002
PLACE: The Ralph D. Turlington Florida Education Center, Room 1721/1725, 325 West Gaines Street, Tallahassee, FL 32301

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:
1S-2.029 Eligibility for Late Registration by Overseas Voters

NOTICE OF CHANGE

Notice is hereby given that proposed Rule 1S-2.029, F.A.C., published in the Florida Administrative Weekly, Pages 735-737, Vol. 28, No. 7, on February 15, 2002, has been changed to reflect comments received from the Joint Administrative Procedures Committee. Changes were made to Rule 1S-2.029, F.A.C., so that it now reads:

1S-2.029 Eligibility for Late Registration by Overseas Voters.

(3) An individual who has been discharged or separated from the uniformed services must:

(a) Provide one of the following pieces of documentation:

1. Certificate of Release or discharge from Active Duty (DD form 214, eff. 2/00), which is hereby incorporated by reference and available from the Department of Defense; or

2. Military Permanent Change of Station Orders to home of record while awaiting a DD Form 214.

(b) In addition to the information provided in (a), an individual who has been discharged or separated from the uniformed services must complete the following form and this form must indicate that the individual was discharged or separated during the period the books were closed for the election:

Oath of Individual Separated or Discharged from the Uniformed Services

Under penalty of perjury, I _____, hereby swear or affirm that I was discharged or separated from the (branch of service) on (date):

Name of applicant: _____

Address of applicant: _____

Branch of Service: _____

Date of Discharge or Separation: _____

Pursuant to s. 837.06, F.S., any person who knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duties is guilty of a misdemeanor of the second degree.

Signature of applicant voter: _____

Address of voter: _____

Sworn to and subscribed before me this ____ day of _____, 20__.

Signature of Supervisor of Elections or deputy supervisor: _____

(4) An individual who has been employed in the Merchant Marine must provide documentation showing evidence of being employed in the Merchant Marine and must complete the form oath as provided in (6).

(5) An individual who has left employment outside the territorial limits of the United States must provide a valid passport showing the date of re-entry into the United States, which date must be during the period the books were closed for the election, and must complete the form oath as provided in (6).

(6) ~~Oath of Individual Employed Outside the United States or in the Merchant Marine.~~

~~Under penalty of perjury, I _____, hereby swear or affirm that I was employed outside the territorial limits of the United States or in the Merchant Marine and that my last day of employment was _____. The following is the information regarding my previous employer:~~

~~Name of applicant: _____
Address of applicant: _____
Name of employer: _____
Address of employer: _____
Telephone Number of employer: _____
Last date of employment: _____~~

~~Pursuant to s. 837.06, F.S., any person who knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duties is guilty of a misdemeanor of the second degree.~~

~~Signature of applicant voter: _____~~

~~Address of voter: _____~~

~~Sworn to and subscribed before me this _____ day of _____, 20__.~~

~~Signature of Supervisor of Elections or deputy supervisor: _____~~

(7) A family member accompanying an individual who was discharged or separated from the uniformed services must provide a copy of the information required of the individual pursuant to (3)(a) and complete the following form oath:

~~Oath of Family Member (Uniformed Service)~~

~~Under penalty of perjury, I _____ swear or affirm that (name of individual discharged or separated from the uniformed services) was discharged or separated from (branch of service) on (date); that my relationship to this individual is _____; and that I was accompanying this individual immediately prior to his/her discharge or separation.~~

~~Name Signature of applicant family member: _____~~

~~Address of applicant family member: _____~~

~~Name of family member discharged or separated from the uniformed services: _____~~

~~Relationship to person discharged or separated: _____~~

~~Date of discharge or separation: _____~~

~~Pursuant to s. 837.06, F.S., any person who knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duties is guilty of a misdemeanor of the second degree.~~

Signature of Applicant

Sworn to and subscribed before me this _____ day of _____, 20__.

Signature of Supervisor of Elections or deputy supervisor: _____

(8) A family member accompanying an individual who has left employment in the Merchant Marine must provide documentation showing that the individual was employed in the Merchant Marine and must complete the following oath:

~~Oath of Family Member (Merchant Marine)~~

~~Under penalty of perjury, I _____ swear or affirm that (name of individual who has left employment in the Merchant Marine) left employment in the Merchant Marine on (date); that my relationship to this individual is _____; and that I was accompanying this individual immediately prior to his/her leaving that employment. The following is the information regarding his/her previous employer:~~

~~Name of applicant: _____~~

~~Address of applicant: _____~~

~~Name of person employed in the Merchant Marine: _____~~

~~Last date of employment: _____~~

~~Relationship to person employed in Merchant Marine: _____~~

~~Name of employer: _____~~

~~Address of employer: _____~~

~~Telephone number of employer: _____~~

~~Pursuant to s. 837.06, F.S., any person who knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duties is guilty of a misdemeanor of the second degree.~~

~~Signature of applicant family member: _____~~

~~Address of family member: _____~~

~~Sworn to and subscribed before me this _____ day of _____, 20__.~~

~~Signature of Supervisor of Elections or deputy supervisor: _____~~

(9) A family member who was accompanying an individual who has left employment outside the territorial limits of the United States must provide a valid passport showing the date of re-entry into the United States, which date must be during the period of time the books were closed for the election, and complete the following form oath:

~~Oath of Family Member~~

~~(Employment Outside the United States)~~

~~Under penalty of perjury, I _____ swear or affirm that (name of individual who has left employment) left employment outside the United States on (date); that my relationship to this individual is _____; and that I was accompanying this individual immediately prior to his/her returning to the United States. The following is the information regarding his/her previous employer:~~

Name of applicant: _____
 Address of applicant: _____
 Name of person employed outside the territorial limits of the United States: _____
 Last date of employment: _____
 Relationship to person employed: _____
 Name of employer: _____
 Address of employer: _____
 Telephone number of employer: _____
Pursuant to s. 837.06, F.S., any person who knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duties is guilty of a misdemeanor of the second degree.
 Signature of applicant family member: _____
 Address of family member: _____
 Sworn to and subscribed before me this ____ day of _____, 20__.
 Signature of Supervisor of Elections or deputy supervisor: _____
 Specific Authority 97.0555 FS. Law Implemented 97.0555. History--New _____.

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.030
 RULE TITLE: Electronic Transmission of Absentee Ballots

NOTICE OF CHANGE

Notice is hereby given that propose Rule 1S-2.030, published in the F.A.W., Pages 737-738, Vol. 28, No. 7, on February 15, 2002, has been changed to reflect comments received from the Joint Administrative Procedures Committee. Changes were made to Section 1S-2.030, F.A.C., so that it now reads:

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.030 Electronic Transmission of Absentee Ballots.

(10) The Voter's Certificate for ballots being sent to all overseas voters by mail, electronic means, or by fax shall be the same as the Voter's Certificate in s. 101.64, F.S., ~~with the addition of the following language before the voter's signature: "I understand that if I am faxing my voted ballot, I voluntarily waive my right to a secret ballot."~~

Specific Authority 101.697 FS. Law Implemented 101.697 FS. History--New _____.

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE NO.: 3F-8.003
 RULE TITLE: Cancellation of Preneed Contracts; Reasonable Time Defined

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 10, March 8, 2002, Florida Administrative Weekly has been withdrawn.

**AGENCY FOR HEALTH CARE ADMINISTRATION
 Health Care Cost Containment Board**

RULE NO.: 59E-5.102
 RULE TITLE: Florida Hospital Uniform Reporting System

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed amendments to Rule:

As originally published in the Florida Administrative Weekly March 22, 2002, Vol. 28, No. 12. These changes are the Instructions and reporting forms added to and deleted from the Florida Hospital Uniform Reporting System Manual, April 9, 1992, 92-1 and incorporated into the rule by reference:

WORKSHEET C-3a (rev.) V-3 – STATEMENT OF PATIENT CARE REVENUE AND DEDUCTIONS FROM REVENUE BY PAYER CLASS FOR INPATIENT AND OUTPATIENT SERVICES

PURPOSE:

This worksheet summarizes inpatient and outpatient revenues, deductions from revenue, and net revenue by payer class for all Patient Care Services. This categorization is necessary to properly calculate the assessment for the Patient Medical Assistance Trust Fund (PMATF)

INSTRUCTIONS:

AHCA HOSPITAL NO:

Enter the hospital's assigned AHCA number.

PERIOD:

Enter the beginning and ending date for the period covered in this report.

For example: 10/01/1999-9/30/2000.

COLUMN DEFINITIONS:

NOTE: The inpatient and outpatient revenue amounts to be reported for each payer class listed are the gross revenues (charges) regardless of the method used to charge for that service.

ACCOUNT NUMBER

The AHCA standardized account number assigned to this payer category.

NOTE: Account numbers are standardized for data processing purposes. No changes or substitutions can be made to these account numbers.

COLUMN 1 – INPATIENT REVENUE

Enter the inpatient revenue amounts associated with each class of payer, for which services were provided during the reporting period.

The total reported in COLUMN 1, Account COO3, must equal the revenue reported in account C370 on LINE 54, COLUMN 1 on WORKSHEET C-3.

COLUMN 2 – OUTPATIENT REVENUE

Enter the outpatient revenue amounts associated with each class of payer, for which services were provided during the reporting period.

The total reported in COLUMN 2, Account COO3, must equal the revenue reported in account C370 on LINE 54, COLUMN 2 on WORKSHEET C-3.

COLUMN 3 – TOTAL PATIENT SERVICE REVENUE

Enter the summation of COLUMN 1 and COLUMN 2.

The total reported in COLUMN 3, Account COO3, must equal the revenue reported in account C370 on LINE 54, COLUMN 3 on WORKSHEET C-3

8/01 2.45
WORKSHEET C-3a (rev.) V-3 – STATEMENT OF PATIENT CARE REVENUE AND DEDUCTIONS FROM REVENUE BY PAYER CLASS FOR INPATIENT AND OUTPATIENT SERVICES

(CONTINUED)

COLUMN 4 – TOTAL INPATIENT DEDUCTIONS FROM REVENUE

Enter the amount of inpatient deductions from revenue associated with each class of payer during the reporting period.

COLUMN 5 – TOTAL OUTPATIENT DEDUCTIONS FROM REVENUE

Enter the amount of outpatient deductions from revenue associated with each class of payer during the reporting period.

COLUMN 6 – TOTAL INPATIENT DEDUCTIONS FROM REVENUE

Enter the summation of COLUMN 4 and COLUMN 5

Amounts reported in this column represent the total revenue deduction for the indicated account. The total in COLUMN 6, Line 19 will also be reported on WORKSHEET C-2, Line 4.

COLUMN 7 – NET INPATIENT REVENUE

Subtract amount of inpatient deductions from revenue in COLUMN 4 from the amount of inpatient revenue reported in COLUMN 1 and enter the result.

COLUMN 8 – NET OUTPATIENT REVENUE

Subtract amount of outpatient deductions from revenue in COLUMN 5 from the amount of outpatient revenue reported in COLUMN 2 and enter the result.

COLUMN 9 – TOTAL NET PATIENT SERVICES REVENUE

Enter the summation of COLUMN 7 and COLUMN 8.

Amounts reported in this column represents the total net patient services revenue for the indicated account. The total in COLUMN 9, LINE 19 will be reported on WORKSHEET C-2, Line 5.

ACCOUNT 5980 – ADMINISTRATIVE, COURTESY, AND POLICY DISCOUNT CARE

This account is used to report the discounting by the hospital of care provided to members of its Governing Board, staff physicians and their families, and members of the clergy. These discounts may range from 10% to 100% of the hospital's bill. If the hospital discounts 100% of the bill, the gross charges should be reported in COLUMNS 1, 2, and 3, ACCOUNT 5905 and a deduction equal to those charges should be reported in COLUMNS 4, 5, and 6, ACCOUNT 5980. If the hospital discounts only a portion of the bill, the gross charges must be reported in the primary classification, e.g., commercial insurance, self pay, etc., and the amount discounted should be reported in account 5980, COLUMNS 4, 5, and 6.

8/01 2.46
WORKSHEET C-3a (rev.) V-3 – STATEMENT OF PATIENT CARE REVENUE AND DEDUCTIONS FROM REVENUE BY PAYER CLASS FOR INPATIENT AND OUTPATIENT SERVICES

(CONTINUED)

ACCOUNT 5981 – EMPLOYEE DISCOUNTED CARE

Discounts for employees will generally be a secondary deduction of the commercial insurance classification. The hospital's discount portion will be reported in account 5981, COLUMNS 4, 5, and 6. However, the uncollectible amounts of employee deductibles and coinsurance should be reported in account 5900, COLUMNS 4, 5, and 6.

ACCOUNT 5995 – RESTRICTED FUNDS FOR INDIGENT CARE

This account is the amount received from donors and government agencies to off set the cost of indigent care provided by the hospital. This account was formerly listed on worksheet C-2 as "RESTRICTED GRANTS AND DONATIONS FOR INDIGENT CARE". The amount reported herein represents an offset to total deductions from revenue.

ACCOUNT 4900 – RADIATION THERAPY REVENUE AND DEDUCTIONS

Enter the amount of radiation therapy revenue for both inpatient and outpatient services on line 20 in COLUMNS 1, 2, and total in COLUMN 3. The amount in COLUMN 3 SHOULD equal ACCOUNT 4360, COLUMN 3, line 44, on worksheet C-3. Enter radiation therapy deductions from revenue on line 20 in COLUMNS 4, 5, and 6. Subtract the amounts on line 20 in COLUMNS 4, 5, and 6 from those on line 20 in COLUMNS 1, 2, and 3 and enter the result on line 20 in COLUMNS 7, 8, AND 9.

C035 – ADJUSTED REVENUE AND DEDUCTIONS the amounts on LINE 20 from those on LINE 19 and enter the result on LINE 21.

This represents the adjustment for radiation therapy net revenues from total net revenues.

ACCOUNT C004 – TOTAL HMO/PPOPAYMENTS

Enter the amount of HMO/PPO payment for inpatient and outpatient services on COLUMNS 7 and 8, then sum the two figures and enter the total in COLUMN 9.

DISPROPORTIONATE SHARE PAYMENTS:

Disproportionate share payments made to hospitals are considered to be a reduction of the contractual allowance for that service. Disproportionate share payments for MEDICARE patients should be subtracted from the deductions from revenue reported on LINE 05 (Account 5910), COLUMN 4 for inpatient and in COLUMN 5 for outpatients. Disproportionate share payments for MEDICAID patients should be subtracted from the deductions from revenue

reported on LINE 06 (Account 5920), COLUMN 4 for inpatient and in COLUMN 5 for outpatients. Disproportionate share payments are to be apportioned to inpatient and outpatient services in proportion to the percentage of gross revenue generated by that segment of service.

EXAMPLE: If the MEDICARE disproportionate share payment is \$100,000 and MEDICARE gross revenue is 78% inpatient and 22% outpatient, then the amounts subtracted from MEDICARE deductions from revenue would be \$78,000 from inpatient and \$22,000 from outpatient. 8/01 2.46a

INSERT CHART ON THIS PAGE.

~~WORKSHEET C-3a — STATEMENT OF PATIENT CARE SERVICES REVENUE BY PAYOR CLASS~~

~~PURPOSE:~~ This worksheet summarizes inpatient and outpatient revenue by payor class for all Patient Care Services.

~~INSTRUCTIONS:~~

~~HCCB (AHCA) HOSPITAL NO:~~ Enter the hospital's assigned HCCB (AHCA) number.

~~PERIOD:~~ Enter the beginning and ending date for the period covered in this report. For example: 10/01/1999-9/30/2000.

~~COLUMN DEFINITIONS:~~

~~NOTE:~~ The amounts to be reported for each Payor class listed are the gross revenues (charges) regardless of the method used to charge for that service.

~~ACCOUNT NUMBER~~

~~The HCCB (AHCA) standardized account number assigned to this revenue category.~~

~~NOTE:~~ Account numbers are standardized for data processing purposes. No changes or substitutions can be made to these account numbers.

~~COLUMN 1 — INPATIENT REVENUE~~

~~Enter the outpatient revenue associated with th services provided during the report period.~~

~~COLUMN 3 — TOTAL PATIENT SERVICE REVENUE~~

~~Enter the summation of COLUMN 1 and COLUMN 2.~~

~~The total reported in COLUMN 3, Account COO3, must equal the revenue reported on LINE 54, COLUMN 3 on WORKSHEET C-3.~~

8/89

2.45

~~WORKSHEET C-3a — STATEMENT OF PATIENT CARE SERVICES REVENUE BY PAYOR CLASS — CONTINUED:~~

~~COLUMN 4 — REVENUE DEDUCTIONS~~

~~Amounts reported in this column represent the total revenue deduction for the indicated account. The total of this column will be reported on WORKSHEET C-2, Line 4.~~

~~ACCOUNT 5980 — ADMINISTRATIVE, COURTESY, AND POLICY DISCOUNT CARE~~

~~This account is used to report the discounting by the hospital of care provided to members of its Governing Board, staff physicians and their families, and members of the clergy. These discounts may range from 10% to 100% of the hospital's bill. If the hospital discounts 100% of the bill, the gross charges should be reported in COLUMN 3, ACCOUNT 5905 and a deduction equal to those charges should be reported on COLUMN 4, ACCOUNT 5980. If the hospital discounts only a portion of the bill, the gross charges must be reported in the primary classification, e.g., commercial insurance, self pay, etc., and the amount discounted should be reported in account 5980, COLUMN 4.~~

~~ACCOUNT 5981 — EMPLOYEE DISCOUNTED CARE~~

~~Discounts for employees will generally be a secondary deduction of the commercial insurance classification. The hospital's discount portion will be reported in account 5981. However, the uncollectible amounts of employee deductibles and coinsurance should be reported in account 5900.~~

~~ACCOUNT 5995 — RESTRICTED FUNDS FOR INDIGENT CARE~~

~~This account represents "RESTRICTED GRANTS AND DONATIONS FOR INDIGENT CARE", which formerly appeared on WORKSHEET C-2. The amount in COLUMN 4 should be subtracted from total deductions.~~

~~Interim and budget reference lines deleted. 8/89 2.46~~

INSERT CHART

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
61C-5	Florida Elevator Safety Code
RULE NOS.:	RULE TITLES:
61C-5.001	Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts
61C-5.006	Elevator Fees; Permits, Annual Certificates of Operation
61C-5.007	Fees; Certificates of Competency, Renewal
61C-5.013	Service Maintenance Contracts

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 27, No. 52, December 28, 2001, edition of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.:	RULE TITLE:
64B12-9.003	Examination Review Procedure

NOTICE OF WITHDRAWAL

Notice is hereby given that the proposed amendments to the above rule, as noticed in Vol. 27, No. 50, December 14, 2001, Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program Office

RULE NO.:	RULE TITLE:
65A-4.2131	Learnfare Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 3, on January 18, 2002, issue of the Florida Administrative Weekly. The specific changes were made in response to comments received from an Economic Self-Sufficiency Services Program Policy reviewer that the CF-ES Form 4192, Notice of Work Penalties, was inappropriately referenced to notify individuals of failure to meet Learnfare Requirements in paragraph (7), Good Cause. The penalties described in the CF-ES 4192, are applied as a result of failure to meet a work activity requirement and result in the loss of TCA benefits for the entire family. Learnfare penalties apply only to loss of TCA benefits for the dependent's child determined to be a dropout or truant or the adult participant failing to meet school conference requirements. The changes clarify how a participant is notified of (1) good cause criteria for failure to meet the Learnfare

requirements; 2) of the penalty that will be imposed if good cause does not exist; and, 3) the right to request a hearing if the participant disagrees with the penalty action.

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

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

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE NOTICE OF CHANGE IS: Audrey Mitchell, Program Administrator, Economic Self-Sufficiency Services, Program Support Unit, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, Florida 32399-0700.

Specific changes are as follows:

Paragraphs (1) through (6) and (8) through (9) No change.

Paragraph (7) is amended to read:

(7) Good Cause. Learnfare Program good cause reasons, penalty criteria, and right to request a fair hearing information are contained in the CF-ES 2606, Notice of Learnfare Requirements provided to participants at TCA application. Participants are also notified at TCA application of their right to request a fair hearing using the CF-ES 2064, Your Rights and Responsibilities, Sept. 00, incorporated by reference in administrative Rule 65A-1.400, F.A.C., if they disagree with a department decision. At the time of re-determination for TCA eligibility, a participant is required to provide the Public Assistance Specialist (PAS) with verification of school conference compliance as specified in paragraph (5). The PAS will inform participants that failure to provide verification within 10 days will result in Learnfare penalties being imposed. Upon notification by the local school district that a participant's dependent child is a habitual truant or dropout or a parent or caretaker relative fails to attend a school conference, the department must determine if good cause exists in accordance with s. 414.1251(1), F.S. If good cause does not exist, the department will advise the participant and impose Learnfare penalties in accordance with s. 414.1251(1) and (2), F.S. notify the participant of penalty action using the CF-ES 4192, Notice of Work Penalties, Sept. 00, incorporated by reference in administrative Rule 65A-41.205, F.A.C.

**Section IV
Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE TITLE:	RULE NO.:
Instant Game Number 417, ONE-EYED JACK	53ER02-14
SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 417, "ONE-EYED JACK," for which the Department of the Lottery will start selling tickets on a date	

to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prizewinners and the estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-14 Instant Game Number 417, ONE-EYED JACK.

(1) Name of Game. Instant Game Number 417, "ONE-EYED JACK."

(2) Price. ONE-EYED JACK lottery tickets sell for \$2.00 per ticket.

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

(4) The "YOURS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(5) The "DEALER'S" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(6) The prize symbols and prize symbol captions are as follows:

INSERT SYMBOLS

(7) The legends are as follows:

INSERT SYMBOLS

(8) Determination of Prize Winners.

(a) There are ten games on a ticket. A ticket having a card in the "YOURS" play area of one game that beats the card in the "DEALER'S" play area of the same game shall entitle the claimant to the prize shown for that game. The prizes are: TICKET, \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$25.00, \$30.00, \$50.00, \$100, \$250, \$500, \$1,000, \$5,000, and \$10,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that totals \$2.00, except as follows. A person who submits by mail a ONE-EYED JACK lottery ticket which entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(b) A ticket having a "one-eyed jack" symbol in the "YOURS" play area of a game shall entitle the claimant to double the prize amount shown for that game.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 417 are as follows:

GAME PLAY:	WIN:	ODDS OF	WINNERS IN
			28 POOLS OF 180,000 TICKETS PER POOL:
TICKET	\$2 TICKET	1 IN: 7.50	672,000
\$2	\$2	16.67	302,400
\$1 (JACK)	\$2	10.00	504,000
\$1 + \$2 (JACK)	\$5	30.00	168,000
\$5	\$5	150.00	33,600
(\$2 x 5)	\$10	150.00	33,600
\$5 (JACK)	\$10	150.00	33,600
(\$1 x 10)	\$10	150.00	33,600
(\$2 x 3) + \$2 (JACK)	\$10	150.00	33,600
(\$3 x 10)	\$30	360.00	14,000
\$5 (JACK) + \$10 (JACK)	\$30	315.79	15,960
(\$5 x 10)	\$50	7,200.00	700
(\$5 x 5) + \$25	\$50	7,200.00	700
\$25 (JACK)	\$50	3,600.00	1,400
\$50	\$50	3,600.00	1,400
\$10 x 10	\$100	60,000.00	84
(\$5 x 8) + \$30 (JACK)	\$100	60,000.00	84
\$50 (JACK)	\$100	18,000.00	280
\$100	\$100	60,000.00	84
\$250 (JACK)	\$500	90,000.00	56
\$500	\$500	90,000.00	56
\$500 (JACK)	\$1,000	504,000.00	10
\$1,000	\$1,000	560,000.00	9
\$5,000 (JACK)	\$10,000	2,520,000.00	2
\$10,000	\$10,000	2,520,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 417 are 1 in 2.73. Some prizes, including the top prizes, may be sold out at the time of ticket purchase.

(11) For reorders of Instant Game Number 417, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a ONE-EYED JACK lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for ONE-EYED JACK lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 3-15-02.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: March 15, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLE: RULE NO.:

Instant Game Number 424, IN THE CHIPS 53ER02-15

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 424, "IN THE CHIPS" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prizewinners, and the estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-15 Instant Game Number 424, IN THE CHIPS.

(1) Name of Game. Instant Game Number 424, "IN THE CHIPS."

(2) Price. IN THE CHIPS tickets sell for \$1.00 per ticket.

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

event a dispute arises as to the validity of any IN THE CHIPS lottery ticket, or as to the prize amount, the VIRN number under the latex shall prevail over the bar code.

(4) The "YOUR CHIPS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(5) The "HOUSE CHIP" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(6) The prize symbols and prize symbol captions are as follows:

INSERT SYMBOLS

(7) The legends are as follows:

INSERT SYMBOLS

(8) Determination of Prize Winners.

A ticket having a number in the "YOUR CHIPS" play area that matches the number in the "HOUSE CHIP" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to four matching sets of numbers. The prizes are: TICKET, \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$25.00, \$100, \$250, \$500, \$2,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 ticket, except as follows. A person who submits by mail an IN THE CHIPS lottery ticket which entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 424 are as follows:

<u>GAME PLAY TICKET</u>	<u>WIN \$1 TICKET</u>	<u>ODDS OF 1 IN</u>	<u>NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL</u>
\$1	\$1	8.33	907,200
\$1 x 2	\$2	37.50	201,600
\$1 x 4	\$4	60.00	126,000
\$2 + \$3	\$5	60.00	126,000
\$5	\$5	60.00	126,000
(\$2 x 2) + (\$3 x 2)	\$10	300.00	25,200
\$10	\$10	300.00	25,200
\$5 x 4	\$20	300.00	25,200
\$10 x 4	\$40	6,000.00	1,260
\$25 x 2	\$50	9,000.00	840
\$100 x 4	\$400	151,200.00	50
\$250 x 4	\$1,000	360,000.00	21
\$500 x 4	\$2,000	945,000.00	8
\$2,000	\$2,000	945,000.00	8

(10) The estimated overall odds of winning some prize in Instant Game Number 424 are 1 in 4.16. Some prizes, including the top prizes, may be sold out at the time of ticket purchase.

(11) For reorders of Instant Game Number 424, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing an IN THE CHIPS lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for IN THE CHIPS lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 3-15-02.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: March 15, 2002

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Department of Highway Safety and Motor Vehicles hereby gives notice that the Petition for Variance of Rule 15A-10.028, dated January 28, 2002, from National Safety Council, South Florida Chapter, was granted by the Department on January 31, 2002. The petitioner was seeking a variance from Section

15A-10.005(3), F.A.C., which states that the DUI program must submit the DUI Licensure Renewal Form at least 30 days prior to the expiration of the license.

A copy of the petition and order may be obtained from: Bureau of Driver Education and DUI Programs, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room B214, MS 88, Tallahassee, Florida 32399-0571.

DEPARTMENT OF CITRUS

NOTICE IS HEREBY GIVEN by the Florida Department of Citrus that the petition filed February 19, 2002, by Florida Citrus Processors Association, a voluntary cooperative association located in Winter Haven, Florida, seeking a variance or waiver from the mandatory requirements for inspection and grading by USDA for inter- and intra-company transfer of bulk citrus products between registered processing facilities pursuant to Chapters 20-71 and 20-72, F.A.C., was considered by the Florida Citrus Commission at its February 20, 2002 meeting. The Commission would like to extend a comment period through the end of business April 19, 2002. Notice of the Petition was published in the FAW on March 15, 2002.

Comments on the petition should be filed with the Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148.

For additional information or a copy of the petition contact: Mia L. McKown, General Counsel, Florida Department of Citrus at the above address, telephone (863)499-2529 or e-mail: mmckown@citrus.state.fl.us.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on March 5, 2002, South Florida Water Management District (District) received a petition for waiver from Aslan, Inc., for utilization of Works or Lands of the District known as the Hillsboro Canal, Broward County. The petition seeks relief from Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-6.091(1), Fla. Admin. Code, which governs the minimum vertical clearance requirement of pile-supported facilities located within Works or Lands of the District, for an accessway under U.S. Highway 1.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail at jsluth@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business

on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

NOTICE IS HEREBY GIVEN that on March 11, 2002, South Florida Water Management District (District) received a petition for waiver from the Golden Gate Fire Control & Rescue District, for utilization of Works or Lands of the District known as the Henderson Creek Canal, Collier County. The petition seeks relief from subsections 40E-6.011(4), (5) and (6), Fla. Admin. Code and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground encroachments within forty feet of the top of canal bank within Works or Lands of the District, for a proposed driveway access and potable water and sanitary sewer to be constructed within Works or Lands of the District.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail at jsluth@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

NOTICE IS HEREBY GIVEN that on March 13, 2002, South Florida Water Management District (District) received a petition for waiver from Belina & Peter Kessel, for utilization of Works or Lands of the District known as the Hillsboro Canal, Palm Beach County. The petition seeks relief from Rules 40E-6.011(4),(5) and (6), Fla. Admin. Code and Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-6.091(1), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground encroachments within forty feet of the top of canal bank within Works or Lands of the District, for an existing fence, dock, ramp, shed, gazebo and basketball court, to remain within Works or Lands of the District.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail at jsluth@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business

on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

On March 5, 2002, the Florida Department of Environmental Protection (Department) received a petition for waiver under section 120.542 of the Florida Statutes from Yachting Promotions, Inc., to obtain a waiver of the provisions of Rule 62-312.080(7) of the Florida Administrative Code, which prohibits the Department from issuing a permit for dredging and filling in Class II or Class III waters approved for shellfish harvesting.

A copy of the petition may be obtained by contacting: Amy Porto, 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 full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a petition filed on behalf of Larry Fishman, M.D., on March 7, 2002, seeking a waiver from Rule 64B8-12.006, F.A.C., with regard to the requirement for coverage which provides for claims occurring from the "previous biennium," commonly referred to as "tail insurance." Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

FLORIDA HOUSING FINANCE CORPORATION

Florida Housing Finance Corporation gives notice of the entry of an Order Granting Petition for Waiver of Petition for Waiver of Rule 67-21.008(1)(b), Florida Administrative Code.

NAME OF THE PETITIONER: Valencia Trace of Orlando, Ltd.

DATE PETITION WAS FILED: February 5, 2002

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Rule 67-21.008(1)(b), Valencia Trace is seeking a waiver of the rule which requires the amortization of a mortgage loan beginning in the 25th month after the loan closing.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, February 15, 2002, Vol. 28, No. 7.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER:

March 7, 2002.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sheila Freaney, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail to Sheila.freaney@floridahousing.org.

Florida Housing Finance Corporation gives notice of the entry of an Order Granting Petition for Waiver of Rules 67-47.120, 67-47.130, 67-47.140 and 67-47.150, Florida Administrative Code.

NAME OF THE PETITIONER: Three Rivers Housing Foundation, Inc. (Red Hills HOME Homeownership)

DATE PETITION WAS FILED: December 19, 2001

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Rules 67-47.120, 67-47.130, 67-47.140 and 67-47.150, Florida Administrative Code. The Petition is seeking a variance from the rule which provides that the HOME Homeownership Construction Funds be used during the construction for down payment and closing cost assistance only.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, January 4, 2002, Vol. 28, No. 1.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER:

March 7, 2002.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or

inspections should be made to Sheila Freaney, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail to Sheila.freaney@floridahousing.org.

Florida Housing Finance Corporation gives notice of the entry of an Order Granting Petition for Waiver of Rules 67-48.002(32) and 67-48.004(18)(b), Florida Administrative Code.

NAME OF THE PETITIONER: Lenox Court Associates, Ltd.

DATE PETITION WAS FILED: February 7, 2002

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Rule 67-48.002(32), which provides that the name of the developer as identified in an Application, may not change until the construction of the Development is complete.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, February 22, 2002, Vol. 28, No. 7.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER:

March 7, 2002.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sheila Freaney, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail to Sheila.freaney@floridahousing.org.

Section VI

Notices of Meetings, Workshops and Public Hearings

NOTICE OF CORRECTION – The location of the Cabinet Aides meeting published in Vol. 28, No. 12, March 22, 2002, Florida Administrative Weekly, is changed as follows:

DATE AND TIME: April 3, 2002, 9:00 a.m.

PLACE: Room 212, Knott Building, Tallahassee, FL

DEPARTMENT OF STATE

The Department of State, Division of Library and Information Services announces a meeting of the Library Services and Technology Act Advisory Council.

DATE AND TIME: Wednesday, April 16, 2002, 9:00 a.m. – 4:00 pm. (Eastern Time)

PLACE: The State Library of Florida, R. A. Gray Building, First Floor, Boardroom, 500 South Bronough Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This session will provide an orientation session for new Library Services and Technology Act (LSTA) Advisory Council members to the purposes and philosophy of the Library Services and Technology Act; the role and duties of the Council; and programs and activities of the Division.

Any person requiring special accommodations due to a disability should contact the agency at least five days prior to the meeting in order to request any special assistance by calling Amy Johnson, (850)245-6622, Suncom 205-6600, or TDD (850)922-4085.

DEPARTMENT OF LEGAL AFFAIRS

The **Office of the Attorney General**, Florida Motor Vehicle Theft Prevention Authority, announces a public meeting of the Board of Directors of the Florida Motor Vehicle Theft Prevention Authority to which all interested persons are invited.

DATE AND TIME: Wednesday, May 29, 2002, 10:00 a.m.

PLACE: Office of the Attorney General, First Floor, Conference Room 134, Collins Building, 107 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Board of Directors as required by Florida Statute. Consideration of matters as presented in the agenda for the meeting.

A copy of the agenda may be obtained by contacting: Karen O'Bryan, Florida Motor Vehicle Theft Prevention Authority, Office of the Attorney General, The Capitol, Room PL-01, Tallahassee, Florida 32399-1050 or by calling (850)414-3362. A request for the agenda may be faxed to the Authority Office, (850)413-0633. TDD users, please call through the Florida Relay Service at 1(800)955-8771.

If special accommodations are needed to attend this meeting because of a disability, please contact Karen O'Bryan no later than seven days prior to the proceedings at (850)414-3362. If hearing impaired, contact Karen O'Bryan via Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces a meeting of the Citrus Production Research Advisory Council.

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

PLACE: Highland County Agricultural Civic Center, Highway 27, South (4509 George Blvd.), Sebring, Florida 33875, (863)402-6540

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the Citrus Production Research Advisory Council to fund Marketing Research Proposals for the year 2002-2003 and address other issues as needed.

If special accommodations are needed to attend this meeting because of a disability, please contact Tony Fendrick, (850)487-3153.

The **Department of Agriculture and Consumer Services** announces a meeting of the Tropical Fruit Advisory Council.

DATE AND TIME: April 11, 2002, 6:30 p.m.

PLACE: Dade County Cooperative Extension Center, 18710 Southwest 288th Street, Homestead, FL 33030, (305)248-3311

GENERAL SUBJECT MATTER TO BE CONSIDERED: Welcome Guests; Secretary's Report; Recommend members and alternates for 2002; New Business: Goals and Objectives.

A copy of the agenda can be obtained by contacting: George Demetree, Room 423, Mayo Building, 407 South Calhoun Street, Tallahassee, Florida 32399-0800, (850)488-4131.

If special accommodations are needed to attend this meeting, because of a disability, please contact George Demetree as soon as possible.

DEPARTMENT OF EDUCATION

The Florida **Department of Education**, Charter School Review Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 11, 2002, 9:00 a.m. – 3:00 p.m.

PLACE: Doral Academy Charter High School, 11100 N. W. 27th Street, Miami, Florida 33172, (305)597-9950

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of the Charter School Review Panel will address issues concerning conversion charter schools (district schools converted to charter status).

An agenda will be available one week prior to the meeting. To obtain a copy of the agenda, please call or write: Choice Office, 325 West Gaines Street, 522 Turlington Building, Tallahassee, Florida 32399-0400, (850)414-0780 or Suncom 994-0780.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in this meeting are requested to contact Karen L. Hines-Henry at the above address or telephone numbers.

The **Gulf Coast Community College**, District Board of Trustees will hold its monthly meeting as follows.

DATE AND TIME: April 11, 2002, 10 a.m. (CDT)

PLACE: Gardner Seminar Room

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular monthly meeting.
Contact person for the meeting is: Dr. Robert L. McSpadden,
President.

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Executive Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: April 4, 2002, 10:30 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Evaluation Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: April 4, 2002, 11:30 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Legislative Committee

DATE AND TIME: April 12, 2002, 9:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person

decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Membership Committee

DATE AND TIME: April 12, 2002, 12:00 Noon

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Executive Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: May 2, 2002, 10:30 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Evaluation Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: May 2, 2002, 11:30 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the

notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Legislative Committee

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

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Membership Committee

DATE AND TIME: May 10, 2002, 12:00 Noon

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Planning Committee Conference Call/Florida Rehabilitation Council

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

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Coordination Committee

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

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Executive Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: June 6, 2002, 10:30 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Evaluation Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: June 6, 2002, 11:30 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Legislative Committee

DATE AND TIME: June 14, 2002, 9:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Membership Committee

DATE AND TIME: June 14, 2002, 12:00 Noon

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Planning Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: June 19, 2002, 9:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Coordination Committee

DATE AND TIME: June 19, 2002, 10:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Legislative Committee

DATE AND TIME: July 12, 2002, 9:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Membership Committee

DATE AND TIME: July 12, 2002, 12:00 Noon

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Planning Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: July 17, 2002, 9:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Coordination Committee

DATE AND TIME: July 17, 2002, 10:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Legislative Committee

DATE AND TIME: August 9, 2002, 9:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Membership Committee

DATE AND TIME: August 9, 2002, 12:00 Noon

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Planning Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: August 21, 2002, 9:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Coordination Committee

DATE AND TIME: August 21, 2002, 10:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Executive Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: September 5, 2002, 10:30 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Evaluation Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: September 5, 2002, 11:30 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

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ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Legislative Committee

DATE AND TIME: September 13, 2002, 9:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Membership Committee

DATE AND TIME: September 13, 2002, 12:00 Noon

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Planning Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: September 18, 2002, 9:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person

decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council: Coordination Committee

DATE AND TIME: September 18, 2002, 10:00 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Executive Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: October 3, 2002, 10:30 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Evaluation Committee Conference Call/Florida Rehabilitation Council

DATE AND TIME: October 3, 2002, 11:30 a.m.

PLACE: Headquarters, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitative Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, Building A, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

Any interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the

notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

STATE BOARD OF ADMINISTRATION

The Florida **State Board of Administration** announces a public hearing to which all persons are invited.

DATE AND TIME: Tuesday, April 9, 2002, 9:00 a.m. – Conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Monroe Street and Apalachee Parkway, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration, on April 9, 2002, will consider proposed amendments to the Investment Policy Statement incorporated in Rule 19-9.001, F.A.C., and will be asked for permission to file the rule for notice:

The proposed amended Rule 19-9.001, Investment Policy Statement, F.A.C., adopts revisions to the Investment Policy Statement for the Public Employee Optional Retirement Program. A rule development workshop was offered on March 12, 2002, but no one requested the workshop and the workshop was not held. The rule hearing is scheduled for May 21, 2002. If the Joint Administrative Procedures Committee has no suggestions and if the Trustees approve adopting this rule at their meeting on June 12, 2002, the State Board expects to file for adoption shortly thereafter.

A copy of the State Board of Administration's agenda for the April 9, 2002, Cabinet meeting may be obtained by contacting: Dorothy Westwood, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1350.

The Florida **State Board of Administration** announces a public hearing to which all persons are invited.

DATE AND TIME: Tuesday, April 9, 2002, 9:00 a.m. – Conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Monroe Street and Apalachee Parkway, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration, on April 9, 2002, will consider proposed amendments to Rule 19-10.001, F.A.C., and will be asked for permission to file this rule for notice:

The proposed amended Rule 19-10.001, F.A.C., Asset Transfer Procedures: Initial Transfers, occurring between 7/1/02 and 3/31/03, implements the initial transfer of assets between the

defined benefit program and the optional defined contribution program in the Florida Retirement System. This rule also adopts an amended enrollment form. A rule development workshop was offered on March 12, 2002, but no one requested the workshop and the workshop was not held. The rule hearing is scheduled for May 21, 2002. If the Joint Administrative Procedures Committee has no suggestions and if the Trustees approve adopting these rules at their meeting on June 12, 2002, the State Board expects to file for adoption shortly thereafter.

A copy of the State Board of Administration's agenda for the April 9, 2002, Cabinet meeting may be obtained by contacting: Dorothy Westwood, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1350.

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a meeting of two members of the Public Employee Optional Retirement Advisory Committee (PEORPAC) to which all persons are invited.

DATE AND TIME: Monday, April 29, 2002, 1:00 p.m. – 4:00 p.m.

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of two members of the PEORPAC to discuss communications with participants in the Public Employee Optional Retirement Program (PEORP). There may also be a general discussion of the implementation or operations of the PEORP.

Anyone wishing further information should contact: Joan Haseman, Defined Contribution Program, P. O. Drawer 13300, Tallahassee, FL 32317-3300.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend the meeting is requested to call Joan Haseman, (850)413-1492, five days prior to the meeting so that appropriate arrangements can be made.

DEPARTMENT OF CITRUS

AMENDED NOTICE – The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: March 27, 2002, 9:00 a.m. The Commission will convene for the purposes of standing committee meetings and for the regular monthly meeting of the Florida Citrus Commission.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues pertaining to budget revisions, contracts, advertising programs, budget items, rulemaking, balance scorecards, licensing, rulemaking, modifying the

Department's symbol program and other matters that are addressed during monthly meetings of the Commission. The Commission will also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to address issues resulting from the March 15, 2002, court order in the Tampa Juice, et al v. Department of Citrus. The parties attending the closed session will be John R. Alexander, Walter L. Brewer, Tristan G. Chapman, Harry H. Falk, Christopher W. Gargano, Raymond A. Jackson, William E. Kemper, John M. Luther, W. Lindsay Raley, Jr., Daniel R. Richey, Nancy J. Schafer, Andrew R. Taylor, Bob Crawford, Hank B. Campbell, Esq., Monte Campbell, Esp. and Mia L. McKown, Esq.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

The **Department of Citrus** announces a public meeting of the Citrus Abscission Registration Committee to which all persons are invited.

DATE AND TIME: Tuesday, April 9, 2002, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will have its monthly meeting to discuss natural abscission compounds, economics of abscission and public relations, recommended research development plans and budget for 2002-2003, and other business that might come before the council for consideration.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

The **Department of Citrus** announces a public meeting of the Harvesting Forum to which all persons are invited.

DATE AND TIME: Tuesday, April 9, 2002, 10:30 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Harvesting Forum will meet to discuss agenda and proposed presentations as well as speakers, and other business that might come before the forum for consideration.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

The **Department of Citrus** announces a public meeting of the Citrus Harvesting Research Advisory Council to which all persons are invited.

DATE AND TIME: Tuesday, April 9, 2002, 1:30 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will have its monthly meeting to update scorecard issues, abscission registration chemicals, harvesting labor, recommend research development plans and budget for 2002-2003, and other business that might come before the council for consideration.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 24, 2002, 9:00 a.m.

PLACE: Florida Parole Commission, Bldg. C, Third Floor, 2601 Blairstone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980).

A copy of the agenda may be obtained by writing: Florida Parole Commission, Building C, 2601 Blairstone Road, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice, (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a Customer Meeting to be held in the following docket, to which all interested persons and parties are invited to attend.

DOCKET NO.: 010869-WS – Application for staff-assisted rate case in Marion County by East Marion Sanitary Systems, Inc.

DATE AND TIME: Thursday, April 18, 2002, 6:00 p.m.

PLACE: Marion County Commission, Auditorium, 601 Southeast 25th Avenue, Ocala, Florida 34471.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to give customers and other interested persons an opportunity to offer comments to the Public Service Commission Staff regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on Staff's preliminary rates as well as other issues.

A copy of the agenda for any meeting may be obtained by writing: Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing, meeting, etc. Any person who is hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the meeting.

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

DOCKET NO.: 000075-TP – Investigation into appropriate methods to compensate carriers for exchange of traffic subject to Section 251 of the Telecommunications Act of 1996.

DATE AND TIME: April 19, 2002, 9:30 a.m.

PLACE: Betty Easley Conference Center, Hearing Room 152, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

DOCKET NO.: 990649B-TP – Investigation into pricing of unbundled network elements (Sprint/Verizon track).

DATE AND TIME: April 19, 2002, 9:30 a.m.

PLACE: Betty Easley Conference Center, Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

REGIONAL PLANNING COUNCILS

The **Treasure Coast Regional Planning Council** announces a meeting of the Budget/Personnel Committee to which all persons are invited:

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

PLACE: Treasure Coast Regional Planning Council, Suite 300, 301 East Ocean Boulevard, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Budget/Personnel Committee will be held to review the proposed Budget Amendment for Fiscal Year 2001/2002.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, Suite 300, 301 E. Ocean Boulevard, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

METROPOLITAN PLANNING ORGANIZATIONS

The **Metropolitan Planning Organization for the Orlando Urban Area** announces the following public meetings of its Governing Board and Executive Committee to which all persons are invited:

DATE AND TIME: Wednesday, April 10, 2002, 9:00 a.m. and 11:00 a.m., respectively

PLACE: Metroplan Orlando, Suite 355, 315 East Robinson Street, Orlando, FL 32801

Purpose: Regularly Scheduled Meetings.

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Call to Order
2. Chairman’s Announcements
3. Executive Director’s Announcements
4. Consent Items
5. Action Items
6. Other Business
7. Executive Director’s Report
8. Board Workshop

A detailed copy of the agenda may also be obtained by contacting: Ms Lewis-Whittington, Metroplan Orlando, 315 East Robinson Street, Suite 355, Orlando, FL 32801, (407)481-5672, Ext. 314.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Metroplan Orlando, (407)481-5672, at least 48 hours before the meeting.

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: April 9, 2002, 9:00 a.m.

PLACE: City of Fanning Springs, City Council Room, 17651 Northwest 90th Ct., Fanning Springs, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters.

Public hearing in accordance with Section 373.139(3)(a), F.S., concerning the proposed purchase or property for the Wachovia Bank/Jennings Wastewater Tract, 107 acres +/-, Hamilton County, Florida, with funds from the Florida Forever Trust Fund; also the Curtis/Davis Tract, 180 acres +/-, Hamilton County, Florida, with funds from the Florida Forever Trust Fund; also the Thompson Tract, 1,714 acres +/-, Levy County, Florida, with funds from the Florida Forever Trust Fund; also the Otter Sink Conservation Easement, 11,609 acres +/-, Dixie County, Florida, with funds from the Florida Forever Trust Fund.

DATE AND TIME: April 9, 2002, following Board Meeting

PLACE: Fanning Springs State Park, 18010 Northwest Highway 19, Fanning Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: DEP Governing Board 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, (386)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **Suwannee River Water Management District** announces the following public hearing to which all interested persons are invited.

DATE AND TIME: April 9, 2002, 7:00 p.m.

PLACE: Community Center, Mayo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss agreements for hunting on District-owned lands in Jefferson, Madison, Lafayette and Taylor Counties.

For additional information regarding this meeting contact Charlie Houder, Deputy Executive Director, SRWMD, 9225 CR 49, Live Oak, FL 32060, (386)362-1001.

The Suwannee River Water Management District does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the District’s functions, including one’s access to, participation, employment or treatment in its programs or activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact Gwen Lord, Administrative Assistant, (386)362-1001 or 1(800)226-1066 (Florida only), Fax (386)362-1056.

The **St. Johns River Water Management District** announces the following Projects and Land Committee meetings and tour: **PROJECTS AND LAND COMMITTEE MEETING**

DATE AND TIME: Thursday, April 4, 2002, 2:00 p.m. – 5:00 p.m.

PLACE: Mission Inn, Legends Room, 10400 County Road 48, Howie-in-the-Hills, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: For Water Resources Discussion (for Information Only) with dinner following.

OVERVIEW OF THE UPPER OCKLAWAHA

DATE AND TIME: April 4, 2002, 6:00 p.m.

PLACE: Legends Room

BUSINESS MEETING

DATE AND TIME: April 5, 2002, 9:00 a.m.

PLACE: Legends Room

PROJECT SITE TOUR

DATE AND TIME: April 5, 2002, following the meeting

PLACE: Mission Inn's boat ramp

GENERAL SUBJECT MATTER TO BE CONSIDERED: For information, review and discussion of the Upper Ocklawaha River Program.

A copy of the agenda can be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or by calling Sonia Kuecker, BRS IV/Water Resources, (904)312-2330.

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 Mrs. Linda Lorenzen, (904)329-4262. If you are hearing or speech impaired, please contact the agency by calling (904)329-4450 (TDD).

The **St. Johns River Water Management District** announces the following public meetings and hearings, which may be conducted by means of or in conjunction with communications technology, to which all persons are invited:

MEETING OF GOVERNING BOARD CHAIR AND COMMITTEE CHAIRS

DATE AND TIME: Tuesday, April 9, 2002, 9:30 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

FINANCE AND ADMINISTRATION COMMITTEE MEETING

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

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Finance, Facilities/Planning/Construction, Information Technology, and Personnel agenda items followed by committee recommendations to be approved by the full Governing Board.

REGULATORY COMMITTEE MEETING

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

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Regulatory agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD/REGULATORY MEETING

DATE AND TIME: Tuesday, April 9, 2002, 1:00 p.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

GOVERNING BOARD MEETING AND PUBLIC HEARING

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

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Staff will recommend approval of external budget amendments. Discussion and consideration of District business including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

NOTE: In the event of a declared emergency or emergency conditions due to an imminent tropical storm or hurricane, this meeting may be conducted by teleconference.

A copy of the agenda for these meetings may be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, Attention: Ann Freeman, Executive Office.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings is requested to advise the District at least 48 hours before the meeting or hearing by contacting Ann Freeman, (386)329-4101. If you are hearing or speech impaired, please contact the District by calling (386)329-4450 (TDD).

If any person decides to appeal any decision with respect to any matter considered at the above-listed meetings or hearings, 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.

The **Southwest Florida Water Management District** announces the following meeting to which all interested parties are invited.

INDUSTRIAL ADVISORY COMMITTEE

DATE AND TIME: Tuesday, April 9, 2002, 9:00 a.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

The agenda may be obtained by writing: Community Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the American's with Disabilities Act (ADA) should call 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference, to which all interested parties are invited:

DATES AND TIME: Tuesdays, April 2, 9, 16, 23, 30, 2002, 1:00 p.m.

PLACE: South Florida Water Management District, Headquarters, Egret Conference Room, 3rd Floor, Northeast End, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Appraisal Review Committee will hold its regular meeting to discuss appraisal issues and, if necessary, select an appraiser from proposals received on upcoming appraisal assignments.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Committee decision require a record of the proceedings. Although Appraiser Review Committee meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, or those wishing to submit written or physical evidence may contact Ken Daw, Chief Appraiser, Real Estate Operations Division, MSC 3330, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces a private closed door attorney-client session:

DATE AND TIME: Wednesday, April 10, 2002, at or after 7:30 a.m.

PLACE: South Florida Water Management District, Governing Board Chambers, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2001), to discuss strategy related to litigation expenditures in Miccosukee Tribe of Indians of Florida, v. South Florida Water Management District and Sam

Poole and Friends of Everglades v. South Florida Water Management District, United States Court of Appeals Eleventh Circuit, Case No. 00-15703.

ATTENDEES: Governing Board Members T. Williams, P. Brooks-Thomas, M. Collins, H. English, G. Fernandez, P. Gleason, N. Gutiérrez, L. Lindahl, H. Thornton; District Executive Director H. Dean; District attorneys J. Fumero, J. Nutt, D. MacLaughlin and S. Glazier.

The subject matter shall be confined to the pending litigation. Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record.

A copy of the transcript will be made part of the public record at the conclusion of the litigation. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of governing board members.

A copy of the agenda may be obtained: (1) District website <http://www.sfwmd.gov/agenda.html> or (2) by writing: South Florida Water Management District, Mail Stop 2130, Post Office Box 24680, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces a private closed door attorney-client session in the event this subject matter is not reached as noticed for April 10, 2002, in the Friday, March 29, 2002 issue of the Florida Administrative Weekly.

DATE AND TIME: Thursday, April 11, 2002, at or after 7:30 a.m.

PLACE: South Florida Water Management District, Governing Board Chambers, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2001), to discuss strategy related to litigation expenditures in Miccosukee Tribe of Indians of Florida, v. South Florida Water Management District and Sam Poole, and Friends of Everglades v. South Florida Water Management District, United States Court of Appeals Eleventh Circuit, Case No. 00-15703.

ATTENDEES: Governing Board Members T. Williams, P. Brooks-Thomas, M. Collins, H. English, G. Fernandez, P. Gleason, N. Gutiérrez, L. Lindahl, H. Thornton; District Executive Director H. Dean; District attorneys J. Fumero, J. Nutt, D. MacLaughlin and S. Glazier.

The subject matter shall be confined to the pending litigation. Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record.

A copy of the transcript will be made part of the public record at the conclusion of the litigation. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of governing board members.

A copy of the agenda may be obtained: (1) District website <http://www.sfwmd.gov/agenda.html> or (2) by writing: South Florida Water Management District, Mail Stop 2130, Post Office Box 24680, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces a Project Delivery Team meeting to which all interested parties are invited:

DATE AND TIME: Tuesday, April 9, 2002, 9:00 a.m. – 3:30 p.m.

PLACE: The Palm Beach County Cooperative Extension Service, Clayton Hutcheson Building, 559 N. Military Trail, Exhibit Hall B, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Project Delivery Team for the EAA Storage Reservoirs Phase I, CERP. The topic of discussion: Performance Measures, along with presentations regarding Restudy Modeling, Everglades Construction Project and Basin Feasibility Study.

DIRECTIONS: From I-95: Take Belvedere Road Exit. Go west to Military Trail. Turn left (south) into far right lane. Turn right (west) on Golf Street, (between Cater's Furniture and the Driver's License Office, four-tenths of a mile south of Belvedere Road). Turn left into the complex at the end of Golf Street.

From Turnpike: Take Okeechobee Road Exit. Go east to Military Trail. Go south on Military Trail, four-tenths of a mile past Belvedere Road. Turn right (west) on Golf Street, (between Cater's Furniture and the Driver's License Office). Turn left into the complex at the end of Golf Street.

Persons with disabilities who need assistance may contact the Assistant District Clerk, Paula Moree, (561)686-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Angela Prymas, SFWMD, Project Management-CERP Department, (561)682-6629 or Brad Clark (USACE), (904)232-3302.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications technology, to which all interested parties are invited:

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

PLACE: South Florida Water Management District, Headquarters, Auditorium, Building B-1, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-8800

GENERAL SUBJECT MATTER TO BE CONSIDERED:

A. Regular Governing Board Workshop/Meeting to discuss and consider District business including regulatory and non-regulatory matters.

B. Conduct meeting of the Budget Committee.

C. Conduct meeting of the Audit Committee.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members. In the event of emergency conditions due to an imminent tropical storm or hurricane, this meeting may be conducted by teleconference in order to take action on items listed on the Thursday, April 11, 2002, meeting agenda, including regulatory and non-regulatory items.

NOTE: Due to extensive demolition and construction at the main complex, parking will be severely impacted. Additional parking for the public will be available at the National Guard Armory just east of the main complex, or at Lake Lytel Park, located west of the main complex.

DATE AND TIME: April 11, 2002, 8:30 a.m.

PLACE: District Headquarters, Auditorium, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Governing Board meeting for consideration of regulatory and non-regulatory matters, including public meetings, and adopt a resolution amending the FY2001-02 Budget as follows:

South Florida Water Management District
Proposed FY2001-02 Budget Amendment

The South Florida Water Management District will consider a proposed Amendment to its FY2001-02 Budget at its regularly scheduled meeting on April 11, 2002. The meeting will be held in the District's Auditorium at 3301 Gun Club Road, WPB, FL and begin at 8:30 A.M. All concerned citizens are invited to attend. For further information on these proposed changes, please contact Aaron Basinger, Director, Budget Division, at (561)686-8800 or toll free at 1(800)432-2045. The amendment is intended to address the areas listed below.

	General Fund	Special Revenue Funds	Capital Projects Funds	Internal Service Fund	Total
FY2001-02 Adopted Revenues and Balances	\$90,467,656	\$216,080,055	\$418,624,887	\$3,432,616	\$728,605,214
Amendments:					
State Appropriations		560,450			560,450
Grant Revenues		(3,703,270)			(3,703,270)
Florida Department of Transportation		(2,177,190)			(2,177,190)
Sale of Surplus Property	175,000				175,000
Undesignated Fund Balance Appropriation	2,404,370	3,748,000			6,152,370
Total Amended Revenues and Balances	93,047,026	214,508,045	418,624,887	3,432,616	729,612,574
Reserved for Encumbrances	16,424,116	39,670,167	46,611,517	36,269	102,742,069
Total Amended Sources	\$109,471,142	\$254,178,212	\$465,236,404	\$3,468,885	\$832,354,643
FY2000-01 Adopted Appropriations	\$90,467,656	\$216,080,055	\$418,624,887	\$3,432,616	\$728,605,214
Amendments:					
Grant Managerial Reserves		(2,204,370)			(2,204,370)
Upper Kissimmee Basin Projects		3,717,000			3,717,000
Outreach Cooperative Agreements	2,204,370				2,204,370
Wetland Mitigation-Florida		(2,177,190)			(2,177,190)
Department of Transportation					
Local Cooperative Agreements		(542,050)			(542,050)
Remote Sensing Data Evaluation		(396,400)			(396,400)
Capital Lease Expenditures	175,000				175,000
Regional Water Supply Feasibility Study	150,000				150,000
Public Private Partnership Alternatives	50,000				50,000
Martin County C-23 Linnear Park		31,000			31,000
Total Amended Appropriations	93,047,026	214,508,045	418,624,887	3,432,616	729,612,574
Reserved for Encumbrances	16,424,116	39,670,167	46,611,517	36,269	102,742,069
Total Amended Appropriations & Encumbrances	\$109,471,142	\$254,178,212	\$465,236,404	\$3,468,885	\$832,354,643

This amendment is composed of a series of transactions which relate to:

1. Decreasing undesignated fund balance to fund a series of Upper Kissimmee Basin Projects.
2. Decreasing undesignated fund balance to fund a series of educational/water resource outreach initiatives.
3. Increasing budget authority in the amount of \$1.0 million to recognize Florida Department of Environmental Protection revenue to fund a series of Miami-Dade surface water restoration projects.
4. Various adjustments to properly align budget authority with grant revenues received.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

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 or may be acquired via the SFWMD, Website at <http://www.sfwmd.gov/agenda.html>.

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 testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Paula Moree, Assistant District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Regular Board meeting to which all persons are invited:

DATE AND TIME: Monday, April 15, 2002, 9:30 a.m.

PLACE: Tampa Bay Water, Suite 211-A, 2535 Landmark Drive, Clearwater Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need to record of the proceedings, and for such purposes 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.

A copy of the regular meeting agenda may be obtained by writing: Tampa Bay Water or can be accessed on the web at www.tampabaywater.org.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Wells, (727)796-2355, at least 3 business days prior to the meeting.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Florida Hospital Record Report Work Group of the Comprehensive Health Information System Advisory Council to which all interested parties are invited.

DAND TIME: Thursday, April 11, 2002, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study available data on hospital services, medical staff, accreditation history, complaints or other data and make recommendations for publication and dissemination to consumers.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Carolyn H. Turner, Agency for Health Care Administration, Bldg. 3, 2727 Mahan Drive, Mail Stop #16, Tallahassee, FL 32308-5403.

The **Agency for Health Care Administration** announces a meeting of the Comprehensive Health Information System Advisory Council to which all interested parties are invited.

DATE AND TIME: Friday, April 12, 2002, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the collection, analysis and dissemination of health care data.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Carolyn H. Turner, Agency for Health Care Administration, Bldg. 3, 2727 Mahan Drive, Mail Stop #16, Tallahassee, FL 32308-5403.

DEPARTMENT OF MANAGEMENT SERVICES

The **Correctional Privatization Commission** announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, April 11, 2002, 4:00 p.m. (EST), 3:00 p.m. (CST)

PLACE: Bay Correctional Facility, 5400 Bayline Drive, Panama City, Florida 32404, (850)769-1455

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of pertinent Commission business relating to the current and upcoming fiscal years.

Any person who decides to appeal a decision of the Correctional Privatization Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Section 286.0105, Florida Statutes.

A copy of the agenda may be obtained by writing: Correctional Privatization Commission, Office of the Executive Director, Suite 680, Pepper Building, 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Correctional Privatization Commission, Office of the Executive Director, (850)921-4034, at least five (5) calendar days prior to the meeting.

If you are hearing or speech impaired, please contact the Correctional Privatization Commission, Office of the Executive Director, by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

NOTICE IS HEREBY GIVEN that the **Digital Divide Council** will hold a one-day meeting to which all persons are invited.

DATE AND TIME: Monday, April 15, 2002, 9:00 a.m. – 1:00 p.m.

PLACE: Room 214, The Capitol, Tallahassee, Florida 32399-0001, Conference call capability will be available. The dial up number is (850)921-2470

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary purpose of the meeting will be to continue work on the statutory mandates set out for the Council in Section 445.049, Florida Statutes. This will include the establishment of the criteria and procedure for the development of the Council's 6 pilot projects.

Any additional information as to this meetings will be provided on the Digital Divide website at http://www.myflorida.com/myflorida/sciencetechnology/learn/digital_divide/index.html or contact: Stacey McMillian, State Technology Office, Suite 335, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida 32399, (850)410-4777.

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 Council at least 48 hours before the meeting by contacting Stacey McMillian at the above stated number.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Division of Hotels and Restaurants** announces a Meeting of the Elevator Safety Technical Advisory Committee to which all persons are invited:

DATE AND TIME: April 16, 2002, 1:00 p.m. – 5:00 p.m.

PLACE: The Travel Lodge Hotel, 3835 McCoy Road, Orlando, Florida 32812.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Routine meeting of the Elevator Technical Advisory Committee.

A copy of the agenda may be obtained by contacting: Rick Spikes, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, (850)410-1492.

THE PERSON TO BE CONTACTED REGARDING THE MEETING IS: Rick Spikes, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012, (850)410-1492.

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 workshop by contacting Rick G. Spikes, Operations Review Specialist, (850)410-1492. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIMES: Wednesday, April 10, 2002, 3:00 p.m.; Thursday, April 11, 2002, 8:00 a.m.; Friday, April 12, 2002, 8:00 a.m.

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings 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.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 1940 North Monroe Avenue, Tallahassee, Florida 32399-0754.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Stacey Merchant, (850)921-6983, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official committee and general business meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 17, 2002, 8:30 a.m. or shortly thereafter

PLACE: The Crown Plaza Hotel, Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida 32812, (407)856-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Committee and General Business Meetings of the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling Sandra DuPont, (850)921-7869.

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 Sandra DuPont at (850) 921-7869. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based.

For further information, contact the Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Landscape Architecture** announces the following meeting to which all persons are invited to attend.

DATE AND TIME: April 19, 2002, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399, (850)488-0937

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business Meeting.

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Landscape Architecture, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)488-0937, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Building Code Administrators and Inspectors Board** announces an Official Board Meeting via telephone conference call to which all interested persons are invited.

DATE AND TIME: April 8, 2002, 10:00 a.m. (EST)

PLACE: Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board Office, 1940 North Monroe Street, Tallahassee, FL 32399-2211, Access Number (850)410-0960 or Suncom 210-0960

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Official Board Meeting for the review and consideration of applications for examination and licensure.

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-2211.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence, Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, (850)921-4847, at least forty eight (48) hours prior to the meeting. If you are hearing or speech impaired, please call Elise Rice. Building Code Administrators and Inspectors Board using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Accountancy**, Committee on Continuing Professional Education, announces the following public meeting to which all persons are invited:

DATE AND TIME: Tuesday, May 21, 2002, 9:00 a.m.

PLACE: Via Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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: Board of Accountancy, Suite A, 240 Northwest 76th Drive, Gainesville, FL 32607, (352)333-2500, as soon as possible.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF CANCELLATION – The **Florida Forever Advisory Council** (FFAC), as defined in Section 259.0345, Florida Statutes, has cancelled the following public meeting:

DATE AND TIME: April 8, 2002, 1:00 p.m. – 3:00 p.m.

PLACE: Marjorie Stoneman Douglas Building, Conference Room A, 1st Floor, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000

For more information please contact: Office of Environmental Services, (850)487-1750. The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the button titled "Official Notices."

The **Department of Environmental Protection** will hold a public meeting on April 11, 2002, in the Orlando Public Library. The purpose of the meeting is to convene laboratories, environmental contractors and the public sector to discuss the technical issue of method detection limits (MDLs) and practical quantitation limits (PQLs) in Chapter 62-777, F.A.C. The full text of this notice will be published on March 29, 2002 on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

The **Department of Environmental Protection**, Clean Boating Partnership announces that the second quarterly meeting for 2002 is scheduled for:

DATES AND TIMES: Thursday, April 18, 2002, 12:00 Noon – 5:00 p.m.; Friday, April 19, 2002, 8:00 a.m. – 12:00 Noon

PLACE: AmeriSuites Hotel, Airport, 5435 Forbes Place, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review, discuss and develop policy and implementation strategy recommendations to the Florida Department of Environmental Protection for the Clean Marina Program.

A copy of the agenda may be obtained by contacting: Jan R. DeLaney, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #665, Tallahassee, Florida 32399-3000, (850)488-5757, Extension 178.

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

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Monday, April 15, 2002, 7:00 p.m. (EST)

PLACE: Stephen Foster Folk Culture Center State Park, U.S. Highway 41, North, White Springs, FL 32096

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comment regarding management and land uses for Stephen Foster Culture Center State Park and Suwannee River State Park before the development of new management plans for these parks.

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

DEPARTMENT OF HEALTH

The **Board of Massage** announces a General Board Meeting to which you are invited to attend.

DATES AND TIMES: April 24, 2002, 6:00 p.m. or soon thereafter (PCP); April 25-26, 2002, 9:00 a.m. or soon thereafter (GBM)

PLACE: DoubleTree Guest Suites, 3050 North Rocky Point Drive, West, Tampa, FL 33607, (813)888-8800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel; General Board Meeting – Board Members will address including but not limited to: request for variance(s), Rules, Disciplinary and Request for Declaratory Statement.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Massage Therapy, (850)245-4565, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Board of Massage Therapy, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3266.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Board of Medicine**, Licensure Taskforce announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, April 4, 2002, 4:00 p.m.

PLACE: Westin, 400 Corporate Drive, Ft. Lauderdale, FL 33334, (954)772-1331

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The **Board of Orthotists and Prosthetists** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, April 12, 2002, 9:00 a.m.

PLACE: Crowne Plaza, 5555 Hazeltine National Drive, Orlando, FL, (407)856-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Orthotists and Prosthetists, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System 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: Joe Baker, Jr., Board of Orthotists and Prosthetists, Executive Director, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

NOTICE OF CANCELLATION – The Florida Probable Cause Panel of the **Board of Osteopathic Medicine** announces a meeting:

DATE AND TIME: March 29, 2002, 9:00 a.m. or soon thereafter

PLACE: Ft. Lauderdale Hilton, 1870 Griffin Road, Dania Beach, FL 33004, (954)920-3300

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Kathy Gatzloff, Senior Attorney, Agency for Health Care Administration, General Counsel, Palmer Building, P. O. Box 14229, Tallahassee, FL 32317-4229.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Practitioner Regulation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Practitioner Regulation Section may be contacted at Post Office Box 14229, Tallahassee, FL 32317-4229, (850)414-8126, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

The **Council of Licensed Midwifery** announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: April 12, 2002, 1:00 p.m. or soon thereafter

PLACE: Call (850)488-8295, Suncom 278-8295

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule discussion; Election of officers; Committee assignments and other related business.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact Karen Eaton, (850)245-4565, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Council of Licensed Midwifery, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3266.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health**, Bureau of Emergency Medical Services, announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2002, 10:00 a.m. – 3:00 p.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this study is to develop a methodology to assess the costs of providing trauma care to be specifically used for reporting to the Florida Legislature.

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 April 5, by contacting Charlotte Sorrell, (850)245-4440. 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 G10454.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Developmental Disabilities Program of the **Department of Children and Family Services** announces a meeting of the Interagency Quality Council to which all interested persons are invited.

DATE AND TIME: April 9, 2002, 9:00 a.m. – 4:00 p.m.
PLACE: Tampa Airport Westshore (Hilton), 2225 Lois Avenue, Tampa, FL, (813)877-6688
GENERAL SUBJECT MATTER TO BE CONSIDERED: A regularly scheduled quarterly meeting for the purpose of planning and review of quality assurance for Developmental Disabilities.
A copy of the agenda may be obtained by contacting: Michael Freeman, Developmental Disabilities Program Office, (850)488-4877, Ext. 118.

The Big Bend Community Based Care Alliance and the **Department of Children and Family Services**, Subdistrict 2B, announce a meeting to which all persons are invited. The Alliance encompasses: Leon, Franklin, Gadsden, Liberty, Madison, Jefferson, Taylor and Wakulla counties.
DATE AND TIME: Thursday, April 11, 2002, 3:00 p.m. – 5:00 p.m. (EST)
PLACE: Department of Children and Family Services, Cedars Executive Center, Conference Room 201, Second Floor, Building A, 2639 North Monroe Street, Tallahassee, FL 32399-2949
GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Big Bend Community Based Care Alliance to conduct general business.
A copy of the agenda can be obtained by calling: Anissa Pitti, Department of Children and Families, (850)488-0569 or Suncom 278-0569.

Anyone requiring a special accommodation to participate in this meeting is requested to advise District Administration (Anissa Pitti), at least 2 working days prior to the meeting at (850)488-0569 or 1(800)226-6223 (TDD).

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting of the Corporation, to which all persons are invited:

DATES AND TIME: Concurrent Wednesdays, April 3, 2002 – June 26, 2002, 2:00 p.m.

PLACE: Florida Housing Finance Corporation, Seltzer Room, 6th Floor, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Corporation’s State Housing Initiatives Partnership (SHIP) Program Review Committee. The purpose of these Review Committee Meetings is to consider SHIP related matters and approve New and Amended Local Housing Assistance Plans submitted by any of the 67 counties or 48 entitlement municipalities participating in the SHIP Program.

A copy of the weekly agenda may be obtained through the Corporation’s SHIP Web Page at www.floridahousing.org. Any change to the agenda or the cancellation to the meeting will be posted on the SHIP web page five calendar days prior to the meeting.

Any person requiring a special accommodation at these meetings because of a disability or physical impairment should contact Amy Grissom, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

Concerning Issuance of Bonds to Finance and Refinance Multifamily Residential Rental Developments

Notice is hereby given that the **Florida Housing Finance Corporation** (“Florida Housing”) will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) to which all interested persons are invited.

DATE AND TIME: Monday, April 15, 2002, 9:00 a.m. (EST)
PLACE: Florida Housing Finance Corporation, Suite 5000, 227 North Bronough Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by the Affordable Housing Finance Authority (“Issuer”) under an Interlocal Agreement between the Issuer and Florida Housing to finance and refinance the

acquisition, improvement and rehabilitation of the following multifamily residential rental developments in the aggregate face amounts, not to exceed the amounts listed below:

1. Stratford Landings Apartments, an approximately 192-unit multifamily residential rental development located at 2616 Mission Road, Tallahassee, Leon County, Florida 32304.
2. Granada Bay Apartments, an approximately 160-unit multifamily residential rental development located at 2639 Granada Bay Drive, Melbourne, Brevard County, Florida 32934. The controlling owner of both multifamily residential rental developments is Affordable Housing Institute, Inc., a Florida nonprofit corporation, 2121 Camden Road, Suite B, Orlando, Florida 32803, acting through Stratford Landings, LLC, and Melbourne Granada, LLC, respectively, or such successor in interest in which Affordable Housing Institute, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$15,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Friday, April 12, 2002, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the counties where the properties are located. When possible, the local hearings will be held before the formal TEFRA hearing and comments received at the local hearings will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing or the Issuer with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

The **Florida Housing Finance Corporation** announces a public workshop and meeting of the Board of Directors to which all interested parties are invited:

Fiscal Committee
 Guarantee Committee

Combined Cycle Committee
 Multifamily Revenue Bond Committee
 Board Meeting

DATE AND TIME: April 26, 2002, 10:30 a.m. – Adjourned
 PLACE: Embassy Suites Miami International Airport, 3974 Northwest South River Drive, Miami, FL 33142, (305)634-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider, review, and take action on matters brought to the Fiscal Committee and to consider recommendations made by the Fiscal Committee to the Board.
2. Consider, review, and take action on matters brought to the Guarantee Committee and to consider recommendations made by the Guarantee Program Committee to the Board.
3. Consider, review, and take action on matters brought to the Combined Cycle Committee and to consider recommendations made by the Combined Cycle Committee to the Board.
4. Consider, review, and take action on matters brought to the Multifamily Revenue Bond Committee and to consider recommendations made by the Multifamily Revenue Bond Committee to the Board.
5. Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds of pending multifamily issues, which have satisfied the requirements for funding.
6. Consider financing and acknowledgment resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
7. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
8. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
9. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
10. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
11. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
12. Consideration of all necessary actions with regard to the Multifamily Bond Program.
13. Consideration of approval of underwriters for inclusion on approved master list and teams.

14. Consideration of all necessary actions with regard to the HOME Rental Program.
15. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
16. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
17. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
18. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
19. Consideration of all necessary actions with regard to the Home Ownership Programs.
20. Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.
21. Consideration of Appeals from Combined Cycle ranking and grading with entry of final orders
22. Consideration of workouts or modifications for existing projects funded by the Corporation
23. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida
24. Consideration of funding additional reserves for the Guarantee Fund
25. Consideration of audit issues
26. Evaluation of Professional and Consultant performance
27. Such other matters as may be included on the Agenda for the April 26, 2002, Board Workshop and Meeting.

A copy of the agenda may be obtained by contacting: Natalyne Richardson, Board Administrative Liaison, Florida Housing Finance Corporation, Suite 5000, 227 North Bronough Street, Tallahassee, Florida 32301-1329, (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Natalyne Richardson, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a meeting of the Harmful Algal Bloom Task Force to which all persons are invited:

DATES AND TIME: April 10-11, 2002, 9:00 a.m. – 4:30 p.m.

PLACE: Florida Marine Research Institute, 100 Eighth Avenue, S. E., St. Petersburg, FL 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of progress on previous Task Force recommended research projects; review to be conducted by project principal investigators.

A copy of the agenda may be obtained by contacting: Jeanne Hoyt, Florida Marine Research Institute, 100 Eighth Avenue, Southeast, St. Petersburg, FL 33701, (727)896-8626.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting, please notify Jeanne Hoyt, at the above phone number, at least 7 calendar days prior to the meeting.

The Wildlife Foundation of Florida, Inc., a direct support organization for the Florida **Fish and Wildlife Conservation Commission** will hold a public meeting on:

DATE AND TIME: Friday, April 26, 2002, 10:00 – 12:00 Noon

PLACE: Auditorium, Second Floor, Bryant Building, 620 South Meridian Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Wildlife Foundation of Florida, Inc., will consider project proposals to be funded by Conserve Wildlife tag revenues as authorized by Section 320.08058(25), Florida Statutes.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise the Commission at least five calendar days prior to the meeting by calling Cindy Hoffman, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

FLORIDA SPORTS FOUNDATION

The **Florida Sports Foundation** announces a public meeting of the Florida Sports Foundation Regional Grant Committee to which all persons are invited.

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

PLACE: Florida Sports Foundation, Suite 101, 2930 Kerry Forest Parkway, Tallahassee, FL 32309

The **Florida Sports Foundation** announces a public meeting of the Florida Sports Foundation Quarterly Board of Directors Meeting to which all persons are invited.

DATE AND TIME: Friday April, 26, 2002, 10:00 a.m. – 12:00 Noon

PLACE: Florida Sports Foundation, 2930 Kerry Forest Parkway, Tallahassee, FL 32309

FLORIDA MOBILE HOME RELOCATION CORPORATION

The **Florida Mobile Home Relocation Corporation** announces a meeting of its Board of Directors.

DATE AND TIME: Monday, April 8, 2002, 11:00 a.m.

PLACE: Room 42, Senate Office Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation including operational procedures, approval and payment of claims and such other business as may come before the board. A schedule for the next meeting will also be determined.

Additional information may be obtained by contacting: Robert S. Cohen, General Counsel, Florida Mobile Home Relocation Corporation, Post Office Box 14125, Tallahassee, Florida 32317-4125, 1(888)862-7010.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robert S. Cohen, General Counsel, 1(888)862-7010, at least five calendar days prior to the meeting.

COUNCIL FOR EDUCATION POLICY, RESEARCH AND IMPROVEMENT

The Workforce Committee of the **Council for Education Policy, Research and Improvement** announces a meeting to which all interested persons are invited.

DATE AND TIME: Thursday, April 11, 2002, 10:00 a.m. – 3:30 p.m.

PLACE: Hyatt Regency, Prestwick Room, Main Terminal Orlando International Airport, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will discuss economic and workforce development issues related to development of a Master Plan for Florida's K-20 education system.

For further information, contact: Ms. Tara Goodman, Policy Director, Council for Education Policy, Research and Improvement, Tallahassee, FL, (850)488-7894 or access the Council's website at www.cepri.state.fl.us.

The Teaching Profession Committee of the **Council for Education Policy, Research and Improvement** announces a meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, April 9, 2002, 9:00 a.m. – 5:00 p.m.

PLACE: CEPRI, Conference Room 574, Pepper Building, 111 West Madison Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will discuss teaching profession issues related to development of a Master Plan for Florida's K-20 education system.

For further information, contact: Dr. Jon Rogers, Policy Director, Council for Education Policy, Research and Improvement, Tallahassee, FL, (850)488-7894 or access the Council's website at www.cepri.state.fl.us.

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Loan Council** announces a public meeting to which all persons are invited:

DATE AND TIME: April 11, 2002, 11:00 a.m.

PLACE: Tampa Airport Marriott, Lee Room (located inside the Tampa International Airport), Tampa, FL, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting: Jeannie Hagan, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

FLORIDA HEALTHY KIDS CORPORATION

The **Florida Healthy Kids Corporation** announces its Board of Directors meeting to which all persons are invited to attend.

DATE AND TIME: April 12, 2002, 10:00 a.m.

PLACE: Sittig Hall, 301 South Bronough Street, Tallahassee, FL 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Board of Directors.

Further details and an agenda for the meeting may be obtained by contacting: Florida Healthy Kids Corporation, Post Office Box 980, Tallahassee, Florida 32302, (850)224-5437.

FLORIDA HEALTH REINSURANCE PROGRAM

The **Florida Health Reinsurance Program** announces a meeting to which all persons are invited.

DATE AND TIME: April 24, 2002, 9:00 a.m.

PLACE: Airport Hyatt Regency, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual meeting of the Florida Health Reinsurance Board.

A copy of the agenda may be obtained by writing: Florida Health Reinsurance Program, P. O. Box 16459, Tallahassee, FL 32317-6459.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces public meetings to which all persons are invited:
ANNUAL MEETING OF MEMBERS

DATE AND TIME: April 25, 2002, 8:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To approve Annual Meeting minutes of April 26, 2001 and receive Association's annual report; and consider any other matters that may come before the Board.

BOARD OF GOVERNORS MEETING

DATE AND TIME: April 25, 2002, Immediately after the adjournment of the Annual Meeting of Members, but not before 8:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports of the general manager, all committees and counsel; to consider and take actions based on those reports; consider RFP for legal services; and consider any other matters that may come before the Board.

PLACE: Miami Airport Marriott, Miami, Florida

Additional information may be obtained from: Lisa Blackwell Stoutamire, FAJUA, 1113 East Tennessee Street, Suite 401, Tallahassee, FL 32308, (850)681-2003, fajua@aol.com.

FLORIDA CENTER FOR SOLID AND HAZARDOUS WASTE MANAGEMENT

The **Florida Center for Solid and Hazardous Waste Management**, Research Selection Committee announces a meeting to which all persons are invited.

DATE AND TIME: April 26, 2002, 9:00 a.m. – 4:00 p.m.

For Further Information: Please call (352)392-6264 or visit our website: www.floridacenter.org.

The **Florida Center for Solid and Hazardous Waste Management**, Advisory Board announces a meeting to which all persons are invited.

DATE AND TIME: May 3, 2002, 9:00 a.m. – 1:00 p.m.

PLACE: Tampa, Florida

For Further Information: Please call (352)392-6264 Or visit our website: www.floridacenter.org.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed February 28, 2002, by the Florida Electric Power Coordinating Group, Inc. The

Petition is seeking the Department's interpretation of the Florida Fire Prevention Code, as it relates to Petitioner's circumstances regarding the required clearance from fire hydrants for utility structures. Petitioner specifically requests a declaratory statement on the following question: Whether the 7.5 foot clearance requirement of the Florida Fire Prevention Code was intended to apply to utility structures.

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney for the Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, by calling (850)413-3604, or by faxing your request to (850)922-1235.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on March 12, 2002, from Lee Schneiweiss, Sioux Chief Manufacturing, regarding section 604.9, Florida Building Code (2001), Plumbing Code, which relates to the use of water hammer arresters and a possible discrepancy in this section of the Code as it relates to access panels. It has been assigned the number DCA02-DEC-087.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Petition for Declaratory Statement received from Florida Air Conditioning Contractors Association and Emilio Guzman on October 17, 2001, has been withdrawn. Notice of receipt of this petition, which was assigned the number DCA01-DEC-156, appeared in the November 1, 2001, 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.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on March 15, 2002, from H & H Mechanical, Inc., with regards to back to back water closet fixtures pursuant to section 706.3 of the Florida Building Code, 2001. It has been assigned the number DCA02-DCEC-092.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking, Final Order #DC 02-20, from Robert Pardo, Darryl Robinson, Rickey Robey, Derrick Grantley, Douglas Corea and Tulani Cooper. The Department denied the Petition to amend Rule 33-601.800(3), (15), Florida Administrative Code, as implementation of these rules allegedly constitutes an invalid exercise of delegated legislative authority.

A copy of the Order may be obtained from: Anthony W. Garcia, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of John Sokolowicz, M.D. The Petitioner seeks the Board’s interpretation whether the structure outlined in the Petition, whereby the P.A., in which Dr. Sokolowicz is a shareholder, proposes to form a wholly owned subsidiary LLC for the purpose of having LLC and Petitioner enter into a contract to provide diagnostic testing. However, the testing will be provided by the P.A. Issues raised include interpretation of the terms “referral” and “group practice.”

The Board will consider this petition at its meeting scheduled for April 5-6, 2002, at the Westin, 400 Corporate Drive, Ft. Lauderdale, Florida 33334.

Copies of the petition may be obtained by writing: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

The Board of Medicine hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed on behalf of Richard Goldberg, M.D. The Board reviewed the petition at its meeting held on February 2, 2002, in Jacksonville, Florida. The Board’s Final Order, filed in this cause on February 21, 2002, finds that the Petition does not meet the requirements of Section 120.565, Florida Statutes, and therefore the Board declines to answer the Petition and dismisses the Petition.

A copy of the Petition and the Board’s Final Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

The Board of Medicine hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed on behalf of Phillip W. Farthing, M.D., J.D. The Board reviewed the petition at its meeting held on February 2, 2002, in Jacksonville, Florida. The Board’s Final Order, filed in this cause on February 21, 2002, finds that under that specific facts of the petition, the Petitioner is entitled to renew his license without the necessity of a competency exam. Petitioner is

excused payment for the fee for converting his license from inactive to active; however, if the renewal fee paid to renew the license in inactive status is less than the fee to renew in active state, Petitioner will be required to pay the additional fees.

A copy of the Petition and the Board’s Final Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has DENIED a request for a declaratory statement on February 7, 2002, in response to the Petition for Declaratory Statement received from Carol Nelson Watson, R.N. August 8, 2001.

Petitioners requested a declaratory statement from the Board in regard to Section 464.003(a), Florida Statutes, and whether a Registered Nurse may perform colon hydrotherapy with or without direct supervision. The Board determined that a response to the petition was inappropriate due to insufficient information.

A copy of the Petition and Order may be obtained by writing: Dan Coble, Executive Director, Board of Nursing, 4052 Bald Cypress Way, BIN #C02, Tallahassee, Florida 32399.

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has DENIED a request for a declaratory statement on February 7, 2002, in response to the Petition for Declaratory Statement received from Andrea M. Schulte, R.N. April 25, 2001.

Petitioners requested a declaratory statement from the Board in regard to Section 464.003(2)2., Florida Statutes and the use of lasers for hair removal, vascular lesions and sclerotherapy. The Board determined that a response to the petition was inappropriate due to insufficient information.

A copy of the Petition and Order may be obtained by writing: Dan Coble, Executive Director, Board of Nursing, 4052 Bald Cypress Way, BIN #C02, Tallahassee, Florida 32399.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

CALL FOR BIDS

PROJECT: REROOFING BUILDINGS 82 & 70
FOR: THE UNIVERSITY OF WEST FLORIDA

QUALIFICATIONS: All bidders must be qualified at the time of their bid proposal in accordance with the Instructions to Bidders, Article B-2, and the following:

1. Prime bidders shall be a State of Florida Certified Roofing Contractor.
2. Prime bidders shall have completed not less than three projects of similar size and scope within the last five years.
3. Prime bidders shall have sufficient existing qualified staff to complete the project.
4. Bidders shall submit evidence of the above qualifications to the Engineer not less than 14 days prior to the bid date.

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office (formerly certification done by Department of Management Services). Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

PRE-SOLICITATION/PRE-BID MEETING: Each Bidder is required to attend the pre-solicitation/pre-bid meeting. Contractors interested in bidding this project must pick up contract documents early in order to submit Attachment A as required at the pre-bid meeting.

Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project.

The pre-bid meeting is scheduled for:

DATE AND TIME: Tuesday, April 2, 2002, 2:00 p.m.

PLACE: Building 20, West, Room 156A, The University of West Florida, 11000 University Parkway, Pensacola, Florida 32514.

Sealed Bids will be received on:

DATE AND TIME: Tuesday, April 30, 2002, until 2:00 p.m. (Local Time)

PLACE: Building 20, West, Room 158, The University of West Florida, 11000 University Parkway, Pensacola, Florida 32514, at which time and place they will be publicly opened and examined. Mailed bids should be sent to:

Elaine Smith
Purchasing Department
Building 20, West
The University of West Florida
11000 University Parkway
Pensacola, FL 32514

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the Drawings and Project Manual, which may be obtained or examined at the office of the:

ENGINEER: Carlan Killam Consulting Group
5111 North 12th Avenue
Pensacola, Florida
Telephone (850)484-6011
Attention: Dave Dupuis

DEPOSIT: A deposit of \$75.00 per set of Drawings and Project Manual is required with a limit of three (3) sets per Prime Bidder; and two (2) sets of Drawings and Project Manuals for electrical subcontractors.

REFUND: The deposit shall only be refunded to those prime bidders or electrical subcontractors, who after having examined the drawings and specifications:

- a. Submit a bona fide bid, or
- b. Provide written evidence that they have submitted bids as electrical subcontractors,

and who return the drawings and Project Manuals in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of Bid Documents may be examined at the Engineer's office. Full sets may be purchased through the Engineer for \$75.00 per set for printing and handling cost. Partial sets may be purchased at \$2.50 per sheet for the drawings and \$.25 per sheet of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant

in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of North Florida Board of Trustees announces that continuing professional services for certain projects are required in the following discipline(s): Architect.

Projects included in the scope of this agreement will be 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 these projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1–June 30. The university intends to select two consultants that will provide these professional services.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The most recent version of "Professional Qualifications Supplement," completed by the applicant. 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 six (6) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting:

Dottie Fischetti
University of North Florida
4567 St. Johns Bluff Road, South,
Jacksonville, Florida 32224
(904)620-2016

Submittals must be received in the office of Facilities Planning, (J. J. Daniel Hall, Room 2026) 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224, by 5:00 p.m. (Local Time), April 30, 2002. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE OF REQUEST FOR PROPOSAL

TIME: Proposal available March 29, 2002

CONTACT: Susan Main, (904)620-0750, email: DCSReadiness@aol.com or MainDCSR@bellsouth.net

PURPOSE: The Coalition seeks a proposal from a qualified organization or a collaboration of organizations to develop and/or provide an early childhood curriculum for children ages two through five years and a coordinated training program and plan to accompany the curriculum. The curriculum and training are to be made available, on a voluntary basis, to all interested early care and education providers in Duval County.

This project consists of two major tasks: the development or adaptation of a curriculum for children two to five, and the provision of a coordinated training plan to accompany the curriculum. An optional third task is to propose an assessment tool to be used as a pre- and post-assessment for children enrolled in publicly funded early care and education programs.

TASK ONE – DEVELOPMENT/ADAPTATION OF A CURRICULUM FOR CHILDREN TWO TO FIVE: The Coalition will entertain the development of new curricula as well as the adaptation of existing curricula. While some prior field-testing of at least portions of the proposed activities is preferred, further field-testing may take place as part of the first year of curriculum implementation. The curriculum must have the following attributes:

Activities that address the child outcomes specified in the Florida School Readiness Performance Standards for what children should know and be able to do when they enter kindergarten. These state standards are correlated with the Sunshine State Standards, and are divided into six domains – physical health, motor development, approach to learning, social and emotional development, language and communication, and cognitive development and general knowledge. The latter includes sub-domains for age-appropriate skills in art, mathematical and scientific thinking.

Activities that address the child outcomes specified in the allied document, the Duval County School Readiness Standards, for children ages 2-5 (copy of document accompany this RFP). Curriculum activities should place a special emphasis on the language and communication domain and emerging literacy. Activities should be user friendly; have easy

to follow attractive materials; explicit instructions for teachers; fun activities; inclusion of activities appropriate for children with developmental and learning disabilities; a comprehensive research base and a format that lends itself to an ongoing process of updating and adaptation.

TASK TWO: PROVISION OF A COORDINATED TRAINING PROGRAM AND PLAN TO ACCOMPANY THE CURRICULUM: The training program and plan must include the following elements: Employment of qualified instructors. Knowledge of and coordination with existing training and technical assistance in Northeast Florida; Modeling/Mentoring to support curriculum usage on site; Issues training at a central location; Training materials that are innovative, interactive, and results based; Ongoing training evaluation and incentives for staff to participate.

TASK THREE: PROPOSAL FOR AN ASSESMENT TOOL FOR PRE- AND POST-SCREENING (OPTIONAL): Letters of Intent are due to the Coalition office by April 5, 2002. The Coalition will only accept proposals for which it has received a signed Letter of Intent. All bidders who have submitted a Letter of Intent which include questions will receive a response in writing (by email or fax) on April 9, 2002. Mail Letter To: Duval School Readiness, Attention: Susan Main, 7968 Quailwood Dr., Jacksonville, FL 32256. Proposals may be obtained by calling (904)620-0750 or (904)993-5333. Email DCSReadiness@aol.com or MainDCSR@bellsouth.net for an electronic copy. Deadline for submission of final proposals will be May 8, 2002, by 2:00 p.m.

NOTICE TO BIDDERS

QUOTATION REQUEST FOR OPPORTUNITY BUY AND SPECIAL BUY FOOD PRODUCTS

RFP No: 6002 Opening Date: April 11, 2002, 2:00 p.m.
 Request a RFP Bid package by:
 Phone: (941)479-4250, Fax: (941)337-8200, In Person or Mail:
 The School District of Lee County Purchasing Department,
 3308 Canal Street, Fort Myers, Florida 33916-6594.
 Requests must be received by April 8, 2002, 2:00 p.m.
 Complete RFP Bid Package available only upon request.
 By: Linda Owen, Senior Buyer

**INVITATION TO BID (ITB)
 FOR A GENERAL CONTRACTOR**

Sealed bids will be received by Duval County Public Schools, Division of Facilities Services, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207, until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in Room 513D, School Board Building.

**BIDS ARE DUE ON OR BEFORE April 30, 2002
 AND WILL BE ACCEPTED UNTIL 2:00P.M.**

Additions, Remodeling, Renovations and Site Improvements at Jean Ribault High School No. 96 and William M. Raines High School No. 165 and Window Replacement Work at Jean Ribault Middle School No. 212

DCSB Project No. C-90390

SCOPE: This project includes restroom renovations, window and door replacement.

APPROXIMATE CONSTRUCTION BUDGET OF: \$1,800,000.

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on April 15, 2002, 1:30 p.m., Jean Ribault High School No. 96, 3701 Winton Drive, Jacksonville, Florida. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed contractors and registered corporations as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$150.00 at the office of:

Akel, Logan and Shafer, Architects/Planners – William H. Bishop, II, AIA
 704 Rosselle Street
 Jacksonville, Florida 32204
 (904)356-2654

DCSB Point of Contact: James Scott, (904)390-2279

Contract documents for bidding may be examined at the office of Akel, Logan and Shafer, Architects/Planner, 10 Riverside Avenue, Jacksonville, Florida 32202, (904)356-2654

MBE Participation Goal: 25% Minority Participation

The Bid Award Recommendation will be posted on the first floor, bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

**NOTICE TO PROFESSIONAL CONSULTANTS
 FOR REQUEST FOR PROPOSAL (RFP)
 PROFESSIONAL SERVICES**

The Office of Facilities Planning and Construction announces that Architect/Engineer services are required for a project entitled New SED Building at Terry Parker High School No. 86, DCSB, Project No. C-90920, for Duval County Public Schools. The firm selected will be responsible for design, bid review and construction administration of this project having an estimated construction cost of approximately \$1,750,000. The project scope shall consist of a new free-standing building, approximately 15,000 square feet, with six (6) classrooms, (3) resource rooms, administrative support spaces and site improvements to include parent pick-up and bus loop.

Applications are to be sent to:

Duval County Public Schools
 Facilities Planning and
 Construction
 1701 Prudential Drive, 5th Floor
 Jacksonville, FL 32207-8182

PROJECT MANAGER: Kevin Trussell
 PHONE NO.: (904)390-2279
 RESPONSE DUE DATE: April 30, 2002
 MBE GOALS: 20% overall

INSTRUCTIONS

Submit an original, and (4) copies of the following:

1. Letter of Interest indicating the firm's qualifications, related experience, ability to perform the work and other pertinent data.
 2. Completed SF-254.
 3. Completed SF-255.
 4. Current completed Professional Qualifications Supplement (PQS) OFPC FORM 105-E.
 5. Firm's current Florida Professional Registration Certificates.
 6. Business Structure (Corporation, Joint Venture, Partnership).
 7. FOR CORPORATIONS ONLY: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.
 8. Completed MBE Form 1, MBE Form 2A, MBE Form 4, as appropriate, and a description of the applicant's plan for Minority Business Enterprise participation.
 9. Firms are required to demonstrate evidence of or the ability to secure Professional Liability Insurance for errors and omissions coverage in the amount of \$500,000 annual aggregate, not decreased by Attorney fees and cost.
- A. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Facsimile (FAX) submittals are not acceptable and will not be considered. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Selections will be made in accordance with Florida Statutes.
- B. Applicants are advised that plans and specifications for this project may be reused as a prototype within the District. An appropriate contractual agreement will be made with the selected firm should this be necessary.

- C. The selected firms will be posted in the first floor lobby of the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, FL 32207, during regular business hours.

**NOTICE TO PROFESSIONAL CONSULTANTS
 FOR REQUEST FOR PROPOSAL (RFP)
 PROFESSIONAL SERVICES**

The Office of Facilities Planning and Construction announces that Mechanical/Engineer services are required for a project entitled Replace Unit Ventilators and Controls at Andrew Jackson High School No. 35 Project Number M-88630 for Duval County Public Schools. The firm selected will be responsible for design, bid review and construction administration of this project having an estimated construction cost of approximately \$585,000.00. Be advised that this project may be combined with Project Number C-90940, Additions, Remodeling and Site Improvement at Andrew Jackson High School No. 35, for bidding. The project scope shall consist of major maintenance to replace HVAC unit ventilators and their controls throughout the Main Building No. 1.

Applications are to be sent to:

Duval County Public Schools
 Facilities Planning and
 Construction
 1701 Prudential Drive, 5th Floor
 Jacksonville, FL 32207-8182

PROJECT MANAGER: Kevin Trussell
 PHONE NO.: (904)390-2279
 RESPONSE DUE DATE: April 30, 2002
 MBE GOALS: 20% Overall

INSTRUCTIONS

Submit an original, and (4) copies of the following:

1. Letter of Interest indicating the firm's qualifications, related experience, ability to perform the work and other pertinent data.
2. Completed SF-254.
3. Completed SF-255.
4. Current completed Professional Qualifications Supplement (PQS) OFPC FORM 105-E.
5. Firm's current Florida Professional Registration Certificates.
6. Business Structure (Corporation, Joint Venture, Partnership).
7. FOR CORPORATIONS ONLY: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.
8. Completed MBE Form 1, MBE Form 2A, MBE Form 4, as appropriate, and a description of the applicant's plan for Minority Business Enterprise participation.

9. Firms are required to demonstrate evidence of or the ability to secure Professional Liability Insurance for errors and omissions coverage in the amount of \$500,000 annual aggregate, not decreased by Attorney fees and cost.
- A. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Facsimile (FAX) submittals are not acceptable and will not be considered. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Selections will be made in accordance with Florida Statutes.
- B. Applicants are advised that plans and specifications for this project may be reused as a prototype within the District. An appropriate contractual agreement will be made with the selected firm should this be necessary.
- C. The selected firms will be posted in the first floor lobby of the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, FL 32207, during regular business hours.

METROPOLITAN PLANNING ORGANIZATIONS

NOTICE TO PROFESSIONAL CONSULTANTS

The Hillsborough County Metropolitan Planning Organization (MPO), in conjunction with the Florida Department of Transportation (FDOT), District VII, is reissuing its request seeking professional consultant services on the projects listed in this advertisement. Consideration will be given to only those firms that are qualified pursuant to the law and that have been prequalified to perform these tasks by the FDOT. Any firm not prequalified by the FDOT and desiring consideration for these projects must obtain and submit a complete Request for Qualification Package, to the Procurement Office in Tallahassee, (850)414-4485, by the advertised Letter of Response Deadline Date.

MAJOR TYPE OF WORK: 13.3, 13.4, 13.5, 13.6 and 13.7 Planning

DESCRIPTION: General Transportation Planning Consultants
 REQUESTED SERVICES: General planning services to include all or part of the following: long range transportation planning, data collection activities, financial planning, major investment and corridor studies, congestion and other management systems planning, air quality planning, bicycle and pedestrian planning, transit services planning, transportation disadvantaged planning, and traffic circulation studies. The services to be rendered by the Consultant(s) shall be for a period of 24 months (extendible by mutual agreement to 36 months) or until a total accumulated fee is reached, whichever occurs first.

MINORITY BUSINESS ENTERPRISE (M.B.E.) CONSIDERATION:

In the original advertisement, this section was included in error and has been removed.

SUBCONSULTANT OPPORTUNITY: Consultants who are not pre-qualified by the Florida Department of Transportation for lack of independent CPA Certified overhead audit may be utilized to provide services for these projects, providing that compensation to the subconsultant will not exceed \$250,000. Before work may commence, any such consultant utilized must also be technically qualified by the MPO.

EQUAL OPPORTUNITY STATEMENT: The MPO in accordance with the provisions of Title VI of the Civil Rights Act of 1964, hereby notifies all firms and individuals that it will require affirmative efforts be made to ensure participation by minorities in any contract for consultant services. Minority business enterprises will be afforded full opportunity to submit proposals in response to advertisements and will not be discriminated against on the grounds of race, color, sex or national origin in consideration for an award.

RESPONSE PROCEDURE: Qualified consultants who are interested in these projects are required to submit a Letter of Response to the Requesting Unit indicating their desire to be considered for this project. The letter must be brief (no more than two pages) and shall as a minimum, include the following information:

1. Consultant's Name and Address
2. Responsible Office for the Consultant Firm
3. Contact Person for the Project and Telephone Number
4. Statement regarding prequalification of the consultant firm and any proposed subconsultants in the advertised type of work
5. Key Personnel including their Titles and Proposed Role (do not include resumes)
6. Name(s) of subconsultant(s) that may be used and the type of services to be performed
7. Relevant past experience

THE CONSULTANT MUST BE ABLE TO MEET THE FOLLOWING CONDITION WHICH WILL BE PART OF THE CONTRACT BETWEEN THE MPO AND THE CONSULTANT:

No member, officer or employee of the (Planning) Commission or of the locality during his tenure or for one year thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof. Any firm which has a member, officer or employee that this provision speaks to, must demonstrate in its Letter of Response that this provision can be met by segregating the affected person from the project and from receiving any proceeds from the contract. For the purpose of the contract, an employee of the consultant includes any subconsultant, independent agent contracting with the consultant, or anyone having a service contract with the consultant.

FEDERAL DEBARMENT: By submitting a Letter of Response, the consultant certifies that no principal (which includes officers, directors or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation on this transaction by any Federal Department or Agency.

SHORTLIST SELECTION PROCESS: The listed projects are covered by the selection process detailed in Rule Chapter 14-75, Florida Administrative Code. Some or all of the responding firms may be requested to provide written or oral technical proposals or both, for the final ranking process. The selected consultants contract and fees will be negotiated in accordance with Section 287.055, Florida Statutes. The Consultants that are included on the shortlist and those that are ultimately selected will only be advertised on the MPO's Webpage, at www.hillsboroughmpo.org. (Firms who have already submitted letters of interest based on the original advertisement have the option of submitting a new letter of interest or having their original proposal utilized in the shortlist selection process.)

REQUESTING UNIT: Hillsborough County Metropolitan Planning Organization

LETTER OF RESPONSE ADDRESS:

One (1) Copy To:

Lucilla L. Ayer, AICP, Executive Director

Hillsborough County Metropolitan Planning Organization
601 E. Kennedy Blvd., 18th Floor

Tampa, Florida 33602-5117

Telephone (813)272-5940

One (1) Copy To:

Florida Department of Transportation, District Seven –
Tampa

Attention: Diane Drake, Contracts Administrator

11201 N. Malcolm McKinley Drive, Mail Station 7-700

Tampa, Florida 33612

Telephone (813)975-6000

LETTERS OF RESPONSE DEADLINE: 5:00 p.m. (EST),
April 12, 2002

WATER MANAGEMENT DISTRICTS

INVITATION TO BID

**SAND-AND-GRAVEL AQUIFER RESOURCE
EVALUATION BETWEEN THE BLACKWATER RIVER
AND YELLOW RIVER, SANTA ROSA/OKALOOSA
COUNTIES, FLORIDA, MONITOR WELL
CONSTRUCTION PROJECT**

BID NUMBER 02B-005

The Northwest Florida Water Management District, 81 Water Management Drive, Havana Florida 32333, is soliciting sealed bids from licensed water well contractors for the drilling of monitor wells in Santa Rosa and Okaloosa Counties. It is

anticipated that a shallow and deep monitor well pair will be installed at each of eight (8) different sites. Drilling equipment capable of completing screened wells to 400 feet is required.

Sealed bids will be opened on Monday, April 22, 2002, 2:00 p.m. (ET), at the Northwest Florida Water Management District Headquarters. All bids must conform to applicable Florida Statutes and the instructions in the Invitation to Bid. Interested prospective bidders may obtain a copy of the complete Invitation to Bid package at the above address or by calling Maria Culbertson, Division Secretary, (850)539-5999.

The bid opening is open to the public. Provisions will be made to accommodate the handicapped (if requested) provided the District is given at least 72 hours advance notice.

There will be a pre-bid conference at the Santa Rosa County Administrative Center on Wednesday, April 10, 2002, 2:00 p.m. (CT). The Santa Rosa County Administrative Center is located at 6495 Caroline Street (off Hwy 90, behind the McDonalds), Milton, Florida. The purpose of the conference is to answer any technical or administrative questions regarding this bid package and the work to be performed.

**REQUEST FOR QUALIFICATIONS (RFQ) 01/02-048WR
VERTICAL CONTROL SURVEYING**

The Suwannee River Water Management District (SRWMD) invites interested parties to submit sealed qualifications for vertical control surveying of monitoring wells and surfacewater gages in Levy and Dixie Counties.

Responses to this request are due at the SRWMD office by 3:00 p.m., April 12, 2002. The RFQ document will be available at <http://www.srwmd.state.fl.us/aboutus/rfq.html> or requests for the RFQ document should be directed to: Suzanne Richardson, Administrative Assistant, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 (Florida only)

If you have questions regarding the project, please direct them to: David Hornsby, SRWMD, (386)362-1001 or toll free (Florida only) 1(800)226-1066, Fax (386)362-1056.

EXPRESSWAY AUTHORITIES

NOTICE TO PROFESSIONAL CONSULTANTS

The Orlando-Orange County Expressway Authority (OOCEA) requires the services of a Professional Engineering Consultant in connection with the Final Design for widening SR 408 between Dean Road and Rouse Road (approximately 0.8 miles). The project also includes design of mainline toll plaza expansion to accommodate open road tolling express lanes. Shortlist consideration will be given to only those firms who are qualified pursuant to law, and as determined by the Authority based on information provided by the firms, and who have been prequalified by FDOT to perform the indicated Types of Work.

TYPES OF WORK: Groups 3.3 Complex Highway Design and Group 14, Architect.

ADDITIONAL TYPES OF WORK THAT MAY BE REQUIRED: Group 7, Traffic Operations Design; Group 8, Surveys; Group 9, Soil Exploration, Material Testing and Foundations.

DESCRIPTION: The project consists of final design, preparation of construction drawings and specifications for roadway widening, auxiliary lanes and resurfacing of SR 408 between Dean Road and Rouse Road, a distance of approximately 0.8 miles.

Toll plaza work will include final design and preparation of construction drawings and specifications to expand the Dean Mainline toll plaza to provide four (4) cash collection lanes in each direction and two (2) open road toll lanes (with provisions for 3 lanes in the future) in each direction.

LETTERS OF INTEREST SUBMITTAL REQUIREMENTS: Consultants wishing to be considered shall submit six (6) sets of a Letter of Interest package. The letter shall be a maximum of ten (10) pages exclusive of attachments and resumes. The packages shall include:

Experience – Details of specific experience for at least three (3) projects, similar to that described above that involve the design of limited access highway reconstruction and toll plaza design, completed by the consultant’s project manager and other key project team members including the name of the client contact person, telephone number and physical address;

Personnel Experience – Resumes of the consultant’s proposed Project Manager and other key personnel presently employed by the consultant who will be assigned to the project. The Project Manager shall have a minimum of five (5) years of specific experience in complex highway design projects (toll plaza design experience a plus);

Project Team – Anticipated subconsultants shall be identified and the roles that each will play in providing the required services. Resumes should be provided for subconsultants that may be involved in key roles;

Prequalification Documentation – A copy of the Notice of Qualification issued by the FDOT showing current qualification in the Types of Work specified herein;

Office Location – The office assigned responsibility and its physical address shall be identified. It is required that the consultant has an office and key staff located within the Orlando area.

Failure to submit any of the above required information may be cause for rejection of the package as non-responsive.

SELECTION/NEGOTIATIONS: The Authority may shortlist up to five (5) firms based on its evaluation of the Letters of Interest and qualifications information received. Shortlisted firms will proceed to the next step in the process, which includes preparation and submittal of a Technical Proposal and an oral presentation or interview. The Authority will provide the shortlisted firms with a comprehensive outline of the Scope

of Services for use in preparing the Technical Proposal. Each firm will be evaluated and ranked by the Authority’s Consultant Recommendation Committee based on the Technical Proposal and oral presentations/interview. As part of its evaluation process, the Committee will also consider the consultant’s willingness to meet time requirements, consultant’s projected workload, and consultant’s use of Minority/Women Owned Business.

EQUAL OPPORTUNITY STATEMENT: The Orlando Orange County Expressway Authority, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964, hereby notifies all firms and individuals that it will require affirmative efforts be made to ensure participation by minorities.

MINORITY/WOMEN/DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: Minority/Women/Disadvantaged Business Enterprises will not be discriminated against on the basis of race, color, sex, or national origin in consideration for qualification or an award by the Authority.

LETTER OF RESPONSE DEADLINE: April 22, 2002, 2:00 p.m. (Orlando local time)

AUTHORITY CONTACT PERSON: Mr. Joseph Berenis, P.E. Deputy Executive Director Telephone (407)316-3800

LETTER OF RESPONSE ADDRESS: Orlando-Orange County Expressway Authority 525 S. Magnolia Avenue Orlando, FL 32801 Re: SR 408 Dean Mainline Toll Plaza Project

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY Harold W. Worrall, P.E. Executive Director

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

REQUEST FOR PROPOSAL DBPR RFP 01-02-001

The Department of Business and Professional Regulation, Purchasing Office announces a Request for Proposal (RFP) to all interested persons.

PROPOSAL TITLE: Computer Based Testing Services

PROPOSAL NUMBER: DBPR RFP 01-02-001

PROPOSAL OPENING

DATE, TIME AND LOCATION: May 14, 2002, 2:00 p.m. Northwood Center Board Conference Room 1940 North Monroe Street Tallahassee, Florida 32399

The Request for Proposal and Amendments will be posted on the Florida Vendor Bid System at www.myflorida.com (click on Business and Industry, under the heading Doing Business With the State of Florida, click on State Purchasing, click on Everything for Vendors and Customers, click on Vendor Bid System, click on Search Advertisements), search under Department of Business and Professional Regulation, DBPR RFP 01-02-001. It is the responsibility of all participants to monitor this site for new or changing information.

A hard copy of the Proposal Specifications may be obtained from: Department of Business and Professional Regulation, Purchasing Office, 1940 N. Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0796 or by calling (850)487-1126. Vendors will still be responsible for monitoring the Florida Vendor Bid System for Amendments with new or changing information.

There will be a Pre-Proposal Conference held April 11, 2002, 2:00 p.m., Department of Business and Professional Regulation, Northwood Centre, Board Conference Room, 1940 N. Monroe Street, Tallahassee, Florida 32399.

There will be an Evaluator Standardization Session May 21, 2002, 10:00 a.m., Department of Business and Professional Regulation, Board Conference Room, 1940 N. Monroe Street, Tallahassee, Florida 32399.

Proposals must be received by the Purchasing Office by May 14, 2002, 2:00 p.m. The Department reserves the right to reject any and all bids or to waive an immaterial defect in the best interest of the State.

If an interested vendor needs a special accommodation in order to attend due to a qualified disability, please contact: Ms. Jeannie Evans, Purchasing Office, 1940 N. Monroe Street, Tallahassee, Florida 32399-0796, in writing at least five (5) days prior to the Pre-Proposal Conference, Proposal Opening, and/or Evaluator Standardization Session.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE TO PROFESSIONAL CONSULTANTS PROFESSIONAL SERVICES FOR

MECHANICAL/ELECTRICAL ENGINEERING

PROJECT NAME: Continuing Area Contract for Mechanical/Electrical Consulting Services

LOCATION: Northeast Florida Region (includes the counties of Alachua, Baker, Columbia, Duval)

PROJECT NUMBER: DCF-02220420

The Department of Children and Family Services (DCF), Office of Physical Assets, announces that professional services are required on a continuing basis for mechanical and electrical engineering disciplines. Award of Continuing Area Contract is for an initial contract period of one (1) year, with an Owner's option to renew for one (1) additional year. Multiple projects may be negotiated as required by the Department, with each

individual project construction budget not exceeding \$500,000. Depending on development of projects and funding, the possibility exists that the contract may expire with no projects being assigned. Owner's jobsite location at Macclenny will be used to assign points for each applicant in the "Location" category of the competitive selection. However, individual projects may be assigned under this contract at any departmentally-owned location in the region, which includes:

1. Northeast Florida State Hospital (Macclenny)
2. District office locations (Jacksonville)
3. North Florida Evaluation & Treatment Center (Gainesville)
4. Tacachale (Gainesville)
5. Cluster locations (Jacksonville/Gainesville/Lake City)

The consultant receiving an award will not have an exclusive contract to perform engineering services at these locations, and the Owner may have other design professionals under contract at any of these locations during the contract period.

INSTRUCTIONS: Submit three (3) copies of the following bound in loose leaf three-ring binders:

1. Letter of Interest summarizing the firm's qualifications, any past experience with this department, and any other relevant past experience with state, federal or local government clients.
2. A current Professional Qualifications Supplement (PQS) from the Department of Management Services (Appendix B of "Selection of the Design Professional", downloadable from URL below). Applicants shall complete PQS Section 5a., "Fees of Applicant", to reflect current contracts with any and all state agencies.
3. A copy of the firm's Florida Professional Engineering (EB) Registration. (Proper registration with the engineering board is required at the time of application.)
4. Corporations only: Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Engineering in the state of Florida.
5. Completed Standard GSA Form 254.
6. Completed Standard GSA Form 255.
7. Applicants seeking to receive credit for state certification as a Minority Business Enterprise (MBE), or to receive credit allowable for use of an MBE as sub-consultant, shall include in the proposal a copy of the State of Florida Minority Certification Letter.

RESPONSE DUE DATE: By 5:00 p.m., April 19, 2002

Applications are to be sent to: Glenn G. Jenkins, P.E., Facility Support and Safety, Department of Children and Family Services, Bldg. 3, Room 205-J, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)921-8920.

All proposal information submitted becomes the property of DCF, will be placed on file, and shall not be returned. Applications not complying with the instructions set forth above and/or do not include the qualifications data required shall not be considered.

SELECTION PROCESS: Selections will be made in accordance with Section 287.055, Florida Statutes, following procedures outlined in "Selection of the Design Professional" (which may be viewed at <http://fcn.state.fl.us/dms/dbc/aebooks/selectae.pdf>).

Representative samples of related work submitted by an applicant may be considered in the rating of Experience and Ability. From the proposals received, the Department shall qualify a minimum of three (3) firms to interview, and shall advise them of the interview procedure (which will likely be conducted by telephone or by written interrogatory) and of any further requirements.

SELECTION RESULTS: Immediately upon posting, the department's shortlist will be (1) faxed to all applicants for which a fax number can be found, and (2) mailed to all applicants submitting a stamped, self-addressed envelope for this purpose. Any protests of the selection must be made within 72 hours of posting of the results. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. The department's selection shortlist may be announced in the Florida Administrative Weekly.

CONTRACT AWARD: In accordance with Section 287.055, Florida Statutes, the Department will undertake to negotiate a contract beginning with the highest ranked firm on the shortlist.

INVITATION TO BID

SEALED BIDS ARE SOUGHT TO SECURE THE PURCHASE OF A FLIGHT TYPE DISHWASHER FOR THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES, DISTRICT ELEVEN, SOUTH FLORIDA EVALUATION AND TREATMENT CENTER. SEALED BIDS WILL BE RECEIVED UNTIL 11:30 A.M. (EST), FRIDAY, APRIL 26, 2002. BID CONDITIONS AND SPECIFICATIONS MAY BE OBTAINED FROM: EDUARDO HERNANDEZ, PURCHASING DIRECTOR, SOUTH FLORIDA EVALUATION AND TREATMENT CENTER, 2200 N. W. 7TH AVENUE, MIAMI, FLORIDA 33127, (305)637-2677.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association (FAJUA) is soliciting proposals from firms to provide legal services to the Association. A copy of the Invitation may be obtained from the Association by writing to Lisa Stoutamire, 1113 E. Tennessee Street, Suite 401, Tallahassee, FL 32308.

Requests must be in writing via regular mail, Facsimile (850)681-7802 or e-mail FAJUA@aol.com. Proposals are due by 4:00 p.m., April 12, 2002.

**Section XII
Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application and/or other notices. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida, 32399-0350, pursuant to provisions specified in Section 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., April 19, 2002):

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Central Florida Postal Credit Union, 301 East Michigan, Orlando, Florida 32806

Expansion Includes: Flooring America

Received: March 18, 2002

Name and Address of Applicant: Campus USA Credit Union, Post Office Box 147029, Gainesville, Florida 32614-7029

Expansion Includes: Employees and regular members of the Humane Society of Marion County, Inc., located in Ocala, Florida, who qualify for membership in accordance with the Humane Society's charter and bylaws in effect on March 3, 2002.

Received: March 18, 2002

DEPARTMENT OF INSURANCE

APPROVED FIREWORK LIST

The Department of Insurance and Treasury, Division of State Fire Marshal, pursuant to Section 791.013(1), Florida Statutes, hereby approves the following sparklers for sale from February 1, 2002 to January 31, 2003. The products are listed by ITEM (the name of the product, and any major words or numbers on the product); BRAND (means the name or logo of the manufacturer); DESCRIPTION (a specific physical description of the product, size should be accurate to within one (1) inch). ALL ASSORTMENT PACKAGES OR CONTAINERS MUST CONTAIN APPROVED SPARKLERS.

PLEASE NOTE: This list contains only the sparklers which were provided to the Department on or after January 31, 2001 through September 1, 2001, and approved for use from February 1, 2002 through January 31, 2003.

For a complete list of all approved sparklers which are approved for use from February 1, 2002 through January 31, 2003, Please write to the Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342 or Fax the Regulatory Licensing Section 850/410-2467, or visit our website at www.doi.state.fl.us.

NAME 10" MORNING GLORY GOLD LB-N005A
 BRAND: LIGHTNING BOLT
 DESCRIPTION: 10" WOODEN STICK WITH 4" SPARKLER

NAME 10" MORNING GLORY GREEN LB-N005A
 BRAND: LIGHTNING BOLT
 DESCRIPTION: 10" WOODEN STICK WITH 4" SPARKLER

NAME 10" MORNING GLORY RED LB-N005A
 BRAND: LIGHTNING BOLT
 DESCRIPTION: 10" WOODEN STICK WITH 4" SPARKLER

NAME 16" MORNING GLORY 4 COLOR CHANGING LB-N005B
 BRAND: LIGHTNING BOLT
 DESCRIPTION: 16" WOODEN STICK WITH 6" SPARKLER

NAME 2 COOL YOU GOTTA SAY IT RIGHT
 BRAND:
 DESCRIPTION: 4 3/4" x 2 1/2" MULTITUBE CYLINDER

NAME 36" MORNING GLORY LB-N005D
 BRAND: LIGHTNING BOLT
 DESCRIPTION: 36" WOODEN STICK WITH 27" SPARKLER"

NAME ALPS NO: GG00277
 BRAND: GREAT GRIZZLY
 DESCRIPTION: 9" x 2" CYLINDER WITH BASE

NAME ANDES NO: GG0276
 BRAND: GREAT GRIZZLY
 DESCRIPTION: 9" X 2" CYLINDER WITH BASE

NAME ASTEROID SS10
 BRAND: TNT
 DESCRIPTION: 4" x 2" MULTITUBE BOX

NAME BANDIDO CP908
 BRAND: TNT
 DESCRIPTION: 6" x 3 1/2" MULTITUBE TRIANGLE

NAME BATTLE STAR FOUNTAIN
 BRAND: BLACK CAT

DESCRIPTION: 8 1/2" x 2" CYLINDER WITH BASE
 NAME BEAUTIFUL FOUNTAIN
 BRAND: BLACK CAT

DESCRIPTION: 8 1/2" x 2" CYLINDER WITH BASE
 NAME BIG KAHUNA SS13
 BRAND: TNT

DESCRIPTION: 4" x 5" MULTITUBE CYLINDER BOX
 NAME BIRTHDAY CAKE P3018
 BRAND: WINDA

DESCRIPTION: 8" x 3" MULTITUBE CYLINDER
 NAME BLACK WIDOW SS16
 BRAND: TNT

DESCRIPTION: 4" x 2 1/2" MULTITUBE CYLINDER BOX
 NAME BLAST -O- MANIAC SS20
 BRAND: TNT

DESCRIPTION: 7" x 3" MULTITUBE BOX
 NAME BLISTERING SKY SS1
 BRAND: TNT

DESCRIPTION: 9" x 3" MULTITUBE
 NAME BLOSSOMING FLOWERS SS40
 BRAND: TNT

DESCRIPTION: 5 3/4" x 2" MULTITUBE CYLINDER WITH BASE
 NAME BLOSSOMING MAGIC CANDLE SS23
 BRAND: TNT

DESCRIPTION: 20" x 1" CYLINDER
 NAME BLUE AND GOLD
 BRAND: BLACK CAT

DESCRIPTION: 3" x 1 3/4" CYLINDER
 NAME BLUE AND GOLD
 BRAND: BLACK CAT

DESCRIPTION: 1 3/4" x 3" CYLINDER
 NAME BLUE FROST FOUNTAIN
 BRAND: BLACK CAT

DESCRIPTION: 6" x 2" CYLINDER
 NAME BOOM MAN BXF 16 MEGA FOUNTAIN ERUPTION
 BRAND: VULCAN

DESCRIPTION: 5" x 2 1/2" BOX CONTAINING 2" CYLINDER
 NAME BOOM MAN BXF 14 MEGA FOUNTAIN ERUPTION
 BRAND: VULCAN

DESCRIPTION: 5" x 2 1/2" BOX CONTAINING 2" CYLINDER
 NAME BOOMER SS36
 BRAND: TNT

DESCRIPTION: 8 1/2" x 1 1/2" CYLINDER WITH BASE
 NAME BOTTLE ROCKET FOUNTAIN GG5019

BRAND: GREAT GRIZZLY
 DESCRIPTION: 2" x 3/8" CYLINDER ON 11" STICK
 NAME BOUQUET FOUNTAIN
 BRAND: BLACK CAT
 DESCRIPTION: 4" x 5 1/2" MULTITUBE
 HEXOGON/FLOWER POT SHAPE
 NAME BRACHIOSAURUS SS21
 BRAND: TNT
 DESCRIPTION: 8 1/2" x 3" MULTITUBE CYLINDER
 NAME BRIDAL-CHAIR BP7077
 BRAND: BROTHERS
 DESCRIPTION: 5 1/2" x 3" BOX ON WHEELS
 NAME BUBBA McCOY
 BRAND: BLACK CAT
 DESCRIPTION: 3 1/2" x 2" CYLINDER WITH 2" x 2"
 CYLINDER TOP
 NAME BULL DOG SS30B
 BRAND: TNT
 DESCRIPTION: 6 1/2" x 1 1/4" CYLINDER
 NAME BUMBLE BEE SS3B
 BRAND: TNT
 DESCRIPTION: 8" x 1 1/2" CYLINDER WITH BASE
 NAME BUTTERFLY AND FLOWERS 0833
 BRAND: TNT
 DESCRIPTION: 5" x 1 1/4" CYLINDER WITH BASE
 NAME BUTTERFLY AND FLOWERS 0833A
 BRAND: TNT
 DESCRIPTION: 5 3/4" x 2" MULTITUBE CYLINDER
 WITH BASE
 NAME CALIFORNIA DREAMIN' MAF2002
 BRAND:
 DESCRIPTION: 9" x 3 1/2" MULTITUBE HEXAGON
 NAME CALIFORNIA ROCKET FOUNTAIN
 LARGE GG5022
 BRAND: GREAT GRIZZLY
 DESCRIPTION: 10" x 3/4" CYLINDER ATTACHED ON
 20" STICK
 NAME CHICAGO BP4038
 BRAND: BROTHERS
 DESCRIPTION: 9" x 2" CYLINDER WITH BASE
 NAME CIGAR SMOKE
 BRAND: BLACK CAT
 DESCRIPTION: 7" x 1" BOX CONTAINING EIGHT 5" x
 3/4" CYLINDERS
 NAME CLIMBING PANDA
 BRAND:
 DESCRIPTION: 2" x 7" BOX CONTAINING SIX 6 1/2"
 CLIMBING PANDA'S W/BASE
 NAME CLYDE HATFIELD
 BRAND: BLACK CAT

DESCRIPTION: 3 1/2" x 2" CYLINDER WITH 2" x 2"
 CYLINDER TOP
 NAME COLOLRBLAST E-214
 BRAND: PITBULL
 DESCRIPTION: 8" x 3" CYLINDER
 NAME COLOR AND MELODY FOUNTAIN
 BRAND: BLACK CAT
 DESCRIPTION: 8" x 3" MULTITUBE CYLINDER
 NAME COLOR CRACKLING BALL SGW205
 BRAND: SHOGUN
 DESCRIPTION: 4" x 9 1/2" BOX CONTAINING 12 BAGS
 OF SIX 1" BALLS
 NAME COLORFUL GLITTER
 BRAND: BLACK CAT
 DESCRIPTION: 6" x 2 1/2" CONE
 NAME CRACKER BALLS
 BRAND: BLACK CAT
 DESCRIPTION: 3" x 3" BAG CONTAINING SIX 1"
 BALLS
 NAME CRACKLES
 BRAND: BLACK CAT
 DESCRIPTION: 1 3/4" x 3" CYLINDER
 NAME CRACKLES
 BRAND: BLACK CAT
 DESCRIPTION: 3" x 1 3/4" CYLINDER
 NAME CRACKLING CACTUS CP842
 BRAND: TNT
 DESCRIPTION: 7" x 6" x 5 1/2" BOX WITH FOUR 7"
 CYLINDER WITH BALLS
 NAME CRACKLING GLITTER
 BRAND: BLACK CAT
 DESCRIPTION: 6" x 2 1/2" CONE
 NAME CRACKLING MORNING GLORY
 BRAND: BLACK CAT
 DESCRIPTION: 14" x 2" PACKAGE CONTAINING
 TWELVE 14" SPARKLERS
 NAME CUCKOO BC 2014
 BRAND: BLACK CAT
 DESCRIPTION: 6 1/2" x 1 1/2" MULTITUBE FLATTEN
 RECTANGLE WITH BASE
 NAME CURSE OF THE MUMMY ITEM
 # GG0259
 BRAND: GREAT GRIZZLY
 DESCRIPTION: 8 1/2" x 3" MULTITUBE CYLINDER
 NAME DANCING BUMBLE BEES SS41
 BRAND: TNT
 DESCRIPTION: 3" x 3/4" CYLINDER
 NAME DANCING CAT
 BRAND: BLACK CAT
 DESCRIPTION: 2" x 1/4" WHEEL WITH BASE

NAME	DEMON DANCER SS17	BRAND:	TNT
BRAND:	TNT	DESCRIPTION:	2" x 1" BOX
DESCRIPTION:	5" x 3" MULTITUBE CYLINDER	NAME	FIRECRACKER FOUNTAIN
NAME	DESERT RACERS	BRAND:	PHANTOM
BRAND:	BLACK CAT	DESCRIPTION:	7" x 4" MULTITUBE CYLINDER
DESCRIPTION:	7 1/4" x 3" BOX CONTAINING TWO 6" CARS	NAME	FIREFLIES SS12
NAME	DEVIL DOG SS30D	BRAND:	TNT
BRAND:	TNT	DESCRIPTION:	3" x 1/2" BOX 2 1/2" CYLINDER
DESCRIPTION:	6 1/2" x 1 1/4" CYLINDER	NAME	FLOWER POWER
NAME	DINOSAUR EGG	BRAND:	PHANTOM
BRAND:	BLACK CAT	DESCRIPTION:	4 3/4" x 2" FLATTENED RECTANGLE
DESCRIPTION:	5" x 3 1/2" EGG SHAPE CONTAINING FIVE 1 1/2" BALLS	NAME	FOUNTAIN QUARTET W/BBLUE PEARLS LB-F004B
NAME	DOUBLOON FOUNTAIN	BRAND:	LIGHTNING BOLT
BRAND:	BLACK CAT	DESCRIPTION:	7" x 2 1/4 " CYLINDER
DESCRIPTION:	6" x 2" CYLINDER	NAME	FOUNTAIN QUARTET W/GREEN PEARLS LB-F004G
NAME	DRAGON BLASTER	BRAND:	LIGHTNING BOLT
BRAND:	PITBULL	DESCRIPTION:	7" x 2 1/4 " CYLINDER
DESCRIPTION:	8" x 3" CYLINDER	NAME	FOUNTAIN QUARTET W/RED PEARLS LB-F004R
NAME	DRAGON'S BREATH FOUNTAIN	BRAND:	LIGHTNING BOLT
BRAND:	BLACK CAT	DESCRIPTION:	7" x 2 1/4 " CYLINDER
DESCRIPTION:	8" x 3" MULTITUBE CYLINDER	NAME	FOUNTAIN QUARTET W/SILVER PEARLS LB-F004S
NAME	DUNGEON SS39	BRAND:	LIGHTNING BOLT
BRAND:	TNT	DESCRIPTION:	7" x 2 1/4 " CYLINDER
DESCRIPTION:	4 1/2" x 1 1/4" CYLINDER	NAME	FRIENDSHIP PAGODA W613A
NAME	FAMILY DELIGHT FOUNTAIN F822	BRAND:	
BRAND:	MAVERICK	DESCRIPTION:	2 1/2" x 3 1/2" HEXAGON BOX CONTAINING ONEPAGODA
DESCRIPTION:	5 1/2" x 3 1/2" MULTITUBE CYLINDER	NAME	GIANT CUCKOO NO: 0852
NAME	FAR OUT	BRAND:	PITBULL
BRAND:		DESCRIPTION:	6 1/2" x 2" FLATTENED CYLINDER WITH BASE
DESCRIPTION:	11 3/4" x 4 1/2" MULTITUBE CYLINDER	NAME	GIANT MORNING GLORY SPARKLER GG#5004
NAME	FIERY ECHO CP840	BRAND:	GREAT GRIZZLY
BRAND:	TNT	DESCRIPTION:	14" SPARKLER ATTACHED ON 36" STICK
DESCRIPTION:	5" x 3" MULTITUBE CYLINDER	NAME	GLORY SPARKLERS COLORFUL 0981EL
NAME	FIERY FIESTA FOUNTAIN	BRAND:	CANNON
BRAND:	BLACK CAT	DESCRIPTION:	14" SPARKLER ATTACHED ON 36" STICK
DESCRIPTION:	8 1/2" x 2" CYLINDER WITH BASE	NAME	GOLD DUST FOUNTAIN SS32
NAME	FINALE FOUNTAIN	BRAND:	TNT
BRAND:	BLACK CAT	DESCRIPTION:	5 1/4" x 2 1/2" BOX
DESCRIPTION:	7" x 3" MULTITUBE HEXOGON	NAME	GOLD GLITTER
NAME	FIRE DANCE BC-826	BRAND:	BLACK CAT
BRAND:	BLACK CAT		
DESCRIPTION:	4" x 5" BAG CONTAINING FOUR 2 1/2" x 1 1/2 " SILVER PKGS.		
NAME	FIRE INVIOABLE P4002		
BRAND:	WINDA		
DESCRIPTION:	30" x 2 1/4" MULTITUBE CYLINDER		
NAME	FIREANTS SS42		

DESCRIPTION: 6" x 2 1/2" CONE	BRAND: TNT
NAME GOLD GLITTERING	DESCRIPTION: 4" x 2" MULTITUBE BOX
BRAND: BLACK CAT	NAME INCA TEMPLE
DESCRIPTION: 3" x 1 3/4" CYLINDER	BRAND: BLACK CAT
NAME GOLD GLITTERING	DESCRIPTION: 6" x 6" x 3" MULTITUBE TRIANGLE
BRAND: BLACK CAT	NAME JACK IN THE BOX T1569
DESCRIPTION: 1 3/4" x 3" CYLINDER	BRAND: TNT
NAME GOLD SILVERY FLOWER	DESCRIPTION: 2 1/2" x 2" MULTITUBE HEXAGON
BRAND: BLACK CAT	NAME JADE FLOWERS 0837
DESCRIPTION: 6 1/2" x 1 1/2" CYLINDER WITH BASE	BRAND: TNT
NAME GOLDEN GLITTERING FLOWER	DESCRIPTION: 5" x 1" CYLINDER WITH BASE
BRAND: BLACK CAT	NAME JADE FLOWERS 0837A
DESCRIPTION: 6 1/2" x 1 1/2" CYLINDER WITH BASE	BRAND: TNT
NAME GREEN GLITTERING FLOWER	DESCRIPTION: 5 3/4" x 2" MULTITUBE CYLINDER WITH BASE
BRAND: BLACK CAT	NAME JUNGLE KING SS11
DESCRIPTION: 6 1/2" x 1 1/2" CYLINDER WITH BASE	BRAND: TNT
NAME GROUND BLOOM FLOWER BC-825	DESCRIPTION: 6" x 2" MULTITUBE CYLINDER WITH BASE
BRAND: BLACK CAT	NAME KAMIKAZE ATTACK SS34
DESCRIPTION: 2" x 1/2" CYLINDER	BRAND: TNT
NAME GYRO BLOOMS	DESCRIPTION: 5" x 3" MULTITUBE CYLINDER
BRAND: PHANTOM	NAME KILLER BEES
DESCRIPTION: 2 3/4" x 1" CYLINDER	BRAND: BLACK CAT
NAME HAPPINESS FOUNTAIN	DESCRIPTION: 7 1/2" x 2" BOX CONTAINING FOUR 6 1/2" x 1" CYLINDER WITH BASE
BRAND: PHANTOM	NAME LARGE FOUNTAIN E-054
DESCRIPTION: 7" x 3 1/2" BOX WITH SIX 3" x 1 1/4" CYLINDERS WITH BASE	BRAND: PITBULL
NAME HATTIE HATFIELD	DESCRIPTION: 8" x 3" CYLINDER
BRAND: BLACK CAT	NAME LASER BLAZER APE048
DESCRIPTION: 6" x 2 3/4" CONE WITH 2" x 2" CYLINDER TOP	BRAND: TNT
NAME HEATWAVE 21ST CENTURY Y22-060	DESCRIPTION: 4" x 4"x 3" MULTITUBE BOX
BRAND: CANNON	NAME LASER MASTER SS37
DESCRIPTION: 8" x 3" MULTITUBE CYLINDER	BRAND: TNT
NAME HOLLYWOOD NIGHTS	DESCRIPTION: 4" x 3" MULTITUBE BOX
BRAND:	NAME LIGHTNING BUG APE009
DESCRIPTION: 5" x 4" MULTITUBE HEXAGON	BRAND: TNT
NAME HORNET SS3C	DESCRIPTION: 3" x 2" CYLINDER
BRAND: TNT	NAME LONE PINE GEYSER
DESCRIPTION: 8" x 1 1/2" CYLINDER WITH BASE	BRAND: BLACK CAT
NAME HORNET JAMBOREE SS24	DESCRIPTION: 9" x 3" MULTITUBE CYLINDER
BRAND: TNT	NAME LOS ANGELES BP4038
DESCRIPTION: 6" x 3 1/2" MULTITUBE BOX	BRAND: BROTHERS
NAME HOT SHOT SS7	DESCRIPTION: 9" x 2" CYLINDER WITH BASE
BRAND: TNT	NAME LULU McCOY
DESCRIPTION: 8" x 3" CYLINDER	BRAND: BLACK CAT
NAME HOWL OF THE WOLFMAN ITEM # GG0256	DESCRIPTION: 6" x 2 3/4" CONE WITH 2" x 2" CYLINDER TOP
BRAND: GREAT GRIZZLY	NAME MAD DOG SS30A
DESCRIPTION: 7 1/2" x 4" MULTITUBE HEXAGON	BRAND: TNT
NAME HUMMING BIRD APE008	

DESCRIPTION:	6 1/2" x 1 1/4" CYLINDER	DESCRIPTION:	8 1/2" x 3" MULTITUBE CYLINDER
NAME	MADHATTER FOUNTAIN	NAME	NEW YORK BP4038
BRAND:	PHANTOM	BRAND:	BROTHERS
DESCRIPTION:	5 1/2" x 3 1/2" MULTITUBE CYLINDER HEXAGON	DESCRIPTION:	9" x 2" CYLINDER WITH BASE
NAME	MAGIC HORSESHOE MAF2009	NAME	NO NAME SPINNER
BRAND:		BRAND:	BLACK CAT
DESCRIPTION:	4" x 1 1/4" MULTITUBE HORSESHOE SHAPE	DESCRIPTION:	
NAME	MAGNUM SS15	NAME	NORTHERN LIGHT SS33
BRAND:	TNT	BRAND:	TNT
DESCRIPTION:	4" x 1 3/4" MULTITUBE CYLINDER	DESCRIPTION:	4" x 2 1/4" x 2 1/4" BOX WITH CYLINDER
NAME	MARSIAN DELIGHT BP4154	NAME	NOVA SS2
BRAND:	BROTHERS	BRAND:	TNT
DESCRIPTION:	1 1/2" x 6" BOX CONTAINING SIX 2 1/2" CYLINDERS	DESCRIPTION:	8 1/2" x 3" MULTITUBE CYLINDER
NAME	MARTIAN GREETING SS26	NAME	PACIFIC PARADISE MAF2003
BRAND:	TNT	BRAND:	
DESCRIPTION:	8 3/4" x 3 1/2" MULTITUBE CYLINDER	DESCRIPTION:	8" x 3" MULTITUBE CYLINDER
NAME	MINI ME	NAME	PAINTED DESERT
BRAND:	PITBULL	BRAND:	
DESCRIPTION:	4" x 1 1/2" FLATTENED CYLINDER WITH BASE	DESCRIPTION:	5 3/4" x 3 1/2" MULTITUBE HEXAGON
NAME	MOBILE MISSILE LAUNCHER	NAME	PEACH FLOWER IN SPRING 0705
BRAND:	BLACK CAT	BRAND:	TNT
DESCRIPTION:	6" x 3 1/4" BOX CONTAINING ONE TANK WITH EIGHT CYLINDERS	DESCRIPTION:	4" x 2" MULTITUBE CYLINDER BOX
NAME	MONOCLONIUS SS14	NAME	PLATINUM AND GOLD FOUNTAIN
BRAND:	TNT	BRAND:	BLACK CAT
DESCRIPTION:	7" x 3" MULTITUBE CYLINDER	DESCRIPTION:	8" x 3 1/2" MULTITUBE CYLINDER
NAME	MORNING GLORY	NAME	POP GOES THE FOUNTAIN
BRAND:	BLACK CAT	BRAND:	BLACK CAT
DESCRIPTION:	16" x 2 1/2" BOX CONTAINING SEVENTY TWO 14" SPARKLERS	DESCRIPTION:	9" x 3" MULTITUBE CYLINDER
NAME	MORTAR FIRE SS4	NAME	POT OF GOLD FOUNTAIN
BRAND:	TNT	BRAND:	BLACK CAT
DESCRIPTION:	9" x 3 " CYLINDER	DESCRIPTION:	9" x 3" MULTITUBE CYLINDER
NAME	MOTHER NATURE SS004	NAME	POWER SURGE FOUNTAIN
BRAND:	TNT	BRAND:	PHANTOM
DESCRIPTION:	5 3/4" x 2" MULTITUBE CYLINDER WITH BASE	DESCRIPTION:	5 1/2" x 3 1/2" MULTITUBE CYLINDER
NAME	MULT-COLOR SPARKS	NAME	PYRO MARATHON SS18
BRAND:	BLACK CAT	BRAND:	TNT
DESCRIPTION:	3" x 1 3/4" CYLINDER	DESCRIPTION:	7" x 3" MULTITUBE CYLINDER
NAME	MULTI-COLOR SPARKS	NAME	RATTA-TAT-TAT FOUNTAIN
BRAND:	BLACK CAT	BRAND:	BLACK CAT
DESCRIPTION:	1 3/4" x 3" CYLINDER	DESCRIPTION:	9" x 3" MULTITUBE CYLINDER
NAME	MUMMY'S WRATH 21ST CENTURY Y22-061	NAME	RED DEVIL SS5
BRAND:	CANNON	BRAND:	TNT
		DESCRIPTION:	8" x 3 1/2" MULTITUBE CYLINDER
		NAME	RED PEARLS
		BRAND:	BLACK CAT
		DESCRIPTION:	3" x 1 3/4" CYLINDER
		NAME	RED PEARLS
		BRAND:	BLACK CAT
		DESCRIPTION:	1 3/4" x 3" CYLINDER

NAME	RED ROSE BLOOMS	BRAND:	TNT
BRAND:	PHANTOM	DESCRIPTION:	8" x 3" MULTITUBE CYLINDER
DESCRIPTION:	6 1/2" x 4 1/2" BOX OF SIX 3" x 1/2" MULTI CYLINDERS	NAME	SKY PARADE CP164
NAME	ROCKET FOUNTAIN JUMBO GG5003	BRAND:	PITBULL
BRAND:	GREAT GRIZZLY	DESCRIPTION:	3 1/2" x 6" CYLINDER
DESCRIPTION:	8" x 1 1/4" CYLINDER WITH CONE ON 31" STICK	NAME	SKY SPIDER
NAME	ROCKET FOUNTAIN NO: 165	BRAND:	BLACK CAT
BRAND:	PITBULL	DESCRIPTION:	7" x 2" BOX CONTAINING FOUR 6" x 1 1/4" CYLINDER W/BASE
DESCRIPTION:	6 1/2" x 1 1/2" CYLINDER WITH 17 1/2" WOODEN STICK	NAME	SNAP CRACKLE POP GG5026
NAME	ROCKIES NO: GG0275	BRAND:	GREAT GRIZZLY
BRAND:	GREAT GRIZZLY	DESCRIPTION:	2 1/2" x 5" BOX CONTAINING THREE 4" CONE
DESCRIPTION:	9" x 2" CYLINDER WITH BASE	NAME	SONIC FLASH SS6
NAME	ROCKY MOUNTAIN STREAM WHISTLE AND SPARKS F812	BRAND:	TNT
BRAND:	MAVERICK	DESCRIPTION:	9" x 3" MULTITUBE CYLINDER
DESCRIPTION:	3" x 6 1/2" BOX CONTANING MULTITUBE CYLINDERS	NAME	STAR DUST
NAME	ROCKY ROAD	BRAND:	
BRAND:	BLACK CAT	DESCRIPTION:	6 3/4" x 4" CYLINDER MULTITUBE
DESCRIPTION:	7 1/2" x 3 1/4" CONTAINING CAR	NAME	STEALTH SS8
NAME	ROTATE WHEELS	BRAND:	TNT
BRAND:	BLACK CAT	DESCRIPTION:	8" x 3" MULTITUBE CYLINDER
DESCRIPTION:	9" x 3" BOX CONTAINING TWO 6" AIRPLANES	NAME	SUNDANCE FOUNTAIN
NAME	SEATTLE BP4038	BRAND:	PHANTOM
BRAND:	BROTHERS	DESCRIPTION:	10" x 4" CYLINDER
DESCRIPTION:	9" x 2" CYLINDER WITH BASE	NAME	SUNSET FOUNTAIN
NAME	SEE YOU LATER ALLIGATOR	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	6" x 2" CYLINDER
DESCRIPTION:	9 1/2" x 5 1/2" BOX CONTAINING TWO 9" ALLIGATORS	NAME	SUPER JUMPING JACKS WITH CRACKLE
NAME	SIERRA NO: GG0274	BRAND:	BLACK CAT
BRAND:	GREAT GRIZZLY	DESCRIPTION:	6" x 3" PACKAGE CONTAINING FIFTY 1 1/2" x 1/4" FIRECRACKERS
DESCRIPTION:	9" x 2" CYLINDER WITH BASE	NAME	SUPER SCREECHER SS29
NAME	SILVER CELEBRATION FOUNTAIN	BRAND:	TNT
BRAND:	BLACK CAT	DESCRIPTION:	6 1/2" x 1 1/2" MULTITUBE FLATTEN RECTANGLE
DESCRIPTION:	6" x 2" CYLINDER	NAME	SUPER SNAPS
NAME	SILVER GLITTER	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	3" x 1" BOX CONTAINING FIFTY 1/4" BAGS
DESCRIPTION:	6" x 2 1/2" CONE	NAME	SUPER SNAPS
NAME	SILVER PEARLS	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	1" x 2 1/2" BOX CONTAINING FIFTY 1/4" BAGS
DESCRIPTION:	3" x 1 3/4" CYLINDER	NAME	TASMANIAN DEVILS
NAME	SILVER PEARLS	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	6" x 1 1/2" BOX CONTAINING FOUR 1 1/2" x 2 1/2" CYLINDER
DESCRIPTION:	1 3/4" x 3" CYLINDER	NAME	TEA POT FIREWORKS 12 PCS.
NAME	SKY FLASH SS19		

BRAND: TNT
 DESCRIPTION: 10" x 5 1/2" BOX WITH TWELVE 3" TEA POTS
 NAME TEQUILA POP SS38
 BRAND: TNT
 DESCRIPTION: 4 3/4" x 1 1/4" CYLINDER
 NAME TIE-DYE FOUNTAIN
 BRAND: BLACK CAT
 DESCRIPTION: 6" x 3" MULTITUBE CYLINDER
 NAME TOPSY-TURVY SPINNERS
 BRAND: PHANTOM
 DESCRIPTION: 2 1/2" x 1" BAG OF SIX SPINNERS
 NAME TOY SOLDIER
 BRAND: BLACK CAT
 DESCRIPTION: 9" x 3" BOX CONTAINING FOUR 8" x 1 1/2" MULTITUBE CYLINDERS
 NAME TRI-COLOR SPRAYER
 BRAND: BLACK CAT
 DESCRIPTION: 6 1/2" x 1 1/2" CYLINDER WITH BASE
 NAME TRUCKLOAD OF FIREWORKS
 BRAND: BLACK CAT
 DESCRIPTION: 5" x 2" BOX CONTAINING TWO TRUCKS
 NAME TURBO PROPS
 BRAND: PHANTOM
 DESCRIPTION: BAG OF FOUR 1 3/4" x 1/2" FOUNTAIN
 NAME UNCLE SAM'S BEST GG#5008
 BRAND: GREAT GRIZZLY
 DESCRIPTION: 5 1/2" x 2" BOX CONTAINING SIX 5" CYLINDERS W/BASE
 NAME WAILING WHEEL WAILING WHEEL
 BRAND: BLACK CAT
 DESCRIPTION: 6" x 3/4" HEXOGON WHEEL
 NAME WASP SS3D
 BRAND: TNT
 DESCRIPTION: 8" x 1 1/2" CYLINDER WITH BASE
 NAME WASP ATTACK SS31
 BRAND: TNT
 DESCRIPTION: 3 1/4" x 2" x 2" MULTITUBE CYLINDER BOX
 NAME WATERFALL FOUNTAIN
 BRAND: BLACK CAT
 DESCRIPTION: 5" x 2 1/2" BOX WITH ONE CYLINDER
 NAME WHOLLY TERROR SS22
 BRAND: TNT
 DESCRIPTION: 5" x 3 3/4" MULTITUBE HEXOGON
 NAME WILD CAT SS25
 BRAND: TNT
 DESCRIPTION: 6" x 3" MULTITUBE CYLINDER
 NAME WILD DOG SS30C

BRAND: TNT
 DESCRIPTION: 6 1/2" x 1 1/4" CYLINDER
 NAME WOOOSH! MAF 2010
 BRAND:
 DESCRIPTION: 7 1/2" x 3 1/4" MULTITUBE CYLINDER
 NAME WORLD'S GREATEST FOUNTAIN
 BRAND: BLACK CAT
 DESCRIPTION: 8 1/2" x 2" CYLINDER WITH BASE
 NAME YELLOW JACKET SS3A
 BRAND: TNT
 DESCRIPTION: 8" x 1 1/2" CYLINDER WITH BASE

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA02-OR-080
 In re: A LAND DEVELOPMENT REGULATION ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS ORDINANCE NO. 02-13

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. On February 15, 2002, the Department received for review Islamorada, Village of Islands Ordinance No. 02-13 which was adopted by the Village Council on February 7, 2002 ("Ord. 02-13"). Ord. 02-13 establishes regulations regarding buffering, hours of operation, and screening of outdoor storage and display areas.
2. Ord. 02-13 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

3. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).
4. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
5. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 02-13 are land development regulations.

- 6. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles"). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions. § 380.0552(7), Fla. Stat. (2001).
- 7. Ordinance 02-13 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (b) To protect shoreline and marine resources including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
 - (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife and their habitat.
 - (e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
 - (f) To enhance natural scenic resources, promote aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
- 8. Ordinance 02-13 is not inconsistent with the remaining Principles. Ord. 02-13 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-13 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR

PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION

SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this __ day of March, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Frank Kulisky, Mayor

Islamorada, Village of Islands

Post Office Box 568

Islamorada, FL 33036

Carol Simpkins, Village Clerk

Islamorada, Village of Islands

Post Office Box 568

Islamorada, FL 33036

John Herin, Esq.

Weiss, Serota, Helfman, Pastoriza & Guedes, P.A.

2665 South Bayshore Drive

Miami, FL 33133

By Hand Delivery or Interagency Mail:

Michael McDaniel, Growth Management Administrator, DCA
Tallahassee

Rebecca Jetton, DCA Florida Keys Field Office

Richard A. Lotspeich, Assistant General Counsel, DCA
Tallahassee

DCA Final Order No.: DCA02-OR-090

In re: CITY OF MARATHON LAND DEVELOPMENT
REGULATIONS ADOPTED BY
CITY OF MARATHON ORDINANCE NO. 00-09-12

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
2. On January 31, 2002, the Department received for review City of Marathon Ordinance No. 00-09-12 which was adopted by the City of Marathon City Council on September 26, 2000 ("Ord. 00-09-12").
3. Ord. 00-09-12 amends the City's Land Development Regulations to streamline and standardize the procedures concerning notice of public hearings, development approvals, development orders, development permits, and amendments to the text of the Land Development Regulations and zoning maps.
4. Ord. 00-09-12 is consistent with the City's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).
6. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 00-09-12 are land development regulations.
8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
9. Ord. 00-9-12 promotes and furthers the following Principles:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.

(g) To protect the historical heritage of the Florida Keys.

(l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

10. Ord. 00-09-12 is not inconsistent with the remaining Principles. Ord. 00-09-12 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 00-09-12 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR

YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this __ day of March, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Robert K. Miller
Mayor

City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

Katherine V. Selchan
City Clerk
City of Marathon

210 University Drive
Coral Springs, Florida 33071
Craig Wrathell

City Manager
City of Marathon
10054-55 Overseas Highway

Marathon, Florida 33050
John R. Herin, Jr.
Weiss, Serota, Helfman, Pastoriza and Guedes, P.A.

City Attorneys
City of Marathon
2665 South Bayshore Drive, Suite 420

Miami, Florida 33133
By Hand Delivery or Interagency Mail:
Michael McDaniel, Growth Management Administrator, DCA
Tallahassee

Rebecca Jetton, DCA Florida Keys Field Office
Richard A. Lotspeich, Assistant General Counsel, DCA
Tallahassee

NOTICE OF APPROVAL
FOR PRESERVATION 2000 FUNDS

The Florida Communities Trust ("Trust") reviewed and approved project plans for land acquisition projects submitted under the Trust Preservation 2000 Program, Series P10 funding cycle. The project plan listed below was approved by the Executive Director under authority delegated from the governing body. The Executive Director is authorized to

execute the agreements for acquisition of the project sites and all other documents necessary to close the project and that funds be released as follows:

Project: 00-009-P10/Castaway Island Preserve
Grantee: City of Jacksonville

Amount of Approved Funds: the lesser of 40.00% of the final total project costs or \$1,430,000.00

Project: 00-019-P10/Manasota Scrub Preserve
Grantee: Sarasota County

Amount of Approved Funds: the lesser of 40.00% of the final total project costs or \$2,084,878.00

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing

if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Aprilia USA, Inc., intends to allow the establishment of Interlake Gulf Corporation, as a dealership for the sale of Aprilia motorcycles, scooters, spare parts, and accessories at 938 4th Ave., Naples (Collier County), Florida 34102, on or after March 19, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Interlake Gulf Corporation are dealer operator: John R. Nocera, 2260 Kingfish Rd., Naples, FL 34102 principal investor(s): John Nocera and John R. Nocera, Jr., 2260 Kingfish Rd., Naples, FL 34102.

The notice indicates 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: Tanner Schultz, National Business Development Manager, Aprilia USA, Inc., 110 Londonderry Ct., Suite 130, Woodstock, GA 30188.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Aprilia USA, Inc., intends to allow the establishment of Leesburg Cycles, Inc., as a dealership for the

sale of Aprilia motorcycles, scooters, spare parts and accessories at 938 4th Ave., Naples (Lake County), Florida 34102, on or after March 19, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Leesburg Cycles, Inc., are dealer operator: Jeri Von Hartman, 3566 Lake Eleanor Dr., Mt. Dora, FL 32757 principal investor(s): Roy Thornton, 5137 Pinelake Rd., Wesley Chapel, FL 33543.

The notice indicates 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: Tanner Shultz, National Business Development Manager, Aprilia USA, Inc., 110 Londonderry Ct., Suite 130, Woodstock, GA 30188.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Campagna Moto Sport Inc. intends to allow the establishment of Alonso Inc. d/b/a The Turning Wheel Sport Center as a dealership for the sale of T-Rex motorcycles, at 1503 E. Main Street, Leesburg (Lake County), FL 34748, on or after February 21, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Alonso Inc. d/b/a The Turning Wheel Sport Center are dealer operator(s) and principal investor(s): Mr. Armondo Alonso and Alonso Inc. d/b/a The Turning Wheel Sport Center, 1503 E. Main Street, Leesburg, FL 34748.

The notice indicates 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: Louise T. McCrea, Campagna Moto Sport Inc., 150 Bedell Avenue, Clintondale, NY 12515.

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

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Escambia	District: 1
ID #: 0100046	Decision: A
Issue Date: 3/5/2002	
Facility/Project: Baptist Hospital.	
Applicant: Baptist Hospital, Inc.	
Project Description: Terminate the adult autologous bone marrow transplant program.	
Proposed Project Cost: \$0	
County: Hillsborough	District: 6
ID #: 0100047	Decision: A
Issue Date: 3/12/2002	
Facility/Project: University Community Hospital at Carrollwood	
Applicant: University Community Hospital, Inc.	
Project Description: Convert 8 hospital-based skilled nursing unit beds to 8 acute care beds.	
Proposed Project Cost: \$25,000	
AHCA Purchase Order Number S5900J00496.	

**NOTICE OF BATCHED APPLICATION RECEIPT
AND NOTICE OF TENTATIVE PUBLIC HEARINGS**

The Agency For Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Hospital Beds and Facilities review cycle with an application due date of March 13, 2002.

County: Escambia	Service District: 1
CON#: 9528	Application Receipt Date: March 13, 2002

Facility/Project: Baptist Hospital, Inc.	
Applicant: Baptist Hospital, Inc.	
Project Description: Establish a new 100-bed satellite hospital through the relocation of 100 beds at Baptist Hospital	
County: Bay	Service District: 2
CON#: 9529	Application Receipt Date: March 13, 2002
Facility/Project: Bay Medical Center	
Applicant: SemperCare Hospital of Panama City, Inc.	
Project Description: Establish up to a new 40-bed long-term care hospital on the campus of Bay Medical Center	
County: Bay	Service District: 2
CON#: 9530	Application Receipt Date: March 13, 2002
Facility/Project: HealthSouth LTAC of Bay County, Inc.	
Applicant: HealthSouth LTAC of Bay County, Inc.	
Project Description: Establish up to a 40-bed long-term care hospital	
County: Lake	Service District: 3
CON#: 9531	Application Receipt Date: March 13, 2002
Facility/Project: South Lake Hospital	
Applicant: South Lake Hospital, Inc.	
Project Description: Add up to 16 acute care beds	
County: Duval	Service District: 4
CON#: 9533	Application Receipt Date: March 13, 2002
Facility/Project: St. Vincent's Medical Center	
Applicant: St. Vincent's Medical Center, Inc.	
Project Description: Establish up to a 10-bed Level II NICU at the proposed new hospital through the delicensure of Level II beds at St. Luke's Hospital	
County: Duval	Service District: 4
CON#: 9532	Application Receipt Date: March 13, 2002
Facility/Project: Brooks Rehabilitation Hospital	
Applicant: Genesis Rehabilitation Hospital, Inc.	
Project Description: Add seven comprehensive medical rehabilitation beds	
County: Duval	Service District: 4
CON#: 9534	Application Receipt Date: March 13, 2002
Facility/Project: Southern Baptist Hospital of Florida, Inc.	
Applicant: Southern Baptist Hospital of Florida, Inc.	
Project Description: Establish up to a new 125-bed acute care hospital through relocation of up to 125 acute bed at Baptist MC	
County: Duval	Service District: 4
CON#: 9535	Application Receipt Date: March 13, 2002
Facility/Project: St. Luke's Hospital	
Applicant: St. Luke's Hospital Association	
Project Description: Establish a replacement hospital of up to 214 acute care beds and existing cardiac and transplant services	
County: Duval	Service District: 4
CON#: 9536	Application Receipt Date: March 13, 2002
Facility/Project: St. Vincent's Medical Center	

Applicant: St. Vincent's Medical Center, Inc.
 Project Description: Establish up to a new 220-bed acute care hospital
 County: Pasco Service District: 5
 CON#: 9538 Application Receipt Date: March 13, 2002
 Facility/Project: North Bay Hospital
 Applicant: Morton Plant Hospital Association, Inc.
 Project Description: Establish a 122-bed replacement hospital consisting of 102 acute care beds and 20 comprehensive medical rehabilitation beds
 County: Pasco Service District: 5
 CON#: 9539 Application Receipt Date: March 13, 2002
 Facility/Project: Community Hospital
 Applicant: New Port Richey Hospital, Inc.
 Project Description: Establish a 414-bed replacement hospital consisting of 368 acute care beds and 46 adult psychiatric beds
 County: Pinellas Service District: 5
 CON#: 9537 Application Receipt Date: March 12, 2002
 Facility/Project: HealthSouth Rehabilitation Hospital
 Applicant: HealthSouth of Largo Limited Partnership
 Project Description: Add up to 20 comprehensive medical rehabilitation beds
 County: Hillsborough Service District: 6
 CON#: 9540 Application Receipt Date: March 13, 2002
 Facility/Project: Continental Medical of Palm Beach, Inc.
 Applicant: Continental Medical of Palm Beach, Inc.
 Project Description: Establish up to a new 40-bed comprehensive medical rehabilitation hospital
 County: Polk Service District: 6
 CON#: 9541 Application Receipt Date: March 13, 2002
 Facility/Project: Cornerstone Health Management Company
 Applicant: Cornerstone Health Management Company
 Project Description: Establish up to a new 50-bed long-term care hospital through the conversion of up to 50 skilled nursing beds at Mariner Health of Winter Haven
 County: Orange Service District: 7
 CON#: 9543 Application Receipt Date: March 13, 2002
 Facility/Project: Florida Hospital
 Applicant: Adventist Health System/Sunbelt, Inc.
 Project Description: Add up to 22 Level III NICU beds
 County: Orange Service District: 7
 CON#: 9542 Application Receipt Date: March 13, 2002
 Facility/Project: Winter Park Memorial Hospital
 Applicant: Adventist Health System/Sunbelt, Inc.

Project Description: Establish up to a 20-bed CMR unit through delicensure/transfer of up to 20 CMR beds at FL Hosp. and conversion of 19 HBSNU beds and 1 acute care bed at Winter Park
 County: Orange Service District: 7
 CON#: 9544 Application Receipt Date: March 13, 2002
 Facility/Project: SemperCare Hospital of Orlando, Inc.
 Applicant: SemperCare Hospital of Orlando, Inc.
 Project Description: Establish up to a new 50-bed long-term care hospital on the campus of Florida Hospital
 County: Osceola Service District: 7
 CON#: 9546 Application Receipt Date: March 13, 2002
 Facility/Project: Florida Hospital Celebration Health
 Applicant: Adventist Health System/Sunbelt, Inc.
 Project Description: Add up to 60 acute care beds
 County: Osceola Service District: 7
 CON#: 9545 Application Receipt Date: March 13, 2002
 Facility/Project: Osceola Regional Medical Center
 Applicant: Osceola Regional Hospital, Inc.
 Project Description: Add up to 80 acute care beds
 County: Charlotte Service District: 8
 CON#: 9547 Application Receipt Date: March 13, 2002
 Facility/Project: Cornerstone Health Management Company
 Applicant: Cornerstone Health Management Company
 Project Description: Establish up to a new 50-bed long-term care hospital through the conversion of up to 50 skilled nursing beds at Mariner Health of Port Charlotte
 County: Charlotte Service District: 8
 CON#: 9550 Application Receipt Date: March 13, 2002
 Facility/Project: Punta Gorda H.M.A., Inc.
 Applicant: Punta Gorda H.M.A., Inc.
 Project Description: Establish up to a new 75-bed acute care hospital through transfer/delicensure of up to 75 acute care beds at Charlotte RMC
 County: Collier Service District: 8
 CON#: 9551 Application Receipt Date: March 13, 2002
 Facility/Project: Collier HMA, Inc.
 Applicant: Collier HMA, Inc.
 Project Description: Establish up to a new 100-bed acute care hospital
 County: Collier Service District: 8
 CON#: 9552 Application Receipt Date: March 13, 2002
 Facility/Project: Cleveland Clinic Florida Hospital Naples
 Applicant: Cleveland Clinic Florida Hospital Naples
 Project Description: Add up to 60 acute care beds

County: Lee Service District: 8
 CON#: 9549 Application Receipt Date: March 13, 2002
 Facility/Project: Lee Memorial Hospital – HealthPark
 Applicant: Lee Memorial Health System
 Project Description: Add up to five Level III NICU beds

County: Sarasota Service District: 8
 CON#: 9548 Application Receipt Date: March 13, 2002
 Facility/Project: HealthSouth LTAC of Sarasota, Inc.
 Applicant: HealthSouth LTAC of Sarasota, Inc.
 Project Description: Establish up to a 40-bed long-term care hospital

County: Indian River Service District: 9
 CON#: 9554 Application Receipt Date: March 13, 2002
 Facility/Project: HealthSouth Treasure Coast Hospital
 Applicant: HealthSouth of Treasure Coast, Inc.
 Project Description: Add up to 13 comprehensive medical rehabilitation beds

County: Indian River Service District: 9
 CON#: 9553 Application Receipt Date: March 13, 2002
 Facility/Project: HealthSouth of Stuart, Inc.
 Applicant: HealthSouth of Stuart, Inc.
 Project Description: Establish up to a new 20-bed long-term care hospital

County: Palm Beach Service District: 9
 CON#: 9558 Application Receipt Date: March 13, 2002
 Facility/Project: Palms West Hospital
 Applicant: Columbia Palms West Hospital, L.P.
 Project Description: Add 60 acute care beds

County: Palm Beach Service District: 9
 CON#: 9559 Application Receipt Date: March 13, 2002
 Facility/Project: Wellington Regional Medical Center
 Applicant: Wellington Regional Medical Center, Inc.
 Project Description: Add up to seven acute care beds

County: St. Lucie Service District: 9
 CON#: 9557 Application Receipt Date: March 13, 2002
 Facility/Project: Martin Memorial Medical Center, Inc.
 Applicant: Martin Memorial Medical Center, Inc.
 Project Description: Establish a new 80-bed acute care hospital

County: St. Lucie Service District: 9
 CON#: 9556 Application Receipt Date: March 13, 2002
 Facility/Project: St. Lucie Medical Center
 Applicant: HCA Health Services of Florida, Inc.
 Project Description: Add up to 40 acute care beds

County: St. Lucie Service District: 9
 CON#: 9555 Application Receipt Date: March 13, 2002

Facility/Project: Savannas Hospital
 Applicant: Liberty Behavioral Management of Florida, Inc.
 Project Description: Add up to 10 child/adolescent psychiatric beds

County: Broward Service District: 10
 CON#: 9563 Application Receipt Date: March 13, 2002
 Facility/Project: Memorial Regional Hospital
 Applicant: South Broward Hospital District
 Project Description: Add up to six comprehensive medical rehabilitation beds

County: Broward Service District: 10
 CON#: 9564 Application Receipt Date: March 13, 2002
 Facility/Project: South Broward Hospital District
 Applicant: South Broward Hospital District
 Project Description: Establish up to a new 100-bed acute care hospital

County: Broward Service District: 10
 CON#: 9561 Application Receipt Date: March 13, 2002
 Facility/Project: St. John’s Rehabilitation Hospital and Nursing Center
 Applicant: St. John’s Rehabilitation Hosp. and Nursing Center, Inc.
 Project Description: Add 11 comprehensive medical rehabilitation beds

County: Broward Service District: 10
 CON#: 9562 Application Receipt Date: March 13, 2002
 Facility/Project: Hollywood Medical Center
 Applicant: Tenet HealthSystems Hospitals, Inc.
 Project Description: Convert 11 acute care beds to 11 comprehensive medical rehabilitation beds

County: Broward Service District: 10
 CON#: 9560 Application Receipt Date: March 13, 2002
 Facility/Project: HealthSouth Sunrise Rehab. Hospital
 Applicant: HealthSouth of Fort Lauderdale, Limited
 Project Description: Add 11 comprehensive medical rehabilitation beds

County: Broward Service District: 10
 CON#: 9565 Application Receipt Date: March 13, 2002
 Facility/Project: Northwest Medical Center
 Applicant: Northwest Medical Center, Inc.
 Project Description: Add up to 50 acute care beds

County: Dade Service District: 11
 CON#: 9569 Application Receipt Date:
 Facility/Project: Homestead Hospital
 Applicant: Homestead Hospital, Inc.

Project Description: Establish a 120-bed acute care replacement hospital

County: Dade Service District: 11
 CON#: 9568 Application Receipt Date:
 Facility/Project: Mt. Sinai Medical Center and Miami Heart Institute

Applicant: Mount Sinai Medical Center of Florida, Inc.

Project Description: Add up to 60 comprehensive medical rehabilitation (CMR) beds at 4701 N. Meridian Ave. through delicensure of up to 60 CMR beds at 4300 Alton Rd.

County: Dade Service District: 11
 CON#: 9566 Application Receipt Date: March 13, 2002
 Facility/Project: Kendall Medical Center
 Applicant: Kendall Healthcare Group, Ltd.

Project Description: Establish up to a 10-bed Level II NICU through the conversion of up to 10 acute care beds

County: Dade Service District: 11
 CON#: 9567 Application Receipt Date: March 13, 2002
 Facility/Project: Kendall Medical Center
 Applicant: Kendall Healthcare Group, Ltd.

Project Description: Establish up to 20 adult psychiatric beds through the conversion of up to 20 acute care beds

County: Dade Service District: 11
 CON#: 9568 Application Receipt Date: March 13, 2002
 Facility/Project: Mt. Sinai Medical Center of Florida and Miami Heart Institute

Applicant: Mt. Sinai Medical Center of Florida, Inc.

Project Description: Add up to 60 comprehensive medical rehabilitation (CMR) beds at 4701 N. Meridian Ave. through delicensure of up to 60 CMR beds at 4300 Alton Road.

County: Dade Service District: 11
 CON#: 9569 Application Receipt Date: March 13, 2002
 Facility/Project: Homestead Hospital
 Applicant: Homestead Hospital, Inc.

Project Description: Establish a 120-bed acute care replacement hospital

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

PROPOSALS: District 1

DATE AND TIME: Wednesday, May 1, 2002, 2:00 p.m. (Central Time)

PLACE: West Florida Regional Planning Council Conference Room, 3435 North 12th Ave., Pensacola, FL 32593

PROPOSALS: District 2

DATE AND TIME: Thursday, May 2, 2002, 10:00 a.m. (Central Time)

PLACE: Big Bend Health Council Office, 431 Oak Avenue, Panama City, FL 32401

PROPOSALS: District 3

DATE AND TIME: Wednesday, May 1, 2002, 2:00 p.m.

PLACE: North Central Florida Health Planning Council, Conference Room, 18 N. W. 33rd Court, Gainesville, FL 32607

PROPOSALS: District 4

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

PLACE: Health Planning Council of N. E. Florida, Inc., 900 University Blvd., North, 2nd Floor, Conference Room, Jacksonville, FL 32211

PROPOSALS: District 5 and 6

DATE AND TIME: Tuesday, April 30, 2002, 9:00 a.m.

PLACE: Baker Building, Conference Room, 888 Executive Center Drive, North, St. Petersburg, FL 33702

PROPOSALS: District 7

DATE AND TIME: Tuesday, April 30, 2002, 9:00 a.m.

PLACE: Health Council of East Central Florida, Inc., 1155 South Semoran Boulevard, Suite 1111, Winter Park, FL 32792

PROPOSALS: District 8

DATE/TIME: Friday, May 3, 2002, 9:00 a.m.

PLACE: Golden Gate Community Center, 4701 Golden Gate Parkway, Naples, FL 34116

PROPOSALS: District 9

DATE/TIME: Thursday, May 2, 2002, 9:30 a.m.

PLACE: Treasure Coast Health Council, Conference Room, 4152 W. Blue Heron Boulevard, Suite 229, Riviera Beach, FL 33404

PROPOSALS: District 10

DATE/TIME: Friday, May 3, 2002, 10:00 a.m.

PLACE: Broward Regional Health Planning Council, Conference Room, 915 Middle River Drive, Suite 120, Fort Lauderdale, FL 33304

PROPOSALS: District 11

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

PLACE: Health Council of South Florida, Conference Room, 8095 N. W. 12th Street, Suite 300, Miami, FL 33126

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida 32308 by 5:00 p.m., March 27, 2002. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by 5:00 p.m., April 17, 2002.

AHCA Purchase Order Number S5900J00496

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF FILING OF APPLICATION FOR POWER PLANT CERTIFICATION

The Department has received an application for certification of a power plant pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501 et seq., Florida Statutes, concerning Florida Power & Light Company, Manatee Unit 3, Power Plant Siting Application No. 02-44, OGC Case No. 02-0317. The full text of this notice is

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

On March 14, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Jennifer Kato, L.P.N. Kato holds license number LPN 1222721. Kato's last known address is 2613 S. W. 21st Place, Cape Coral, Florida 33914. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 14, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Amy Miles. Miles holds license number RN 3046562. Mile's last known address is 2184 Offshore Drive, Fernandina Beach, Florida 32034. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 12, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Marcia Garcia, C.N.A. Garcia holds certificate number 0701-000-01-9242. Garcia's last known address is 2704 West Henry Avenue, Tampa, Florida 33614. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The

Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 12, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Linda Bakos, R.N. Bakos holds license number RN 3330152. Bakos's last known address is 1619 River Cove, Tampa, Florida 33604. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 18, 2002, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Restriction with regard to the license of Shelly O. Wolland, D.O., license number OS 005378. This Emergency Restriction 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.

Section XIII
Index to Rules Filed During Preceding Week

**INDEX TO RULES FILED
 DURING PRECEDING WEEK
 RULES FILED BETWEEN March 11, 2002
 and March 15, 2002**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF INSURANCE

4-149.003	3/15/02	4/4/02	27/49	28/8
4-149.021	3/15/02	4/4/02	27/49	
4-149.022	3/15/02	4/4/02	27/49	
4-156.006	3/11/02	3/31/02	28/4	
4-156.007	3/11/02	3/31/02	28/4	
4-156.0095	3/11/02	3/31/02	28/4	

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

5B-2.010	3/11/02	3/31/02	27/51	
5B-60.004	3/11/02	3/31/02	27/51	
5B-60.010	3/11/02	3/31/02	27/51	
5B-60.012	3/11/02	3/31/02	27/51	
5B-61.001	3/11/02	3/31/02	28/4	

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

6D-1.002	3/13/02	4/2/02	27/45	27/48
6D-1.003	3/13/02	4/2/02	27/45	27/48
6D-1.004	3/13/02	4/2/02	27/45	27/48
6D-1.008	3/13/02	4/2/02	27/45	27/48
6D-1.012	3/13/02	4/2/02	27/45	27/48
6D-1.013	3/13/02	4/2/02	27/45	27/48

DEPARTMENT OF REVENUE

Division of Child Support Enforcement

12E-1.028	3/14/02	4/3/02	27/47	28/7
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DEPARTMENT OF TRANSPORTATION

14-40.003	3/13/02	4/2/02	27/51	28/7
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF CORRECTIONS

33-601.226	3/13/02	4/2/02	28/6	
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LOTTERY

53-14.009	3/12/02	4/1/02	28/5	
53-16.007	3/12/02	4/1/02	28/5	
53-16.009	3/12/02	4/1/02	28/5	

**AGENCY FOR HEALTH CARE ADMINISTRATION
 Medicaid Program Office**

59G-6.020	3/11/02	3/31/02	27/51	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Code Administrators and Inspector

61G19-5.003	3/11/02	3/31/02	28/4	
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Board of Accountancy

61H1-31.001	3/14/02	4/3/02	27/51	28/6
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Florida Real Estate Appraisal Board

61J1-4.002	3/11/02	3/31/02	26/45	27/36
61J1-4.003	3/11/02	3/31/02	26/45	28/7
61J1-4.005	3/11/02	3/31/02	26/45	28/7
61J1-4.008	3/11/02	3/31/02	26/45	28/7

DEPARTMENT OF HEALTH

Board of Dentistry

64B5-13.005	3/13/02	4/2/02	28/5	
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Board of Speech-Language Pathology and Audiology

64B20-3.015	3/15/02	4/4/02	27/46	28/3
64B20-6.001	3/15/02	4/4/02	27/46	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

65C-22.003	3/13/02	4/2/02	27/43	28/3
65C-22.004	3/13/02	4/2/02	27/43	