

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Voting System Equipment Regulations
RULE NO.: 1S-5.001
PURPOSE AND EFFECT: The Division of Elections is required to establish minimum standards for certification and provisional approval of hardware and software for electronic and electromechanical voting systems. The Division intends to amend rule 1S-5.001 to include minimum standards to enable voters to cast their ballots over the Internet. The amended rule will only address a pilot project currently scheduled for the 2000 elections which will include a limited number of voters from Okaloosa County and Orange County.
SUBJECT AREA TO BE ADDRESSED: Voting system standards for casting ballots over the Internet.
SPECIFIC AUTHORITY: 101.015, 101.294 FS.
LAW IMPLEMENTED: 101.141-.161, 101.5605, 101.5606, 101.5607, 101.5609, 102.166(9)(a) FS.
IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 10:00 a.m., Tuesday, December 14, 1999
PLACE: Director's Conference Room, Room 1801, The Capitol, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Clay Roberts, Director, Division of Elections, (850)488-7690
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF INSURANCE

RULE TITLES: Purpose
RULE NOS.: 4-136.001
Foreign Insurers Filing for a Certificate of Authority 4-136.002
Foreign and Alien Insurers Filing for a Certificate of Authority for Property and Casualty 4-136.003
Surplus 4-136.004
Foreign and Alien Life and Accident and Health Insurers 4-136.005
Domestic Insurers Filing for an Application for Permit 4-136.006
Applications for Permit Submitted for Domestic Assessable Mutual Insurers 4-136.007
Permit for Domestic Property and Casualty Insurers 4-136.008
Application for Permit, Domestic Captive Insurer 4-136.009

Permit for Domestic Life, Accident and Health 4-136.010
Domestic Insurers Filing for a Certificate of Authority 4-136.011
Forms Adopted 4-136.012
Procedure to Amend an Existing Certificate of Authority to Add a New Line of Business 4-136.015
Purpose 4-136.030
Registration as a Purchasing Group 4-136.031
Restriction on Insurance Purchased by Purchasing Groups 4-136.033

PURPOSE AND EFFECT: The purpose of this rule chapter is to establish procedures and revise forms for the submission of applications by companies seeking to do business in the state of Florida. The purpose of the rule chapter will also establish procedures for companies who wish to amend their certificates of authority to add new lines of business.

SUBJECT AREA TO BE ADDRESSED: Part I Application Procedures and Part II Purchasing Groups and Risk Retention Groups.

SPECIFIC AUTHORITY: 624.308, 627.954 FS.
LAW IMPLEMENTED: 624.307(3), 624.318, 624.321, 624.34, 624.401, 624.404, 624.408, 624.413, 624.414, 624.416(4), 624.422, 624.462, 624.466, 624.501, 624.913, 626.611(14), 627.943, 627.944, 627.945(1), 627.947, 627.948, 628.051, 628.061, 628.6011 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., December 15, 1999
PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joan Hendrix, Senior Management Analyst I, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0326, (850)413-2570

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: Joan Hendrix, (850)413-2570.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE UPON REQUEST ON DECEMBER 1, 1999, BY CONTACTING JOAN HENDRIX AT THE ABOVE ADDRESS AND TELEPHONE NUMBER.

**DEPARTMENT OF INSURANCE**

RULE TITLES: RULE NOS.:  
 Rating Plan: Discounts, Credits, Surcharges 4-170.004  
 Individually Rated Risks 4-170.019

PURPOSE AND EFFECT: Amendments to rule 4-170.004: The purpose is to clarify the existing rule, clarify the authority, and eliminate reporting requirements. The effect is to eliminate insurer reporting requirements, reduce record keeping for the Department, and eliminate restriction in use of debits and credits based on annual reports of insurers.

Proposed new rule 4-170.019: The purpose is to implement statutory authority; limit scope; define key terms; establish guidelines for the use and limitations of individual risk rating, associated record keeping requirements, and associated reporting requirements; and define large commercial risk as a form of individual risk rating. The effect is to define individual risk, define large commercial risk, and clarify various terms associated with individual risk rating.

SUBJECT AREA TO BE ADDRESSED: Rule 4-170.004 provides procedures for regulation of rating plans; limits scope; provides definitions; provides guidelines and record keeping requirements for the use of subjective rating plans. Rule 4-170.019 provides authority for individual risk rating; limits scope to commercial lines excluding workers compensation and medical malpractice; defines terms; provides guidelines and record keeping requirements for individual risk rating.

SPECIFIC AUTHORITY: 624.308(1) FS.  
 LAW IMPLEMENTED: 624.307(1), 624.418(2), 624.4211, 627.062(1),(2),(3) FS.

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

TIME AND DATE: 9:30 a.m., January 19, 2000  
 PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jack Swisher, Bureau of Property and Casualty Forms and Rates, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-5344

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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AFTER DECEMBER 6, 1999 AT NO CHARGE FROM THE CONTACT PERSON.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE TITLE: RULE NO.:  
 Commercial Values for Penalty Assessments 5E-1.016

PURPOSE AND EFFECT: The purpose of the rule is to provide the most recent market prices of fertilizer components to be used for penalty assessments of deficient fertilizer.

SUBJECT AREA TO BE ADDRESSED: Rule 5E-1.016 updates the most recent market prices of fertilizer components to be used for penalty assessments of deficient fertilizers.

SPECIFIC AUTHORITY: 576.181(2), 570.07(23) FS.  
 LAW IMPLEMENTED: 576.051(2),(3),(7), 576.061, 576.071, 576.181 FS.

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

TIME AND DATE: 10:00 a. m., December 17, 1999  
 PLACE: Agricultural Environmental Services Conference Room, 3125 Conner Blvd, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Steven J. Rutz, Director, Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, Room 130, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, telephone (850)488-3731

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-1.016 Commercial Values for Penalty Assessments.

The commercial values used in assessing penalties for plant nutrient deficiencies are determined by the annualized average market prices published by the Chemical Market Reporter Publication (effective 6/8/98), which is hereby incorporated by reference. Commercial Values not provided in Industry Publications will be established thru survey approved by the Fertilizer Technical Council. Copies may be obtained from the Chemical Market Reporter, 307 Southgate Court, Brentwood, TN 37027. This rule shall be reviewed annually.

(1) PRIMARY PLANT NUTRIENTS.

	Guaranteed as	Commercial Values (per unit*)	PRESENT	PROPOSED
Total Nitrogen	N	\$4.30		<u>\$4.00</u>
Nitrate Nitrogen	N	4.70		<u>4.54</u>
Ammoniacal Nitrogen	N	4.10		<u>4.15</u>
Water Soluble or				
Urea Nitrogen	N	4.60		<u>4.45</u>
Slow Release Nitrogen				
(from other SRN sources)	N	19.00		<u>19.25</u>
Water Insoluble Nitrogen	N	16.85		<u>14.65</u>

Available Phosphorus	P <sub>2</sub> O <sub>5</sub>	3.45	<u>3.95</u>
Slow Release Phosphate	P <sub>2</sub> O <sub>5</sub>	25.00	<u>24.00</u>
Potassium (from Muriate)	K <sub>2</sub> O	2.30	<u>2.27</u>
Slow Release Potassium	K <sub>2</sub> O	16.00	<u>15.25</u>
Potassium (from any source other than Muriate or a combination of sources)	K <sub>2</sub> O	4.10	<u>4.40</u>

(2) SECONDARY PLANT NUTRIENTS.

Total and water Soluble	Guaranteed as	Commercial Values (per unit*)	
		PRESENT	PROPOSED
Magnesium (from any source)	Mg	\$6.35	<u>\$6.80</u>
Manganese (from sulfate)	Mn	16.90	<u>16.70</u>
<u>Manganese (from Sucrate)</u>	<u>Mn</u>		<u>11.00</u>
Manganese (from chloride)	Mn	6.10	6.10
Manganese (from oxide)	Mn	7.40	<u>7.55</u>
Manganese (from chelate in group 1**)	Mn	226.00	<u>231.00</u>
Manganese (from chelate in group 2**)	Mn	70.90	70.90
Copper (from sulfate)	Cu	43.00	<u>39.30</u>
Copper (from chloride)	Cu	22.30	<u>22.15</u>
		PRESENT	PROPOSED
Copper (from oxide)	Cu	24.15	<u>22.45</u>
Copper (from chelate in group 1**)	Cu	156.00	156.00
Copper (from chelate in group 2**)	Cu	\$113.20	113.20
Zinc (from sulfate)	Zn	16.20	<u>16.34</u>
Zinc (from chloride)	Zn	16.85	<u>18.45</u>
Zinc (from oxide)	Zn	10.70	<u>10.45</u>
Zinc (from chelate in group 1**)	Zn	184.00	184.00
Zinc (from chelate in group 2**)	Zn	65.00	65.00
Iron (from sulfate)	Fe	13.60	<u>12.85</u>
<u>Iron (from sucrate)</u>	<u>Fe</u>		<u>5.80</u>
<u>Iron (from humate)</u>	<u>Fe</u>		<u>18.40</u>
Iron (from oxide)	Fe	4.30	<u>3.95</u>
Iron (from chelate in group 1**)	Fe	290.00	<u>290.35</u>
Iron (from chelate in group 2**)	Fe	88.70	<u>83.00</u>
Aluminum	Al	13.50	<u>13.70</u>
Sulfur (free)	S	2.40	<u>2.45</u>
Sulfur (combined)	S	2.25	<u>2.20</u>
Boron	B	33.80	<u>34.55</u>

Molybdenum	Mo	183.20	<u>189.00</u>
Cobalt	Co	89.90	89.90
Calcium (from any source)	Ca	.55	<u>.59</u>
(3) DOLOMITE and LIMESTONE (when sold as material).			
Magnesium	MgCO <sub>3</sub>	.11	<u>.15</u>
Calcium	CaCO <sub>3</sub>	.06	<u>.07</u>

(4) CALCIUM SULFATE (land plaster, gypsum) (when sold as material).

Calcium	CaSO <sub>4</sub>	.40	<u>.30</u>
---------	-------------------	-----	------------

\*A "Unit" of plant nutrient is one percent (by weight) of a ton or 20 pounds.

\*\*Chelates in "group 1" have aminopolycarboxylic acids, such as EDTA, HEDTA, DTPA and NTA, or related compounds as chelating agents. Chelates in "group 2" have chelating agents other than those in group 1.

Specific Authority 576.181(2), 570.07(23) FS. Law Implemented 576.051(2),(3),(7), 576.061, 576.071, 576.181 FS. History—New 1-23-67, Amended 10-22-68, 11-20-69, 10-22-70, 3-9-74, 6-28-74, 10-25-74, 7-6-76, 7-26-77, 7-22-79, 4-23-80, 10-27-80, 10-18-81, 2-16-84, 12-2-85, Formerly 5E-1.16, Amended 11-16-86, 10-8-87, 9-26-88, 11-19-89, 3-28-91, 2-25-92, 8-3-93, 7-12-94, 10-25-98, \_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

RULE CHAPTER TITLE: Permitting and Inspection

RULE CHAPTER NO.:

Requirements For Amusement

Devices and Attractions

5F-8

RULE TITLE:

RULE NO.:

Fees

5F-8.012

PURPOSE AND EFFECT: Applicable law, Section 616.242(8), Florida Statutes, requires that the fees charged for inspection and permitting of amusement rides must cover the costs of the program that are not covered by general revenues appropriated by the legislature. The purpose of this rule revision is to implement a decrease of the fees charged for inspection and permitting of amusement rides because the legislature appropriated general revenues covering part of the operating costs for operation of the program during FY 99-00.

SUBJECT AREA TO BE ADDRESSED: Rule 5F-8.012, Florida Administrative Code, the department rule establishing the fees for inspecting and permitting amusement rides.

SPECIFIC AUTHORITY: 616.165, 616.24 FS.

LAW IMPLEMENTED: 616.242(8) FS.

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

TIME AND DATE: 10:00 a.m., Wednesday, December 8, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Isadore Rommes, Bureau Chief, Bureau of Fair Rides Inspection, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650, (850)488-9790

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-8.012 Fees.

(1) The following fees are adopted:

- (a) Annual permit for any amusement ride: ~~\$240.00~~ ~~250.00~~
- (b) Annual permit for any Bungy jump: \$500.00
- (c) Inspection fee for each inspection of a kiddie amusement ride: ~~\$31.00~~ ~~45.00~~
- (d) Inspection fee for each inspection of non-kiddie amusement ride: ~~\$70.00~~ ~~90.00~~
- (e) Inspection fee per go cart, in addition to the track inspection fee: \$5.00
- (f) Reinspection fee: \$300.00
- (g) Fee to replace a lost U.S. Amusement Identification (USAID) plate: \$100.00
- (h) Fee per amusement ride for late inspection request: \$100.00
- (i) Fee per amusement ride for failure to cancel inspection request: \$100.00
- (j) Fee per amusement ride for inspection on weekend or state holiday: \$25.00

Specific Authority 616.165, 616.242(7),(8),(13) FS. Law Implemented 616.242(8) FS. History—New 9-15-92, Amended 2-23-94, 5-27-96, 9-23-97,

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

RULE TITLE: Connecting or Disconnecting Cylinders, Tanks, or Systems Notice to Owner; Transportation 5F-11.047

PURPOSE AND EFFECT: This negotiated rulemaking is for the purpose of reviewing the existing rule to determine if revisions are necessary based on departmental policies, current industry procedures, practices and safety criteria.

SUBJECT AREA TO BE ADDRESSED: This rule addresses the criteria, safety requirements, notification requirements, time frames and conditions under which liquefied petroleum gas cylinders, tanks or systems may or may not be disconnected or connected and transported.

SPECIFIC AUTHORITY: 527.06 FS.

LAW IMPLEMENTED: 527.06, 527.07 FS.

THE DEPARTMENT WILL HOLD A MEETING OF THE NEGOTIATED RULEMAKING COMMITTEE AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., January 12, 2000

PLACE: George Eyster Auditorium, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

IDENTIFICATION OF AFFECTED PARTIES: This is a public meeting to which all persons are invited. Those parties determined to be affected by the rule and who are invited to participate in the rule negotiation committee are: The Florida Propane Gas Association; The Florida Natural Gas Association; Consumers; Propane Gas Companies; and The Department of Agriculture and Consumer Services. Any person who believes that his or her interest is not adequately represented by this group may apply to participate within 30 days of this notice.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE. A COPY OF THE PRELIMINARY DRAFT, WHEN AVAILABLE, OR A COPY OF THE EXISTING RULE, MAY BE OBTAINED BY WRITING TO: Vicki O'Neil, Bureau Chief, Bureau of Liquefied Petroleum Gas Inspection, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE NEGOTIATED RULEMAKING AND PROPOSED RULE DEVELOPMENT IS: Vicki O'Neil, Bureau Chief, Bureau of Liquefied Petroleum Gas Inspection, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, telephone (850)921-8001; fax (850)921-8079

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE TITLE: Local Ordinances

RULE NO.: 5J-12.005

PURPOSE AND EFFECT: The purpose and effect of this rule change for 5J-12.005 is to define factors in determining whether a local municipality or county has adopted an ordinance containing standards which are at least equal to the requirements of the Florida Motor Vehicle Repair Act.

SUBJECT AREA TO BE ADDRESSED: This rule defines factors in determining whether a local municipality or county has adopted an ordinance containing standards which are at least equal to the requirements of the Florida Motor Vehicle Repair Act.

SPECIFIC AUTHORITY: 559.92201, 570.07(23) FS.

LAW IMPLEMENTED: 559.904 FS.

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

TIME AND DATE: 10:00 a.m., December 10, 1999

PLACE: Department of Agriculture and Consumer Services, Conference Room, City Center Building, 227 N. Bronough Street, Suite 7200, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tom Rush, Bureau Chief, Division of Consumer Services, City Centre Building, 227 N. Bronough Street, Suite 7200, Tallahassee, Florida 32301, Phone (850)410-3769

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-12.005 Local Ordinances.

For purposes of s. 559.904(4), F.S., each of the following requirements must be included in a local municipal or county ordinance for purposes of determining whether the local ordinance is equal to the requirements of the Florida Motor Vehicle Repair Act:

(1) The ordinance must require motor vehicle repair shops to obtain a registration or license from the local municipality or county before engaging in motor vehicle repairs;

(2) The ordinance must require the registration certificate or license issued by the local municipality or county be posted in plain view in the motor vehicle repair shop;

(3) The ordinance must require motor vehicle repair shops to provide a written repair estimate to the customer prior to any repair work being performed where the repair work will exceed \$100;

(4) The ordinance must require motor vehicle repair shops to disclose to the customer that the shop charges a fee for providing written estimates, if such is the case;

(5) The ordinance must require that motor vehicle repair shops provide a written repair invoice to the customer upon completion of a repair;

(6) The ordinance must require motor vehicle repair shops to maintain vehicle repair records for at least 12 months;

(7) The ordinance must include provisions that allow a customer to obtain the release of their vehicle from any lien claimed under part II of Chapter 713, Florida Statutes, by filing with the clerk of circuit court a cash or surety bond, payable to the person claiming the lien and conditioned for the payment of any judgement which may be entered on the lien. These provisions must be identical to the provisions contained in s. 559.917, Florida Statutes;

(8) The ordinance must include provisions for the enforcement of its requirements by the local municipality or county.

Specific Authority 559.92201, 570.07(23) FS, Law Implemented 599.904 FS. History--New 1-18-95, Amended 5-24-95, 11-29-95, 2-11-98, \_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE TITLE: Security Claims  
RULE NO.: 5J-13.004

PURPOSE AND EFFECT: The purpose and effect of this rule change is to define procedures to be utilized when processing consumer claims against a pawnbroker's security.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is Section 539.001, The Florida Pawnbroking Act.

SPECIFIC AUTHORITY: 539.001(22), 570.07(23) FS.

LAW IMPLEMENTED: 539.001(4)(a)2. FS.

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

TIME AND DATE: 2:00 p.m., December 10, 1999

PLACE: Department of Agriculture and Consumer Services, Conference Room, City Center Building, 227 N. Bronough Street, Suite 7200, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: LuAnn Stiles, Bureau Chief, Division of Consumer Services, 2nd Floor Mayo Building, 407 S. Calhoun Street, Tallahassee, Florida 32399-0800, Phone (850)922-2966

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-13.004 Security Claims.

For purposes of s. 539.001(4), F.S., relating to the processing of consumer claims against a pawnbroker's security, the Department shall utilize the following procedures:

(1) Any person injured by the fraud, misrepresentation, breach of contract, financial failure, or violation of any provision of s. 539.001, F.S., may file a claim with the Department.

(2) Upon the filing of such claim, the Department shall investigate and, if warranted, shall send to the pawnbroker in question, by certified mail, notice of the Department's intent to adjudicate the claim. Such notice shall direct the pawnbroker to respond in writing to the Department, either admitting or denying the allegations in the claim or advising the Department that the claim has been satisfied. Such notice shall further advise the pawnbroker that the Department intends to make a demand for payment of the security proceeds if the claim is not satisfied, and that the pawnbroker has a right to a hearing to contest its liability for the claim in accordance with Chapter 120, F.S.

(3)(a) If the pawnbroker admits liability for the claim, but fails to satisfy the claim or request a hearing, the Department shall thereupon enter an order adjudicating the claim and demanding payment from the pawnbroker.

(b) If the pawnbroker denies liability for the claim, but fails to request a hearing, the Department shall thereupon enter an order adjudicating the claim and demanding payment from the pawnbroker.

(c) If the pawnbroker requests a hearing to contest its liability for the claim, the Department shall process said request in accordance with Chapter 120, F.S.

(4) Upon failure of the pawnbroker to pay claims duly adjudicated by order of the Department, the Department shall proceed to pay the adjudicated claims from the proceeds of the pawnbroker's security. In the event the amount of all adjudicated claims exceeds the amount of the security proceeds, the Department shall pay the adjudicated claims on a pro rata basis until the amount of the security proceeds is exhausted. If not exhausted, the security shall remain amenable to subsequent duly adjudicated claims.

(5) In calculating the amount to award in each claim, the Department shall consider the amount financed in the original pawn transaction, or any extension thereof, and the extent to which any portion of the amount financed has been repaid by the claimant.

Specific Authority 539.001(22), 570.07(23) FS. Law implemented 539.001(4)(a)2. FS. History-New .

**DEPARTMENT OF EDUCATION**

**Board of Regents**

RULE TITLE: Entering Freshmen  
 RULE NO.: 6C-6.002

PURPOSE AND EFFECT: The Board proposes amendments relating to the criteria for admission of entering freshmen in the State University System.

SUBJECT AREA TO BE ADDRESSED: Admission of Entering Freshmen.

SPECIFIC AUTHORITY: 240.209(1) FS.

LAW IMPLEMENTED: 240.209(1), 240.227(8), 240.115(4), 240.152, 240.233 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 1522 Florida Education Center, Tallahassee, Florida 32399-1950

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS AVAILABLE, IN HARD COPY OR ELECTRONIC FORMAT, AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Housing and Community Development**

RULE CHAPTER TITLE: Community Services Block Grant  
 RULE CHAPTER NO.: 9B-22

Program  
 RULE TITLES: 9B-22.002

Definitions 9B-22.007

Funds Distribution 9B-22.008

Contracting Procedures 9B-22.011

Agency Board Requirements 9B-22.011

PURPOSE AND EFFECT: The proposed amendment to Rule

Chapter 9B-22, Community Services Block Grant (CSBG)

Program is intended to address the 1998 changes to the

Community Services Block Grant Act, and to clarify

procedures regarding the distribution of CSBG funds.

SUBJECT AREA TO BE ADDRESSED: The amendment to

Rule Chapter 9B-22 is intended to delete obsolete and

extraneous language, and update rules to conform to federal

law.

SPECIFIC AUTHORITY: 120.53, 163.03(3) FS.

LAW IMPLEMENTED: 163.03(3)(d) FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY

THE AGENCY HEAD, A RULE DEVELOPMENT

WORKSHOP WILL BE HELD AT THE TIME, DATE AND

PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., December 13, 1999

PLACE: Florida Department of Community Affairs,

Conference Room 220 N, Sadowski Building, 2555 Shumard

Oak Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE

PROPOSED RULE DEVELOPMENT IS: Hilda Frazier,

Planning Manager, Department of Community Affairs, 2555

Shumard Oak Boulevard, Tallahassee, Florida 32399-2100,

(850)488-7541

THE PRELIMINARY TEXT OF THE PROPOSED RULE

DEVELOPMENT IS NOT AVAILABLE.

Any person requiring a special accommodation at this meeting

because of a disability or physical impairment should contact

the Hilda Frazier, Planning Manager, Bureau of Community

Assistance at (850)488-7541 at least seven days before the date

of the workshop. If you are hearing impaired, please contact

the Department of Community Affairs using the Florida Dual

Party Relay System which can be reached at 1 (800)955-8770

(voice) and 1 (800)955-8771 (TDD).

**DEPARTMENT OF REVENUE**

**Division of Ad Valorem Tax**

RULE TITLE: Standard Measures of Value: General Real  
 RULE NO.: 12D-51.003

Property Appraisal Guidelines 12D-51.003

PURPOSE AND EFFECT: The Department is developing

appraisal guidelines for adoption by the agency. Following that

adoption, a rule will be developed so that the guidelines will be

referenced in the rule. The purpose of the creation of draft Rule 12D-51.003, FAC., is to provide this reference where the Standard Measures of Value: General Real Property Appraisal Guidelines can be located easily by interested officials and members of the public. These guidelines are being developed and, following their development and adoption, will be part of the Manual of Instructions published under section 195.062, F.S. That statute provides that the standard measures of value shall be adopted in general conformity with the procedures set forth in section 120.54, F.S., consistent with section 195.032, F.S., but shall not have the force or effect of such rules and shall be used only to assist tax officers in the assessment of property as provided by section 195.002, F.S. This notice is part of the agency's effort to comply with the requirement to adopt the guidelines in general conformity with the procedures set forth in s. 120.54, F.S.

SUBJECT AREA TO BE ADDRESSED: Standard Measures of Value: General Real Property Appraisal Guidelines.

SPECIFIC AUTHORITY: 195.027(1), 195.032, 213.06(1) FS.

LAW IMPLEMENTED: 195.032, 195.062, 213.05 FS.

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

TIME AND DATE: 6:00 p.m. – 9:00 p.m., December 14, 1999

PLACE: Auditorium, Dade County School Board Administration Building, 1450 N. E. 2nd Avenue, Miami, Florida

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

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

THE PERSON TO BE CONTACTED REGARDING THE DEVELOPMENT OF THE DRAFT STANDARD MEASURES OF VALUE: GENERAL REAL PROPERTY APPRAISAL GUIDELINES AND DRAFT RULE IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-51.003 Standard Measures of Value: General Real Property Appraisal Guidelines.

Pursuant to section 195.062, F.S., this rule shall give notice that these guidelines have been adopted in general conformity with the procedures set forth in section 120.54, F.S., but do not have the force and effect of rules. These guidelines are to be used

only to assist property appraisers in the assessment of real property, other than classified use real property, as provided by section 195.002, F.S. These guidelines supersede previous real property appraisal guidelines, other than classified use real property guidelines, and are entitled:

Standard Measures of Value:

General Real Property Appraisal Guidelines Rev. XX/99

Copies of these guidelines may be obtained from the Department of Revenue, Property Tax Administration Program, P. O. Box 3000, Tallahassee, Florida 32315-3000.

Specific Authority 195.027(1), 195.032, 213.06(1) FS. Law Implemented 195.032, 195.062, 213.05 FS. History—New

**DEPARTMENT OF REVENUE**

**Division of Child Support Enforcement**

RULE TITLES:	RULE NOS.:
Collection and Distribution of Payments	12E-1.005
Consumer Credit Reporting Agency	12E-1.012
Payment Error Recovery	12E-1.022
Suspension of Driver's License; Suspension of Motor Vehicle Registration	12E-1.023

PURPOSE AND EFFECT: A) The purpose of the proposed amendments to Rule 12E-1.005, F.A.C., is to implement the new statutory provisions which require the remittance of payments to the Florida State Disbursement Unit. The effect of this proposed amendment is to ensure that payments are remitted to the appropriate address and that the rule reflects the new statutory provisions enacted pursuant to federal law.

B) The purpose of the proposed amendments to Rule 12E-1.012, F.A.C., is to clarify the Department's procedures for responding to a request from a consumer reporting agency for information about overdue support owed by an obligor, and to incorporate procedures for periodically reporting overdue support to consumer reporting agencies and procedures for requesting a consumer report from a consumer reporting agency. The effect of these proposed amendments is to inform the public of the procedures for exchanging information about child support obligors between the Department and consumer reporting agencies.

C) The purpose of the proposed amendments to Rule 12E-1.022, F.A.C., is to revise the Department's procedures for establishing repayment to the Department when a payment disbursement error occurs. The effect of these proposed amendments is to ensure that all parties understand that recovery will be sought for a payment disbursement error and the procedures involved.

D) The purpose of the proposed amendments to Rule 12E-1.023, F.A.C., is to conform with the statutory provisions authorizing the Department to seek the suspension of an obligor's driver license and motor vehicle based upon delinquent child support payments or failure of the obligor to comply with a subpoena or similar order to appear relating to

paternity or child support proceedings. The effect of this proposed amendment is to ensure all obligors understand the driver license and vehicle registration suspension process.

**SUBJECT AREA TO BE ADDRESSED:** The subject of this workshop is to discuss the proposed changes to the Department's procedures.

**SPECIFIC AUTHORITY:** 61.1354(5), 409.2557(3), 409.2561, 409.2567 FS.

**LAW IMPLEMENTED:** 61.1354, 61.13016, 322.058, 409.2558, 409.2564, 61.181, 409.2557, 409.2561, 409.2569 FS.

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

**TIME AND DATE:** 9:00 a.m., December 9, 1999

**PLACE:** Room 301, 4070 Esplanade Way, Tallahassee, Florida  
Copies of the agenda for the rule development workshop may be obtained by contacting the person listed below.

Any person requiring special accommodations to participate in any proceeding is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Patterson Calhoun at (850)922-9590. If you are hearing-or speech-impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS:** Patterson Calhoun, Revenue Program Administrator I, Resource Management Process, Department of Revenue, P. O. Box 8030, Tallahassee, Florida 32314-8030, telephone (850)922-9590

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

12E-1.005 Collection and Distribution of Payments.

(1) ~~Distribution Public Assistance Recipients.~~

(a) The department shall distribute support payments as provided by Title 42 United States Code Section 657, incorporated herein by reference. Collection and Distribution of child support payments in public assistance cases will be administered in accordance with 45 Code of Federal Regulations, Part 302.51, incorporated herein by reference under subsection 12E 1.002(1) with an effective date of June 1994. Members of the public may obtain copies from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 or by accessing <http://www.law.cornell.edu/uscode/> on the Internet.

(b) If an amount collected during a month is in excess of that month's public assistance benefit, the excess shall be retained by the State and applied towards reimbursement for past public assistance payments. If an amount collected during a month is in excess of total past public assistance payments, such excess shall be paid to the obligee.

~~(2) Distribution of Support to Recipients when Public Assistance Benefits are Terminated:~~

~~(a) The department shall continue to provide services after the public assistance recipient ceases to receive public assistance benefits unless the client specifically instructs the department to cease providing services. Collection and distribution of child support payments in former AFDC cases will be administered in accordance with 45 Code of Federal Regulations, Part 302.51, herein incorporated by reference under subsection 12E 1.002(1) with an effective date of June 1994.~~

~~(b) In accordance with 45 Code of Federal Regulations, Part 302.33(a)(4), herein incorporated by reference under subsection 12E 1.002(1) with an effective date of June 1994, when the IV-D agency receives notice that a family is no longer eligible for assistance under TANF AFDC, IV-E foster care, or Medicaid, the IV-D agency must notify the family within five working days of receipt of notice that IV-D services will be continued unless the IV-D agency is directed to discontinue service to the family. The notice must inform the family of the consequences of continuing to receive IV-D services, including available services, fees, cost recovery and distribution policies. If the former AFDC recipient requests termination of the IV-D services and there is no arrearage or public assistance obligation, the depository shall be instructed to redirect payments to the custodial parent. When the former AFDC recipient requests termination of the IV-D services and there is an arrearage or public assistance obligation, the depository shall be instructed to split the payment and forward the arrearage or public assistance obligation to the department and current support to the custodial parent.~~

~~(c)1. The level, quantity and quality of IV-D services provided in a case shall not be affected by the transition from public assistance to non public assistance.~~

~~2. Other provisions of this section notwithstanding, the notices provided in paragraph (b) shall not be given if the former AFDC recipient has previously requested that IV-D services be terminated.~~

~~(3) Non-Public Assistance Clients. All support and paternity determination, location, collection and distribution, enforcement and modification services provided by the department shall be made available to all dependent children whether or not they are eligible for public assistance. Any putative father, or any noncustodial parent, may apply for and shall receive paternity determination or modification services from the Child Support Enforcement Program Office of the department upon completing and filing the Application and Contract for Non-AFDC Child Support Enforcement Services. Services shall be provided to non-AFDC clients upon the completion and filing of a Power of Attorney, Application and Contract for Non-AFDC Services. The application fee for non-AFDC services shall be paid by the department.~~



~~(a) The administrative costs incurred by the department, including the application fee paid by the department, when providing support and paternity determination services on behalf of all dependent children, shall be recovered only from the obligor. The pleading filed by the department shall request the court to order the obligor to pay all administrative costs. The contract attorney shall take the necessary legal actions to recover administrative costs from the obligor when an obligor has failed to pay administrative costs pursuant to an order from a court of competent jurisdiction.~~

~~(b) "Administrative costs" means any costs, including attorney's fees, incurred by the IV-D agency in its effort to administer the IV-D program. The administrative costs which must be collected by the department shall be assessed on a case-by-case basis based upon a method for determining costs approved by the federal government. The administrative costs shall be adjusted periodically by the department. The methodology for determining administrative cost shall be made available to the judge or any party who requests it. Only those amounts ordered independent of current support, arrears, or past public assistance obligation shall be considered and applied toward administrative costs.~~

~~(2) Distribution of arrearages in former public assistance cases. The department elects not to exercise the option provided by Title 42 United States Code Section 657(a)(6).~~

~~(3) Payment Remittance. All payments made in all child support cases enforced by the department pursuant to Title IV-D of the Social Security Act and payments made in all child support cases not being enforced by the department pursuant to Title IV-D of the Social Security Act in which the initial support order was issued in this Florida on or after January 1, 1994, and in which the obligor's child support obligation is being paid through income deduction must be sent to the State of Florida Disbursement Unit, P. O. Box 8500, Tallahassee, Florida 32314-8500.~~

Specific Authority 409.2557(3)(j)(o) 409.026—409.2567 FS. Law Implemented 61.181, 61.1824 409.2554, 409.2557, 409.2558, 409.2561, 409.2567, 409.2569 FS. History—New 2-18-86, Amended 4-6-88, 8-1-89, 7-20-94, Formerly 10C-25.0036, Amended \_\_\_\_\_.

(Substantial rewording of Rule 12E-1.012 follows. See Florida Administrative Code for present text.)

12E-1.012 Consumer Credit Reporting Agencies.

(1) Definitions. As used in this rule:

(a) "Overdue Support" means the amount of a delinquency or arrearage pursuant to an obligation determined under an order:

1. for support and maintenance of a minor child or dependent person which is owed to or on behalf of such child or dependent person, or

2. for support and maintenance of the obligor's spouse (or former spouse) with whom the child or dependent person is living at the time the delinquency or arrearage occurred.

(b) "Consumer Reporting Agency", also referred to as a "credit bureau" or a "credit reporting agency", has the meaning set forth in Section 603(f) of the Fair Credit Reporting Act, Title 15 United States Code Section 1681a(f), which is incorporated herein by reference. As used in these rules, the term refers to only those consumer reporting agencies which have furnished evidence satisfactory to the department that they meet the definition incorporated herein.

(2) Reporting Overdue Support Upon a Request From a Consumer Reporting Agency.

(a) If a consumer reporting agency requests information from the department pursuant to §61.1354(1), Florida Statutes, concerning an obligor who has not been reported by the department pursuant to section (3) of this rule, the department shall, after complying with section (4) of this rule, provide the consumer reporting agency with the obligor's name, social security number, and the amount of overdue support he or she owes.

(b) If a consumer reporting agency or lending institution requests that the department verify the amount of overdue support owed by an obligor who has been reported by the department pursuant to section (3) of this rule, the information may be provided to the consumer reporting agency or lending institution without complying with section (4) of this rule. A request from a lending institution must be accompanied by a written authorization signed by the obligor authorizing the department to disclose the information.

(3) Periodic Reporting to Consumer Reporting Agencies. Pursuant to §61.1354(2), Florida Statutes, the department shall report to consumer reporting agencies periodically, no more frequently than monthly, the names, social security numbers, and amount of overdue support owed by obligors. The initial report concerning an obligor shall not be released until section (4) of this rule has been complied with; subsequent periodic reports which update the amounts owed by an obligor may be released without complying with section (4). The department shall use the following criteria in determining whether an obligor's overdue support shall be periodically reported pursuant to this section:

(a) The amount of the overdue support owed by the obligor, according to the records of the department, is greater than \$500, or such larger sum as the department shall determine, and there is a delinquency in the payment of the obligor's obligation under the order at the time the information is reported;

(b) The obligor's case has not been placed by the department in a closed status;

(c) The obligor's case has not been referred by the department to another state's IV-D agency to enforce the support obligation.

(4) Notice and Right to Hearing. Prior to releasing a report or providing information concerning an obligor in an instance governed by this section, the following procedures shall be followed:

(a) The department shall give notice to the obligor by First Class U.S. Mail at his or her last known address with Department of Revenue Form CS-EF32, "Notice of Report to Consumer Reporting Agencies", incorporated herein by reference with an effective date of September 1999. Members of the public may obtain a copy of this form by contacting the Child Support Enforcement Program Office at the address listed in Rule 12E-1.004(2) and paying the cost of copying. Form CS-EF32 shall provide notice to the obligor of the intent of the department to release the following information to one or more consumer reporting agencies: the obligor's name, social security number, and the amount of overdue support owed by the obligor.

(b) The notice shall inform the obligor of the department's authority to release the information, and that the obligor has the right to contest the accuracy of the information proposed to be released by requesting a hearing with the department by following the procedures in the next subsection.

(c) To request a hearing with the department, the obligor shall:

1. File a written petition for administrative hearing with the department at the address indicated in the notice within 15 days of the obligor's receipt of the notice (Form CS-EF32). A petition is filed when it is received by the department, not when it is mailed.

2. Include in the petition the information required by Rule 28-106.201, Florida Administrative Code if the obligor disputes issues of material fact raised by the notice; or the information required by Rule 28-106.301, Florida Administrative Code if the obligor does not dispute issues of material fact raised by the notice.

(d) If a petition for administrative hearing is received by the department within the 15-day period following obligor's receipt of the notice, the department shall not release the information concerning overdue support owed by the obligor until the matter is disposed of by an order dismissing the petition on procedural grounds, by agreement of the parties, or by the entry of a final order authorizing the release of the information following a hearing or other administrative proceeding under Ch. 120, Florida Statutes.

(5) Modifying Previous Reports to Consumer Reporting Agencies. The department shall notify consumer reporting agencies to remove or modify the reported amount of overdue support from the obligor's consumer report if the department determines that the reported amount of overdue support was incorrect or has been paid in full.

(6) Department Requests for Consumer Reports. The department may request consumer reports from consumer reporting agencies for the purposes set forth in Sections 61.1354(3) and (4), Florida Statutes, pursuant to the following procedures:

(a) Before the department submits any requests for consumer reports to a consumer reporting agency, the Executive Director of the Department of Revenue or his or her designee shall certify to the consumer reporting agency, on a one-time basis, that every subsequent request for a consumer report from that agency will meet the requirements set forth in Section 61.1354(3), Florida Statutes.

(b) The department shall provide notice to an individual whose consumer report is sought by sending Department of Revenue Form CS-EF10, "Notice of Consumer Report Inquiry", by certified mail to the individual's last known address at least 15 days prior to transmitting the request to the consumer reporting agency. Department of Revenue Form CS-EF10 is incorporated herein by reference with an effective date of January 1999. Members of the public may obtain a copy of this form by contacting the Child Support Enforcement Program Office at the address listed in Rule 12E-1.004(2) and paying the cost of copying.

Specific Authority 61.1354(5), 409.2557 FS. Law Implemented 61.1354 FS. History—New 6-17-1992, Amended 7-20-1994, Formerly 10C-25.009, Amended \_\_\_\_\_.

12E-1.022 Payment Recovery.

~~(1) In public assistance cases where the noncustodial parent makes payment directly to the custodial parent who does not notify the department, the department shall take immediate action to recover the amount which is owed to the state pursuant to the assignment of rights under section 409.256, F.S. The department must give notice to the custodial parent of its intent to recover the direct payment.~~

~~(a) The IV-D agency must document the receipt and wrongful retention of direct support payments or support sent in error and the amount.~~

~~(b) The IV-D agency must provide written notice of the intent to recover the payments.~~

~~(c) The IV-D agency must inform custodial parents of their responsibility to cooperate by turning over direct payments or support sent in error as a condition of eligibility for AFDC and the sanction for failure to cooperate.~~

~~(d) The IV-D agency must provide custodial parents with an opportunity for an informal meeting to discuss their responsibilities and to resolve any differences regarding repayment of the directly received support payments or support sent in error.~~

~~(e) The IV-D agency must offer a proposal for a repayment plan between the custodial parent and the department.~~

~~(f) The repayment proposal offered by the IV-D agency must be reasonably related to the income and resources, including the AFDC grant, of the custodial parent to avoid extreme hardship.~~

~~(g) If the custodial parent refuses to sign the repayment plan or enters into a repayment plan and subsequently fails to make a payment, the IV-D agency must report the custodial parent to the IV-A agency, AFDC Program which provides financial assistance to children based on need where one parent is absent from the home, for failure to cooperate.~~

~~(h) The IV-D agency must notify the IV-A agency of the cooperation of any custodial parent who initially refused to sign the repayment plan or who entered into a repayment plan and subsequently failed to make a payment, but who now has signed the repayment plan or who has begun to make regular scheduled payments under the payment plan.~~

~~(1)(2) In non-public assistance cases where the custodial parent has received an overpayment or a payment that was owed to, or intended for, another custodial parent, or any other payment sent in error, the department shall notify the custodial parent of take immediate action to recover the overpayment by regular mail at the custodial parent's last known address. from the custodial parent. The department must give notice to the custodial parent of its intent to recover the direct payment. The notice must state:~~

- ~~(a) The amount of overpayment;~~
- ~~(b) The reason for the overpayment;~~
- ~~(c) A location where the custodial parent can request review of the collection, distribution and disbursement records;~~
- ~~(d) That the custodial parent must contact the department to establish a repayment agreement to allow for recovery in installments by retaining a portion of future support payments in an agreed percentage amount or through other agreed upon action; and~~
- ~~(e) That recovery will be pursued if the custodial parent's child support case is open or closed.~~

~~The department may enter into an agreement with the custodial parent to allow recovery payments to be made in installments. If the department is unable to get the custodial parent to If the custodial parent fails to respond to the notice by contacting the department, pay the recovery amount in installments the department shall send a second notice to the custodial parent's last known address by regular mail which advises the custodial parent of legal remedies for recovery available to the department, withhold the entire amount of any subsequent support payment received until the full amount owed has been recovered.~~

~~(2)(a) The IV-D agency must document the receipt and retention of the over-payment or a payment that was owed to, or intended for, another custodial parent, or payment sent in error, and the amount.~~

~~(b) The IV-D agency must provide written notice of the intent to recover the payments.~~

~~(e) The department shall IV-D agency must provide custodial parents with an opportunity for an informal meeting to discuss their responsibilities and to review department records and to resolve any differences regarding repayment of the over-payment or a payment that was owed to, or intended for, another custodial parent, or payment sent in error.~~

~~(3)(4) The department shall permit the custodial parent to enter into a IV-D agency must offer a proposal for a repayment plan between the custodial parent and the department.~~

~~(e) The repayment proposal offered by the IV-D agency must be that is reasonably related to the income and resources of the custodial parent.~~

~~(4) The department may pursue recovery of overpayments to custodial parents through all available remedies regardless of whether the custodial parent has an open IV-D child support case.~~

Specific Authority ~~409.2558(3), 409.2567, 409.026~~ FS. Law Implemented ~~409.2558(3) 44-50, 409.335~~ FS. History—New 6-17-92, Amended 7-20-94, Formerly 10C-25.019, Amended \_\_\_\_\_.

12E-1.023 Suspension of Driver's License; Suspension of Motor Driving Privilege and Vehicle Registration.

(1) General Provisions. The department is authorized pursuant to section 61.13016, F.S., to request the suspension of an obligor's driver license. Suspension of any motor vehicle registration shall occur only if the motor vehicle is owned solely by the obligor. The obligor's compliance with sections 61.13016(1)(c) and 322.058, F.S., requires the department to authorize the reinstatement of the obligor's license and registration. The Request to Suspend. The Title IV-D agency shall request the Department of Highway Safety and Motor Vehicles (DHSMV) to suspend the driver's license, driving privileges and the registration of all motor vehicles owned by a noneustodial parent who has a delinquent child support obligation.

- (a) Conditions Precedent for Requesting Suspensions.
  1. The noneustodial parent is licensed to operate a motor vehicle in Florida.
  2. The noneustodial parent is registered as the sole owner of the motor vehicle.
  3. There is a valid and legally enforceable child support order requiring the noneustodial parent to pay retroactive support, past period child support or current child support.
  4. A child support delinquency exists due to the nonpayment of a court ordered support obligation.

(b) Notice is given to the Noneustodial Parent Prior to Requesting Suspension.

1. Prior to requesting DHSMV to suspend the license of a noneustodial parent delinquent in making child support payments, the case analyst must give the noneustodial parent notice of the delinquency. The case analyst shall provide notice by completing the Notice of Intent To Suspend Driver's License Privilege and Vehicle Registration(s) (HRS Form EF45), incorporated herein by reference as of the effective date

of this rule, and mailing it to the obligor by certified mail, return receipt requested, to the last known address of record with the depository. When there is no address of record or if the address of record at the depository is incorrect, notification shall be by publication as provided in chapter 49, Fla. State.

2. The notice shall specify the following:

- a. That there is a delinquency in the support obligation;
- b. That the licensee has 15 days from the date of service of the notice to pay the entire delinquency or reach an agreement with the IV-D agency to pay the delinquency in installments;
- c. That if an agreement with the IV-D agency to pay the delinquency in installments cannot be reached, the driver's license, driving privilege and registration of the licensee shall be suspended.

3. The department shall send a second notice containing identical language and providing identical rights as the notice specified in 2.a., b., and c. above, if the obligor fails to respond to the first notice during the 15 day period and a delinquency still exists.

4. When service of the notice is made by mail, service is complete upon the receipt of the notice by the obligor.

(2) Exception Criteria. The department shall not take suspension action when the following case circumstances exist: Petition to the Court to Suspend. The department shall petition the court which entered the support order or the court enforcing the support order to suspend the driver's license, driving privilege and vehicle registration of the licensee if the licensee fails to respond to both notices sent by the IV-D agency or fails to pay the delinquency or fails to reach an agreement to pay the delinquency in installments.

(a) The obligor is listed as joint owner of the motor vehicle and does not possess a Florida driver license.

(b) The obligor is in the military and cites the Soldiers' and Sailors' Civil Relief Act.

(c) The obligor is making full payments as required by the court order or is paying pursuant to an income deduction.

(d) The obligor is a recipient of Temporary Assistance for Needy Families (TANF) or Supplemental Security Income (SSI).

(3) Notice to Obligor of Intent to Suspend Driver License; Notice to Suspend Motor Vehicle Registration. In accordance with section 61.13016(1), F.S., the obligor must be provided notice of the department's intent to suspend the driver license and motor vehicle registration. The Notice of Intent to Suspend Driver License/Vehicle Registration(s), Form CS-EF45, revised October 1998, is made part of this rule by reference. Copies of this form may be obtained by written request to the Deputy Agency Clerk of the Department of Revenue, Child Support Enforcement Program, Post Office Box 8030, Tallahassee, Florida 32314-8030 Payment Plans.

(a) In instances where the obligor fails to comply with a subpoena, order to appear, order to show cause, or similar order, the subpoena or order requesting the obligor's

compliance shall be attached to the CS-EF45 and provided to the obligor in accordance with subsection (3), paragraph (b) below. The payment plan must take into account the ongoing support or arrearage obligations.

(b) When the department has a more current address than the Department of Highway Safety and Motor Vehicles (DHSMV), the department shall simultaneously send the CS-EF45 to the obligor's last address of record with the Department of Highway Safety and Motor Vehicles and send a copy of the CS-EF45 to the most current address listed by the department. The payment plan shall be formalized into a court order.

(c) Service of the notice is complete upon mailing to the obligor's last known address as stated in subsection (3), paragraph (b) above. If the licensee defaults after a payment plan is agreed to and an order entered by the court during the notification stage of the driver's license, driving privilege or vehicle registration suspension process, the notification process shall not be repeated. The case shall be referred to the contract attorney for the filing of the petition to obtain an order suspending the driver's license, driving privilege or vehicle registration.

(d) If the licensee defaults after a payment plan has been formalized by the entry of a court order and after the entry of a court order suspending the licensee's license, driving privilege and registration, the case analyst shall not request that the attorney file a new petition with the court to suspend the licensee's license, driving privilege and registration. The case analyst shall proceed with requesting DHSMV to suspend the licensee's license, driving privilege and registration.

(e) A statement shall be included in the agreement and the court order indicating the intent of the department to continue with the next step in the suspension process if the licensee defaults on payments as specified in the payment plan under either the agreement or court order.

(4) Notice to the Department of Highway Safety and Motor Vehicles to Suspend Driver License; Notice to Suspend Vehicle Registration. In accordance with Section 61.13016(2), FS, the department shall complete and send to the Department of Highway Safety and Motor Vehicles the Notice to the Department of Highway Safety and Motor Vehicles to Suspend Driver License/Vehicle Registration(s), Form CS-EF46, revised August 1997, incorporated herein by reference. Copies of this form may be obtained by written request to the Deputy Agency Clerk of the Department of Revenue, Child Support Enforcement Program, Post Office Box 8030, Tallahassee, Florida 32314-8030. Reinstatement of the Driver's License, Driving Privilege and Registration of the Licensee. When the case analyst determines that the license, driving privilege and registration of the licensee shall be reinstated, the case analyst shall complete HRS Form EF47, incorporated herein by reference as of the effective date of this rule, the Authorization

to Reinstate Driver's License/Privilege and Registration(s) and send a copy to the noncustodial parent. The Reinstatement Notice will be issued when:

(a) The noncustodial parent pays the delinquency in full;  
or

(b) The noncustodial parent agrees to a payment plan with the IV-D agency to pay the delinquency. The agreement must be formalized into a court order, signed by the judge and received by the IV-D agency.

(5) Termination of Driver License Suspension Process; Termination of Motor Vehicle Registration Suspension Process. The department is authorized to stop a pending suspension action when the obligor complies with one of the provisions stated in section 61.13016(1)(c)1., F.S. Additionally, the department shall stop the suspension process based upon one of the following circumstances: Duration of Authorization to Reinstate. The authorization to reinstate the license, driving privilege and registration provided to the licensee is valid for up to 30 calendar days from the date it is issued. In accordance with DHSMV procedures, the licensee must take the Notice of Reinstatement to a local Driver's License Office for reinstatement of the license, driving privilege and registration:

(a) The obligor makes arrangements with the Child Support Enforcement Program to comply with a subpoena or similar order to show cause relating to paternity or child support proceedings;

(b) An income deduction notice is sent to the obligor's payor of income;

(c) The obligor petitions the court within 20 days from the date the Notice of Intent to Suspend Driver License/Vehicle Registration(s), Form CS-EF45, is mailed and the petition is based upon the obligor's inability to pay the delinquency;

(d) The non-public assistance recipient of IV-D services requests case closure and the department no longer has the authority to enforce the support order;

(e) The department erroneously notified the Department of Highway Safety and Motor Vehicles to suspend the obligor's license/vehicle registration; or

(f) The department verifies the obligor is receiving Temporary Assistance for Needy Families (TANF) or Supplemental Security Income (SSI).

(6) Written Agreements. Filing Form EF47 in the Case File. The department shall cause a copy of Form EF47 to be filed with the clerk of court for filing in the case file.

(a) When negotiating with the obligor under this subsection for a written agreement for payment, the department shall take into account the following factors:

1. The obligor's ongoing support obligation amount, delinquent amount and past due obligation(s); and

2. The obligor's ability to make a lump sum payment toward the delinquent amount or to comply with terms of the department's proposed payment agreement.

(b) A statement must be included in the written agreement indicating each of the following:

1. The obligor admits liability for the total amount of child support past due;

2. The obligor waives the right to ask the court to determine the past due obligation; and

3. The department intends to pursue, without further notice to the obligor, the suspension of the obligor's driver license and motor vehicle registration through direct notice to the Department of Highway Safety and Motor Vehicles should the obligor fail to comply with the written agreement.

4. The obligor agrees to entry of a court order incorporating the terms of the agreement.

(c) If the obligor defaults on any payment required by the written agreement, the department may, without further notice to the obligor, request the Department of Highway Safety and Motor Vehicles to suspend the obligor's license and registration, as provided by the terms of the written agreement.

(7) Reinstatement of the Driver License; Reinstatement of Motor Vehicle Registration. The department shall authorize the reinstatement of the obligor's license and registration when the obligor complies with one of the provisions stated in section 322.058(2), F.S., or when one of the following circumstances exist:

(a) The obligor makes arrangements with the department to comply with a subpoena or similar order to show cause relating to paternity or child support proceedings;

(b) The non-public assistance recipient of services requests case closure and the department no longer has the authority to enforce the support order;

(c) The obligor files a timely petition with the Circuit Court to stop the suspension after the suspension request has been sent to the department of Highway Safety and Motor Vehicles but prior to the effective date of the suspension;

(d) The department requests the suspension in error; or

(e) The department verifies the obligor is receiving Temporary Assistance for Needy Families (TANF) or Supplemental Security Income (SSI).

(8) Procedure for Reinstatement.

(a) When one of the circumstances cited in subsection (7), paragraph (a) or (b) occur, the department shall complete, sign and provide to the obligor the Affidavit to Reinstate Driver License/Privilege and Motor Vehicle Registration in Accordance with Section 322.058, Florida Statutes, DHSMV Form 73986, revised October 1997. DHSMV Form 73986 is incorporated herein by reference. Copies of this form may be obtained by written request to the agency clerk of the Department of Highway Safety and Motor Vehicles, Driver License Division, Post Office Box 5775, Neil Kirkman Building, Suite A225, Tallahassee, Florida 32314-5775. The affidavit to reinstate is valid up to 30 days from the date it is issued.

(b) When one of the circumstances cited in subsection (7), paragraph (c) or (d) occur, the Department shall notify, by facsimile, the Department of Highway Safety and Motor Vehicles to reinstate the obligor's license and registration.

(c) When the circumstance cited in subsection (7), paragraph (e) occurs, the Department shall:

1. Complete and sign the CS-EF93, November 1999, which is incorporated herein by reference. Copies of this letter may be obtained by written request to the Deputy Agency Clerk of the Department of Revenue, Child Support Enforcement Program, Post Office Box 8030, Tallahassee, Florida 32314-8030. The CS-EF93 informs the obligor that the department is no longer pursuing suspension action at this time due to the obligor's Temporary Assistance for Needy Families (TANF) or Supplemental Security Income (SSI) status. The DHSMV Form 73986 shall be completed, attached to the CS-EF93, and provided to the obligor.

Specific Authority 409.2557(3)(i), 409.026 FS. Law Implemented 61.13016, 322.058 FS. History--New 7-20-94, Revised 7-1-95, 7-1-99, Formerly 10C-25.020, Amended.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE:                      RULE CHAPTER NO.:

Outdoor Advertising Sign Regulation                      14-10  
and Highway Beautification

RULE TITLES:    RULE NOS.:

General Provisions    14-10.0011

Licenses    14-10.003

Permits    14-10.004

Zoned and Unzoned Commercial and Industrial

    Areas Along Interstate and Federal-Aid

        Primary Highways    14-10.0051

Additional Permitting Criteria    14-10.006

Maintenance of Nonconforming Signs    14-10.007

PURPOSE AND EFFECT: Rules 14-10.011, 14-10.003, 14-10.004, 14-10.0051, 14-10.006, and 14-10.007 are being amended. The forms also are being amended with the 11/99 revisions being incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: This is an amendment to six of the rules in Rule Chapter 14-10. Revised forms are being incorporated by reference.

SPECIFIC AUTHORITY: 334.044(2), 479.02(7) FS.

LAW IMPLEMENTED: 339.05, 479.02, 479.07(9), 479.11 FS.

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

TIME AND DATE: 2:00 p.m., January 18, 2000

PLACE: Haydon Burns Building Auditorium, 605 Suwannee Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Administrative and Management Support Level IV, Florida

Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-10.0011 General Provisions.

(1) Jurisdiction. The Department has jurisdiction for outdoor advertising regulation over all persons engaged in the business of outdoor advertising as defined by Section 479.01(2), Florida Statutes, and all signs, defined by Section 479.01(17), Florida Statutes, on a controlled road. Except as provided by Section 479.16, Florida Statutes, no sign may be erected, operated, or maintained within the controlled area of the State Highway System outside an incorporated area, or on any part of the Interstate or Federal-Aid Primary systems unless the Department has issued a permit for such sign. Signs subject to this permit regulation must comply with the requirements of Sections 479.07, 479.106, 479.107, 479.11, 479.111, and 479.15, Florida Statutes. All signs, including those exempted from permitting requirements, must comply with the requirements of Sections 479.107 and 479.11(4)-(8), Florida Statutes.

(2) Definitions. All terms in this rule chapter, which are defined in Section 479.01, Florida Statutes, shall have the same meanings as in that statute. Additionally, the following terms are defined:

(a) "Address of Record" means the mailing address submitted by the licensee or permittee with the initial application for license, the first permit applied for, or the transfer affidavit when a permit is transferred to a new permit holder, or the amended address if amended pursuant to (3)(c), below.

(b) "Charitable Organizations" means those institutions defined by Section 212.08(7)(o)2.b., Florida Statutes.

(c) "Completed Sign," for purposes of Section 479.07(5)(a), Florida Statutes, means the erection of the sign structure, as described in the permit, as well as attachment of the facing to the structure, and the posting of a message to the facing.

(d) "Controlled Road" means the Interstate System, Federal-Aid Primary System as it existed on June 1, 1991, the National Highway System, and State Highway System under the Department's regulatory jurisdiction.

(e) "Crown" means the highest point of elevation on the road pavement of the main traveled way immediately adjacent to the outdoor advertising sign.

~~(f) "Designated Predominantly for Commercial or Industrial Uses" means that, within 660 feet of the controlled road, the land use category assigned to a land use designation area shown on the future land use map of the comprehensive plan adopted pursuant to Chapter 163, Florida Statutes, allows properties within that designation area to be developed with~~

~~primarily commercial or industrial uses. This definition does not include areas designated primarily for the purpose of authorizing outdoor advertising signs.~~

~~(f)(g)~~ “Embellishment” shall mean a temporary extension of the sign face which contains a portion of the message or informative contents and which is added, modified, or removed when the message is changed.

~~(g)(h)~~ “Height Above Ground Level (HAGL)” means the distance between the ground and the bottom of the sign face, excluding any border and trim as measured from the point on the sign facing closest to the main-traveled way.

~~(h)(i)~~ “Location” means the position of a proposed or existing sign which is fixed by reference to the Roadway Characteristics Inventory (RCI) system, by reference to the State Plane Coordinate system, or by reference to latitude and longitude.

~~(i) “Multiple Land Use” means a land use designation which allows for several different primary land uses. For outdoor advertising permitting purposes, only those categories which allow commerce, industry, or trade type uses will be recognized. Areas designated primarily for the purpose of authorizing outdoor advertising signs are not considered commercial or industrial areas.~~

~~(j) “On Premise Sign” for purposes of Section 479.01(15), Florida Statutes, does not include:~~

- ~~1. Signs erected on an easement granted for the sole purpose of accessing, constructing, and maintaining the sign;~~
- ~~2. Signs located where there are intervening businesses between the sign and the establishment it advertises.~~

~~(k)(j)~~ “Permitted Sign” means a sign, whether erected or not, for which a permit has been issued, which permit has not been revoked, canceled, or declared void.

~~(l) “Public or court official” for purposes of Section 479.16(4), Florida Statutes, shall mean a person holding a position created by the Constitution or Legislature, or appointed by the Governor.~~

~~(m)(k)~~ “Rest Area” shall mean publicly owned and controlled rest and recreation areas and sanitary and other facilities within or adjacent to the highway right of way reasonably necessary to accommodate the traveling public, and provided as a place for emergency stopping and for resting by the motorist for short periods.

~~(n) “Sign Removal” for purposes of Section 479.01(16), Florida Statutes, means the removal of all sign materials, including structure and facing.~~

~~(o)(h)~~ “Sign Structure Height” means the total vertical distance from the crown of the main-traveled way to the top of the highest sign face, including any border or trim, but not including embellishments.

~~(p)(m)~~ “Working Day” means each day when Department offices are open for official business.

(3) Names and Addresses.

(a) Licenses and permits may only be issued in the current legal name or registered fictitious name of the licensee or permittee, whether an individual, business, or corporation. Any notice issued by the Department to a fictitious name filed with the Department shall have the same effect as if issued in the legal name of the permittee or licensee.

(b) The Address of Record shall be considered the official address for all correspondence from the Department to the licensee or permittee. Such correspondence may include billing, notices of violation, or other information provided by the Department.

(c) A licensee or permittee shall notify the Department, in writing, within 30 calendar days of any change in address. This notification shall include:

1. The date the change of name or address becomes effective;
2. The account name as listed on the Department billing;
3. The typed or printed name of the individual authorized to sign the notice; and
4. The authorized signature.

(d) Notices or any other correspondence issued by the Department to addresses on file prior to receipt of such written notification of an address change are valid and considered received by the licensee or permittee.

(e) Signature authority. License Applications, Permit Applications, Replacement Requests, Transfer Requests, and Cancellation Certifications must contain a statement by the signatory that he/she is the authorized representative and has the authority to sign for the applicant.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 479.02 FS. History--New 6-28-98, Amended \_\_\_\_\_.

14-10.003 Licenses.

(1) Outdoor Advertising License Required. A person is considered to be in the business of outdoor advertising if that person derives income from constructing, erecting, operating, using, maintaining, leasing, or selling outdoor advertising structures, outdoor advertising signs, or outdoor advertisements. Persons solely advertising their own business and general contractors who construct signs under contract to an outdoor advertising licensee or permittee are exempt from the licensing requirement.

(2) Application Form. An application for a license to engage in the business of outdoor advertising shall be made on Outdoor Advertising License Application, Form 575-070-02, Rev. 11/99 02/98, incorporated herein by reference. Form 575-070-02 may be obtained from the State Outdoor Advertising License and Permit Office, Florida Department of Transportation, 605 Suwannee Street, Mail Station 22, Tallahassee, Florida 32399-0450, or from any of the Department’s district offices.

(a) Submission of Application for Initial License. The completed application for a license shall be forwarded to the State Outdoor Advertising License and Permit Office, at the address in (2), above.

(b) Payment of the license fee may be made by postal money order, bank draft, cashier's check, or a personal or business check. Cash will not be accepted. In the event a payment document is not honored for any reason by the bank on which it is drawn, a service fee of \$15.00 or 5% of the amount payable, whichever is greater, will be assessed. If an individual or company issues two checks to the Department which are not honored, no further personal or business checks will be accepted regardless of whether restitution has been made on previous checks.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 120.60, 215.34(2), 339.05, 479.02, 479.04, 479.05, 479.07 FS. History—(Formerly part of Rule 14-15.05, Right of Way Bureau Operating Procedures), New 3-28-76, Amended 4-21-77, 12-10-77, 1-1-86, Formerly 14-10.03, Amended 6-28-98,

#### 14-10.004 Permits.

(1) An application for a new sign permit is made by completing and submitting an Application for Outdoor Advertising Permit, Form 575-070-04, Rev. 08/99 ~~02/98~~, incorporated herein by reference, to the district office within whose boundaries the proposed site is located. Applications may be obtained from the State Outdoor Advertising License and Permit Office at the address listed in Rule Section 14-10.003(2) or from any of the Department's district offices. Applications for outdoor advertising sign permits on the Florida Turnpike shall be submitted to the district office of the district in which the specific portion of the Turnpike is located.

(a) Payment of the permit fee shall be made in the same manner provided for license fees in Rule Section 14-10.003(2)(b). The annual permit fee for each sign facing is \$41.00 for 200 square feet or less and \$61.00 for more than 200 square feet. A permittee shall notify, in writing, the district within whose boundaries the sign is located, prior to making any changes in the dimensions of a permitted conforming sign which would increase the area of the sign facing to over 200 square feet and shall submit an additional \$20.00.

(b) The applicant shall submit separate instruments of payment for each application for a new permit to avoid denial of multiple applications if one should be denied.

(c) Prior to issuing any permit, the Department shall inspect the proposed sign site to assure compliance with Chapter 479, Florida Statutes, and this rule chapter. To ensure that the site inspected is the same specified in the application, the applicant shall mark the proposed sign site with a durable stake visible at least three feet above ground level in such a manner that the markings are visible from the main traveled way. The placement of the stake will be at the point of the proposed sign closest to the roadway. The stake must be placed at the location description as indicated on the Outdoor Advertising Permit Application. Conflict between the written

application and the physical placement of the stake will result in the denial of the application. The stake markings shall be displayed from the time of submission of the application and shall be maintained by the applicant until the Department has approved or denied the application.

(d) The Department will act on permit applications in order of the date of receipt of a complete application.

1. An application will be considered complete when all items on the application form, to be completed by the applicant, have been filled in, all required attachments received, and the correct permit fee submitted. All information provided on the application by the applicant must be certified as being true and correct.

2. Applications containing incorrect information will be denied.

3. Incomplete permit applications will be returned to the applicant.

4. Completion of or corrections to the original submitted document must be initialed by the applicant.

5. The written statement from the landowner and the statement from the local government official which are required by Section 479.07(3)(b), Florida Statutes, must have been issued to the applicant or on behalf of the applicant. If a lease document is submitted as the statement from the landowner, the applicant must be the named lessee or the document must be accompanied by a properly executed transfer of the leasehold rights to the applicant. If a lease document is not submitted, the written statement from the landowner must:

a. Identify the property on which the sign is to be located;

b. Indicate that the person authorizing placement of the sign on the property is the owner or the person in lawful control of the property. If the person authorizing placement of the sign is not the owner of the property, the legal status which gives him or her lawful control of the property must be indicated;

c. Be issued to or on behalf of the applicant; and

d. Authorize placement of a billboard on the subject property.

(e) Complete applications will be either approved or denied within 30 calendar days of receipt by the district office unless an earlier application for that site or a competing site is under review, or the application falls within paragraph (h) or (i), below. If denied, the application will remain in a pending status until the time to request an administrative hearing has elapsed. If a hearing is requested, the application shall remain in a pending status until a final order is issued and the time to request an appeal has elapsed. If an appeal is taken, the application will remain in a pending status until mandate is issued by the appellate court. Subsequent applications for competing sites shall be held without action until the pending status of the earlier application is resolved.



(f) If the earliest application is approved, all subsequent applications shall be returned denied.

(g) For purposes of (d), above, when a valid permit is being conditionally canceled pursuant to Rule Section 14-10.004(9)(7), the Cancellation Certification and permit application must be submitted simultaneously to the appropriate district office. The date the district office receives the cancellation and application documents shall be considered the date the application is received.

(h) When a permit application is received for a new sign site requiring vegetation management pursuant to Section 479.106, Florida Statutes, which application meets all other requirements of Chapter 479, Florida Statutes, and this rule chapter for issuance of an outdoor advertising sign permit, the Department shall issue a notice of intent to permit contingent upon:

1. Issuance of a vegetation management permit from the Department, and
2. Removal of two nonconforming signs, which the Department has approved as meeting the requirements of Section 479.106(5), Florida Statutes.

The application shall remain in a pending status for no longer than 90 calendar days to allow the applicant to comply with (h)1. and (h)2., above. Competing applications shall be reviewed in accordance with Section 14-10.004(1)(e).

(i) Applications for permits whose location conflicts with the location of an expired or canceled permit will not be processed until the sign for which the expired or canceled permit was issued is removed.

~~(j)~~ A permit shall not be issued for a location at which cutting, trimming, or removal of vegetation has occurred without obtaining the vegetation management permit as required by Section 479.106, Florida Statutes, until such time as payment of the administrative penalty and completion of mitigation as required by Section 479.106(7), Florida Statutes, have been accomplished and the applicant has identified two nonconforming signs for surrender in accordance with Section 479.106(5), Florida Statutes.

(2) A permit shall be granted for an automatic changeable facing provided.

(a) the static display time for each message is a minimum of six seconds,

(b) the time to completely change from one message to the next is a maximum of two seconds,

(c) the change of message occurs simultaneously for the entire sign face, and

(d) the application meets all other permitting requirements.

Any such sign shall contain a default design that will freeze the sign in one position if a malfunction occurs.

(3) Notwithstanding any other provisions of this rule chapter, an outdoor advertising sign existing at a location which previously was not subject to the permitting

requirements of this chapter, but which has become subject to the requirements of this chapter due to changes in the jurisdictional designation of highways, shall be granted a state permit in accordance with the process outlined below:

(a) The Department shall conduct an inventory of outdoor advertising signs on the highway section subject to jurisdictional change and, within 60 calendar days of the effective date of the proposed change, advise all affected sign owners and local governments that the change is being considered, the regulatory effect of the change on the signs, and when the change may become effective.

(b) Upon approval of the jurisdictional change, the Department will provide a second notice to sign owners and local governments advising that the change in jurisdiction has become effective and that sign owners have 30 calendar days from receipt of the second notice to submit an application for a sign permit.

(c) When the Department is unable to provide the advance notice referenced in (a), above, the Department will advise the affected sign owners that they have 90 calendar days from receipt of the notice that the change in jurisdiction has become effective to submit an application for a sign permit.

(d) The Department shall issue an outdoor advertising sign permit to the sign owner upon receipt of a completed permit application form together with all items required by Section 479.07(3)(b), Florida Statutes. For existing signs, the written statement required by Section 479.07(3)(b), Florida Statutes, shall be any written document from the appropriate local governmental official indicating compliance with local requirements as of the date of the permit application. A previously issued building permit shall be accepted as the statement from an appropriate local governmental official except in cases where the local government has provided notice to the sign owner that the sign is illegal or has undertaken action to cause the sign to be removed. When a building permit is submitted as the statement of the local government, the applicant shall certify in writing that the local government has not provided notice that the sign is illegal and that the local government has taken no action to cause the sign to be removed.

(4) When a change in the designation of a highway removes that highway from the Department's regulatory jurisdiction, a notice will be provided to all owners of outdoor advertising permits on the affected roadway. The notice will advise permit holders of the Department's intent to revoke the permits, and will include a statement of the recipient's right to appeal the Department's action.

(5) When a controlled road or any portion of a controlled road is nominated as a scenic highway or scenic byway pursuant to Section 335.093, Florida Statutes, and Section 14-10.004(3) of this rule chapter, the Department shall notify all permittees of signs on the affected roadway segment of the nomination. Upon the highway's designation by the

Department as a scenic highway or scenic byway, a final notification shall be sent to all affected permit holders. No new permits will be issued for outdoor advertising signs visible from the designated roadway segment, and all previously permitted signs become nonconforming as of the date of designation.

~~(6)(5)~~ Posting of Tags. The permanent metal permit tag issued by the Department must be posted by the permittee at the sign site within 30 calendar days of issuance and must remain in place at all times, whether or not a sign has been erected. If a permit tag is lost, stolen, or destroyed, the permittee must apply to the Department for a replacement tag on Outdoor Advertising Permit Tag Replacement Request, Form 575-070-01, Rev. 11/99 02/98, incorporated herein by reference, and shall include a replacement fee of \$3.00 per permit. This form may be obtained from the State Outdoor Advertising License and Permit Office at the address listed in Rule Section 14-10.003(2).

~~(7)(6)~~ Transfer of Permits. Authorization to transfer a permit shall be submitted on Outdoor Advertising Permit Transfer Request, Form 575-070-25, Rev. 11/99 02/98, incorporated herein by reference, to the State Outdoor Advertising License and Permit Office at the address listed in Rule Section 14-10.003(2). The request shall be made in accordance with Section 479.07(6), Florida Statutes. Form 575-070-25 may be obtained from the State Outdoor Advertising License and Permit Office.

(a) The transferee shall certify to written permission of the land owner to maintain the sign on the site in accordance with Section 479.07(2), Florida Statutes.

(b) Transfer requests will not be processed without payment of permit fees in the amount necessary to prevent permit expiration if the transferee and transferor are on different billing cycles.

(c) If a transfer of permit is made when the permit is in violation of Chapter 479, Florida Statutes, or in violation of this rule chapter, or if a revocation proceeding is pending, the transferee is deemed to receive the permit subject to conditions existing at the time of transfer. The Department's approval of a permit transfer does not constitute waiver of rights on the part of the Department to pursue remedies for violation notices issued against the permit nor preclude the Department from revoking the transferee's permit in accordance with Section 479.08, Florida Statutes.

(d) If a transfer of permit is made during the initial 270 days from the date of permit issuance, the transferee is deemed to receive the permit subject to its becoming void if the completed sign is not erected within the original 270 day time frame.

~~(8)(7)~~ Cancellation of Permits. Permit cancellation notification must be submitted to the State Outdoor Advertising License and Permit Office at the address listed in Rule Section 14-10.003(2), on Outdoor Advertising Permit

Cancellation Certification, Form 575-070-12, Rev. 11/99 02/98, incorporated herein by reference. All canceled tags must be returned to the Department with the certification or otherwise accounted for in writing. If the sign has not been removed by the former permittee, pursuant to Section 479.07(8)(b), Florida Statutes, if the sign has not been removed by the former permittee, it shall be removed by the Department and the cost assessed against the former permittee. Form 575-070-12 may be obtained from the State Outdoor Advertising License and Permit Office.

~~(9)(8)~~ Conditional Permit Cancellation. In instances where an applicant requests cancellation of one permit in order to obtain a new permit, the existing permit shall be canceled simultaneously with the issuance of the new permit. If a new permit does not meet current permitting requirements and cannot be issued, the existing permit will not be canceled.

~~(10)(9)~~ Permits Canceled or Not Renewed in Error Petition for Reinstatement. Pursuant to Section 479.07(8)(b), Florida Statutes, a petition for reinstatement of permits canceled or not renewed in error by the permittee shall be submitted to the State Outdoor Advertising License and Permit Office at the address listed in Rule Section 14-10.003(2). If the Reinstatement Petition is denied by the Department, a new permit may be issued for a sign only if the sign meets all current permitting requirements. The reinstatement fee is \$200.00 for a sign facing of 200 square feet or less and \$300.00 for a sign facing greater than 200 square feet.

~~(11)(4)~~ Pursuant to the criteria set forth in Section 479.105(1)(e), Florida Statutes, the Department may issue a permit for an unpermitted sign which has been structurally unchanged and continuously maintained for a period of seven or more years.

~~(12)(4)~~ Where the expansion or relocation of a transportation facility causes a sign to be located inside or within fifteen feet outside the right of way for the expanded or relocated facility and the permit holder desires to relocate the sign to a conforming location along a perpendicular to the roadway at the site of the existing sign, a permit shall be issued by the Department in conformance with the following:

(a) The permit holder must submit a completed application for the replacement site in accordance with Section 479.07(3), Florida Statutes.

(b) The Department must determine that the replacement site is in conformance with all requirements for permitting.

(c) The new permit shall be issued for the remaining term of the existing permit and no additional fees are required.

(d) The application shall take precedence over any application submitted to the Department for a competing site.

(13) Removal and Replacement of Signs. A conforming sign may be temporarily removed provided the permit tag remains posted at the permitted location and the sign is reconstructed or replaced within 270 days of the date of removal. The time frame to re-erect the sign may be extended

upon written request to the Department in instances where reconstruction within 270 days is prevented solely by the actions of a government agency asserting jurisdiction over the sign. A removed nonconforming sign may not be reconstructed or replaced.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 339.05, 479.01(14), 479.02, 479.07, 479.24 FS. History--(Formerly part of Rule 14-10.04, Permits; 14-15.05, Right of Way Bureau Operating Procedures), New 3-28-76, Amended 4-21-77, 12-10-77, 6-26-78, 12-31-78, 1-1-86, Formerly 14-10.04, Amended 7-7-92, 6-28-98, 8-10-99,\_\_\_\_\_.

14-10.0051 Zoned and Unzoned Commercial and Industrial Areas Along Interstate and Federal-Aid Primary Highways.

(1) "Comprehensively enacted zoning" means a method of control which directs the use and development of property in a municipality or political subdivision according to the use of the property, pursuant to a comprehensive plan enacted in accordance with Chapter 163, Florida Statutes.

(2) Even if comprehensively enacted, the following criteria shall be considered in determining whether such zoning is enacted primarily to permit signs:

(a) In multiple land use designations, the provisions of Section 479.01(23), Florida Statutes, have been met.

(b) ~~(a)~~ The land use classification provides for limited commercial or industrial activity only as an incident to other primary land uses.

(c) ~~(b)~~ The commercial and industrial activities, separately or together, are permitted only by variance or special exceptions.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 339.05, 479.02, 479.11 FS. History--New 8-7-86, Amended 6-28-98,\_\_\_\_\_.

14-10.006 Additional Permitting Criteria.

Each application for an outdoor advertising sign permit shall meet the requirements of Sections 479.07(9) and 479.11, Florida Statutes, in effect at the time of the application. In addition, an application must comply with those requirements of the agreement between the state and the United States Department of Transportation referenced in Section 479.02(1), Florida Statutes, which have not been duplicated in Sections 479.07(9) and 479.11, Florida Statutes, or superseded by stricter provisions in those statutes. Those requirements are:

(1) Size.

(a) The area of a sign facing shall be measured by the smallest square, rectangle, triangle, circle, or combination thereof which will encompass the entire sign facing including all embellishments.

(b) The maximum allowable height for a sign facing is 30 feet.

(c) The maximum allowable length of a sign facing is 60 feet.

(d) The maximum size limitations shall apply to each sign facing.

(e) Embellishments may not extend more than five feet beyond the permanent sign face and are included in any measurement of the height, width, or area of the sign facing.

(f) Signs containing both on-premise and off-premise advertising may not exceed 950 square feet, including all sign faces.

(2) Number of Faces. There shall be no more than two faces to each facing showing at one time.

(3) Location. Signs may not be located in such a manner as to obscure or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device.

(4) Spacing. The minimum required distance between the location for which a permit is sought and the nearest permitted sign shall be measured along the edge of pavement of the main-traveled way from the location marked by the applicant in accordance with Rule 14-10.004 to the location of the permitted sign. In the case of a permitted sign that has not been constructed, the milepost location reflected on the application shall be used as the location of the permitted sign. Measurement along the edge of pavement shall be based on the point perpendicular to a tangent to the edge of the main-traveled way nearest the location of the sign.

(a) The spacing requirements set forth in Section 479.07(9), Florida Statutes, apply only to signs located on the same side of the highway and permitted to that highway. For purposes of this section, the term "highway" means a road that carries a specific U.S. or state road number or designation, whether or not the designation changes between adjacent billboards on a continuous roadway.

(b) For V-type or back-to-back signs to be counted as one sign for spacing purposes, the facings on such signs must be connected by the same sign structure or cross-bracing; or the sign structures must be located not more than 15 feet apart at their nearest point.

(c) Official signs, signs exempt under Section 479.16, Florida Statutes, and structures that are not permitted signs shall not be counted nor shall measurements be made from them for purposes of determining compliance with spacing requirements.

(d) When an intersection is encountered in determining measurements for spacing compliance, the width of such intersection is included in the measured distance. This distance is measured in a direct line from the points of intersection of the edges of the main-traveled ways.

(e) On the interstate highway system outside incorporated towns and cities, no permit may be granted for a sign structure located adjacent to or within 500 feet of an interchange, intersection at grade, or rest area. Said 500 feet shall be measured along the interstate in the direction leading away from the crossroad from the beginning of pavement widening at the exit from the main-traveled way or the end of pavement widening at the entrance to the main-traveled way on an interstate highway. The point of pavement widening at an exit

ramp or entrance ramp shall be the point farthest from the crossroad where the outside edge of the ramp pavement first intersects with the outside edge of the pavement on the main-traveled way.

(5) Sign Structure Height. The height of a sign structure shall be measured from a point on the sign structure which is at the same elevation as the crown of the main-traveled way to the top of the highest sign face, excluding embellishments.

(6) Lighting. Signs may be illuminated, however, signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited, except that lights embodied in the sign may be used to provide public service information. Further, no sign shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device, or signal.

(7) In areas designated ~~predominantly~~ for commercial or industrial uses the Department may certify to the Federal Highway Administration that effective control of outdoor advertising signs has been established by local government regulations, provided the local government regulations are approved by the Department as being in compliance with the Highway Beautification Act of 1965, and all applicable federal regulations referenced in Section 479.02(1), Florida Statutes, and provided the local government provides proof that the local customary usage was in existence prior to March 2, 1972.

(8) For purposes of compliance with Section 479.11(4), Florida Statutes, the 100 feet shall be measured from the property line, except in cases where a school or church is the applicant for a permit or has given written permission for the placement of a sign. In such cases the 100 feet required distance shall be measured from the outer edges of the primary building, or primary building complex when the individual units of the complex are connected by covered walkways.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 339.05, 479.02, 479.07(9), 479.08, 479.11, FS. History—New 3-28-77, Amended 12-10-77, 1-1-86, Formerly 14-10.06, Amended 12-26-95, 6-28-98, \_\_\_\_\_.

#### 14-10.007 Maintenance of Nonconforming Signs.

(1) The following shall apply to nonconforming signs:

(a) A nonconforming sign must remain substantially the same as it was as of the date it became nonconforming. Reasonable repair and maintenance, including change of advertising message, is permitted and is not a change which would terminate nonconforming rights. The following are examples of modifications to a nonconforming sign that will result in the loss of nonconforming status:

1. Modification that changes the type of structure of the sign, such as conversion of a wooden sign structure to a metal structure;

2. ~~Changes that modify~~ ~~Modification that enlarges~~ the area of the sign facing, however, embellishments may be added to nonconforming signs subject to the limitations regarding size

of sign facing and provided they do not exceed 10 % of the area of the sign facing prior to the addition of the embellishment;

3. Modification that raises the HAGL of the sign;

4. Modification that enhances the visibility of the sign's message or the period of time that the sign's message is visible;

5. Modification that adds automatic changeable faces; or

6. Modification that adds artificial lighting or changes the existing lighting such that the illumination to the sign facing is substantially increased.

Such prohibited modification need not be physically part of the sign if they have the effect of enhancing the sign's message, the visibility of the message, or the period of time that the message is visible. However, in such cases, the modification will not be considered a modification to the sign if:

a. The modification is the result of removal or trimming of vegetation in front of the sign if a permit for such removal or trimming has been granted by the Department; or

b. The modification only incidentally affects the visibility of the sign's message and the bona fide purpose of the modification is unrelated to the sign.

(b) A nonconforming sign may not be disassembled removed and re-erected at the same location except as provided in (2), below.

(c) A nonconforming sign may not be relocated, except to a conforming location.

(d) A nonconforming sign which is destroyed may not be re-erected. "Destroyed" is defined as when more than 50% of the upright supports of a sign structure are physically damaged such that normal repair practices of the industry would call for, in the case of wooden sign structures, replacement of the broken supports and, in the case of a metal sign structure, replacement of at least 25% of the length above ground of each broken, bent, or twisted support. However, in the event that such damage occurs, a sign will not be considered destroyed if the sign owner shows that the replacement materials costs to re-erect the sign would not exceed 50% of the value of the structural materials in the sign, immediately prior to destruction. The following shall be applicable in determining whether the replacement materials costs to re-erect the sign exceed 50% of the value of the structural materials in the sign:

1. Structural materials shall not include the sign face, any skirt, any electrical service, electric lighting, or other non-structural items. Structural materials shall include any support brackets for the face, any catwalk, and any supporting braces or members of the sign structure.

2. The value of the structural materials in the sign immediately prior to destruction shall be based on the cost of all structural materials contained in the sign as it was configured just prior to damage, and the cost of such materials shall be based on normal market cost as if purchased new on or about the date of destruction, without regard to any labor costs or special market conditions.

3. The materials to be included in the replacement materials costs to re-erect the sign shall be all materials that would be used to return the sign to its configuration immediately prior to destruction and shall not include any material that is repaired on-site, but shall include any material obtained from a source other than the sign itself, whether used, recycled, or repaired. The repairs to the sign shall be with like materials and shall be those reasonably necessary to permanently repair the sign in a manner normally accomplished by the industry in that area. The cost of such materials shall be as described in paragraph (1)(d)2.

(e) Signs damaged by an Act of God prior to ~~June 28, 1998, the effective date of this rule amendment~~ shall be subject to the provisions of this rule on the date the sign was damaged; provided, however, that the Department will look to the provisions of paragraph (1)(d) in effect on the effective date of this rule amendment to the extent that they clarify the terms of the rule and do not prejudice the permittee.

(f) A sign destroyed by vandalism or other criminal or tortious act may be re-erected in kind.

(g) A sign face which remains void of advertising matter for 12 months or longer shall be deemed an abandoned or discontinued sign and shall lose its nonconforming status; providing, however, signs displaying bona fide public interest messages with artwork done in a professional manner and presented in a manner consistent with outdoor advertising displays in the area will retain their nonconforming status if lawfully maintained. Signs displaying an "available for lease" or similar message, signs displaying advertising for a product or service which is no longer available, and partially obliterated signs which do not identify a particular product, service, or facility shall be considered void of advertising matter.

(2) The Department may authorize structural alterations to a nonconforming sign in instances where Occupational Safety and Health Administration (OSHA) or other safety related requirements necessitate alterations, provided that reconstruction shall not be authorized primarily for the purpose of replacement of deteriorated materials. Alterations to the structure are allowed only if no alternatives are available which address safety requirements without requiring structural alterations. Documentation of these requirements must be submitted to the Department for approval prior to making any sign alterations. If approval for structural alteration is granted by the Department, the location, structural configuration, number of faces, size of the sign faces, sign structure height, and the materials used in the sign structure and sign faces must be the same type as those used in the sign prior to approval of the alterations. During the period of temporary removal for those approved alterations, the permittee must permanently display the permit tag at the sign location.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 339.05, 479.02, 479.07(9) FS. History--New 3-28-77, Amended 12-10-77, 1-1-86, Formerly 14-10.07, Amended 6-28-98, 8-10-99,\_\_\_\_\_.

**BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND**

RULE TITLE: Management Policies, Standards, and Criteria  
RULE NO.: 18-21.004

PURPOSE AND EFFECT: The purpose of this rulemaking is to preclude the use of sovereignty submerged lands by vessels used for gambling "cruises to nowhere."

SUBJECT AREA TO BE ADDRESSED: The subject matter to be addressed is the use of sovereignty submerged lands for the anchoring and mooring of vessels engaged in "cruises to nowhere."

SPECIFIC AUTHORITY: 253.03(7)(a),(b) FS.

LAW IMPLEMENTED: Art. X, s. 11, Fla. Const., 253.03, 253.04 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Phil Coram, Mail Station 2500, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)488-0130

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

18-21.004 Management Policies, Standards, and Criteria. The following management policies, standards, and criteria shall be used in determining whether to approve, approve with conditions or modifications, or deny all requests for activities on sovereign submerged lands.

- (1) General Proprietary
- (a) through (h) No change.

(i) The use of sovereign submerged lands for the anchoring or mooring of vessels used primarily for the purposes of gambling shall be prohibited when such vessels are engaged in "cruises to nowhere," where the vessels leave and return to the State of Florida without an intervening stop within another state or foreign country, or waters within the jurisdiction of another state or foreign country. This prohibition also applies to any vessel used to carry passengers to, or from, "cruises to nowhere."

- (i) through (j) renumbered (j) through (k) No change.
- (2) through (5) No change.

Specific Authority 253.03, 253.73 FS. Law Implemented Art. X, s.11, Fla. Const., 253.03, 253.034, 253.04, 253.041, 253.141, 253.51, 253.61, 253.68, 253.72, 253.74, 253.75, 253.77 FS. History--New 3-27-82, Amended 8-1-83, Formerly 16Q-21.04, 16Q-21.004, Amended 12-25-86, 1-25-87, 3-15-90, 7-21-92, 10-15-98,\_\_\_\_\_.



(6) A petition for a new formal determination for a property for which a formal determination already exists shall require the reduced fee set forth in Rule 40D-1.607, F.A.C., provided:

(a) physical conditions on the property have not changed so as to alter the boundaries of the wetlands and other surface waters during that period; and

(b) the petition is submitted prior to the existing determination's expiration.

(7) Pursuant to subsection 373.421(4), F.S., the Governing Board may revoke the formal wetland determination upon a finding that the petitioner has submitted inaccurate information to the District.

Specific Authority 373.044, 373.113, 373.421(2) FS. Law Implemented 373.421(2) FS. History--New 10-3-95, Amended 7-2-98.

**FLORIDA LAND AND WATER ADJUDICATORY COMMISSION**

**Capital Region Community Development District**

RULE CHAPTER TITLE: Capital Region Community Development District

RULE CHAPTER NO.: 42CC-1

RULE TITLES: Establishment Boundary Supervisors  
RULE NOS.: 42CC-1.001 42CC-1.002 42CC-1.003

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district (CDD), the Capital Region Community Development District ("District"), pursuant to Chapter 190, F.S. The petition to establish the District, filed by The St. Joe Company, (Petitioner), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Capital Region CDD. (The petition was originally filed to establish the proposed CDD under the name of Southwood CDD. A Notice of Receipt of Petition for the Southwood CDD was published in the November 5, 1999, edition of the Florida Administrative Weekly. However, the petitioner has requested amendment to change the name to Capital Region CDD.) The land area proposed to be served by the District will consist of approximately 3,241 acres. All proposed lands in the District are within the City of Tallahassee and unincorporated Leon County, generally located south of Apalachee Parkway, on both sides of Capital Circle Southeast, to a point south of Tram Road. There are four out-parcels located within the external boundaries of the parcels of land to be included within the District. The out-parcels include two parcels of land comprising the Capital Circle Office Center, an existing cemetery site, and an existing residence. The future general distribution, location and extent of the public and private land uses under the Mixed Use B designation (Tallahassee-Leon County Comprehensive Plan) currently include residential, recreation, office, community service, commercial, and light industrial. The proposed land uses within the District are subject to the approved Southwood

Development of Regional Impact. The District, if established, intends to participate in the construction of certain road and entranceway improvements and to provide certain stormwater and recreation improvements for the lands within the District.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Capital Region Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

TIME AND DATE: 10:00 a.m. – Noon, Friday, December 17, 1999

PLACE: Room 2106, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)488-7793, at least 5 business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jonathan T. Johnson, Hopping Green Sams & Smith, Post Office Box 6526, Tallahassee, Florida 32314, telephone (850)222-7500 or Barbara Leighty, Governmental Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 2105, Tallahassee, Florida 32399-0001, telephone (850)488-7793

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

CAPITAL REGION COMMUNITY DEVELOPMENT DISTRICT

42CC-1.001 Establishment

The Capital Region Community Development District is hereby established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New

42CC-1.002 Boundary

The boundaries of the district are as follows:

The following descriptions include all or part of Sections 2, 3, 9, 10, 11, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28 and 29, Township 1 South, Range 1 East, Leon County, Florida.

Portions of Sections 2, 11, 14, 23 and 26, Township 1 South, Range 1 East, more particularly described as follows:

BEGIN at the Northwest corner of Section 26, Township 1 South, Range 1 East; thence run South along the West line of said Section 26 for 451.73 feet more or less to the Northerly right-of-way line of State Road 261-A (Tram Road); thence run South 77 degrees 00 minutes 41 seconds East 191.64 feet; thence run North 495.02 feet more or less to the North line of said Section 26; thence continue North 2829.68 feet more or

less to the beginning of a curve concave to the East; thence Northeasterly along said curve having a radius of 3444.00 feet through a central angle of 20 degrees 02 minutes 36 seconds for an arc distance of 1204.80 feet to the end of the curve; thence run North 20 degrees 02 minutes 37 seconds East for 635.00 feet to the beginning of a compound curve concave to the West; thence Northeasterly along said curve having a radius of 1956.02 feet, through a central angle of 19 degrees 57 minutes 51 seconds for an arc distance of 681.56 feet to the point of compound curvature; thence continue Northerly and Northwesterly along said curve having a radius of 1956.02 feet; through a central angle of 23 degrees 44 minutes 04 seconds for an arc distance of 810.27 feet to a point of reverse curve concave to the East; thence Northerly along said curve having a radius of 3144.08 feet, through a central angle of 21 degrees 38 minutes 15 seconds for an arc distance of 1187.35 feet to the beginning of a curve concave to the East; thence Northerly along said curve having a radius of 4983.90 feet through a central angle of 12 degrees 57 minutes 37 seconds for an arc distance of 1127.35 feet; thence run North 00 degrees 09 minutes 48 seconds East for 610.30 feet to the beginning of a curve concave to the West; thence Northerly along said curve having a radius of 10852.98 feet through a central angle of 04 degrees 30 minutes 46 seconds for an arc distance of 854.79 feet, thence run North 12 degrees 23 minutes 29 seconds West 425.58 feet to the beginning of a curve concave to the Southwest, thence Northwesterly along said curve having a radius of 3342.64 feet through a central angle of 07 degrees 08 minutes 57 seconds for an arc distance of 417.09 feet to the beginning of a curve concave to the Southwest, thence Northwesterly along said curve having a radius of 3342.64 feet through a central angle of 01 degrees 25 minutes 18 seconds for an arc distance of 82.93 feet; thence run North 06 degrees 51 minutes 48 seconds East for 945.08 feet to the beginning of a curve concave to the West, thence along said curve having a radius of 2700.04 feet through a central angle of 03 degrees 50 minutes 52 seconds for an arc distance of 181.33 feet; thence run North 03 degrees 00 minutes 57 seconds East for 4071.36 feet; thence continue North 03 degrees 00 minutes 57 seconds East for 1320.00 feet, more or less, to the North line of the South Half of the South Half of Section 2, Township 1 South, Range 1 East; thence run West along said North line of the South Half of the South Half of Section 2 to its intersection with the West line of said Section 2; thence run South along the West section lines of Sections 2, 11, 14 and 23, Township 1 South, Range 1 East to the Northwest corner of Section 26, Township 1 South, Range 1 East and the POINT OF BEGINNING.

LESS AND EXCEPT:

The rights of way for Southwood Plantation Road and Old St. Augustine Road.

ALSO, LESS AND EXCEPT:

That portion of the following description lying within Section 11, Township 1 South, Range 1 East.

COMMENCE at the intersection of the South right-of-way line of State Road No. 364 (Old St. Augustine Road) and the West boundary of the East Half of the Northeast Quarter of Section 10, Township 1 South, Range 1 Est, Leon County, Florida; thence run South 76 degrees 57 minutes East along the South right-of-way line of said State Road No. 364 a distance of 670.59 feet to the POINT OF BEGINNING; thence run South 00 degrees 34 minutes 40 seconds East 1399.27 feet to a concrete monument; thence run South 89 degrees 13 minutes 20 seconds East 648.44 feet to a St. Joe Paper Company concrete monument on the West right-of-way line of Southwood Plantation Road; thence run North 03 degrees 33 minutes 20 seconds East along said West right of way line of Southwood Plantation Road a distance of 1251.37 feet, more or less, to a concrete monument marking the intersection of the West right-of-way line of Southwood Plantation Road with the South right-of-way line of Old St. Augustine Road; thence run North 76 degrees 57 minutes West along said South right-of-way line of Old St. Augustine Road a distance of 758 feet, more or less, to the POINT OF BEGINNING.

SECTION 3

Commence at the Southwest corner of Section 3, Township 1 South, Range 1 East, and run thence North along the Section line 1336.6 feet, thence East 880.0 feet to a point which is the POINT OF BEGINNING. From said POINT OF BEGINNING run thence East 1250.0 feet more or less to a point 500 feet West of a point 1336.6 North of the Southeast corner of the Southwest Quarter of said Section 3, thence South 1336.6 feet more or less to the South line of said Section 3, thence West along said South line of Section 3 to a point due South of the point of beginning, thence North 1336.6 feet more or less to the POINT OF BEGINNING.

AND ALSO:

Begin at the Southwest corner of Section 3, Township 1 South, Range 1 East, thence run North 162.4 feet along the Section line to the South boundary of Old St. Augustine Road, thence southeasterly 845.19 along the South boundary of said road to its intersection with the South Line of said Section 3, thence West along said South line to the POINT OF BEGINNING.

AND ALSO:

Commence at the Northwest corner of the Northwest quarter of the Southeast quarter of Section 3, Township 1 South, Range 1 East, and run thence South 00 degrees 30 minutes West 1266.8 feet along the quarter-section line, thence South 89 degrees 30 minutes East 647.3 feet, thence South 00 degrees 30 minutes West 13.6 feet, thence South 89 degrees 30 minutes East 336.35 feet to a point which is the POINT OF BEGINNING. From said POINT OF BEGINNING, run thence South 89 degrees 30 minutes East 336.35 feet, thence North 00 degrees 30 minutes East 1081.3 feet along the East boundary of the Northwest quarter of the Southeast quarter of said Section 3, to



a point 207.7 feet South 00 degrees 30 minutes West of the Northeast corner of the Northwest quarter of the Southeast quarter of said Section 3, thence North 89 degrees 30 minutes West 336.35 feet, thence South 00 degrees 30 minutes West 1081.3 feet to the POINT OF BEGINNING.

AND ALSO:

Begin at the Southeast corner of Section 3, Township 1 South, Range 1 East, and thence run North 1495.0 feet along the East boundary of said Section 3, thence West 701.0 feet, thence North 1158.0 feet to a point on the North boundary of the Southeast Quarter of said Section 3, thence West 639.3 feet to the Northwest corner of the East ? of the Southeast quarter of said Section 3, thence South 1289.0 feet, thence West 672.7 feet, thence North 13.6 feet, thence West 323.15 feet, thence South 537.53 feet, thence West 324.15 feet to a point on the West boundary of the Southeast quarter of said Section 3, which said point is 1804.33 feet South of the Northwest corner of the Southeast quarter of said Section 3, thence run South 867.4 feet more or less to the South line of said Section 3, thence East along said South line 2640.0 feet more or less to the POINT OF BEGINNING.

AND ALSO:

Commence at the Southwest corner of the East half of the Northeast quarter of Section 3, Township 1 South, Range 1 East, Leon County, Florida, marked by a one inch iron pipe and run thence South 89 degrees 17 minutes 39 seconds East 429.17 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run thence South 89 degrees 17 minutes 38 seconds East 142.0 feet to the West boundary of that property described in Official Records Book 1410, Page 1913 of the Public Records of Leon County, Florida, thence North 00 degrees 49 minutes 21 seconds East along said boundary 322.92 feet to the southerly right of way boundary of State Road No.20 (Apalachee Parkway), thence South 85 degrees 40 minutes 30 seconds West along said boundary 200.81 feet, thence leaving said boundary South 00 degrees 58 minutes 17 seconds West 218.30 feet, thence South 32 degrees 54 minutes 08 seconds East 104.47 feet to the POINT OF BEGINNING.

LESS AND EXCEPT:

Begin at the Southwest corner of the East half of the Northeast quarter of Section 3, Township 1 South, Range 1 East, Leon County, Florida, marked by a one inch iron pipe and run thence North 00 degrees 36 minutes 43 seconds East along the West boundary of that property described in Official Records Book 1306, Page 2238 of the Public Records of Leon County, Florida 272.53 feet to the Southern right of way boundary of State Road 20 ( Apalachee Parkway), thence along said right of way boundary North 83 degrees 40 minutes 30 seconds East 292.77 feet, thence leaving said right of way boundary run South 03 degrees 41 minutes 54 seconds East along the East boundary of said property in Official Records Book 1306, Page 2238 for a distance of 299.09 feet, thence South 89 degrees 17 minutes 38 seconds East 115.01 feet, thence South 32 degrees

53 minutes 35 seconds East 17.31 feet, thence South 00 degrees 35 minutes 30 seconds West 1171.25 feet, thence South 87 degrees 54 minutes 45 seconds West 777.95 feet to the East boundary of that property described in Official Records Book 610, Page 165 of the Public Records of Leon County, Florida, thence North 00 degrees 41 minutes 14 seconds East along said boundary 1012.36 feet to the South boundary of that property described in Official Records Book 1257, Page 614 of the Public Records of Leon County, Florida, thence South 89 degrees 11 minutes 08 seconds East along said boundary 336.62 feet, thence North 00 degrees 36 minutes 43 seconds East along the East boundary of said property 211.83 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

The rights of way for Southwood Plantation Road, Old St. Augustine Road and the 100 foot power line right of way conveyed to the City of Tallahassee.

SECTION 9

The Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 9, Township 1 South, Range 1 East, less the right-of-way of State Road No.363 (Capital Circle).

AND ALSO:

That part of the West Half of the Northeast Quarter lying South and East of State Road No. 363 (Capital Circle).

AND ALSO:

The Southeast Quarter of the Northeast Quarter less the North 66 feet thereof.

AND ALSO:

BEGIN at a point 66 feet South of the Southwest corner of the Northeast Quarter of the Northeast Quarter, thence run North 210 feet; thence East 210 feet; thence run South 210 feet; thence run West 210 feet to the POINT OF BEGINNING.

LESS AND EXCEPT:

The 100 foot Power Line right-of -way conveyed to the City of Tallahassee and the right-of-way for State Road No. 363 (Capital Circle).

SECTION 10

All of Section 10, Township 1 South, Range 1 East.

LESS AND EXCEPT:

COMMENCE at the intersection of the South right-of-way line of State Road No. 364 (Old St. Augustine Road) and the West boundary of the East Half of the Northeast Quarter of Section 10, Township 1 South, Range 1 Est, Leon County, Florida; thence run South 76 degrees 57 minutes East along the South right-of-way line of said State Road No. 364 a distance of 670.59 feet to the POINT OF BEGINNING; thence run South 00 degrees 34 minutes 40 seconds East 1399.27 feet to a concrete monument; thence run South 89 degrees 13 minutes 20 seconds East 648.44 feet to a St. Joe Paper Company concrete monument on the West right-of-way line of Southwood Plantation Road; thence run North 03 degrees 33

minutes 20 seconds East along said West right of way line of Southwood Plantation Road a distance of 1251.37 feet, more or less, to a concrete monument marking the intersection of the West right-of-way line of Southwood Plantation Road with the South right-of-way line of Old St. Augustine Road; thence run North 76 degrees 57 minutes West along said South right-of-way line of Old St. Augustine Road a distance of 758 feet, more or less, to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

BEGIN at the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 10, Township 1 South, Range 1 East, and run thence North 200 feet, thence East 500 feet, thence South 185 feet, thence East 820 feet to the East line of said Section 10, thence South 15 feet to the South line of said Section 10, thence West 1320 feet, more or less, to the POINT OF BEGINNING, containing 2.57 acres, more or less.

ALSO, LESS AND EXCEPT:

BEGIN at the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 10,

Township 1 South, Range 1 East, thence run East 362 feet, thence run North 385 feet to a point in the center of the St. Augustine Road, thence run in a Northwesterly direction 398 feet to a point on the West boundary of the Northeast Quarter of said Section 10, said point being 579 feet North of the POINT OF BEGINNING, thence run South 579 feet to the POINT OF BEGINNING, except the portion thereof included in the right-of-way of the Old St. Augustine Road.

ALSO, LESS AND EXCEPT:

COMMENCE at the Southeast corner of Section 10, Township 1 South, Range 1 East, Leon County, Florida, and run thence West along the section line a distance of 20 feet, or to the West boundary of Southwood Road, thence North along the West boundary of said Southwood Road, a distance of 40 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue thence North along said West boundary 100 feet, thence West parallel to the South line of said Section 10 a distance of 435.6 feet, thence South 100 feet, thence East 435.6 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

BEGIN at the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 10, Township 1 South, Range 1 East and run West along the North line of said Section 10 for 500 feet; thence run south 456 feet, more or less, to the Northerly right-of-way line of Old St. Augustine Road; thence Southeasterly along the North right-of-way line of Old St. Augustine Road 589 feet, more or less, to the East boundary of the Northwest Quarter of said Section 10; thence North 678.6 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

The rights of way for Old St. Augustine Road, Southwood Plantation Road and the 100 foot power line right of way are conveyed to the City of Tallahassee.

**SECTION 15**

All of Section 15, Township 1 South, Range 1 East, Leon County, Florida.

LESS AND EXCEPT:

That part of the following described parcel lying in Section 15, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a nail and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet(chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a nail and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a nail and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a nail and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a nail and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oaks Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds

for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West) to a concrete monument, thence North 45 degrees 02 minutes 49 seconds West 16.88 feet to a concrete monument on the easterly right of way of Satellite Boulevard, thence run North 12 degrees 57 minutes 04 seconds East 425.57 feet to a concrete monument, thence North 06 degrees 56 minutes 31 seconds East 313.58 feet to a concrete monument, thence North 00 degrees 03 minutes 25 seconds West 403.16 feet to a concrete monument, thence North 03 degrees 44 minutes 41 seconds East 288.47 feet to an iron rod and cap, thence North 11 degrees 09 minutes 38 seconds East 286.37 feet to a concrete monument, thence North 16 degrees 57 minutes 18 seconds East 242.82 feet to a point on the southerly right of way of a proposed roadway (65 foot right of way); thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 412.87 feet to a point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING.

**SECTION 16**

All of Section 16, Township 1 South, Range 1 East lying East of State Road 261 (Capital Circle).

**AND ALSO:**

The North 34.99 chains of the East half of the Northwest quarter of Section 16, Township 1 South, Range 1 East, Leon County, Florida, lying West of State Road 261 (Capital Circle).

**AND ALSO:**

The West half of the Southwest quarter of Section 16, Township 1 South, Range 1 East, Leon County, Florida.

**AND ALSO:**

All that part of the South 26.66 chains of the East half of the Southwest quarter of Section 16, Township 1 South, Range 1 East, Leon County, Florida, lying West of State Road 261 (Capital Circle).

**LESS AND EXCEPT:**

The right of way for State Road 261 (Capital Circle), the 100 foot power line right of way conveyed to the City of Tallahassee and the right of way conveyed as the Blair Stone Road Extension recorded in Leon County Official Records Book 2080, Page 1542.

**ALSO, LESS AND EXCEPT:**

That part of the following described property lying in Section 16, Township 1 South, Range 1 East.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 1469.04 feet to a point of curve to the right, thence along said curve with a radius of 3205.07 feet through a central angle of 17 degrees 06 minutes 44 seconds for an arc length of 957.24 feet (chord of 953.69 feet bears North 68 degrees 25 minutes 19 seconds West), thence North 59 degrees 51 minutes 57 seconds West 846.38 feet to the intersection of the centerline of Tram Road with the centerline of Capital Circle Southeast ( State Road No. 261), thence North 12 degrees 00 minutes 01 seconds East along said centerline 1.97 feet, thence North 12 degrees 00 minutes 27 seconds East along said centerline 1844.79 feet to a point of curve to the left, thence along said curve with a radius of 3819.66 feet through a central angle of 05 degrees 31 minutes 26 seconds for an arc length of 368.25 feet (chord of 368.10 feet bears North 09 degrees 14 minutes 44 seconds East), thence leaving said centerline run North 82 degrees 45 minutes 59 seconds West 125.01 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 82 degrees 45 minutes 59 seconds West along the northerly right of way of a proposed road (100 foot right of way) a distance of 407.94 feet to set iron rebar and cap marking a point of curve to the left, thence along said curve with a radius of 4425.00 feet through a central angle of 06 degrees 47 minutes 31 seconds for an arc length of 524.55 feet (chord of 524.25 feet bears North 86 degrees 09 minutes 44 seconds West) to a set iron rebar and cap, thence North 89 degrees 33 minutes 30 seconds West 254.27 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 00 seconds for an arc length of 47.12 feet (chord of 42.43 feet bears North 44 degrees 33 minutes 30 seconds West) to a set iron rebar and cap on the easterly right of way of a proposed roadway (100 foot right of way), thence North 00 degrees 26 minutes 30 seconds East along said right of way 992.45 feet to a set iron rebar and cap marking a point of curve to the right, thence along said right of way curve with a radius of 750.00 feet through a central angle of 92 degrees 45 minutes 19 seconds for an arc length of 1214.16 feet (chord of 1085.85 feet bears North 46 degrees 49 minutes 10 seconds East) to a set iron rebar and cap thence South 86 degrees 48 minutes 11 seconds East along said right of way 444.13 feet to a set iron rebar and cap, thence leaving said right of way run South 00 degrees 18 minutes 28 seconds West 1433.65 feet to a set iron rebar and cap marking a point of curve to the right, thence along said

curve with a radius of 3694.66 feet through a central angle of 06 degrees 09 minutes 02 seconds for an arc length of 396.61 feet (chord of 396.42 feet bears South 03 degrees 22 minutes 59 seconds West) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

That part of the following described property lying in Section 16, Township 1 South, Range 1 East.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a nail and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a nail and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a nail and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a nail and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a nail and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oaks Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse

curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West) to a concrete monument, thence North 45 degrees 02 minutes 49 seconds West 16.88 feet to a concrete monument on the easterly right of way of Satellite Boulevard, thence run North 12 degrees 57 minutes 04 seconds East 425.57 feet to a concrete monument, thence North 06 degrees 56 minutes 31 seconds East 313.58 feet to a concrete monument, thence North 00 degrees 03 minutes 25 seconds West 403.16 feet to a concrete monument, thence North 03 degrees 44 minutes 41 seconds East 288.47 feet to an iron rod and cap, thence North 11 degrees 09 minutes 38 seconds East 286.37 feet to a concrete monument, thence North 16 degrees 57 minutes 18 seconds East 242.82 feet to a point on the southerly right of way of a proposed roadway (65 foot right of way); thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 412.87 feet to a point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 1469.04 feet to a point of curve to the right, thence along said curve with a radius of 3205.07 feet through a central angle of 17 degrees 06 minutes 44 seconds for an arc length of 957.24 feet (chord of 953.69 feet bears North 68 degrees 25 minutes 19 seconds West), thence North 59 degrees 51 minutes 57 seconds West 846.38 feet to the intersection of the centerline of Tram Road with the centerline of Capital Circle Southeast ( State Road No. 261), thence North 12 degrees 00 minutes 01 seconds East along said centerline 1.96 feet, thence North 12 degrees 00 minutes 27 seconds East along said centerline 1844.79 feet to a point of curve to the left, thence along said curve with a radius of 3819.66 feet through a central angle of 11 degrees 41 minutes

59 seconds for an arc length of 779.97 feet (chord of 778.61 feet bears North 06 degrees 09 minutes 27 seconds East), thence North 00 degrees 18 minutes 28 seconds East 2903.59 feet, thence leaving said centerline run South 89 degrees 57 minutes 06 seconds East 125.00 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 18 minutes 28 seconds East 812.00 feet to a set iron rebar and cap, thence South 89 degrees 41 minutes 32 seconds East 778.83 feet to a set iron rebar and cap on the westerly right of way of a proposed roadway ( 65 foot right of way), thence South along said westerly right of way 176.04 feet to a set iron rebar and cap marking a point of curve to the left, thence along said right of way curve with a radius of 2550.10 feet through a central angle of 13 degrees 38 minutes 55 seconds for an arc length of 607.47 feet (chord of 606.03 feet bears South 06 degrees 49 minutes 28 seconds East) to a set iron rebar and cap, thence South 13 degrees 38 minutes 58 seconds East 31.65 feet to a set iron rebar and cap, thence leaving said proposed right of way run North 89 degrees 57 minutes 06 seconds West 867.59 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

That part of the following described property lying in Section 16, Township 1 South, Range 1 East.

COMMENCE at the Northeast corner of Section 16, Township 1 South, Range 1 east, Leon County, Florida, and run thence Southerly along the East boundary of said Section 16 a distance of 5267.45 feet, thence departing said East boundary of said Section 16 run North 89 degrees 55 minutes West 2435.48 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 22 minutes East 539.88 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 1145.90 feet, through a central angle of 13 degrees 38 minutes 11 seconds for an arc distance of 272.72 feet (chord bears North 85 degrees 10 minutes 09 seconds East 272.08 feet) thence North 78 degrees 21 minutes 04 seconds East 534.04 feet to a point on a curve concave Southwesterly, thence along said curve having a radius of 1495.50 feet, through a central angle of 28 degrees 41 minutes 51 seconds for an arc distance of 749.04 feet (chord bears South 87 degrees 18 minutes 01 seconds East 741.24 feet), thence South 72 degrees 57 minutes 06 seconds East 648.97 feet, thence South 17 degrees West 242.82 feet, thence South 11 degrees West 286.37 feet, thence South 04 degrees West 288.47 feet, thence South 403.15 feet, thence South 07 degrees West 313.63 feet, thence South 13 degrees West 501.05 feet, thence South 08 degrees West 189.52 feet, thence South 03 degrees West 603.15 feet, thence South 11 degrees East 219.95 feet, thence South 22 degrees West 117.84 feet, thence South 28 degrees West 214.38 feet, thence South 35 degrees 43 minutes 28 seconds West 1562.52 feet to a point on the Northerly right of way boundary of State Road 261-A (Tram Road), said point being on a curve concave

Northeasterly, thence along said Northerly right of way boundary of Tram Road and said curve having a radius of 3178.52 feet, through a central angle of 02 degrees 14 minutes 42 seconds for an arc distance of 124.54 feet (chord bears South 69 degrees 46 minutes 38 seconds East 124.53 feet) to a point on a curve concave Northeasterly, thence along said curve having a radius of 3178.52 feet, through a central angle of 08 degrees 47 minutes 00 seconds for an arc distance of 487.26 feet (chord bears North 64 degrees 15 minutes 48 seconds West 486.79 feet), thence North 59 degrees 56 minutes West 733.87 feet, thence departing said Northerly right of way boundary of Tram Road run North 12 degrees 04 minutes 1851.01 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 00 degrees 10 minutes 46 seconds for an arc distance of 12.35 feet (chord bears North 11 degrees 58 minutes 49 seconds East 12.35 feet) to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 11 degrees 31 minutes 14 seconds for an arc distance of 793.19 feet (chord bears North 06 degrees 07 minutes 37 seconds East 791.86 feet), thence North 00 degrees 22 minutes 897.83 feet to the POINT OF BEGINNING.

SECTION 20

The East Half of Section 20, Township 1 South, Range 1 East LESS AND EXCEPT:

That part of the North Half of the North Half of said Section 20 lying North of State Road 261-A (Tram Road).

The right of way for State Road 261-A (Tram Road) and the 100 foot power line right of way conveyed to the City of Tallahassee.

SECTION 21

All of Section 21, Township 1 South, Range 1 East, lying North of State Road 261-A (Tram Road) and the following portion of said Section 21 lying South of Tram Road and West of Capital Circle:

BEGIN at the Southwest corner of Section 21, Township 1 South, Range 1 East, thence run North along the West line of said Section 21 to its intersection with the Southerly right-of-way line of State Road 261-A (Tram Road); thence run Southeasterly along said right-of-way line to the West boundary of that property described as Parcel No. Three in Official Records Book 2006, Page 2252 of the Public Records of Leon County, Florida; thence run South along said boundary and continuation thereof for 1002.3, more or less, to the North boundary of that property described in Official Records Book 1225, Page 2379 of the Public Records of Leon County, Florida; thence run South along the West boundary of said property described in Official Records Book 1225, Page 2379 and a continuation thereof to the South line of said Section 21; thence run West for 660 feet, more or less, to the Southwest corner of said Section 21 and the POINT OF BEGINNING.

AND ALSO:

The following described parcel lying in Sections 21 and 22, Township 1 South, Range 1 East, Leon County, Florida. Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet; thence leaving said centerline run North 76 degrees 58 minutes 38 seconds West 60.00 feet to a concrete monument on the westerly right-of-way boundary of said Tram Road Connector, thence run South 13 degrees 01 minutes 22 seconds West along said westerly right-of-way 53.22 feet to a concrete monument marking the north right-of-way boundary of said Tram Road; thence run North 76 degrees 58 minutes 41 seconds West along said northerly right-of-way of Tram Road 766.36 feet to a set iron rod and cap marking a point of curve to the right, thence run northwesterly along said right of way curve with a radius of 3172.07 feet through a central angle of 06 degrees 02 minutes 20 seconds for an arc distance of 334.34 feet (chord bears North 73 degrees 57 minutes 31 seconds West 334.18 feet) to a concrete monument marking the easterly boundary of the existing Capital Circle Office Center; thence leaving said northerly right-of-way run North 35 degrees 42 minutes 40 seconds East 1562.71 feet to a concrete monument; thence run North 27 degrees 52 minutes 52 seconds East 214.31 feet to a concrete monument; thence run North 21 degrees 57 minutes 48 seconds East 22.24 feet to an iron rod and cap to the POINT OF BEGINNING. From said POINT OF BEGINNING thence continue North 21 degrees 57 minutes 48 seconds East 95.89 feet to a concrete monument, thence run North 10 degrees 53 minutes 34 seconds East 219.79 feet to a concrete monument, thence run North 02 degrees 57 minutes 51 seconds East 603.14 feet to a concrete monument, thence run North 07 degrees 58 minutes 29 seconds East 112.07 feet to a point on the southerly right of way boundary of Shumard Oak Boulevard and a curve concave southwesterly, thence run southeasterly along said right of way curve with a radius of 666.67 feet through a central angle of 24 degrees 05 minutes 36 seconds for an arc distance of 280.34 feet (chord of 278.28 feet bears South 76 degrees 41 minutes 39 seconds East) to a point of reverse curve to the left, thence run southeasterly along said curve with a radius of 1293.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc distance of 528.55 feet (chord of 524.87 feet bears South 76 degrees 21 minutes 29 seconds East), thence run South 88 degrees 04 minutes 07 seconds East 297.07 feet to a point of curve to the right, thence run southeasterly along said curve with a radius of 30.00 feet through a central angle of 90 degrees 54 minutes 41

seconds for an arc distance of 47.60 feet (chord of 42.76 feet bears South 42 degrees 36 minutes 47 seconds East) to a point of curve to the right and the westerly right of way boundary of Tram Road Connector, thence run southwesterly along said right of way curve with a radius of 1168.00 feet through a central angle of 17 degrees 26 minutes 30 seconds for an arc distance of 355.56 feet (chord of 354.19 feet bears South 11 degrees 33 minutes 49 seconds West), thence run South 20 degrees 17 minutes 04 seconds West 816.47 feet, thence leaving said westerly right of way boundary run North 69 degrees 42 minutes 56 seconds West 934.79 feet to the POINT OF BEGINNING.

AND ALSO:

The existing St Joe Corp. property lying in the Southeast Quarter of Section 21, Township 1 South, Range 1 East, Leon County, Florida lying south of Tram Road (know as Tax ID parcel 31-21-20-002-000.0).

LESS AND EXCEPT:

The right-of-way of State Road No. 263 (Capital Circle), the right-of-way of State Road No. 261-A (Tram Road), and the 100 foot Power Line right-of-way deeded to the City of Tallahassee.

ALSO, LESS AND EXCEPT:

BEGIN at a point on the West line of Section 21, Township 1 South, Range 1 East, said point being 1326.2 feet North of the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 21, and run thence East 100 feet, thence North 01 degrees 58 minutes West for 390.25 feet to a point on the South boundary of the right-of-way of the public road, thence Northwesterly along said right-of-way boundary for 100 feet to a point on the West line of said Section 21, thence South along the Section line for 440 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

That part of the following described parcel lying in Section 21, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a nail and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a nail and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a nail and cap marking

a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a nail and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a nail and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a nail and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oaks Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West) to a concrete monument, thence North 45 degrees 02 minutes 49 seconds West 16.88 feet to a concrete monument on the easterly right of way of Satellite Boulevard, thence run North 12 degrees 57 minutes 04 seconds East 425.57 feet to a concrete monument, thence North 06 degrees 56 minutes 31 seconds East 313.58 feet to a concrete monument, thence North 00 degrees 03 minutes 25 seconds West 403.16 feet to a concrete monument, thence North 03 degrees 44 minutes 41 seconds East 288.47 feet to an iron rod and cap, thence North 11 degrees 09 minutes 38 seconds East 286.37 feet to a concrete monument, thence North 16 degrees 57 minutes 18 seconds East 242.82 feet to a point on the southerly right of way of a proposed roadway (65 foot right of way); thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 412.87 feet to a point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve

with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida, Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 1469.04 feet to a point of curve to the right, thence along said curve with a radius of 3205.07 feet through a central angle of 17 degrees 06 minutes 44 seconds for an arc length of 957.24 feet (chord of 953.69 feet bears North 68 degrees 25 minutes 19 seconds West), thence North 59 degrees 51 minutes 57 seconds West 846.38 feet to the intersection of the centerline of Tram Road with the centerline of Capital Circle Southeast ( State Road No. 261), thence North 12 degrees 00 minutes 01 seconds East along said centerline 1.97 feet, thence North 12 degrees 00 minutes 27 seconds East along said centerline 1844.79 feet to a point of curve to the left, thence along said curve with a radius of 3819.66 feet through a central angle of 05 degrees 31 minutes 26 seconds for an arc length of 368.25 feet (chord of 368.10 feet bears North 09 degrees 14 minutes 44 seconds East), thence leaving said centerline run North 82 degrees 45 minutes 59 seconds West 125.01 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 82 degrees 45 minutes 59 seconds West along the northerly right of way of a proposed road (100 foot right of way) a distance of 407.94 feet to set iron rebar and cap marking a point of curve to the left, thence along said curve with a radius of 4425.00 feet through a central angle of 06 degrees 47 minutes 31 seconds for an arc length of 524.55 feet (chord of 524.25 feet bears North 86 degrees 09 minutes 44 seconds West) to a set iron rebar and cap, thence North 89 degrees 33 minutes 30 seconds West 254.27 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 00 seconds for an arc length of 47.12 feet (chord of 42.43 feet bears North 44 degrees 33 minutes 30 seconds West) to a set iron rebar and cap on the easterly right of way of a proposed roadway (100 foot right of way), thence North 00 degrees 26 minutes 30 seconds East along said right of way 992.45 feet to a set iron rebar and cap marking a point of curve to the right, thence

along said right of way curve with a radius of 750.00 feet through a central angle of 92 degrees 45 minutes 19 seconds for an arc length of 1214.16 feet ( chord of 1085.85 feet bears North 46 degrees 49 minutes 10 seconds East) to a set iron rebar and cap thence South 86 degrees 48 minutes 11 seconds East along said right of way 444.13 feet to a set iron rebar and cap, thence leaving said right of way run South 00 degrees 18 minutes 28 seconds West 1433.65 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 3694.66 feet through a central angle of 06 degrees 09 minutes 02 seconds for an arc length of 396.61 feet (chord of 396.42 feet bears South 03 degrees 22 minutes 59 seconds West) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet; thence leaving said centerline run North 76 degrees 58 minutes 38 seconds West 60.00 feet to a concrete monument on the westerly right-of-way boundary of said Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING thence run South 13 degrees 01 minutes 22 seconds West along said westerly right-of-way 53.22 feet to a concrete monument marking the north right-of-way boundary of said Tram Road; thence run North 76 degrees 58 minutes 41 seconds West along said northerly right-of-way of Tram Road 766.36 feet to a set iron rod and cap marking a point of curve to the right, thence run northwesterly along said right of way curve with a radius of 3172.07 feet through a central angle of 06 degrees 02 minutes 20 seconds for an arc distance of 334.34 feet (chord bears North 73 degrees 57 minutes 31 seconds West 334.18 feet) to a concrete monument marking the easterly boundary of the existing Capital Circle Office Center; thence leaving said northerly right-of-way run North 35 degrees 42 minutes 40 seconds East 1562.71 feet to a concrete monument; thence run North 27 degrees 52 minutes 52 seconds East 214.31 feet to a concrete monument; thence run North 21 degrees 57 minutes 48 seconds East 22.24 feet to an iron rod and cap; thence leaving said easterly boundary of the existing Capital Circle Office Center run South 69 degrees 42 minutes 56 seconds East 739.36 feet; thence run southwesterly along a non-tangent curve to the right with a radius of 140.00 feet through a central angle of 40 degrees 16 minutes 49 seconds

for an arc distance 98.42 feet (chord bears South 14 degrees 04 minutes 23 seconds West 96.41 feet) to a point of reverse curve to the left; thence run southeasterly along said curve with a radius of 110.00 feet through a central angle of 101 degrees 55 minutes 47 seconds for an arc distance of 195.69 feet (chord bears South 16 degrees 42 minutes 26 seconds East 170.89 feet); thence run South 67 degrees 43 minutes 00 seconds East 81.70 feet to the westerly right-of-way boundary of said Tram Road Connector; thence run southwesterly along said westerly right-of-way along a curve to the right with a radius of 690.00 feet through a central angle of 14 degrees 01 minutes 10 seconds for an arc distance of 168.83 feet (chord bears South 29 degrees 17 minutes 35 seconds West 168.41 feet) to a concrete monument; thence run South 36 degrees 18 minutes 10 seconds West along said westerly right of way 873.23 feet to a concrete monument marking a point of curve to the right, thence run southwesterly along said right of way curve with a radius of 810.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc distance of 329.11 feet (chord bears South 24 degrees 39 minutes 46 seconds West 326.85 feet) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCE at the Northeast corner of Section 16, Township 1 South, Range 1 east, Leon County, Florida, and run thence Southerly along the East boundary of said Section 16 a distance of 5267.45 feet, thence departing said East boundary of said Section 16 run North 89 degrees 55 minutes West 2435.48 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 22 minutes East 539.88 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 1145.90 feet, through a central angle of 13 degrees 38 minutes 11 seconds for an arc distance of 272.72 feet (chord bears North 85 degrees 10 minutes 09 seconds East 272.08 feet) thence North 78 degrees 21 minutes 04 seconds East 534.04 feet to a point on a curve concave Southwesterly, thence along said curve having a radius of 1495.50 feet, through a central angle of 28 degrees 41 minutes 51 seconds for an arc distance of 749.04 feet (chord bears South 87 degrees 18 minutes 01 seconds East 741.24 feet), thence South 72 degrees 57 minutes 06 seconds East 648.97 feet, thence South 17 degrees West 242.82 feet, thence South 11 degrees West 286.37 feet, thence South 04 degrees West 288.47 feet, thence South 403.15 feet, thence South 07 degrees West 313.63 feet, thence South 13 degrees West 501.05 feet, thence South 08 degrees West 189.52 feet, thence South 03 degrees West 603.15 feet, thence South 11 degrees East 219.95 feet, thence South 22 degrees West 117.84 feet, thence South 28 degrees West 214.38 feet, thence South 35 degrees 43 minutes 28 seconds West 1562.52 feet to a point on the Northerly right of way boundary of State Road 261-A (Tram Road), said point being on a curve concave



Northeasterly, thence along said Northerly right of way boundary of Tram Road and said curve having a radius of 3178.52 feet, through a central angle of 02 degrees 14 minutes 42 seconds for an arc distance of 124.54 feet (chord bears South 69 degrees 46 minutes 38 seconds East 124.53 feet) to a point on a curve concave Northeasterly, thence along said curve having a radius of 3178.52 feet, through a central angle of 08 degrees 47 minutes 00 seconds for an arc distance of 487.26 feet (chord bears North 64 degrees 15 minutes 48 seconds West 486.79 feet), thence North 59 degrees 56 minutes West 733.87 feet, thence departing said Northerly right of way boundary of Tram Road run North 12 degrees 04 minutes 1851.01 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 00 degrees 10 minutes 46 seconds for an arc distance of 12.35 feet (chord bears North 11 degrees 58 minutes 49 seconds East 12.35 feet) to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 11 degrees 31 minutes 14 seconds for an arc distance of 793.19 feet (chord bears North 06 degrees 07 minutes 37 seconds East 791.86 feet), thence North 00 degrees 22 minutes 897.83 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

That part of the following described right of way of Satellite Boulevard, Shumard Oak Boulevard, and Tram Road Connector lying in Sections 21 and 22, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCE at the Northeast corner of Section 16, Township 1 South, Range 1 east, Leon County, Florida, and run thence Southerly along the East boundary of said Section 16 a distance of 5267.45 feet, thence departing said East boundary of said Section 16 run North 89 degrees 55 minutes West 2435.48 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 22 minutes East 539.88 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 1145.90 feet, through a central angle of 13 degrees 38 minutes 11 seconds for an arc distance of 272.72 feet (chord bears North 85 degrees 10 minutes 09 seconds East 272.08 feet) thence North 78 degrees 21 minutes 04 seconds East 534.04 feet to a point on a curve concave Southwesterly, thence along said curve having a radius of 1495.50 feet, through a central angle of 28 degrees 41 minutes 51 seconds for an arc distance of 749.04 feet (chord bears South 87 degrees 18 minutes 01 seconds East 741.24 feet), thence South 72 degrees 57 minutes 06 seconds East 648.97 feet, thence South 17 degrees West 242.82 feet, thence South 11 degrees West 286.37 feet, thence South 04 degrees West 288.47 feet, thence South 403.15 feet, thence South 07 degrees West 313.63 feet, thence South 13 degrees West 501.05 feet, thence South 08 degrees West 189.52 feet, thence South 03 degrees West 603.15 feet, thence South 11 degrees East 219.95 feet, thence South 22 degrees West 117.84

feet, thence South 28 degrees West 214.38 feet, thence South 35 degrees 43 minutes 28 seconds West 1562.52 feet to a point on the Northerly right of way boundary of State Road 261-A (Tram Road), said point being on a curve concave Northeasterly, thence along said Northerly right of way boundary of Tram Road and said curve having a radius of 3178.52 feet, through a central angle of 02 degrees 14 minutes 42 seconds for an arc distance of 124.54 feet (chord bears South 69 degrees 46 minutes 38 seconds East 124.53 feet) to a point on a curve concave Northeasterly, thence along said curve having a radius of 3178.52 feet, through a central angle of 08 degrees 47 minutes 00 seconds for an arc distance of 487.26 feet (chord bears North 64 degrees 15 minutes 48 seconds West 486.79 feet), thence North 59 degrees 56 minutes West 733.87 feet, thence departing said Northerly right of way boundary of Tram Road run North 12 degrees 04 minutes 1851.01 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 00 degrees 10 minutes 46 seconds for an arc distance of 12.35 feet (chord bears North 11 degrees 58 minutes 49 seconds East 12.35 feet) to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 11 degrees 31 minutes 14 seconds for an arc distance of 793.19 feet (chord bears North 06 degrees 07 minutes 37 seconds East 791.86 feet), thence North 00 degrees 22 minutes 897.83 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCING at a concrete monument marking the Southeast Corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida: thence North 00 degrees 16 minutes 20 seconds East a distance of 971.56 feet to the northerly right-of-way boundary of Tram Road (County Road 259-66' Right-of-way); thence North 76 degrees 55 minutes 58 seconds West, along said northerly right-of-way boundary, a distance of 575.14 feet to the easterly right-of-way boundary of Tram Connector (proposed 120' Right-of-way); thence along said easterly right-of-way boundary as follows: North 13 degrees 04 minutes 02 seconds East a distance of 53.58 feet to a point of curve to the right; thence Northeasterly, along said curve, on a radius of 690.00 feet, through a central angle of 23 degrees 16 minutes 48 seconds, an arc distance of 280.36 feet (chord of 278.43 feet bears North 24 degrees 42 minutes 26 seconds East) to a point of tangency; thence North 36 degrees 20 minutes 50 seconds East a distance of 182.52 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING, continue North 36 degrees 20 minutes 50 seconds East, along said easterly right-of-way boundary, a distance of 341.40 feet; thence South 53 degrees 39 minutes 10 seconds East, leaving said easterly right-of-way boundary, a distance of 80.41 feet; thence South

24 degrees 32 minutes 39 seconds East a distance of 102.95 feet; South 22 degrees 38 minutes 05 seconds West a distance of 140.69 feet to a point of curve to the right; thence Southwesterly, along said curve, on a radius of 125.00 feet, through a central angle of 103 degrees 42 minutes 45 seconds, an arc distance of 226.27 feet (chord of 196.62 feet bears South 74 degrees 29 minutes 27 seconds West) to a point of tangency; thence North 53 degrees 39 minutes 10 seconds West a distance of 82.27 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCING at a concrete monument marking the Southeast Corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida: thence North 00 degrees 16 minutes 20 seconds East a distance of 971.56 feet to the northerly right-of-way boundary of Tram Road (County Road 259-66' Right-of-way); thence North 76 degrees 55 minutes 58 seconds West, along said northerly right-of-way boundary, a distance of 695.14 feet to the westerly right-of-way boundary of Tram Connector (proposed 120' Right-of-way); thence along said westerly right-of-way boundary as follows: North 13 degrees 04 minutes 02 seconds East a distance of 53.58 feet to a point of curve to the right; thence Northeasterly, along said curve, on a radius of 810.00 feet, through a central angle of 23 degrees 16 minutes 48 seconds, an arc distance of 329.11 feet (chord of 326.86 feet bears North 24 degrees 42 minutes 26 seconds East) to a point of tangency; thence North 36 degrees 20 minutes 50 seconds East a distance of 908.41 feet to a point of curve to left; thence Northeasterly, along said curve, on a radius of 690.00, through a central angle of 14 degrees 01 minutes 10 seconds, an arc distance of 168.83 feet (chord of 168.41 feet bears North 29 degrees 20 minutes 15 seconds East) to the POINT OF BEGINNING.

From said POINT OF BEGINNING, thence North 67 degrees 40 minutes 20 seconds West a distance of 81.70 feet to a point of curve to the right; thence Northwesterly, along said curve, on a radius of 110.00 feet, an arc distance of 195.69 feet (chord of 170.89 feet bears North 16 degrees 42 minutes 26 seconds West) to a point of reverse curve; thence Northeasterly, along said curve, on a radius of 140.00 feet; through a central angle of 41 degrees 09 minutes 41 seconds, an arc distance of 100.58 feet (chord of 98.43 feet bears North 13 degrees 40 minutes 37 seconds East) to a point of reverse curve; thence Northeasterly, along said curve, on a radius of 150.00 feet, through a central angle of 65 degrees 22 minutes 28 seconds, an arc distance of 171.15 feet (chord of 162.02 feet bears North 25 degrees 47 minutes 01 seconds East) to a point of tangency; thence North 58 degrees 28 minutes 15 seconds East a distance of 108.90 feet; thence South 69 degrees 40 minutes 16 seconds East a distance of 113.74 feet to the westerly right-of-way boundary of said Tram Connector; thence South 20 degrees 19 minutes 44 seconds West a distance of 459.89 feet to a point of curve to

the right; thence Southwesterly, along said curve, on a radius of 690.00 feet, through a central angle of 01 degrees 59 minutes 56 seconds, an arc distance of 24.07 feet (chord of 24.07 feet bears South 21 degrees 19 minutes 42 seconds West) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCING at a concrete monument marking the Southeast Corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida: thence North 00 degrees 16 minutes 20 seconds East a distance of 971.56 feet to the northerly right-of-way boundary of Tram Road (County Road 259-66' Right-of-way); thence North 76 degrees 55 minutes 58 seconds West, along said northerly right-of-way boundary, a distance of 1461.36 feet to a point of curve to the right; thence Northwesterly, along said northerly right-of-way curve, on a radius of 3173.42 feet, through a central angle of 06 degrees 02 minutes 35 seconds, an arc distance of 334.71 feet (chord of 334.55 feet bears North 73 degrees 54 minutes 41 seconds West) to the easterly boundary of the Capital Circle Office Center; thence along said easterly boundary as follows: North 35 degrees 45 minutes 00 seconds East a distance of 1562.75 feet; thence North 27 degrees 54 minutes 38 seconds East a distance of 214.56 feet; thence North 22 degrees 00 minutes 33 seconds East a distance of 117.90 feet; thence North 10 degrees 57 minutes 24 seconds East a distance of 219.90 feet; thence North 03 degrees 00 minutes 34 seconds East a distance of 403.26 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING, thence continue North 03 degrees 00 minutes 34 seconds East, along said easterly right-of-way boundary of Capital Circle Office Center, a distance of 200.00 feet; thence North 07 degrees 59 minutes 51 seconds East a distance of 111.96 feet to a point on a curve concave to the south for the southerly right-of-way boundary of Shumard Oak Boulevard (proposed 140' Right-of-way extension); thence Easterly, leaving said easterly boundary of Capital Circle Office Center, along said curve, on a radius of 666.68 feet, through a central angle of 24 degrees 07 minutes 25 seconds, an arc distance of 280.70 feet (chord of 278.63 feet bears South 75 degrees 39 minutes 54 seconds East); thence South 23 degrees 59 minutes 03 seconds West, leaving said southern right-of-way boundary of Shumard Oak Boulevard, a distance of 48.29 feet to a point of curve to the left; thence Southwesterly, along said curve, on a radius of 140.00 feet, through a central angle of 52 degrees 35 minutes 41 seconds, an arc distance of 128.51 feet (chord of 124.05 feet bears South 02 degrees 18 minutes 47 seconds West) to a point of reverse curve; thence Southeasterly, along said curve, on a radius of 140.00 feet, through a central angle of 42 degrees 21 minutes 34 seconds, an arc distance of 103.50 feet (chord of 101.16 feet bears South 07 degrees 25 minutes 51 seconds East); thence South 13 degrees 44 minutes 56 seconds West a distance of

101.60 feet; thence South 76 degrees 08 minutes 21 seconds West a distance of 73.52 feet to a point on a curve concave to the northeast; thence Northwesterly, along said curve, on a radius of 320.00 feet, through a central angle of 33 degrees 52 minutes 27 seconds, an arc distance of 189.19 feet (chord of 186.45 feet bears North 43 degrees 46 minutes 53 seconds West) to a point on a line; thence North 86 degrees 59 minutes 26 seconds West a distance of 71.22 feet to the POINT OF BEGINNING.

SECTION 22

All of Section 22, Township 1 South, Range 1 East, Leon County, lying North of State Road 261-A (Tram Road).

LESS AND EXCEPT:

That part of the following described parcel lying Section 22, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a nail and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a nail and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a nail and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a nail and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a nail and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of

Shumard Oaks Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West) to a concrete monument, thence North 45 degrees 02 minutes 49 seconds West 16.88 feet to a concrete monument on the easterly right of way of Satellite Boulevard, thence run North 12 degrees 57 minutes 04 seconds East 425.57 feet to a concrete monument, thence North 06 degrees 56 minutes 31 seconds East 313.58 feet to a concrete monument, thence North 00 degrees 03 minutes 25 seconds West 403.16 feet to a concrete monument, thence North 03 degrees 44 minutes 41 seconds East 288.47 feet to an iron rod and cap, thence North 11 degrees 09 minutes 38 seconds East 286.37 feet to a concrete monument, thence North 16 degrees 57 minutes 18 seconds East 242.82 feet to a point on the southerly right of way of a proposed roadway (65 foot right of way); thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 412.87 feet to a point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING, containing 45.938 acres more or less.

ALSO, LESS AND EXCEPT:

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap

marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet; thence leaving said centerline run North 76 degrees 58 minutes 38 seconds West 60.00 feet to a concrete monument on the westerly right-of-way boundary of said Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING thence run South 13 degrees 01 minutes 22 seconds West along said westerly right-of-way 53.22 feet to a concrete monument marking the north right-of-way boundary of said Tram Road; thence run North 76 degrees 58 minutes 41 seconds West along said northerly right-of-way of Tram Road 766.36 feet to a set iron rod and cap marking a point of curve to the right, thence run northwesterly along said right of way curve with a radius of 3172.07 feet through a central angle of 06 degrees 02 minutes 20 seconds for an arc distance of 334.34 feet (chord bears North 73 degrees 57 minutes 31 seconds West 334.18 feet) to a concrete monument marking the easterly boundary of the existing Capital Circle Office Center; thence leaving said northerly right-of-way run North 35 degrees 42 minutes 40 seconds East 1562.71 feet to a concrete monument; thence run North 27 degrees 52 minutes 52 seconds East 214.31 feet to a concrete monument; thence run North 21 degrees 57 minutes 48 seconds East 22.24 feet to an iron rod and cap; thence leaving said easterly boundary of the existing Capital Circle Office Center run South 69 degrees 42 minutes 56 seconds East 739.36 feet; thence run southwestwardly along a non-tangent curve to the right with a radius of 140.00 feet through a central angle of 40 degrees 16 minutes 49 seconds for an arc distance 98.42 feet (chord bears South 14 degrees 04 minutes 23 seconds West 96.41 feet) to a point of reverse curve to the left; thence run southeasterly along said curve with a radius of 110.00 feet through a central angle of 101 degrees 55 minutes 47 seconds for an arc distance of 195.69 feet (chord bears South 16 degrees 42 minutes 26 seconds East 170.89 feet); thence run South 67 degrees 43 minutes 00 seconds East 81.70 feet to the westerly right-of-way boundary of said Tram Road Connector; thence run southwestwardly along said westerly right-of-way along a curve to the right with a radius of 690.00 feet through a central angle of 14 degrees 01 minutes 10 seconds for an arc distance of 168.83 feet (chord bears South 29 degrees 17 minutes 35 seconds West 168.41 feet) to a concrete monument; thence run South 36 degrees 18 minutes 10 seconds West along said westerly right of way 873.23 feet to a concrete monument marking a point of curve to the right, thence run southwestwardly along said right of way curve with a radius of 810.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc distance of 329.11 feet (chord bears South 24 degrees 39 minutes 46 seconds West 326.85 feet) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

That part of the following described right of way of Satellite Boulevard, Shumard Oak Boulevard, and Tram Road Connector lying in Sections 21 and 22, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCE at the Northeast corner of Section 16, Township 1 South, Range 1 east, Leon County, Florida, and run thence Southerly along the East boundary of said Section 16 a distance of 5267.45 feet, thence departing said East boundary of said Section 16 run North 89 degrees 55 minutes West 2435.48 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 22 minutes East 539.88 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 1145.90 feet, through a central angle of 13 degrees 38 minutes 11 seconds for an arc distance of 272.72 feet (chord bears North 85 degrees 10 minutes 09 seconds East 272.08 feet) thence North 78 degrees 21 minutes 04 seconds East 534.04 feet to a point on a curve concave Southwesterly, thence along said curve having a radius of 1495.50 feet, through a central angle of 28 degrees 41 minutes 51 seconds for an arc distance of 749.04 feet (chord bears South 87 degrees 18 minutes 01 seconds East 741.24 feet), thence South 72 degrees 57 minutes 06 seconds East 648.97 feet, thence South 17 degrees West 242.82 feet, thence South 11 degrees West 286.37 feet, thence South 04 degrees West 288.47 feet, thence South 403.15 feet, thence South 07 degrees West 313.63 feet, thence South 13 degrees West 501.05 feet, thence South 08 degrees West 189.52 feet, thence South 03 degrees West 603.15 feet, thence South 11 degrees East 219.95 feet, thence South 22 degrees West 117.84 feet, thence South 28 degrees West 214.38 feet, thence South 35 degrees 43 minutes 28 seconds West 1562.52 feet to a point on the Northerly right of way boundary of State Road 261-A (Tram Road), said point being on a curve concave Northeasterly, thence along said Northerly right of way boundary of Tram Road and said curve having a radius of 3178.52 feet, through a central angle of 02 degrees 14 minutes 42 seconds for an arc distance of 124.54 feet (chord bears South 69 degrees 46 minutes 38 seconds East 124.53 feet) to a point on a curve concave Northeasterly, thence along said curve having a radius of 3178.52 feet, through a central angle of 08 degrees 47 minutes 00 seconds for an arc distance of 487.26 feet (chord bears North 64 degrees 15 minutes 48 seconds West 486.79 feet), thence North 59 degrees 56 minutes West 733.87 feet, thence departing said Northerly right of way boundary of Tram Road run North 12 degrees 04 minutes 1851.01 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 00 degrees 10 minutes 46 seconds for an arc distance of 12.35 feet (chord bears North 11 degrees 58 minutes 49 seconds East 12.35 feet) to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 11 degrees 31 minutes 14 seconds for an arc distance of 793.19 feet (chord

bears North 06 degrees 07 minutes 37 seconds East 791.86 feet), thence North 00 degrees 22 minutes 897.83 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

That part of the following described parcel lying Section 22, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCING at a concrete monument marking the Southeast Corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida: thence North 00 degrees 16 minutes 20 seconds East a distance of 971.56 feet to the northerly right-of-way boundary of Tram Road (County Road 259-66' Right-of-way); thence North 76 degrees 55 minutes 58 seconds West, along said northerly right-of-way boundary, a distance of 695.14 feet to the westerly right-of-way boundary of Tram Connector (proposed 120' Right-of-way); thence along said westerly right-of-way boundary as follows: North 13 degrees 04 minutes 02 seconds East a distance of 53.58 feet to a point of curve to the right; thence Northeasterly, along said curve, on a radius of 810.00 feet, through a central angle of 23 degrees 16 minutes 48 seconds, an arc distance of 329.11 feet (chord of 326.86 feet bears North 24 degrees 42 minutes 26 seconds East) to a point of tangency; thence North 36 degrees 20 minutes 50 seconds East a distance of 908.41 feet to a point of curve to left; thence Northeasterly, along said curve, on a radius of 690.00, through a central angle of 14 degrees 01 minutes 10 seconds, an arc distance of 168.83 feet (chord of 168.41 feet bears North 29 degrees 20 minutes 15 seconds East) to the POINT OF BEGINNING.

From said POINT OF BEGINNING, thence North 67 degrees 40 minutes 20 seconds West a distance of 81.70 feet to a point of curve to the right; thence Northwesterly, along said curve, on a radius of 110.00 feet, an arc distance of 195.69 feet (chord of 170.89 feet bears North 16 degrees 42 minutes 26 seconds West) to a point of reverse curve; thence Northeasterly, along said curve, on a radius of 140.00 feet; through a central angle of 41 degrees 09 minutes 41 seconds, an arc distance of 100.58 feet (chord of 98.43 feet bears North 13 degrees 40 minutes 37 seconds East) to a point of reverse curve; thence Northeasterly, along said curve, on a radius of 150.00 feet, through a central angle of 65 degrees 22 minutes 28 seconds, an arc distance of 171.15 feet (chord of 162.02 feet bears North 25 degrees 47 minutes 01 seconds East) to a point of tangency; thence North 58 degrees 28 minutes 15 seconds East a distance of 108.90 feet; thence South 69 degrees 40 minutes 16 seconds East a distance of 113.74 feet to the westerly right-of-way boundary of said Tram Connector; thence South 20 degrees 19 minutes 44 seconds West a distance of 459.89 feet to a point of curve to the right; thence Southwesterly, along said curve, on a radius of 690.00 feet, through a central angle of 01 degrees 59 minutes 56 seconds, an arc distance of 24.07 feet (chord of 24.07 feet bears South 21 degrees 19 minutes 42 seconds West) to the POINT OF BEGINNING.

SECTION 27

That portion of Section 27, Township 1 South, Range 1 East, lying North of the right of way of State road 261-A (Tram Road).

SECTIONS 28 and 29

Any portions of the North Half of Sections 28 and 29, Township 1 South, range 1 East, which may be found to lie North of State Road 261 (Capital Circle).

Specific Authority 190.005 FS, Law Implemented 190.004, 190.005 FS, History--New

42CC-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: Ed Hill, Joseph Kelley, J. Everitt Drew, David G. Tillis, and Trey Patton.

Specific Authority 190.005 FS, Law Implemented 190.004, 190.005 FS, History--New

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Cost Management and Control**

<b>RULE TITLES:</b>	<b>RULE NOS:</b>
Reporting Instructions	59B-13.001
Definitions	59B-13.002
Uniform Data Specifications	59B-13.003
Certification	59B-13.004
Penalties for Report Deficiencies	59B-13.005
Uniform Publication Format	59B-13.006

**PURPOSE AND EFFECT:** The proposed rules require that health maintenance organizations report data to the agency that are indicators of access and quality of care for members residing in Florida. The proposed rules require an annual report of indicator data in a uniform electronic format. The proposed rules require that the health maintenance organizations deliver a certification to the agency from an independent auditor that certifies that the indicator data is an accurate representation of the specified health care services afforded to members of the health maintenance organization residing in Florida. The proposed rules establish penalties for late reports or late certification, incomplete reports or certification, false reports or certification, and refusal to report or to certify. The proposed rules establish a uniform format for publication of health maintenance indicator data.

**SUBJECT AREA TO BE ADDRESSED:** Health maintenance organizations are required to release to the agency data that are indicators of access and quality of care. The agency is developing rules specifying data reporting procedures for these indicators as required by s. 641.51(8) FS.

**SPECIFIC AUTHORITY:** 408.15(8) FS.

**LAW IMPLEMENTED:** 641.51(8), 408.061, 408.063(2), 408.08(5), 408.15(11) FS.

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

**TIME AND DATE:** 10:00 a.m., December 14, 1999

PLACE: Agency for Health Care Administration, Building 3, First Floor Conference Room, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jerry Mayer, Director, State Center for Health Statistics, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59B-13.001 Reporting Instructions.

(1) Any health maintenance organization authorized to transact business in the state under Chapter 641, Florida Statutes shall report access and quality indicator data for members residing in Florida to the agency as described in Rules 59B-13.001, 59B-13.002, 59B-13.003 and 59B-13.004.

(2) Beginning with calendar year 1999 data, each health maintenance organization shall submit indicator data for each calendar year period no later than June 15 of the following year.

(3) Extensions to the indicator data due date will be granted by the Administrator of Research and Analysis for a maximum of 30 days from the due date in response to a written request signed by the chief executive officer of the health maintenance organization or his or her designee. The request must be received prior to the due date and the delay must be due to unforeseen and unforeseeable factors beyond the control of the reporting health maintenance organization. Extensions shall not be granted verbally.

(4) Each health maintenance organization shall submit indicator data in a text (ASCII) file. The file name shall be in the format: HMOyyyyy.txt where yyyy is the year of the indicator data.

(5) Each health maintenance organization shall send indicator data by electronic mail to HMOguide@fdhc.state.fl.us or to the agency's mailing address using a 3.5" diskette. The mailing address of the agency is: Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308 with the statement, "Attention: State Center for Health Statistics." The diskette must have an external label affixed with the following information:

(a) "HMO Indicator Data";

(b) Health maintenance organization identification number assigned by the agency;

(c) Health maintenance organization name;

(d) File name in the format HMOyyyyy.txt where yyyy is the year of the indicator data; and

(e) Number of records in the file. Health maintenance organizations submitting indicator data using electronic mail shall include in the electronic mailing their HMO identification number as assigned by the agency, organization name, the file name and number of records in the file.

Specific Authority 408.15(8) FS. Law Implemented 641.51(8), 408.061, 408.063(2), 408.08(5), 408.15(11) FS. History--New

59B-13.002 Definitions.

(1) "HEDIS" means the Health Plan Employer Data Information Set developed and published by the National Committee for Quality Assurance, 2000 L Street NW, Suite 500 Washington, DC 20036. HEDIS includes technical specifications for the calculation of indicators of access and quality of care.

(2) "Hybrid" means a source and method of data collection using both administrative records and a sample of medical records as specified by HEDIS.

Specific Authority 408.15(8) FS. Law Implemented 641.51(8), 408.061, 408.063(2), 408.08(5), 408.15(11) FS. History--New

59B-13.003 Uniform Data Specifications.

(1) Each health maintenance organization shall submit Florida member data for the following indicators of access or quality of care using the HEDIS specifications for the time period of data:

(a) Indicator 001 – Childhood diphtheria, tetanus toxoids, whole cell pertussis (DTP) or diphtheria, tetanus toxoids, and acellular pertussis (DtaP) vaccinations. Required for Medicaid and commercial patients.

(b) Indicator 002 – Childhood polio vaccinations. Required for Medicaid and commercial patients.

(c) Indicator 003 – Childhood measles, mumps, and rubella vaccinations. Required for Medicaid and commercial patients.

(d) Indicator 004 – Childhood H influenza type b vaccinations. Required for Medicaid and commercial patients.

(e) Indicator 005 – Childhood hepatitis B vaccinations. Required for Medicaid and commercial patients.

(f) Indicator 006 – Childhood chicken pox vaccinations. Required for Medicaid and commercial patients.

(g) Indicator 007 – Children who have received four diphtheria, tetanus toxoids and whole cell pertussis (DTP) or diphtheria, tetanus toxoids, and acellular pertussis (DtaP) vaccinations, three polio vaccinations, one measles, mumps, rubella vaccination, two hepatitis B vaccinations, and two H influenza type b vaccinations. Required for Medicaid and commercial patients.

(h) Indicator 008 – Children who have received four diphtheria, tetanus toxoids, and whole cell pertussis (DTP) or diphtheria, tetanus toxoids, and acellular pertussis (DtaP) vaccinations, three polio vaccinations, one measles, mumps, rubella vaccination, two H influenza type b vaccinations, and three hepatitis B vaccinations. Required for Medicaid and commercial patients.

(i) Indicator 009 – Children who have received four diphtheria, tetanus toxoids, and whole cell pertussis (DTP) or diphtheria, tetanus toxoids, and acellular pertussis (DtaP) vaccinations, three polio vaccinations, one measles, mumps,

rubella vaccination, two H influenza type b vaccinations, three hepatitis B vaccinations, and one chicken pox vaccination. Required for Medicaid and commercial patients.

(j) Indicator 010 – Adolescent measles, mumps and rubella vaccinations. Required for Medicaid and commercial patients.

(k) Indicator 011 – Adolescent hepatitis B vaccinations. Required for Medicaid and commercial patients.

(l) Indicator 012 – Adolescent chicken pox vaccinations. Required for Medicaid and commercial patients.

(m) Indicator 013 – Combined rate including children who have received all immunizations for indicators 010, 011, and 012. Required for Medicaid and commercial patients.

(n) Indicator 014 – Combined rate including children who have received all immunizations for indicator 010 and 011. Required for Medicaid and commercial patients.

(o) Indicator 015 – Advising smokers to quit. Rate for survey question, “On how many of these visits were you advised to quit smoking by a doctor or other health professional in your plan?” as specified by HEDIS. Required for Medicaid, commercial, and Medicare patients.

(p) Indicator 016 – Flu shots for older adults. Rate for survey question, “Did you get a flu shot last year?” as specified by HEDIS. Required for Medicare patients.

(q) Indicator 017 – Breast cancer screening. Required for Medicaid, commercial, and Medicare patients.

(r) Indicator 018 – Cervical cancer screening. Required for Medicaid and commercial patients.

(s) Indicator 019 – Prenatal care in the first trimester. Required for Medicaid and commercial patients.

(t) Indicator 020 – Check-ups after delivery Required for Medicaid and commercial patients.

(u) Indicator 021 – Beta blocker treatment after a heart attack. Required for Medicaid, commercial, and Medicare patients.

(v) Indicator 022 – Cholesterol management after acute cardiovascular events, screening performed. Required for Medicaid, commercial, and Medicare patients.

(w) Indicator 023 – Cholesterol management after acute cardiovascular events, cholesterol level (LDL-C). Required for Medicaid, commercial, and Medicare patients.

(x) Indicator 024 – Eye exams for people with diabetes. Required for Medicaid, commercial, and Medicare patients.

(y) Indicator 025 – Diabetes care, hemoglobin A1c tested. Required for Medicaid, commercial, and Medicare patients.

(z) Indicator 026 – Diabetes care, hemoglobin A1c poorly controlled. Required for Medicaid, commercial, and Medicare patients.

(aa) Indicator 027 – Diabetes care, lipid profile performed. Required for Medicaid, commercial, and Medicare patients.

(bb) Indicator 028 – Diabetes care, lipids controlled. Required for Medicaid, commercial, and Medicare patients.

(cc) Indicator 029 – Diabetes care, dilated eye exam performed. Required for Medicaid, commercial, and Medicare patients.

(dd) Indicator 030 – Diabetes care, kidney disease monitored. Required for Medicaid, commercial, and Medicare patients.

(ee) Indicator 031 – Follow-up within 30 days after hospitalization for mental illness. Required for Medicaid, commercial, and Medicare patients.

(ff) Indicator 032 – Follow-up within 7 days after hospitalization for mental illness. Required for Medicaid, commercial, and Medicare patients.

(gg) Indicator 033 – Antidepressant medication management, optimal practitioner contacts for medication management. Required for Medicaid, commercial, and Medicare patients.

(hh) Indicator 034 – Antidepressant medication management, effective acute phase treatment. Required for Medicaid, commercial, and Medicare patients.

(ii) Indicator 035 – Antidepressant medication management, effective continuation phase treatment. Required for Medicaid, commercial, and Medicare patients.

(jj) Indicator 036 – Self-reported physical health status of seniors, improved. Required for Medicare patients.

(kk) Indicator 037 – Self-reported physical health status of seniors, same. Required for Medicare patients. (ll) Indicator 038 – Self-reported physical health status of seniors, worsened. Required for Medicare patients.

(mm) Indicator 039 – Self-reported mental health status of seniors, improved. Required for Medicare patients.

(nn) Indicator 040 – Self-reported mental health status of seniors, same. Required for Medicare patients.

(oo) Indicator 041 – Self-reported mental health status of seniors, worsened. Required for Medicare patients.

(pp) Indicator 042 – Well-child visits in the first 15 months of life, zero visits. Required for Medicaid and commercial patients.

(qq) Indicator 043 – Well-child visits in the first 15 months of life, one visit. Required for Medicaid and commercial patients.

(rr) Indicator 044 – Well-child visits in the first 15 months of life, two visits. Required for Medicaid and commercial patients.

(ss) Indicator 045 – Well-child visits in the first 15 months of life, three visits. Required for Medicaid and commercial patients.

(tt) Indicator 046 – Well-child visits in the first 15 months of life, four visits. Required for Medicaid and commercial patients.

(uu) Indicator 047 – Well-child visits in the first 15 months of life, five visits. Required for Medicaid and commercial patients.

(vv) Indicator 048 – Well-child visits in the first 15 months of life, six or more visits. Required for Medicaid and commercial patients.

(ww) Indicator 049 – Well-child visits in the third, fourth, fifth and sixth year of life. Required for Medicaid and commercial patients.

(xx) Indicator 050 – Adolescent well-care visits. Required for Medicaid and commercial patients.

(2) Each health maintenance organization shall report the following data elements for each of the indicators in (1) above and report the indicator data separately for each payer type required in (1) above, as described below:

(a) Health maintenance organization identification number - An eight-digit number assigned by the agency for reporting purposes.

(b) Calendar year – The calendar year of the data.

(c) Indicator number – The number of the indicator as specified in (1) above.

(d) Payer type – The payer type of the data:

1. Medicare – Use code 01 to indicate that the payer type is Medicare.

2. Medicaid – Use code 02 to indicate that the payer type is Medicaid.

3. Commercial insurance – Use code 03 to indicate that the payer type is commercial insurance.

(e) Data collection method – The source of data and approach used in gathering the data as specified by HEDIS:

1. Administrative records – Use code 01. The administrative method must be used for indicators 033 through 035.

2. Hybrid – Use code 02. The hybrid method must be used for indicators 025 through 030.

3. Survey – Use code 03. The survey method must be used for indicators 015, 016, and 036 through 041. The survey method shall not be used for any other indicators.

(f) Eligible member population – The number meeting criteria as specified by HEDIS.

(g) Sample size – Minimum required sample size as specified by HEDIS or other sample size. This data element is not required if the administrative method is used. Leave blank (zero-fill) if (e) above is 01.

(h) Denominator – Eligible member population minus members with contraindications or other criteria for exclusion, if any, as specified by HEDIS.

(i) Number of responses – Number of responses to survey. This data element is not required if the administrative method or the hybrid method is used. Leave blank (zero-fill) if (e) above is 01 or 02.

(j) Number of numerator events – Number of numerator events from all data sources minus exclusions, if any, as specified by HEDIS. If a survey is used, report number of respondents that meet the numerator criteria.

(k) Number of substitute records – Number of substitute records added to the original sample as specified by HEDIS. This data element is not required if the administrative or survey method is used. Leave blank (zero-fill) if (e) above is 01 or 03.

(l) Rate – Numerator divided by denominator times 100.00 or as specified by HEDIS if survey used.

(m) Lower CI – Lower 95% confidence interval as specified by HEDIS.

(n) Upper CI – Upper 95% confidence interval as specified by HEDIS.

(o) Percentage with pharmacy benefits – Number of members in the denominator for which the health maintenance organization manages or provides pharmacy benefits. Leave blank (zero fill) if the indicator is not indicators 021, 033, 034, or 035.

(3) Each health maintenance organization shall report indicator data in the following formats:

(a) Health maintenance organization identification number – Eight characters.

(b) Calendar year – Four digits.

(c) Indicator number – Four digits with a leading zero.

(d) Payer type – Two digits.

(e) Data collection method – Two digits.

(f) Eligible member population – Eight digits, right-justified. Zero fill leading digits.

(g) Sample size – Eight digits, right-justified. Zero fill leading digits.

(h) Denominator – Eight digits, right-justified. Zero fill leading digits.

(i) Number of responses – Eight digits, right-justified. Zero fill leading digits.

(j) Number of numerator events – Eight digits, right-justified. Zero fill leading digits.

(k) Number of substitute records – Eight digits, right-justified. Zero fill leading digits.

(l) Rate – Five digits with two decimal places required, right-justified. Zero fill leading digits. Include decimal. Use the format: xxx.xx where x represents any digit and xxx.xx is a value between 0 and 100.00.

(m) Lower CI – Five digits with two decimal places required, right-justified. Zero fill leading digits. Include decimal. Use the format: xxx.xx where x represents any digit and xxx.xx is a value between 0 and 100.00. If the lower CI is less than zero, report 000.00.

(n) Upper CI – Five digits with two decimal places required, right-justified. Zero fill leading digits. Include decimal. Use the format: xxx.xx where x represents any digit and xxx is a value between 0 and 100.00. If the upper CI exceeds 100 report 100.00.



(o) Percentage with pharmacy benefits – Five digits with two decimal places required, right-justified. Zero fill leading digits. Include decimal. Use the format: xxx.xx where x represents any digit and xxx.xx is a value between 0 and 100.00.

Specific Authority 408.15(8) FS. Law Implemented 641.51(8), 408.061, 408.063(2), 408.08(5), 408.15(11) FS. History–New

59B-13.004 Certification.

(1) Each health maintenance organization shall deliver to the agency a certification by an independent auditor approved by the agency that the indicator data reported to the agency for the calendar year is a fair and accurate representation of the specified health care services afforded to members of the health maintenance organization residing in Florida by October 1 of the year following the year of the data.

(2) Extensions to the certification due date will be granted by the Administrator of Research and Analysis for a maximum of 30 days from the due date in response to a written request signed by the chief executive officer of the health maintenance organization or his or her designee. The request must be received prior to the due date and the delay must be due to unforeseen and unforeseeable factors beyond the control of the reporting health maintenance organization. Extensions shall not be granted verbally.

Specific Authority 408.15(8) FS. Law Implemented 641.51(8), 408.061, 408.063(2), 408.08(5), 408.15(11) FS. History–New

59B-13.005 Penalties for Report Deficiencies.

(1) For purposes of this rule, a report, certification, or other information is incomplete when it does not contain all data required by the agency in this rule and in forms incorporated by reference or when it contains inaccurate data. A report or certification is “false” if done or made with the knowledge of the preparer or a superior of the preparer that it contains information or data which is not true or accurate.

(2) A health maintenance organization that refuses to file, fails to timely file, or files a false or incomplete report, certification or other information required to be filed under the provisions of s. 408.061, F.S., other Florida law, or rules adopted thereunder, shall be subject to administrative penalties pursuant to s. 408.08(5), F.S.

(3) The penalty period will begin on the first work day following the due date for purposes of penalty assessments.

Specific Authority 408.15(8) FS. Law Implemented 641.51(8), 408.061, 408.063(2), 408.08(5), 408.15(11) FS. History–New

59B-13.006 Uniform Publication Format.

(1) The agency shall publish the following indicator data for each indicator no less frequently than every two years:

- (a) Health maintenance organization name;
- (b) Calendar year of data;
- (c) Type of payer;
- (d) Rate;

(e) Upper and lower confidence interval.

(2) In each publication of indicator data, the agency shall include a title and a summary description of the indicator.

Specific Authority 408.15(8) FS. Law Implemented 641.51(8), 408.061, 408.063(2), 408.08(5), 408.15(11) FS. History–New

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE: RULE NO.:

Requirements for Certification and Registration 61G4-15.005  
PURPOSE AND EFFECT: The Board proposes to implement the requirements for certification and registration of new applicants.

SUBJECT AREA TO BE ADDRESSED: Certification and Registration.

SPECIFIC AUTHORITY: 489.115(5),(6), 489.129(1), 489.132(5) FS.

LAW IMPLEMENTED: 489.113(1), 489.115(5),(6), 489.129(1), 489.132(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G4-15.005 Requirements for Certification and Registration.

In order that the Board may carry out its statutory duty to investigate the financial responsibility, credit, and business reputation of a new applicant for certification or registration or a change of status of a certification or registration, an applicant shall be required to forward the following to the Department for a review by the Board:

(1) through (2) No change.

(3) As a prerequisite to issuance of a certificate, an applicant shall, in addition to the submissions required in subsections (1) and (2) above, submit competent, substantial evidence to the Florida Construction Industry Licensing Board demonstrating the following:

(a) Net worth as listed below for the following categories of contractors:

- 1. General Contractor, \$20,000;
- 2. Building Contractor, \$20,000;

- 3. Residential Contractor, \$20,000;
- 4. Sheet Metal Contractor, \$10,000;
- 5. Roofing Contractor, \$10,000;
- 6. Class A Air Conditioning Contractor, \$10,000;
- 7. Class B Air Conditioning Contractor, \$10,000;
- 8. Class C Air Conditioning Contractor, \$10,000;
- 9. Mechanical Contractor, \$10,000;
- 10. Commercial Pool/Spa Contractor, \$10,000;
- 11. Residential Pool/Spa Contractor, \$10,000;
- 12. Swimming Pool/Spa Servicing Contractor, \$2,500;
- 13. Plumbing Contractor, \$10,000;
- 14. Underground Utility and Excavation Contractor, \$10,000;
- 15. Solar Contractor, \$10,000;
- 16. Residential Solar Water Heating Specialty Contractor, \$2,500;
- 17. Specialty Structure Contractor, \$10,000;
- 18. Pollutant Storage System Specialty Contractor, \$10,000;
- 19. Gypsum Drywall Specialty Contractor, \$2,500;
- 20. Gas Line Specialty Contractor, \$10,000; or

(b) Possession of either a letter of credit or a compliance bond established to reimburse the appropriate parties for diversion of funds, abandonment, and all other statutory violations, said instruments to be issued in the same license classification to dollar ratio listed in paragraph (a), above. The aforementioned instruments are not to be construed as performance bonds.

(c) Net worth shall be defined to require a showing for all contractor licensure categories that the applicant has a minimum of 50 percent (%) of the amount in cash.

(d) Cash shall be defined to include a line letter of credit.

(4) No change.

(a) through (j) No change.

Specific Authority 489.115(5),(6), 489.129(1), 489.132(5) FS. Law Implemented 489.113(1), 489.115(5), (6), 489.129(1), 489.132(5) FS. History—New 1-10-80, Amended 4-15-82, 9-5-82, 3-21-83, Formerly 21E-15.05, Amended 4-18-86, 1-19-87, 7-1-87, 1-26-88, 1-1-89, 5-23-89, 6-5-90, 4-16-92, Formerly 21E-15.005, Amended 10-17-93, 7-18-94, 7-19-95, 4-24-96, 9-8-96, 10-31-96, 2-4-97, 8-2-98, 9-15-98,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE:	RULE NO.:
Definitions	61G4-18.002
Approval of Continuing Education Courses	61G4-18.004
Required Records Maintained by	
Course Sponsors	61G4-18.007

PURPOSE AND EFFECT: In Rule 61G4-18.002, the Board proposes to define the phrase “interactive distance learning hour”. The Board shall approve all continuing education

courses in Rule 61G4-18.004. And in rule 61G4-18.007, the Board shall hold course sponsors responsible for maintaining required records.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 455.213(7), 489.108 FS.

LAW IMPLEMENTED: 455.271(10), 489.115, 489.116, 455.2123 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE PRELIMINARY TEXT OF THE PROPOSED RULES DEVELOPMENT IS:

61G4-18.002 Definitions.

When used in this rule, the following terms shall have the following meanings:

(1) through (3) No change.

(4) “Interactive Distance Learning Hour” means fifty minutes of instruction presented in an alternative nonclassroom interactive distance learning setting, exclusive of any breaks, recesses, or other time not spent in instruction.

(5) “Interactive Distance Learning” means the delivery of educational offerings or courses via the internet and/or other interactive electronic media. Such offerings or courses shall be interactive, providing for the interchange of information between the student, and teacher, and shall provide for the registration, evaluation, monitoring, and verification of continuing education. The courses shall be accessible at locations and times determined by the student.

(6)(4) "Course Sponsor" means the person or legal entity who is registered pursuant to this rule and who is responsible for conducting a course approved pursuant to this rule. The course sponsor is responsible for maintaining records regarding the name and license number of each person who attends a continuing education course and for reporting the attendance to the board on forms approved by the board.

(7)(5) "Person" means any natural person and does not include any corporation, partnership or other type of legal entity.

Specific Authority 489.108, 489.115, 455.2123 FS. Law Implemented 489.115 FS. History—New 12-2-93, Amended 5-17-99,\_\_\_\_\_.

61G4-18.004 Approval of Continuing Education Courses.

(1) through (2) No change.

(3) The application shall include the total number of classroom or interactive distance learning hours, the course syllabus, a detailed outline of the contents of the course, the name and qualifications of all instructors known at the time of the application and the minimum qualifications of any instructors not known at the time of the application.

(4) through (12) No change.

Specific Authority 489.108, 489.115, 455.2123 FS. Law Implemented 489.115 FS. History--New 12-2-93, Amended 7-20-94, 1-18-95, 7-2-95, 11-25-97, \_\_\_\_\_.

61G4-18.007 Required Records Maintained by Course Sponsors.

Each course sponsor must maintain the following records with respect to each course:

(1) The time, date and place each course is ~~conducted~~ completed.

(2) through (6) No change.

(7) For interactive distance learning courses, in lieu of the original sign-in sheet required in (4), the course sponsor shall maintain and provide a record of the registration, login, course access log, and course completion, which shall contain the information required in (6)(a)1-7. In lieu of providing a document bearing the contractor's signature, the course sponsor shall provide the student's identity verification data, which shall include the student's password and the student's mother's maiden name.

~~(8)(7)~~ Each person who completes an approved course shall be issued a certificate of completion by the course sponsor. The certificate of completion shall contain the name and the license number of the person who completed the course, the course sponsor, the course name, the course number, the date the course was offered, the number of continuing education hours awarded for the course, and whether the course includes workers' compensation, workplace safety or business practices. The course sponsor shall maintain a list of the names and license numbers of each person who completes each course conducted by the course sponsor for four years from the date of the course.

~~(9)(8)~~ The records must be maintained for at least four years following the date the course is conducted.

~~(10)(9)~~ Each course sponsor shall provide the board with copies of any of these required records, upon request by the board.

Specific Authority 489.108 FS, Chapter 93-166, Laws of Florida. Law Implemented Chapter 93-166, Laws of Florida, Sec. 455.2123 FS. History--New 12-2-93, Amended 7-2-95, 11-25-97, 4-15-99, \_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE TITLE: Total Maximum Daily Loads  
PURPOSE AND EFFECT: To establish the total maximum daily load (TMDL) for Lake Okeechobee.

RULE NO.: 62-302.550

SUBJECT AREA TO BE ADDRESSED: The TMDL for Lake Okeechobee.

SPECIFIC AUTHORITY: 403.067 FS.

LAW IMPLEMENTED: 403.067 FS.

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

TIME AND DATE: 9:00 a.m., December 10, 1999

PLACE: Okeechobee Health Department Auditorium, 1728 N. W. 9th Ave., Okeechobee, Florida 34972

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Services Specialist in the Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Greg Knecht, Water Quality Assessment Section, Department of Environmental Protection, 2600 Blair Stone Road, MS # 3555, Tallahassee, Florida 32399-2400, Telephone (850)921-2993.

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

**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

RULE TITLE: Acupuncture Program Requirements  
RULE NO.: 64B1-4.001

PURPOSE AND EFFECT: The proposed amendments to the current Rule will set forth the standards for the 4-year course of study which shall be required for licensure effective July 31, 2001.

SUBJECT AREA TO BE ADDRESSED: Acupuncture Program Requirements.

SPECIFIC AUTHORITY: 457.104 FS.

LAW IMPLEMENTED: 457.105 FS.

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

TIME AND DATE: 10:00 a.m., December 10, 1999

PLACE: The Embassy Suites, 1100 Southeast 17th Street, West Palm Beach, Florida 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C06, Tallahassee, Florida 32399-3259

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

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

**RULE TITLE:** Physician Office Incident Reporting  
**RULE NO.:** 64B-3.004  
**PURPOSE AND EFFECT:** The Department of Health, Division of Medical Quality Assurance, proposes the development of a rule to address the new statutory provision requiring physicians to report adverse incidents which occur in the office.  
**SUBJECT AREA TO BE ADDRESSED:** Criteria for reporting adverse incidents and contents of the reports.  
**SPECIFIC AUTHORITY:** 455.521(5), 455.621, 458.351, 459.026 FS.  
**LAW IMPLEMENTED:** 455.621, 458.351, 459.026 FS.  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.**  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

**RULE TITLE:** Requirement for Physician Office Registration; Inspection or Accreditation  
**RULE NO.:** 64B-3.005  
**PURPOSE AND EFFECT:** The Department of Health, Division of Medical Quality Assurance, proposes the development of a rule to address the requirement for physician office registration and for inspection or accreditation.  
**SUBJECT AREA TO BE ADDRESSED:** The registration of offices where Level II and Level III procedures are being performed and the requirement for inspection or accreditation for those settings.  
**SPECIFIC AUTHORITY:** 455.521(5),(6),(8), 458.309(1),(3), 459.005(1),(2) FS.  
**LAW IMPLEMENTED:** 455.521(6),(8), 455.681, 458.309(3) FS.  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.**  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

**RULE TITLE:** Formulary  
**RULE NO.:** 64B15-6.0038  
**PURPOSE AND EFFECT:** The Board proposes the development of a rule amendment to address additions to the P.A. formulary in response to the recommendation of the Formulary Committee.  
**SUBJECT AREA TO BE ADDRESSED:** The P.A. formulary.  
**SPECIFIC AUTHORITY:** 458.347, 459.022(4)(e) FS.  
**LAW IMPLEMENTED:** 459.022(4)(e) FS.  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.**  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** William Buckhalt, Executive Director, Board of Osteopathic Medicine/MQA, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

64B15-6.0038 Formulary.  
**THE APPROVED FORMULARY FOR THE WRITING OF PRESCRIPTIONS BY PHYSICIAN ASSISTANTS APPROVED TO PRESCRIBE MEDICINAL DRUGS UNDER THE PROVISIONS OF SECTIONS 458.347(4)(e) AND 459.022(4)(e), FLORIDA STATUTES:**

- (1) through (2) No change.
- (3) Formulary.
- (a) No change.
- (b) Subject to the requirements of this subsection, Sections 458.347 and 459.022, F.S., and the rules enacted thereunder, only the following drugs may be delegated by a Supervising Physician to a Physician Assistant to prescribe. Medicinal drugs not specifically included in this formulary are excluded. Excluded medicinal drugs may not be prescribed, regardless of whether they are in a pure form or in combination with a drug included in this formulary.
  - 1. through 31. No change.
  - 32. Amprenavir
  - 33. through 38. renumbered 32. through 37. No change.
  - 39. Atropine/Scopolamine/Hyoscyamine/Phenobarbital
  - 40. through 84. renumbered 38. through 82. No change.
  - 85. Candesartan Cilexetil
  - ~~86-83.~~ Cantharidin
  - 87. Capsaicin
  - 88. through 102. renumbered 84. through 98. No change.
  - 103. Celecoxib

104. through 123. renumbered 99. through 118. No change.

124. Cilostazol

125. through 128. renumbered 119. through 122. No change.

129. Citalopram

130. through 184. renumbered 123. through 177. No change.

185. Dihydroergotamine Mesylate

186. through 202. renumbered 178. through 194. No change.

203. Efavirenz

204. through 235. renumbered 195. through 226. No change.

236. Fenofibrate

237. through 328. renumbered 227. through 318. No change.

329. Levalbuterol

330. through 414. renumbered 319. through 403. No change.

415. Nicotine

416. through 441. renumbered 404. through 429. No change.

442. Orlistat

443. through 482. renumbered 430. through 469. No change.

483. Polyethylene Glycol

484. through 530. renumbered 470. through 516. No change.

531. Rizatriptan Benzoate

532. Rofecoxib

533. Rosiglitazone Maleate

534. through 543. renumbered 517. through 526. No change.

544. Sildenafil Citrate

545. through 573. renumbered 527. through 555. No change.

574. Synthetic Conjugated Estrogens, A

575.556. Tamsulosin HCl

576.557. Tazarotene

577. Telmisartan

578. through 588. renumbered 558. through 568. No change.

589. Tiagabine

590. through 638. renumbered 569. through 617. No change.

Specific Authority 458.347, 459.022(4)(e) FS. Law Implemented 459.022(4)(e) FS. History—New 3-12-94, Formerly 61F9-6.0038, Amended 11-30-94, 4-17-95, 8-27-95, 11-13-96, Formerly 59W-6.0038, Amended 5-12-98, 3-10-99,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE TITLE:

RULE NO.:

Standards for the Use of Controlled

Substances for Treatment of Pain

64B15-14.005

PURPOSE AND EFFECT: The Board proposes to promulgate a new rule to address the standards for the use of controlled substances for the treatment of pain.

SUBJECT AREA TO BE ADDRESSED: Standards for use of controlled substances for treating pain.

SPECIFIC AUTHORITY: 459.005(1) FS.

LAW IMPLEMENTED: 459.015(1)(g),(x) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: William Buckhalt, Executive Director, Board of Osteopathic Medicine/MQA, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-14.005 Standards for the Use of Controlled Substances for Treatment of Pain.

(1) Pain management principles.

(a) The Board of Osteopathic Medicine recognizes that principles of quality medical practice dictate that the people of the State of Florida have access to appropriate and effective pain relief. The appropriate application of up-to-date knowledge and treatment modalities can serve to improve the quality of life for those patients who suffer from pain as well as reduce the morbidity and costs associated with untreated or inappropriately treated pain. The Board encourages osteopathic physicians to view effective pain management as a part of quality medical practice for all patients with pain, acute or chronic, and it is especially important for patients who experience pain as a result of terminal illness. All osteopathic physicians should become knowledgeable about effective methods of pain treatment as well as statutory requirements for prescribing controlled substances.

(b) Inadequate pain control may result from an osteopathic physician's lack of knowledge about pain management or an inadequate understanding of addiction. Fears of investigation or sanction by federal, state, and local regulatory agencies may also result in inappropriate or inadequate treatment of chronic pain patients. Osteopathic physicians should not fear disciplinary action from the Board or other state regulatory or enforcement agencies for prescribing, dispensing, or administering controlled substances including opioid analgesics, for a legitimate medical purpose and that is

supported by appropriate documentation establishing a valid medical need and treatment plan. Accordingly, these guidelines have been developed to clarify the Board's position on pain control, specifically as related to the use of controlled substances, to alleviate physician uncertainty and to encourage better pain management.

(c) The Board recognizes that controlled substances, including opioid analgesics, may be essential in the treatment of acute pain due to trauma or surgery and chronic pain, whether due to cancer or non-cancer origins. Osteopathic physicians are referred to the U.S. Agency for Health Care Policy and Research Clinical Practice Guidelines for a sound approach to the management of acute and cancer-related pain. The medical management of pain including intractable pain should be based on current knowledge and research and includes the use of both pharmacologic and non-pharmacologic modalities. Pain should be assessed and treated promptly, and the quantity and frequency of doses should be adjusted according to the intensity and duration of the pain. Osteopathic physicians should recognize that tolerance and physical dependence are normal consequences of sustained use of opioid analgesics and are not synonymous with addiction.

(d) The Board of Osteopathic Medicine is obligated under the laws of the State of Florida to protect the public health and safety. The Board recognizes that inappropriate prescribing of controlled substances, including opioid analgesics, may lead to drug diversion and abuse by individuals who seek them for other than legitimate medical use. Osteopathic physicians should be diligent in preventing the diversion of drugs for illegitimate purposes.

(e) The Board will consider prescribing, ordering, administering, or dispensing controlled substances for pain to be for a legitimate medical purpose if based on accepted scientific knowledge of the treatment of pain or if based on sound clinical grounds. All such prescribing must be based on clear documentation of unrelieved pain and in compliance with applicable state or federal law.

(f) Each case of prescribing for pain will be evaluated on an individual basis. The Board will not take disciplinary action against an osteopathic physician for failing to adhere strictly to the provisions of these guidelines, if good cause is shown for such deviation. The osteopathic physician's conduct will be evaluated to a great extent by the treatment outcome, taking into account whether the drug used is medically and/or pharmacologically recognized to be appropriate for the diagnosis, the patient's individual needs including any improvement in functioning, and recognizing that some types of pain cannot be completely relieved.

(g) The Board will judge the validity of prescribing based on the osteopathic physician's treatment of the patient and on available documentation, rather than on the quantity and chronicity of prescribing. The goal is to control the patient's

pain for its duration while effectively addressing other aspects of the patient's functioning, including physical, psychological, social, and work-related factors. The following guidelines are not intended to define complete or best practice, but rather to communicate what the Board considers to be within the boundaries of professional practice.

(2) Definitions.

(a) Acute Pain. For the purpose of this rule, "acute pain" is defined as the normal, predicted physiological response to an adverse chemical, thermal, or mechanical stimulus and is associated with surgery, trauma, and acute illness. It is generally time-limited and is responsive to opioid therapy, among other therapies.

(b) Addiction. For the purpose of this rule, "addiction" is defined as a neurobehavioral syndrome with genetic and environmental influences that results in psychological dependence on the use of substances for their psychic effects and is characterized by compulsive use despite harm. Addiction may also be referred to by terms such as "drug dependence" and "psychological dependence." Physical dependence and tolerance are normal physiological consequences of extended opioid therapy for pain and should not be considered addiction.

(c) Analgesic Tolerance. For the purpose of this rule, "analgesic tolerance" is defined as the need to increase the dose of opioid to achieve the same level of analgesia. Analgesic tolerance may or may not be evident during opioid treatment and does not equate with addiction.

(d) Chronic Pain. For the purpose of this rule, "chronic pain" is defined as a pain state which is persistent.

(e) Pain. For the purpose of this rule, "pain" is defined as an unpleasant sensory and emotional experience associated with actual or potential tissue damage or described in terms of such damage.

(f) Physical Dependence. For the purpose of this rule, "physical dependence" on a controlled substance is defined as a physiologic state of neuro-adaptation which is characterized by the emergence of a withdrawal syndrome if drug use is stopped or decreased abruptly, or if an antagonist is administered. Physical dependence is an expected result of opioid use. Physical dependence, by itself, does not equate with addiction.

(g) Pseudoaddiction. For the purpose of this rule, "pseudoaddiction" is defined as a pattern of drug-seeking behavior of pain patients who are receiving inadequate pain management that can be mistaken for addiction.

(h) Substance Abuse. For the purpose of this rule, "substance abuse" is defined as the use of any substances for non-therapeutic purposes or use of medication for purposes other than those for which it is prescribed.

(i) Tolerance. For the purpose of this rule, "tolerance" is defined as a physiologic state resulting from regular use of a drug in which an increased dosage is needed to produce the same effect, or a reduced effect is observed with a constant dose.

(3) Guidelines. The Board has adopted the following guidelines when evaluating the use of controlled substances for pain control:

(a) Evaluation of the Patient. A complete medical history and physical examination must be conducted and documented in the medical record. The medical record should document the nature and intensity of the pain, current and past treatments for pain, underlying or coexisting diseases or conditions, the effect of the pain on physical and psychological function, and history of substance abuse. The medical record also should document the presence of one or more recognized medical indications for the use of a controlled substance.

(b) Treatment Plan. The written treatment plan should state objectives that will be used to determine treatment success, such as pain relief and improved physical and psychosocial function, and should indicate if any further diagnostic evaluations or other treatments are planned. After treatment begins, the osteopathic physician should adjust drug therapy to the individual medical needs of each patient. Other treatment modalities or a rehabilitation program may be necessary depending on the etiology of the pain and the extent to which the pain is associated with physical and psychosocial impairment.

(c) Informed Consent and Agreement for Treatment. The osteopathic physician should discuss the risks and benefits of the use of controlled substances with the patient, persons designated by the patient, or with the patient's surrogate or guardian if the patient is incompetent. The patient should receive prescriptions from one osteopathic physician and one pharmacy where possible. If the patient is determined to be at high risk for medication abuse or have a history of substance abuse, the osteopathic physician may employ the use of a written agreement between physician and patient outlining patient responsibilities, including, but not limited to:

1. urine/serum medication levels screening when requested;
2. number and frequency of all prescription refills; and
3. reasons for which drug therapy may be discontinued (i.e., violation of agreement).

(d) Periodic Review. At reasonable intervals based on the individual circumstances of the patient, the osteopathic physician should review the course of treatment and any new information about the etiology of the pain. Continuation or modification of therapy should depend on the osteopathic physician's evaluation of progress toward stated treatment objectives such as improvement in patient's pain intensity and improved physical and/or psychosocial function, i.e., ability to work, need of health care resources, activities of daily living,

and quality of social life. If treatment goals are not being achieved, despite medication adjustments, the osteopathic physician should reevaluate the appropriateness of continued treatment. The osteopathic physician should monitor patient compliance in medication usage and related treatment plans.

(e) Consultation. The osteopathic physician should be willing to refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. Special attention should be given to those pain patients who are at risk for misusing their medications and those whose living arrangements pose a risk for medication misuse or diversion. The management of pain in patients with a history of substance abuse or with a comorbid psychiatric disorder may require extra care, monitoring, documentation, and consultation with or referral to an expert in the management of such patients.

(f) Medical Records. The osteopathic physician is required to keep accurate and complete records to include, but not be limited to:

1. the medical history and physical examination;
2. diagnostic, therapeutic, and laboratory results;
3. evaluations and consultations;
4. treatment objectives;
5. discussion of risks and benefits;
6. treatments;
7. medications (including date, type, dosage, and quantity prescribed);
8. instructions and agreements; and
9. periodic reviews.

Records must remain current and be maintained in an accessible manner and readily available for review.

(g) Compliance with Controlled Substances Laws and Regulations. To prescribe, dispense, or administer controlled substances, the osteopathic physician must be licensed in the state and comply with applicable federal and state regulations. Osteopathic physicians are referred to the *Physicians Manual: An Informational Outline of the Controlled Substances Act of 1970*, published by the U.S. Drug Enforcement Agency, for specific rules governing controlled substances as well as applicable state regulations.

Specific Authority 459.005(1) FS. Law Implemented 459.015(1)(g),(x) FS. History--New

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE TITLE: Fees for Licensure Pursuant to Section 461.018, Florida Statutes  
 RULE NO.: 64B18-12.009  
 PURPOSE AND EFFECT: The Board proposes the development of a rule to address fees for licensure pursuant to Section 461.018, F.S.  
 SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 461.005, 461.018 FS.  
LAW IMPLEMENTED: 455.641, 455.694, 461.006(1), 467.007(1), 461.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-12.009 Fees for Licensure Pursuant to Section 461.018, Florida Statutes.

The following fees are prescribed by the Board for licensure pursuant to Section 461.018, F.S.:

- (1) The fee for initial application, licensure, and renewal is \$100.
- (2) The fee for renewal of inactive status is \$50.
- (3) The fee for renewal of delinquent status is \$50.
- (4) The fee for renewal or reactivation is \$50.
- (5) The fee for unlicensed activity is \$5 which is imposed by the Department and shall be in addition to the other licensure fees.
- (6) Proof of financial responsibility shall be demonstrated by a letter of credit for \$1,000.

Specific Authority 461.005, 461.018 FS. Law Implemented 455.641, 455.694, 461.006(1), 461.007(1), 461.018 FS. History--New

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE TITLES:	RULE NOS.:
Penalties	64B18-14.002
Mediation	64B18-14.011

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to Rule 64B18-14.002 to address violations pursuant to recent statutory changes. The Board proposed to amend Rule 64B18-14.011 to update the rule text.

SUBJECT AREA TO BE ADDRESSED: Additional penalties pursuant to recent statutory changes.

SPECIFIC AUTHORITY: 455.614, 455.624, 455.711, 461.005 FS.

LAW IMPLEMENTED: 455.614, 455.624, 455.711 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE TITLE:	RULE NO.:
Continuing Education Required for License Renewal	64B18-17.001

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address language which is no longer needed in the rule because it is addressed by statute. SUBJECT AREA TO BE ADDRESSED: Continuing education for licensure renewal.

SPECIFIC AUTHORITY: 455.564(6), 455.604, 461.005, 461.007 FS.

LAW IMPLEMENTED: 455.564(6), 455.604, 461.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-17.001 Continuing Education Required for License Renewal.

- (1) through (4) No change.
- ~~(5) Failure to comply with continuing education requirements shall prohibit license renewal and shall also result in the license reverting to delinquent status. When poor health prevents a podiatrist from obtaining the required number of continuing education hours, however, the Board shall excuse the podiatrist from complying with the continuing education requirements for that biennium under the following circumstances: the application for waiver must be in writing; it must be received by the Agency on or before the last day for~~



biennial renewal; it must affirmatively demonstrate that the onset of the poor health which precluded attendance at continuing education programs occurred at least three months before the last day for biennial renewal, and it must be accompanied by:

- (a) a physician's diagnosis of the licensee's condition, including the date of its onset;
  - (b) a physician's prognosis of the licensee's condition;
  - (c) a physician's explanation of how the condition affects the podiatrist's ability to attend continuing education programs.
- (5)(6) No change.  
 (6)(7) No change.  
 (7)(8) No change.

Specific Authority 455.564(6), 455.604, 461.005, 461.007 FS. Law Implemented 455.564(6), 455.604, 461.007 FS. History—New 11-24-80, Formerly 21T-17.01, Amended 10-14-86, 2-21-88, 5-16-89, Formerly 21T-17.001, Amended 7-6-94, Formerly 61F12-17.001, Amended 1-1-96, 1-2-97, 6-1-97, Formerly 59Z-17.001, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE TITLES:	RULE NOS.:
Definitions	64B18-18.001
Scope of Practice; Limitations	64B18-18.003
Podiatric Technicians Certified to Podiatrist	64B18-18.004
Policies and Procedures	64B18-18.005
License to Practice Without Supervision	64B18-18.006

PURPOSE AND EFFECT: The Board proposes to amend Rule Chapter 64B18-18 to rename the rule chapter title to properly clarify the rules contained within this chapter. Rule 64B18-18.001 is being amended to add a new subsection (2), which will give the definition for "Specialty designated area of need" and subsections (2) and (3) will be deleted as they are no longer needed. Rule 64B18-18.003 requires a substantial rewording to change the rule title and properly define the rule text. Rule 64B18-18.004, 18.005 and 18.006 are being repealed as they are no longer necessary.

SUBJECT AREA TO BE ADDRESSED: Definitions; scope of practice; limitations; podiatric technicians certified to podiatrist; policies and procedures; license to practice without supervision.

SPECIFIC AUTHORITY: 461.005, 461.018 FS.  
LAW IMPLEMENTED: 455.641, 455.694, 461.006(1), 461.007(1), 461.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENTS IS:

64B18-18.001 Definitions.  
 As used in these rules:  
 (1) No change.  
 (2) "Specialty designated area of need" as used in Section 461.018, F.S., as created in 1996, is Dade County, Florida "Direct supervision" means supervision and control by a licensed podiatrist who assumes legal liability for the services rendered by a Certified Podiatric Technician, which supervision requires the immediate physical presence of the licensed podiatrist for consultation and direction of the actions taken by the Certified Podiatric Technician.

(3) "General supervision" means supervision and control by a licensed podiatrist who assumes legal liability for the services rendered by a Certified Podiatric Technician. General supervision shall require the licensed podiatric physician who acts as a supervising podiatrist to establish written protocols for the utilization of the services of a Certified Podiatric Technician. General supervision shall require the ready and easy availability or physical presence of the licensed podiatric physician for consultations and directions of the actions of the Certified Podiatric Technician. The term "ready and easy availability" may include the ability to communicate by way of telecommunication, provided the podiatrist is otherwise readily physically accessible.

Specific Authority 461.005 FS. Law Implemented 461.018 FS. History—New 12-13-88, Amended 5-22-89, Formerly 21T-18.001, 61F12-18.001, Amended 6-17-97, Formerly 59Z-18.001, Amended \_\_\_\_\_.

(Substantial rewording of Rule 64B18-18.003 follows. See Florida Administrative Code for present text.)

64B18-18.003 Scope of Practice; Limitations Description of Responsibilities.  
In order to implement the provisions of 461.013(1)(w) and 461.018, F.S., the Board gives notice that it is outside the scope of practice for any person authorized to practice under a limited scope of practice set forth in s. 461.018, F.S., to perform services on a patient who has a systemic condition. Such systemic conditions shall include, but not be limited to, peripheral vascular disease, diabetes, blood dyscrasias, peripheral neuropathies or any other condition which renders the lower extremities insensate.

Specific Authority 461.005 FS. Law Implemented 461.018 FS. History—New 12-13-88, Amended 5-22-89, 3-15-92, Formerly 21T-18.003, 61F12-18.003, Amended 6-17-97, Formerly 59Z-18.003, Amended \_\_\_\_\_.

64B18-18.004 Podiatric Technicians Certified to Podiatrist.

Specific Authority 461.005 FS. Law Implemented 461.018 FS. History—New 12-13-88, Amended 5-22-89, 3-15-92, Formerly 21T-18.004, 61F12-18.004, Amended 6-17-97, Formerly 59Z-18.004, Repealed \_\_\_\_\_.

64B18-18.005 Policies and Procedures.

Specific Authority 461.005 FS. Law Implemented 461.007, 461.018 FS. History—New 12-13-88, Amended 5-22-89, Formerly 21T-18.005, Amended 9-29-93, Formerly 61F12-18.005, Amended 6-17-97, Formerly 59Z-18.005, Repealed \_\_\_\_\_.

64B18-18.006 License to Practice Without Supervision.

Specific Authority 461.005, 461.018 FS. Law Implemented 455.641, 455.694, 461.006(1), 461.007(1), 461.018 FS. History—New 12-22-96, Amended 2-24-97, Formerly 59Z-18.006, Amended 6-15-98, 9-3-98, Repealed \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE TITLE: Fees for Application, Initial and Renewal Registration  
 RULE NO.: 64B32-2.003

PURPOSE AND EFFECT: The Board proposes to raise the licensure fee to \$110.00.

SUBJECT AREA TO BE ADDRESSED: Fees for application, initial and renewal registration.

SPECIFIC AUTHORITY: 455.641, 455.564(2), 468.364 FS.

LAW IMPLEMENTED: 455.641, 468.364 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B32-2.003 Fees for Application, Initial and Renewal Registration.

(1) No change.

(2) The initial licensure registration fee for a person who becomes licensed shall be \$110.00 ~~\$70.00~~.

(3) No change.

Specific Authority 455.641, 455.564(2), 468.364 FS. Law Implemented 455.641, 468.364 FS. History—New 4-29-85, Formerly 21M-34.04, 21M-34.004, Amended 2-15-94, Formerly 61F6-34.004, Amended 9-29-94, Formerly 59R-71.004, 64B8-71.004, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE TITLE: Fees for Application, Examination, Initial and Renewal Registration  
 RULE NO.: 64B32-3.005

PURPOSE AND EFFECT: Board proposes to change the word "registration" to "licensure" for clarity.

SUBJECT AREA TO BE ADDRESSED: Correcting terminology used in the rule.

SPECIFIC AUTHORITY: 455.641, 468.364 FS.

LAW IMPLEMENTED: 455.641, 468.364 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B32-3.005 Fees for Application, Examination, Initial and Renewal Registration.

(1) through (2) No change.

(3) The initial licensure registration fee for a person who becomes licensed shall be \$70.00.

(4) No change.

Specific Authority 455.641, 468.364 FS. Law Implemented 455.641, 468.364 FS. History—New 4-29-85, Formerly 21M-35.05, 21M-35.005, Amended 9-21-93, 1-3-94, Formerly 61F6-35.005, Amended 9-29-94, Formerly 59R-72.006, 64B8-72.006, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE TITLE: Fees  
 RULE NO.: 64B32-4.001

PURPOSE AND EFFECT: The Board proposes to raise the amount of fees charged for biennial renewal, for delinquency, and for an inactive license.

SUBJECT AREA TO BE ADDRESSED: The Board proposes to replace the term "certification or registration" for "licensure," and raise certain fees.

SPECIFIC AUTHORITY: 455.587(1), 455.641, 455.711(7), (8), 468.353(1), 468.364 FS.

LAW IMPLEMENTED: 455.587(6), 455.641, 455.711, 468.364 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye

Howerton, Executive Director, Board of Respiratory Care, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B32-4.001 Fees.

(1) The biennial renewal fee for ~~licensure certification or registration~~ shall be ~~\$110.00~~ \$70.00.

(2) through (5) No change.

(6) The delinquency fee shall be ~~\$110.00~~ \$70.00.

(7) The application for inactive license fee shall be ~~\$35.00~~ \$50.00.

(8) No change.

Specific Authority 455.587(1), 455.641, 455.711(7), (8), 468.353(1), 468.364 FS. Law Implemented 455.587(6), 455.641, 455.711, 468.364 FS. History--New 4-29-85, Formerly 21M-36.04, Amended 5-10-92, Formerly 21M-36.004, Amended 9-21-93, 1-3-94, Formerly 61F6-36.004, Amended 7-18-95, Formerly 59R-73.004, 64B8-73.004, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE TITLE: RULE NO.:

Procedures for Approval of Attendance at Continuing Education Courses 64B32-6.004

PURPOSE AND EFFECT: The Board proposes to revise the groups and/or organizations that may provide for continuing education courses.

SUBJECT AREA TO BE ADDRESSED: Procedures for approval of attendance at continuing education courses.

SPECIFIC AUTHORITY: 468.353(1), 468.361(2) FS.

LAW IMPLEMENTED: 468.361(2) FS.

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

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

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

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE TITLE: RULE NO.:

AIDS Education 64B32-6.006

PURPOSE AND EFFECT: The proposed amendment UPDATES this rule to set forth the current the requirements regarding AIDS education.

SUBJECT AREA TO BE ADDRESSED: In addition to AIDS education, biennial relicensure or recertification, and counseling protocol is stipulated and defined.

SPECIFIC AUTHORITY: 455.604 FS.

LAW IMPLEMENTED: 455.604 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B32-6.006 AIDS Education.

Pursuant to Section 455.604, Florida Statutes, any Category I, American Medical Association (AMA) continuing medical education course, any Category I or Category III, American Association for Respiratory Care (AARC) continuing education course offered by an AMA approved respiratory therapy program and any courses approved by any board within the Division of Medical Quality Assurance of the Department of Health pursuant to Section 455.604, Florida Statutes, which includes topics on the transmission, infection treatment, control procedures, clinical management and prevention of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome, ~~with emphasis on appropriate behavior and attitude change, and which has been taken and completed subsequent to January 1, 1988,~~ shall satisfy the requirements of Section 455.604, Florida Statutes, as part of biennial relicensure or recertification. Such course shall include information on current Florida law on acquired immune deficiency syndrome and its impact on testing, confidentiality of test results, treatment of patients, and any protocols and procedures applicable to human immunodeficiency virus counseling and testing, reporting, the offering of HIV testing to pregnant women, and partner notification issues pursuant to Sections 381.004 and 384.25, Florida Statutes ~~standard isolation techniques.~~

(1) through (3) No change.

Specific Authority 455.604 FS. Law Implemented 455.604 FS. History--New 6-20-89, Amended 7-28-92, Formerly 21M-38.006, Amended 1-2-94, Formerly 61F6-38.006, 59R-75.006, 64B8-75.006, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE CHAPTER TITLE: Probable Cause and Related Matters  
 RULE CHAPTER NO.: 64B32-7

PURPOSE AND EFFECT: The Board of Respiratory Care proposes to create a new Rule Chapter that will provide rules enabling the Board to handle disciplinary cases.

SUBJECT AREA TO BE ADDRESSED: This chapter, 64B32-7, will include probable cause, establishment of probable cause panel(s), and related matters,

SPECIFIC AUTHORITY: 5455.621(4) FS.

LAW IMPLEMENTED: 5455.621(4) FS.

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

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

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

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE TITLES: Scope and Purpose  
 Definitions  
 Procedures  
 RULE NOS.: 64F-18.001  
 64F-18.002  
 64F-18.003

PURPOSE AND EFFECT: The purpose and effect of the rule development is to establish a procedure for the distribution of insulin to financially needy Florida residents.

SUBJECT AREA TO BE ADDRESSED: Distribution of insulin.

SPECIFIC AUTHORITY: 385.204 FS.

LAW IMPLEMENTED: 385.204 FS.

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

TIME AND DATE: 9:00 a.m., December 14, 1999

PLACE: Betty Easley Conference Center, Conference Room 178, 4075 Esplanade Way, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Virginia Foster, Family Health Services, Department of Health, 2020 Capital Circle, S. E., Bin #A18, Tallahassee, FL 32300-1744

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-18.001 Scope and Purpose.

The purpose of this rule is to establish definitions and a procedure for the distribution of insulin to financially disadvantaged bona fide Florida residents suffering from diabetes pursuant to the provisions of Section 385.204, F.S.

Specific Authority 385.204 FS. Law Implemented 385.204 FS. History—New

64F-18.002 Definitions.

As used in these rules.

(1) “Bona fide resident” means a person living in Florida with the intent to remain as evidenced by self-declaration.

(2) “Current prescription” means a prescription written within three months of application and effective for 6 months after it was written.

(3) “Designated agents” mean any pharmacy that has entered into a written agreement with a county health department to provide insulin to approved insulin program participants.

(4) “Poverty guidelines” mean the poverty guidelines updated annually in the Federal Register by the U.S. Department of Health and Human Services under the authority of the Omnibus Budget Reconciliation Act of 1981 (42 USC 9902).

(5) “Self declaration” means a statement regarding income, family size or residency made by a person applying for Insulin services. Self-declaration does not include any documentation other than the signature of the person making the statement. The self-declaration statement shall include a signed acknowledgement that the statement is true at the time it is made that the person understands that the provider shall have the option of verifying the statement.

Specific Authority 385.204 FS. Law Implemented 385.204 FS. History—New

64F-18.003 Procedure.

(1) A person wishing to participate in the insulin program can obtain an application from any county health department. Form number DH2105, “Insulin Application Form” adopted herein by reference.

(2) Annually, a completed application must be submitted to the health department or designated agent who will approve the application based upon the following criteria:

- (a) the applicant is a bona fide Florida resident;
- (b) the applicant is unable to pay because the applicant is:
  1. uninsured, or lacking insurance that would reimburse for insulin, and
  2. has a net family income at or below 100% of poverty, and
  3. has no more than \$2,500 per family in private funds, bank accounts or investments to defray the cost.

4. is temporarily without current resources to purchase insulin;

(c) the applicant must submit a current prescription for insulin written by a licensed health care practitioner; and

(d) If Insulin Program resources permit applicants with a net family income of 101-200% of poverty that meet the requirements in 2(a),(b)1. and (b)3. above will be eligible for the program and receive insulin at reduced cost based on a sliding fee scale as set forth in 64F-16, F.A.C.

(3) If at any time the applicant experiences a change in status which could affect their eligibility, the client must report this change within 30 days of that change.

(4) Clients receiving insulin through this program who become or are found to be ineligible for insulin should be assisted in locating another source for insulin and can continue to receive insulin until another source can be found.

(5) the Insulin Application Form and a copy of the prescriptions written for insulin.

Specific Authority 385.204 FS. Law Implemented 385.204 FS. History--New

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation

Table with 2 columns: RULE TITLES and RULE NOS.: Definitions 65C-13.001, Private Agency Foster Homes 65C-13.002, Pre-Service and In-Service Training 65C-13.003, Initial Licensing Procedures for Foster Homes, Emergency Shelters and Group Homes 65C-13.004, Changes During the Licensed Year 65C-13.005, Relicensing Procedures 65C-13.006, Respite Care 65C-13.007, Prospective Substitute Care Inquiries 65C-13.008, Parent Preparation 65C-13.009, Substitute Care Parents' Role as a Team Member 65C-13.010, Minimum Standards for Licensure of Family Foster Homes, Family Emergency Shelter Homes and Family Group Homes 65C-13.011, Substitute Family Records 65C-13.012

PURPOSE AND EFFECT: Section 409.175, Florida Statutes (F.S.) allows the Department of Children and Family Services to update the administrative rule 65C-13 for the purpose to protect the health, safety, and well-being of all children in the state who are cared for by family foster homes by the establishment of licensing requirements.

SUBJECT AREA TO BE ADDRESSED: Substitute Care for Dependent Children.

SPECIFIC AUTHORITY: 402.305(1)(d), 402.313(10), 409.175 FS.

LAW IMPLEMENTED: 409.175 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., December 8, 1999

PLACE: 1317 Winewood Blvd., Building 8, Room 232, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amy West, Specialist, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399 or by telephoning (850)921-2594

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65C-13.001 Definitions.

The following definitions describe the types of care that are addressed in this chapter, of the manual:

(1) "Bilateral Service Agreement" means a written agreement entered into by the substitute care parents and the Department of Children and Families which stipulates the duties and responsibilities both parties have to each other and to children served in the substitute care program. "Family Foster Home" means a private residence in which children who are unattended by a parent or legal guardian are provided 24-hour care. Such homes include emergency shelter family homes, family foster group homes, and specialized foster homes for children with special needs. A person who cares for a child of a friend for a period not to exceed 90 days, a relative who cares for a child and does not receive reimbursement for such care from the state or federal government, or an adoptive home which has been approved by the department or by a licensed child placing agency for children placed for adoption is not considered a family foster home. Exceptions may be made in order to keep siblings together. No more than two of the five children should be infants.

(a) Family foster homes are limited to five children, including the family's own children.

(b) Therapeutic foster homes are limited to two children.

(c) Individual residential treatment family homes are limited to one child.

(2) "Emergency Family Shelter Homes" means a private residence licensed under 65C-13.001 through 65C-13.012 F.A.C. to provide care to children on an emergency basis. Family emergency shelter homes are limited to five children including the family's own children. Exceptions may only be made for sibling groups, children who have been previously placed in the home, and teenage mothers and their babies. "Foster Family Group Home" means a licensed private family home occupied by a married couple or individual who have demonstrated the interest and special qualifications to care for a total of no more than five pre-adolescent and adolescent children, including the family's own children. The family

group home parent should be able to work in close cooperation with the department. Foster family group homes differ from a traditional foster family home in several respects:

(a) ~~Group homes must submit any requested written reports and carry out any designated treatment plans for the children in their care.~~

(b) ~~Group home parents must sign the affidavit of civil rights compliance.~~

(c) ~~Group work, individual casework, and psychiatric consultation are provided as needed to group homes to further the treatment objectives.~~

(3) "Family Foster Home" means a private residence licensed under 65C-13.001 through 65C-13.012 F.A.C. to provide 24 hour care to children who are unattended by a parent or legal guardian. Family foster homes are limited to five children including the family's own children. Exceptions may be made to keep siblings together, children returning to care or teenage mothers and their babies.

(4) "Foster Family Group Home" means a private residence licensed under 65C-13.001 through 65C-13.012 F.A.C. that specializes in the care of a group of adolescents or pre-adolescent children. Foster family group homes are limited to five children including the family's own children. "Group Preparation and Selection — Model Approach to Partnerships in Parenting" is the pre-service training program selected by the department. References to this program throughout the rule will be by its initials, GPS MAPP.

(5) "Substitute Care" is a service for children who are unable to live with their own families and are placed in family foster homes, family emergency shelters or family group homes.

(6) "Respite Care" is time limited care, one to fourteen days, which allows licensed substitute care parents to use a licensed temporary caretaker in order to obtain relief. Continuous respite care which exceeds fourteen days, must be approved by the District Administrator or designee.

(7) "Therapeutic Foster Home" includes homes certified as a Medicaid provider and is a private residence licensed under 65C-13.001 through 65C-13.012, F.A.C. that provides specialized care to children diagnosed with moderate to severe emotional problems which meets or exceeds standards under 65E-10, F.A.C. to provide such care. These homes are limited to no more than two children, not including the family's own biological children.

(8) "Intensive Residential Treatment Home" means a private residence licensed under 65C-13.001 through 65C-13.012, F.A.C. that provides specialized care to children with severe emotional problems and which has been approved under 65E-10, F.A.C. to provide such care.

(9) "Medical Foster Home" means a licensed private residence providing 24-hour care for children in voluntary or involuntary foster care. A health care site used by an individual who has been assessed by the Children's Multidisciplinary

Assessment Team, CMAT and placed by the medical director of the program in order for the individual to receive routine and required health care treatment, consultation and referral.

(10) "Child Resource Record" (CRR) means a standardized record which contains the basic legal, demographic and known medical information pertaining to a specific child. This folder is to be kept with the child and shall accompany the child to every health care encounter so that medical information may be shared with the provider and updated. The information includes medical/psychological information; immunization record; Medicaid card; service agreement; school information and records; name, telephone number and address of the child's parent (s) or significant other person(s); names and telephone numbers of the Family Service Counselor and the Family Service Counselor Supervisor; the emergency contact person and the way such person can be contacted; dates and duration of Family Service Counselor visits with the family; and any other information pertinent to the child's care and well being.

(11) "Substitute Care Home" means family foster homes, family emergency shelter, family group homes, therapeutic family foster homes, medical foster homes or Intensive Residential Treatment homes.

(12) "Regular license" means the substitute care home is in compliance with all licensing requirements set forth in F.A.C. 6C-13.001 through 65C-13.012. A regular license may be issued for a period up to one year.

(13) "Provisional license" means the substitute care home has not met all of the licensing requirements set forth in 65C-13.001 through 65C-13.012, F.A.C. A provisional license may be issued when the applicant fails to meet licensing requirements in matters that are not of immediate danger to the children and the foster parent(s) have submitted a written corrective action plan which has been approved by the department prior to the issuance of the provisional license. A provisional license shall not be issued for a period in excess of one year and shall not be subject to renewal; and it may be suspended if periodic inspection by the department indicates that insufficient progress has been made toward compliance with the requirements.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New 5-27-92, Amended 7-18-95, Formerly 10M-6.015, Amended \_\_\_\_\_.

65C-13.002 Private Agency Foster Homes.

(1) A private child-placing agency licensed under 65C-15, F.A.C. is responsible for recruitment, assessment, training and supervision of their substitute care parents who volunteer or are paid for the service by that agency. The child placing agency's substitute care home application will be considered an official application the date the department receives the signed application. The department is responsible for the issuance of licenses to family foster homes approved by licensed child-placing agencies that operate throughout the state. Licensed child-placing agencies will receive the

~~application and complete the foster home study. A private child placing agency must certify shall submit copies of the following supportive documentation to the department:~~

- ~~(a) Licensing Standard Checklist,~~
- ~~(b) Application,~~
- ~~(c) Letters of recommendation,~~
- ~~(d) Copy of the home study and floor plan of the home,~~
- ~~(e) Florida Abuse Hotline Information System (FAHIS) report clearances,~~
- ~~(f) Local law enforcement checks,~~
- ~~(g) Florida Department of Law Enforcement printout,~~
- ~~(h) Personal and school references,~~
- ~~(i) Medical information,~~
- ~~(j) Sanitation and fire inspection documentation,~~
- ~~(k) Federal Bureau of Investigation screening clearance letter, and~~

~~(l) Initial pre-service training or the annual in-services training documentation.~~

~~The department will notify the agency, in writing, within 10 working days of the approval or denial of the license. If the license is approved, the department will issue a license, in writing that the family meets the licensing requirements and request the department to issue the license. Responsibility for recruitment, assessment, training of staff and supervision of these homes rests with the licensed child-placing agencies. Responsibility for investigating complaints of family foster homes of licensed by child-placing agencies rests with the department. Subsection Section 409.175(7)(a), F.S., requires that all foster homes and agencies are inspected annually. Inspections shall be conducted by the county health unit pursuant to s. 409.175(5)(e), F.S. The department will verify the agency's compliance with the licensing standards set forth in 65C-15 F.A.C. at the time of the agency's yearly relicensing study.~~

~~(2)(4) The private child-placing agency is responsible for assuring the qualifications of their substitute parents. Substitute care parents licensed through private agencies are not required by statute to attend mandatory pre-service or in-service training provided to department substitute care parents.~~

~~(3)(2) Department personnel in the district responsible for licensing the child-placing agency will issue the family foster home license to the private agency foster home. The district responsible for licensing the child placing agency will issue the family foster home license to the private agency home. If the home is located in a district other than the district where the child placing agency is located, it will be the responsibility of the district program office to notify the district where the private agency home is located.~~

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New 5-27-92, Formerly 10M-6.016, Amended \_\_\_\_\_.

65C-13.003 Pre-Service and In-Service Training. Section 409.175(13)(a), (b), F.S., requires the department to provide or cause to provide pre-service and in-service training for foster and emergency shelter parents who are licensed and supervised by the department as a condition of licensure.

(1) Pre-Service Training. Substitute care parents ~~licensed by the department~~ are required by statute to complete a minimum of 21 hours of training. The department's Central Office shall consider the pre-service training uniform statewide if the training and the curriculum, at a minimum, addresses the topics found in s. 409.175(13)(b). The pre-service training schedule may be flexible to accommodate the participants, such as day time, evenings and weekend hours and can be scheduled more than once during the week, i.e. a weeknight and all day Saturday. This pre-service training must be uniform statewide. The department has selected a pre-service training program for its prospective foster family parents, emergency shelter parents, group home parents and adoptive parents called Group Preparation and Selection, GPS MAPP. This program provides 30 hours of pre-service training which is focused on parent preparation, education and mutual selection. The department will not offer any other program for use in preparing its prospective parents. During the GPS MAPP program, prospective parents will be given a number of handouts to enhance their learning experience and for future reference. These handouts will not appear as attachments to this chapter. GPS leaders will have received training on the contents and use of these handouts during certification training at the Professional Development Centres. The handouts should be ordered from the warehouse in Jacksonville.

(2) In-Service Training. Section 409.175(13)(c), F.S., requires that prior to the renewal of a license, each foster parent, emergency shelter parent and family group home parent successfully complete eight hours of in-service training. Districts must supply in-service training at least quarterly to family foster parents licensed and supervised by the department. This training shall include subjects affecting the daily living experiences of these families and must be appropriate to the need of the substitute care parents and the children for whom they provide care. All the in-service training must be approved by the department prior to its use. Upon completion of the training, staff will document completion in the licensure file. Appropriate training may include, but not be limited to: CPR, child safety and injury prevention, sexual abuse, HIV infection, addictions, etc. If a parent chooses to obtain their in-service training hours through reading books or viewing videos, they must have the materials selected for the in-service training approved by staff prior to its use. The parents must also be able to demonstrate to staff that their knowledge and skills have been enhanced. Upon completion of the training, staff will issue the parent a certificate of completion. A copy will be retained in the licensure file. Parents will be reimbursed for travel and child

care, as stipulated in the statute, from the district's expense funds. Travel will be reimbursed at the established rate set by the department for all travel, and child care will be reimbursed at a reasonable rate consistent with expenses found locally. The statute specifically requires the department to:

- (a) Reimburse such parents for travel expenses to attend this training; and
- (b) To provide child care or reimburse the parents for baby sitting expenses, if both parents attend the training. Single parents may also be reimbursed for baby-sitting expenses to attend this training.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 5-27-92, Formerly 10M-6.017, Amended \_\_\_\_\_.

65C-13.004 Initial Licensing Procedures for Foster Homes, Emergency Shelters and Group Homes.

(1) The unit office submits to the district administrator or his designated representative a copy of the family portfolio substitute care family licensing file, including all required and completed forms. The study must be reviewed and signed by the prospective parent and pre-service training certified GPS leader prior to submission to the GPS pre-service training leader's supervisor for review.

(2) The district administrator or his designated representative will review the Family Portfolio substitute care family licensing file, including the supporting documentation and either approve or reject the application.

(3) through (5) No change.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 5-27-92, Formerly 10M-6.018, Amended \_\_\_\_\_.

65C-13.005 Changes During the Licensed Year.

(1) If the district establishes that the substitute care parents violated the standards found in s. 409.175, F.S., or in the current Administrative Rule 65C-13, FAC., or any successor rule or have been found to have abused or neglected children as defined in Chapter 39, F.S., the department has the authority to discontinue the use of the home or revoke the license. The reasons for such action must be discussed with the substitute care parents and they must be advised that they have the right to appeal the department's decision under Section 120.57, F.S. If any administrative action is required, the administrative complaint must be reviewed and signed by the district administrator or his designated representative in accordance with the Administrative Procedures Act. Both the license and the form Closing of Substitute Care Home for Dependent Children, CF-FSP 5026, which is hereby incorporated by reference, must be sent to the district office where the license will be canceled. A copy of form 5026 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700. If the district decides to discontinue the use of a home or revoke the license prior to the expiration date of the license, the reasons for such action must be discussed with the substitute care

parents. If they agree with the department's decision, the license must be secured from them and sent to the district office along with a completed closing of foster home for dependent children form. If the substitute care parents do not agree to relinquish their license then an administrative complaint must be filed by the unit. The administrative complaint must be reviewed and signed by the district administrator or his designated representative in accordance with the Administrative Procedures Act. When such situations occur staff should consult their district program office and district legal counsel prior to filing an administrative complaint. If the administrative complaint results in the revocation of the license the substitute care parents must return the license to the unit who will then complete the closing of foster home for dependent children form. Both the license and this form will then be sent to the district office where the license will be canceled. If the substitute care parents voluntarily surrender the license and agree with the decision to terminate as substitute care parents, but then change their mind, they have the right to request an administrative hearing and should be so advised.

(2) If a family changes their its location during the licensing year, the new home must be evaluated within 30 days and a new sanitation inspection must be made by the local county public health unit. The certificate of license issued for the old location must be returned to the district office, together with a Relicensing Summary for Foster Homes for Dependent Children, Section A of CF-FSP 5027, Oct 96, relicensing summary for foster homes for dependent children completed on the new home, which is hereby incorporated by reference, a copy of the approved sanitation inspection report, and a recommendation with regard to the issuance of a license for the new address. An application for a license must be signed by the substitute parents showing the new address. If approved, a new certificate of license will be sent to the unit office for delivery to the substitute care parents. A copy of form 5027 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

Specific Authority 409.175 FS. Law Implemented 409.175, Chapter 120 FS. History--New 5-27-92, Formerly 10M-6.019, Amended \_\_\_\_\_.

(Substantial rewording of Rule 65C-13.006 follows. See Florida Administrative Code for present text.)

65C-13.006 Relicensing Procedures.

Relicensing is accomplished as follows:

(1) The licensing counselor must receive the report of an approved sanitation inspection from the local health program office.

(2) At the time of relicensure the licensing counselor shall review and consider the information on the youth exit interviews from all youth who have exited the foster home



during the previous licensing period. Family Services Counselors and case managers shall return the completed youth exit interview forms to the licensing counselor.

(3) At the time of relicensing of a foster home, the family services counselors who have had children in the home during the previous licensing period will complete the Foster Care Counselor's Review of Foster Parent(s) Performance as Listed in the Bilateral Service Agreement, CF-FSP 5223, May 98, which is hereby incorporated by reference, as listed in the Bilateral Service Agreement and return it to the licensing counselor. A copy of form 5223 may be obtained from the Department of Children and Family Services, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(4) Prior to the issuance of a new license the licensing counselor must obtain and review Florida Abuse Hotline Information System reports, local and state law enforcement records for all household members 12 and over who reside in the home and documentation of any police contact with the home or its residents.

(5) The licensing counselor shall complete and place in the licensing file a Relicensing Summary for Foster Homes for Dependent Children, Section A, CF-FSP 5027, Oct 96, which is hereby incorporated by reference. A copy of form 5027 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(6) The substitute care parent must sign an Application for a License to Provide Foster Home Care for Dependent Children, CF-FSP 5007, Oct 96 which is hereby incorporated by reference. A copy of form 5007 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(7) The licensing counselor must meet with the substitute care family to review the relicensing summary for substitute care for dependent children and to formulate recommendations for relicensure.

(8) The licensing counselor shall complete Foster Parent Summary for Relicensing, Section B, CF-FSP 5027, Oct 96, which is hereby incorporated by reference. A copy of form 5027 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(9) The substitute care parents must have completed a minimum of eight hours of in-service training per license year. The number of hours and the type of training completed must be documented in the licensing file.

(10) The Family Services Counselors responsible for relicensing the substitute care home will review the Bilateral Service Agreement with the substitute care parents to assess the terms of that agreement. If the substitute care parents continue to agree to keep the terms of the Bilateral Service Agreement, they are to initial and date each page along with the Family Services Counselors doing the relicensing home

study. The fully initialed Bilateral Service Agreement shall remain a part of the licensure file. At this time, the Family Services Counselors must discuss and evaluate with the substitute care parents their experiences as substitute care parents, the strengths and weakness of the family and areas that need improvement, as part of the relicensing home study.

(11) At least two weeks prior to the date for relicensure, copies of all forms, including the sanitation inspection, must be submitted to the district office with a request for the issuance of a new license.

(12) The licensing counselor must weigh all the information carefully to recommend to the district administrator whether the license should be renewed, denied, revoked or a provisional license issued. Substitute care parents shall be advised of the department's decision and any problems or areas for improvement must be discussed at the time of relicensure.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 5-27-92, Formerly 10M-6.020, Amended \_\_\_\_\_.

#### 65C-13.007 Respite Care.

All persons who provide respite care in their own homes must be licensed pursuant to section 409.175, F.S. If the family only wishes to provide respite care they will have one year from the date the license is issued to complete the 30 hours of GPS MAPP training.

(1) All respite care providers must be furnished with written information about each child they will care for such as:

- (a) Phone numbers for a 24-hour response;
- (b) Medical authorization;
- (c) Physician name and phone numbers;
- (d) School; and
- (e) Medicaid number.

The above information is available in the Child's Resource Record. The Child's Resource Record shall accompany the child if respite care is provided outside of the substitute care home.

~~(1) All persons that provide respite care in the child's foster home, emergency shelter or group home on an overnight basis must be screened pursuant to Chapter 85-54. Training in the GPS MAPP program for these providers should be strongly encouraged in order to assist them in providing quality care. If a respite care provider is unable or unwilling to attend the GPS MAPP training they must receive an orientation which covers protocol for handling emergencies, confidentiality, the department's discipline policy and an overview of substitute care.~~

(2) All persons who provide respite care in their own home must be licensed under 65C-13, F.A.C.. A licensed respite only substitute care provider will not be required to attend the substitute care pre-service training. In situations where providers are licensed for respite care only, wording to that

~~effect must appear on their license. All respite care providers must be furnished with written information about each child they will care for such as:~~

- ~~(a) Phone numbers for a 24 hour response;~~
- ~~(b) Medical authorization;~~
- ~~(c) Physician name and phone numbers;~~
- ~~(d) School; and~~
- ~~(e) Medicaid number.~~

~~The above information is available in the Child's Resource Record. The Child's Resource Record shall accompany the child if respite care is provided outside of the substitute care home.~~

~~(3) Placement of foster care children in a respite only foster home will be done by a Family Services Counselor or supervisor. The length of placement may be from one to fourteen days, respite care exceeding fourteen days will need the approval of the District Administrator or designee.~~

~~(4) All persons that provide respite care to substitute care children must be screened pursuant to 435, F.S. A respite care provider must receive information which covers protocol for handling emergencies, confidentiality, the department's discipline policy and an overview of substitute care.~~

~~Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 5-27-92, Formerly 10M-6.022, Amended \_\_\_\_\_.~~

~~65C-13.008 Prospective Substitute Care Foster Parent Inquiries.~~

~~(1) The department district will respond within 10 working days to all telephone and written inquiries about becoming a substitute care foster parent. Following this initial communication, if the person making the inquiry continues to express an interest in providing substitute foster care and they have no background history that would disqualify them from being substitute care foster parents, the department district will send written orientation information concerning substitute care foster parenting within 14 days of the initial inquiry. The initial substitute care inquiries and follow up contact will be documented and kept on file.~~

~~(2) The opportunity to become a shelter or foster parent may not be denied to any person based on race, color, or national origin, of the person, or of the child involved.~~

~~Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-18-95, Formerly 10M-6.0221, Amended \_\_\_\_\_.~~

~~(Substantial rewording of Rule 65C-13.009 follows. See Florida Administrative Code for present text.)~~

~~65C-13.009 Parent Preparation.~~

~~(1) The purpose of the pre-service training is to provide the potential substitute care parents with a knowledge base as well as an understanding of how they will be expected to meet the needs of the children they serve. In addition, the pre-service~~

training provides the department and the potential substitute care family opportunities to evaluate and assess their ability to meet a child's needs. This process is called the home study.

(2) The requirements for prospective substitute parents are:

(a) To attend a minimum of 21 hours of pre-service training provided by the department.

1. The meetings which address separation, loss, and helping children with attachments and discipline are mandatory.

2. Substitute parents that miss the pre-service training sessions which address separation, loss, and helping children with attachments and discipline as stated in section 65C-13.009(2)(a)1., FAC. will not be considered as meeting the pre-service training requirements.

3. The substitute care parents must receive approval from the district to make up any missed pre-service training sessions.

(b) The substitute care parents must submit the information requested by the department that deals with family history and background.

(c) The substitute care parents must sign an Application for License to Provide Foster Home Care for Dependent Children, CF-FSP 5007, Oct 96; which is hereby incorporated by reference. A copy of form 5007 may be obtained from the Department of Children and Family Services, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(d) Sign a Confidentiality statement, CF-FSP 5087, Jan 98, which is hereby incorporated by reference. A copy of form 5087 may be obtained from the Department of Children and Family Services, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(e) The substitute care parents must sign a Bilateral Service Agreement Between the Department of Children and Family Services and Foster Parents Licensed by the Department, CF-FSP 5226, Jun 98. Completion of form 5226 will also require the completion of the Foster Parent's Review of Foster Care Counselor's Performance as Listed in the Bilateral Service Agreement, CF-FSP 5224, May 98, and the Service Agreement - Attachment A, CF-FSP 5227, Jun 98. Forms 5226, 5224 and 5227 are hereby incorporated by reference. A copy of forms 5226, 5224 and 5227 may be obtained from the Department of Children and Family Services, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(f) The substitute care parents shall be advised that a yearly foster home evaluation which includes feedback surveys from school teachers, biological parents, Family Safety staff, foster children and any other service providers will be conducted.

(g) Meet the screening requirements of s. 409.175(4)(a)6., F.S.

(h) Provide verification of income and to include net income as it relates to routine monthly expenses.

(i) Sign an Authorization for Release of Health and Medical Information for Prospective Foster and Adoptive Parents, CF-FSP 5230, Oct 96, which is hereby incorporated by reference. A copy of form 5230 may be obtained from the Department of Children and Family Services, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(j) Must have a home which passes inspections by the local health department.

(k) Pass a radon gas test of the home, as required by the Department of Health.

(l) Pass a fire inspection, if required by local county ordinances.

(3) Department staff responsible for licensing prospective substitute care families shall complete the following activities:

(a) Conduct a minimum of two in-home family consultation visits, one of which must include the entire family;

(b) References:

1. Obtain three written personal character references, one of which must be a relative. Character references must have known the person for at least two years.

2. If the substitute care parent has school age children, a written reference from the school must be obtained on each child.

(c) Request a one-time employment history check covering a two-year period of time preceding the family's application and excluding periods of unemployment;

(d) Request Florida Abuse Hotline Information System (FAHIS) clearance on all persons 18 years or older residing in the home;

(e) Request a delinquency clearance on all children residing in the home over the age of 12 years;

(f) Request verification of income to determine financial ability to provide care for children as required in s. 409.175(4)(a)10., F.S., and annually thereafter;

(g) Request completion of the Authorization for Release of Health and Medical Information for Prospective Foster and Adoptive Parents, CF-FSP 5230, Oct 96, which is hereby incorporated by reference. A copy of form 5230 may be obtained from the Department of Children and Family Services, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 5-27-92, Formerly 10M-6.023, Amended \_\_\_\_\_.

(Substantial rewording of Rule 65C-13.010 follows. See Florida Administrative Code for present text.)

65C-13.010 Substitute Care Parents' Role as a Team Member.

(1) Every prospective foster parent must sign a Bilateral Service Agreement Between the Department of Children and Families and Foster Parents Licensed by the Department, CF-FSP 5226, prior to receiving a license. The Bilateral Service Agreement defines the roles and responsibilities both the foster parents and the departmental staff have to the foster child and their family. A copy of form 5226 may be obtained from the Department of Children and Family Services, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(a) After pre-service training has been completed and prior to the issuance of a license, a face-to-face meeting must occur, where departmental staff and the foster parent review and sign the Bilateral Service Agreement.

(b) A signature sheet acknowledging that the foster parents and departmental staff have reviewed the Bilateral Service Agreement must be signed each year prior to relicensure.

(c) The original Bilateral Service Agreement and the yearly initialed acknowledgments of review must be kept in the licensing file. The foster parent must also keep a copy of the agreement.

(2) Discipline.

(a) The substitute care parents must discipline children with kindness, consistency, and understanding. The purpose of this discipline must be to help the child develop responsibility and self-control. Positive methods of discipline must be used by the substitute parent.

(b) Corporal punishment of any kind is prohibited. This includes hitting, slapping, spanking, or any other form of physical discipline.

(c) The following methods of discipline are also prohibited:

1. Cruel, severe, humiliating or unusual punishment such as soap to wash out the mouth, eating hot sauce or pepper, placing in hot water, kneeling on stones.

2. Delegating discipline or permitting punishment of a child by another child or by an adult not known to the child.

3. Withholding meals, clothes, or shelter as a form of punishment.

4. Denying the child contact or visits with his family or resist in implementation of the case plan as punishment for misdeeds of a child.

5. Assigning chores that involve physical exercise so excessive as to endanger the child's health or so intensive as to infringe on time set aside for school work, sleeping or eating.

6. Threatening a child with removal or with a report to authorities as punishment for behavior.

7. Use of degrading statements or profanity directed toward the child or his family.

8. Locking a child in a room or out of the house.

(3) Substitute care parents must maintain and keep current the Child's Resource Record, and see that the resource record accompanies the child to all health care visits. The resource record must accompany the child when he departs a substitute care family, as well as when the child is on respite.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 5-27-92, Formerly 10M-6.024, Amended \_\_\_\_\_.

(Substantial rewording of Rule 65C-13.011 follows. See Florida Administrative Code for present text.)

65C-13.011 Minimum Standards for Licensure of Family Foster Homes, Family Emergency Shelter Homes and Family Group Homes.

Section 409.175(11)(a)2., F.S., makes it unlawful for any person to make a willful or intentional misstatement on any license application or other document required to be filed in connection with an application for a license. Such a violation is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, F.S. Applicants who make such willful or intentional misstatements will have their license denied or revoked. Any exceptions to the following standards must be for good cause and must be approved in writing by the district program office of Family Safety and Preservation prior to the exceptions being implemented. Exceptions to the maximum capacity of five children may only be granted in the case of sibling groups, children who have previously been in the home, and mothers and their babies.

(1) Family Composition.

(a) The placement of choice is a substitute care placement in a family with a husband and wife, who have a stable legal marriage. This type of placement maximizes opportunities for the care and nurturing of children and provides both male and female role models for children.

(b) A single parent shall be selected only when he or she can effectively meet a child's special needs.

(c) Persons that provide emergency family shelter homes shall be available to receive and care for children 24 hours a day.

(d) In instances when a child is well-established in a single parent family and the single parent marries, the foster child can remain in the home if the child's needs can continue to be met. Single substitute care parents that plan to marry must notify the department's licensing counselor so arrangements may be

made to have the prospective spouse screened, approved and a new license issued in the names of both spouses prior to them moving into the home.

(e) Foster parent(s) who wish to become adoptive parent(s) shall meet the adoption requirements as stated in Chapter 63, F.S. and 65C-16, F.A.C.

(2) Number of Children in a Family.

(a) The maximum number of children who may be placed in a substitute care home is five, including the substitute care parent's own children or other children living in the home. There must be no more than two infants, under the age of two, in a substitute care family home, which includes the substitute care parent's own children or other children living in the home.

(b) If a substitute care family is willing to care for and has the physical room, ability to supervise and the emotional capacity to nurture more than five children a waiver may be granted by the District licensing authority and the District Administrator or designee. The waiver is to be requested for each child who causes the substitute care home to exceed the maximum capacity.

1. Waivers to exceed the maximum number and to allow more than five children in a home, shall only be considered:

a. To accommodate a sibling group;

b. To accommodate a child or sibling group needing placement, who is returning to care and has lived in the home previously;

c. To allow for a teen parent in substitute care to have his or her child or children placed in the same home; or

d. If the substitute care parent(s) own child is 16 years of age or older and has been assessed and approved by the licensing unit as sufficiently independent, mature and well-behaved, the child may be excluded in the number of total children in home, for licensed maximum capacity purposes. Documentation of approval shall be placed in the substitute care parent's file and will be review annually at the time of relicensure.

2. A waiver can be granted by the District licensing authority and District Administrator or designee to exceed the maximum of two infants only to accommodate a sibling group in which there are more than two infants in one family, such as triplets or twins and a single sibling under the age of 2. When there are more than two sibling infants to accommodate in a substitute care family home, the home must not have any other infants placed.

3. Capacity waivers are specific to a child or sibling group and expire automatically when the total number of children in a home drops to five children or below.

4. A waiver is a document signed by the District licensing authority and the District Administrator or designee which allows the maximum capacity to be exceeded and approves a specific number of children who can be placed by the department in a family home. Waivers may be approved verbally by the District licensing authority and the District

Administrator or designee when placements must be made during non-business hours. Follow up written waivers must be signed on the next business day.

5. The request for a waiver must include:

a. A clear, concise explanation of why the maximum number of five children should be exceeded, including the circumstances that justify the waiver under (2)(b)1. of this section.

b. A description of the special services or support systems which will be put in place to assure that the waiver will not impact on the quality of care the children in the home receive.

c. The planned duration of the waiver.

6. Requirements for Waiver Approvals. In considering whether a substitute care family home will be permitted to exceed the maximum number of children, the following must be considered fully and addressed:

a. Is this the only available resource for the children needing placement;

b. Can the home physically accommodate the additional child/children;

c. Can the substitute parents meet the needs of another child or children;

d. Can the children already in placement in the home accept additional children.

7. Substitute care homes currently licensed for more than five children, including their own children, and who do not meet any of the waiver criteria will have their licensed capacity reduced to a maximum of 5 total children through attrition. As the number of children in the home is reduced by such attrition to 5 children or less, a new license will be issued limiting capacity to 5 children.

8. Waivers may be granted by the District licensing authority and District Administrator or designee to a foster family group home who made capital improvements to their home in order to care for more than 5 total children, prior to the date of promulgation of this rule.

(c) A substitute family home can be jointly utilized by another Children and Family Services Program if agreed to by the substitute care parents and the program offices involved, and after the following has been established:

1. A maximum of five total children to be cared for.

2. The needs of all the children placed in the home can best be met through such a joint utilization.

(d) A substitute care provider licensed under this rule chapter shall be able to apply to become a dually licensed family day care home under chapter 65C-20, Florida Administrative Code, and ss. 402.301-.319, F.S., if they so choose. A dually licensed home must meet all of the requirements of 65C-20, F.A.C. and 65C-13, F.A.C. When the licensing requirements differ, the more stringent requirements will apply.

1. There shall be no more than two infants, under two years of age, either residing or being provided day care in the home. This limitation shall include the family's own birth or adopted children and any other children cared for in the home.

2. There shall be no more than a total of five children in the home, either residing or being provided child care as defined in ss. 402.302(1), F.S. including the family's own birth or adopted children and other children.

(3) Age. The age of substitute care parents must be considered in relation to psychological maturity, health, physical energy, flexibility, ability to care for a specific child and probable duration of placement of a specific child.

(4) Income. Substitute care parents must have sufficient net income to assure their stability and the security of their own family without relying on board payments. The substitute family must have sufficient income to absorb four to eight weeks of a foster child's care until a board payment is received.

(5) Day Care. Day Care for the department's children must be with a licensed day care provider. Substitute care families who wish to use a family day care provider must use a provider who is licensed or a baby-sitter who has been screened and approved by the department.

(6) Health History. Substitute care applicants are required to sign an Authorization for Release of Health and Medical Information for Prospective Foster and Adoptive Parents, CF-FSP 5230, Oct 96, which is incorporated by reference, in order to determine if there are any conditions which would affect the applicant's ability to care for children. Substitute care applicants are to provide a health history on each member of the household including physical, mental health and other treatments received which may impair their ability to care for children. If there is a question regarding the physical, mental or emotional health of any member of the household which may possibly have an injurious effect on a child, the applicant, upon the department's request, must supply clinical reports and evaluations. A copy of form 5230 may be obtained from the Department of Children and Family Services, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(7) Religion. A substitute care parent must be willing to provide the opportunity for a child's participation in the faith of his choice or that requested by the birth family. A substitute care parent whose religious preference or other connections preclude the use of a licensed medical physician for the department's children may not be licensed. A substitute care parent must not force religious belief or practice upon a foster child.

(8) Screening. Substitute care parents must meet the screening requirements as stated in Chapter 435, F.S., and be void of any other Florida Abuse Hotline Information System or criminal offenses that may negatively impact their ability to be a foster parent as stated in paragraph 65C-13.009(6)(b), FAC. of this chapter.

(9) Physical Facilities.

(a) The substitute care home must be located within reasonable proximity to schools, churches, medical care, recreation and community facilities.

(b) Whenever possible the substitute care home must be located within reasonable proximity of the child's parents and the unit providing foster care services. If the child is school age, consideration needs to be given toward keeping the child in the school he was attending.

(c) The substitute care home environment must meet the sanitation standards contained in 64E-12, F.A.C.

(d) If local ordinances require fire inspections of substitute care homes, proof that the home has successfully passed the inspection must be supplied to the department and maintained in the licensing file.

(10) Physical Environment. Proof that the substitute care home has passed inspection under 64E-12, F.A.C. must be furnished to the department by the local county public health unit.

(11) Play Area and Equipment.

(a) The substitute care home must have a safe outdoor play area as part of the property or a play area within reasonable walking distance which the substitute care family has a right to use.

(b) Children who are placed in family foster homes or emergency shelter homes that have swimming pools or a water hazard or that abut a waterway shall be taught how to swim and shall be instructed in water safety.

(c) Swimming pools must have a barrier on all four sides at least four feet high. The barrier may consist of a house plus a fence on the remaining three sides or a four-sided fence. Access through the barrier door, including windows, must have one of the following safety features: alarm, key lock, or self-locking doors and a bolt lock that is not accessible to children. When the swimming pool is not in use, all entry points must be locked. Above ground pools with steps or ladders leading to them must be secured, locked, or removed when the pool is not in use.

(d) Swimming pools must be well maintained. Pools which are drained of water must be filled in or have a safety cover that is locked. Swimming pools must be equipped with one of the following life saving devices:

1. Ring buoy;
2. Rescue tube; or
3. A flotation device with a rope, or
4. A pole of sufficient length to cover the area.

(e) When children are using the pool or participating in water activities, the following standards will apply:

1. Children who are not proficient in swimming shall not be allowed in the pool or pool area without wearing a life jacket, unless engaged in swimming lessons;

2. There shall be direct adult supervision when children are using the swimming pool, spa or hot tub, or are in the pool area.

(f) All high risk recreation, boating, water sports, or contact sports shall have direct adult supervision.

(g) As prerequisite to licensure, foster and emergency shelter parents who have swimming pools will be required to complete a basic water safety course administered by the American Red Cross, YMCA or other national organization.

(12) Interior Environment.

(a) Each child must be provided with storage space for personal belongings and a designated space for hanging clothes in or near the bedroom occupied by the child.

(b) A substitute care parent shall allow children to personalize their bedrooms so that the area reflects their tastes and expressions.

(c) Each child must have his own bed and each infant his own full size crib. Each child must have individual, clean, and age appropriate bedding.

(d) If more than four children share a room, each child must have 50 square feet of space. Bunk beds must be at least four feet apart.

(e) The following sleeping arrangements are not permitted:

1. Children sharing a bed with an adult or another child.
2. A child age three or older cannot share a room with a child of the opposite sex.
3. Children sharing a bedroom with an adult, except for children 12 months old and under, except when a child's medical or psychological needs so indicate.
4. Children of any age must not sleep on a living room sofa or a fold-away bed.

(f) The substitute care home must be clean and free of hazards to the health and physical well-being of the family.

(g) The substitute care home must have a continuous supply of clean drinking water approved by the county public health unit in the county of residence pursuant to, 64E-8, F.A.C. If the water is not from a standard city water supply, the substitute care parents must have the water tested and approved pursuant to, 64E-8, F.A.C.

(h) The home must have an adequate supply of hot water for bathing and dish washing. Hot water accessible to children must not exceed 120 degrees Fahrenheit, 43 degrees Celsius, at the faucet.

(13) Substitute Care Home Safety.

(a) All medications, poisonous chemicals, and cleaning materials must be in a locked place and inaccessible to children.

(b) To avoid access to alcoholic beverages, cabinets containing alcoholic beverages must be locked.

(c) If the substitute care parents own a gun, the ammunition and unloaded firearm must be kept separately in locked cabinets. In lieu of storage in a locked cabinet, a trigger lock must be used on an unloaded firearm.

(d) Pets in the foster home, which are customarily vaccinated, must have current vaccinations.

(e) The substitute care parents must have a method to restrict children's access to large pets or potentially dangerous animals.

(f) Transportation must be available for use at all times.

(g) An operating telephone must be in the home.

(h) A disaster/evacuation plan for the home must be in the licensing file and updated yearly. The plan shall include: whether of not the family lives in an evacuation zone, if yes which zone; whether the family plans to remain in their home in the event of a disaster, unless ordered to evacuate; if the family plans to leave the home, where do they intend to go, name, address and telephone number of the person or shelter; the name, address and telephone number of family member or friend who does not live in the same county as the foster parent who will know where the foster family is as soon as possible after the disaster and the names of the foster children in the home.

(i) The substitute care parent(s) shall supervise the children when the children are in the home or on the premise. The substitute care parent(s) shall know the whereabouts of the children at all times when the children are away from the home.

(14) Fire Safety.

(a) The home must be free from fire hazards. All combustible items must be stored away from sources of heat.

(b) The home must not be heated by unvented gas heaters.

(c) The substitute care parents must have an evacuation plan posted in a conspicuous place. Substitute care parents must explain to each new child placed in their home where the evacuation plan is posted and must review with the child the route he must follow in the event of a fire. Fire drills shall be held at least every six months. The date of the fire drills shall be recorded by the substitute care parents and available for review by the licensing counselor at the time of relicensure.

(d) All fireplaces, space heaters, steam radiators, and hot surfaces must be shielded against accidental human contact.

(e) Bedrooms must have either a window or door with approved means of exit, in addition to the normal entry/exit door.

(f) The substitute care home shall be equipped with the following:

1. Operating smoke alarms in the kitchen and in each sleeping area;

2. Portable chemical fire extinguisher, size 2A10BC, in the kitchen and must be serviced annually and so tagged.

3. Exits, stairways and hallways shall not be used for storage or otherwise obstructed.

4. All doors with locks must be capable of being opened from the inside.

5. If the home is equipped with burglar bars, the caregiver must demonstrate that:

a. The burglar bars can be released to allow exit;

b. That other means of exit are readily available from each sleeping area.

(g) The approval of mobile homes parks is dependent upon the regulations of Chapter 64E-15, F.A.C.

(15) Transportation Safety.

(a) Substitute parents are required to transport foster children in a safe manner. Transportation in the back of a pickup truck is forbidden at all times. All vehicles used to transport children must be equipped with seat belts and have approved car seats for children under the age of four years as required in s. 316.215 through 316.614, F.S. Each child being transported must have his own seat belt or car seat.

(b) The substitute care parents must have all vehicles owned or leased by them insured to include liability insurance and be able to provide proof of that insurance at all times.

(c) If the substitute parents drive they must have a valid drivers license. The substitute care parents shall not allow children in the department's care to be transported by persons who do not possess a valid drivers license.

(16) Medical Care.

(a) Substitute care parents must be able to understand and be willing to carry out at home the medical care prescribed by a licensed physician. Families whose religious convictions preclude the use of licensed physicians on behalf of foster children cannot be used for the care of children in the custody of the department.

(b) In situations where the child's parent(s) are unavailable and the courts are unavailable because a situation has arisen after hours when a court order cannot reasonably be obtained, an agent of the department may consent to the required medical treatment. For the purposes of this paragraph, a licensed foster or shelter parent is an agent of the department. The court must thereafter be notified of such parental absence and the reasons the department felt that medical treatment was necessary, and an order must be requested from the court approving and adopting the department's previously granted consent to treatment.

(c) Substitute care parents are to maintain a medication record for each child placed in their home. The record shall contain the name of the child, the type of medication administered, the date and time the medication, why the medication was administered and who prescribed the medication. The medication record will be monitored at the time of relicensing. Copies of the child's completed medication record shall be given to the child's Family Service Counselor at their monthly visit.

Specific Authority 409.175(4), 402.305(1)(d), 402.313(10) FS. Law Implemented 409.175 FS. History--New 5-27-92, Formerly 10M-6.025, Amended \_\_\_\_\_.

65C-13.012 Substitute Family Records.

A record must be maintained for each substitute care home. Except for confidential information on abuse or neglect reports, the substitute care home record is a public record and can be reviewed by the substitute parent. Subsection 409.175(15), F.S., provides an exemption from the public records law for all identifying information, except name, in the foster home licensing file regarding foster parents, including those who became adoptive parents, their spouses and their children, unless otherwise ordered by a court. All other substantive information is available to the public. The exempted information includes: the home, business, work, child care, or school addresses; telephone numbers; social security numbers; birth dates; photographs of licensees, their family and other adult household members; identifying information about such persons in neighbor references; the floor plan of the foster home; and any identifying information about such persons contained in similar sensitive, personal information that is provided to the department. Records are filed in a central place alphabetically under three headings: Pending in the study process, Approved, and Closed. A unit file must also be established for all approved substitute care homes which must contain all of the completed items listed below, ~~and any other information which the unit may find helpful in utilizing the home:~~

- (1) Application for a License;
- (2) Bilateral Service Agreement, fully executed Affidavit of Civil Rights Compliance, if appropriate;
- (3) Register of Children in Emergency Shelter Family Home, if appropriate;
- (4) Certificate of Completion of the Pre-Service training;
- (5) Closing of Foster Home for Dependent Children Form;
- (6) Certificate of License;
- (7) Relicensing Summary for Foster Homes for Dependent Children;
- (8) Foster Care Counselor's Review of Foster Parent(s) Performance as listed in the Bilateral Service Agreement, CF-FSP 5223, May 98, which is hereby incorporated by reference. (A copy of form 5223 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.) Staff Inquiry—Annual Relicensing Study;
- (9) Quality of Foster Home Care: Community Input, CF-FSP 5225, Jun 98, which is hereby incorporated by reference (A copy of form 5225 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.) Telephone Inquiry;
- (10) Documentation regarding the initial inquiry about becoming substitute care parents; ~~Personnel References;~~

~~(11) Personnel References; Substitute Care School References;~~

(12) Written reference from the school the substitute care parents school age child(ren) attend, if applicable

~~(13)(42) EPSDT Agreement, fully executed;~~

~~(14)(43) Agency Reference Sample Letter;~~

~~(15)(44) Confidentiality Statement;~~

~~(16)(45) Consent to Law Enforcement and Abuse Registry Record Check, signed;~~

~~(17)(46) Executed and sworn to Affidavit of for Good Moral Character;~~

~~(18)(47) Delinquency Checks;~~

~~(19)(48) Health Certificate Sample Letter;~~

~~(20)(49) Participant Evaluation;~~

~~(20) Agreement to Provide Substitute Care for Dependent Children;~~

(21) Identification Cards for Substitute Care Parents;

(22) Family Profile which is signed, dated and notarized. Control Cards;

(23) All materials from the pre-service training including home visits and neighbors information; Certificate of License Sample;

(24) Incident Reports. Client Risk Prevention reports which pertain to proposed confirmed or confirmed abuse, neglect or abandonment are confidential. These reports must be placed in an envelope or file marked confidential and will not be considered as part of the public licensing record. These records must be kept separate from the licensing file. Substitute Care Home Ledger;

(25) Family Profile which is signed, dated and notarized.

~~(26) All GPS MAPP materials from the pre service training including home visits and neighbors information.~~

~~(27) Incident Reports. Client Risk Prevention reports which pertain to proposed confirmed or confirmed abuse, neglect or abandonment are confidential. These reports must be placed in an envelope or file marked confidential and should not be considered as part of the public licensing record. These records must be kept separate from the licensing file.~~

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 5-27-92, Formerly 10M-6.028, Amended \_\_\_\_\_.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation**

RULE TITLE:

RULE NO.:

Program Services for Children in Care

65C-14.045

PURPOSE AND EFFECT: This change clearly establishes the responsibilities of facilities to develop a case plan for each child if they cannot obtain a copy of the child's existing case plan; requiring that the provisions of the court are incorporated into the plan and the plan is updated annually.

SUBJECT AREA TO BE ADDRESSED: Group Care.



SPECIFIC AUTHORITY: 409.175 FS.

LAW IMPLEMENTED: 409.175 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., December 8, 1999

PLACE: 1317 Winewood Blvd., Building 8, Room 232, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amy West, Specialist, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399 or by telephone at (850)921-2594

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65C-14.045 Program Services for Children in Care.

~~Service Plan:~~

~~(1) The facility shall offer, provide or obtain the necessary services for each individual child in order to meet the child's treatment and service plan, which includes but is not limited to, educational, vocational, recreational, psychological, religious and ethnic heritage, transportation, medical and dental needs.~~

~~(2)(4) The facility shall develop a written case service plan or obtain a copy of the child's case plan performance agreement within 30 days of placement for each child admitted into care. If a case plan must be developed, it shall:~~

~~(a) Integrate the provisions of the court approved case plan; and~~

~~(b) Be updated at a minimum of once a year.~~

~~(3) Copies of the case plan shall be provided to the child's parent or guardian, and to the representative of the referring agency and a copy shall be maintained in the child's file.~~

~~(4) The development of the case plan shall involve: The service plan shall integrate the provisions of the performance agreement or the permanent placement plan.~~

~~(a) The development of the service plan shall involve:~~

~~(a)(b) The child, child's parents, guardian and other appointed representatives and a representative of the referring agency if appropriate.~~

~~(b)(e) Staff, volunteers, and others who work directly with children in care.~~

~~(5)(2) The case service plan shall include the following:~~

~~(a) Recommendations, treatment plans and goals to provide or obtain services and supports for the child and family based on their An assessment of the child's and family's needs, strengths, weaknesses, and problems;-~~

~~(b) Recommendations, treatment plans and goals to provide or obtain services and supports for the child's An assessment of the child's educational, vocational, recreational, and medical and dental needs a plan for meeting them; and daily living activities;-~~

~~(c) Provisions to obtain Arrangements for individual or group counseling, as needed to resolve emotional conflicts or improve self esteem to help the child deal with personal problems, develop satisfying and healthy relationships and grow toward maturity;~~

~~(d) A Pprojection in regard to the child's length of stay and the conditions under which the family will be reunited or another appropriate plan will be made;~~

~~(e) A plan for agency contact with the child's parent or guardian to work toward reunification and resolution of the problems which lead to placement.~~

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.046, Amended \_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Marine Fisheries**

RULE CHAPTER TITLE: Reef Fish

RULE TITLES:

RULE NOS.:

Recreational Bag Limits: Snapper, Grouper,

Hogfish, Black Sea Bass, Red Porgy,

Exception, Wholesale/Retail

Purchase Exemption

68B-14.0036

Commercial Harvest Requirements; Licenses,

Season Closures, Special Restrictions

68B-14.0045

PURPOSE AND EFFECT: A recent red porgy stock assessment demonstrated that stock biomass in the south Atlantic had significantly collapsed, and that recruitment of age one fish had passed historic lows approaching zero during the past two years. In response to this information, the National Marine Fisheries Service (NMFS), on September 9, 1999, approved an emergency rule request to close federal waters of the Atlantic Ocean to the harvest and possession of red porgy. The state of Florida followed suit, and in a federal conforming action pursuant to s. 120.54(6), F.S., the Atlantic red porgy fishery was closed until March 5, 1999, during the pendency of the federal emergency rule.

The scientific advise and data which prompted the South Atlantic closure indicates a real risk to the long term viability of this resource, and both federal and state resource managers anticipate that the fishery will be closed for a substantial period of time. Though red porgy are infrequently found in state waters of the Atlantic Ocean, failing to close Florida waters will make enforcement of the federal closure problematic. Thus, the purpose of this proposed rulemaking is to close the recreational and commercial Atlantic red porgy fishery on a long-term basis. The effect will be to provide for the recovery of this severely stressed species.

SUBJECT AREA TO BE ADDRESSED: The harvest and possession of red porgy in state waters of the Atlantic Ocean.

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING ON THE PROPOSED RULE AMENDMENTS WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S PUBLIC MEETING AT A DATE, TIME AND PLACE TO BE ANNOUNCED LATER IN THIS PUBLICATION:

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop meeting, is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Andrena Knicely, (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

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

SPECIFIC AUTHORITY: 655.0385 FS.

LAW IMPLEMENTED: 655.0385, 658.21, 658.33, 665.013 FS.

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

TIME AND DATE: 10:00 a.m., December 16, 1999

PLACE: Room 630, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Linda Charity, Chief, Bureau of Research, Planning, and Staff Development, Division of Banking, 101 East Gaines Street, Suite 614, Fletcher Building, Tallahassee, Florida 32399-0350, (850)410-9111

THE FULL TEXT OF THE PROPOSED RULE IS:

3C-100.03852 Disapproval of Directors or Executive Officers.

(1) Section 655.0385, Florida Statutes, requires state financial institutions to notify the Department of the proposed appointment of any individual to the board of directors or the employment of any individual as an executive officer or equivalent position 60 ~~30~~ days before such appointment or employment becomes effective, if the applying financial institution:

- (a) Has been chartered for less than 2 years;
- (b) Has undergone a change in control or conversion within the preceding 2 years, and is not exempted under subsection (6) of this rule;
- (c) Is not in compliance with the minimum capital requirements applicable to such financial institution; or
- (d) Is otherwise operating in an unsafe or unsound condition, as determined by the Department, on the basis of such financial institution's most recent report of condition or report of examination.

(2) Notice.

(a) A financial institution shall provide a ~~substantially~~ complete written notice to the Department at least 60 ~~30~~ days prior to the effective date of the appointment of a director or the employment of an executive officer or equivalent position. Each notice shall include a completed ~~Biographical Report~~ Form DBF-C-10-B, Interagency Biographical and Financial Report, revised 11/97, 12/93 ~~which is hereby incorporated by reference.~~ Notices shall be submitted to and Form DBF-C-10-B, effective date 12-14-93, which is incorporated by reference, may be obtained by request from the Department of Banking and Finance, Division of Banking, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350. Form DBF-C-10 may also be found at the Department's Internet website: <http://www.dbf.state.fl.us/banking.html> by using the icon "Download Department of Banking and Finance Application Forms" and by selecting the icon "DBF-C-10."

## Section II Proposed Rules

### DEPARTMENT OF BANKING AND FINANCE

#### Division of Banking

RULE TITLE: Disapproval of Directors or Executive Officers  
RULE NO.: 3C-100.03852

PURPOSE AND EFFECT: This rule is being updated to incorporate changes made by Chapter 99-138, Laws of Florida; to refer to the current biographical form used elsewhere by the Division of Banking and its federal regulatory counterparts; and to otherwise update, clarify, correct, and simplify the rule.

SUMMARY: The rule is amended to require a 60 day notice of certain financial institution's appointment or employment of new directors or executive officers; to describe how some financial institutions may obtain a waiver; to refer to the current biographical form used by the Division; and makes other changes to the rule.

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

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

(b) A notice is not ~~deemed substantially~~ complete until the financial institution provides all the information requested in paragraph (2)(a), including complete explanations where material issues arise regarding the competence, experience, character, or integrity, or business acumen and judgment of the proposed director or executive officer or equivalent position, and any additional information that the Department requests following a determination that the financial institution's original submission of the notice was not ~~substantially~~ complete.

(c) Each proposed director or executive officer, or equivalent position, shall make certain that the notice submitted on his or her behalf is accurate.

(3) Processing.

(a) The Department shall have 60 ~~30~~ days after receipt of a ~~substantially~~ complete notice to issue a letter of disapproval. Such disapproval letter shall be mailed to the financial institution and the disapproval shall be effective upon notification. Any financial institution so notified shall immediately require the individual to disassociate himself or herself from the financial institution.

(b) A financial institution shall not allow an individual who ~~which~~ has been proposed to become a member of the board of directors or employed as an executive officer, or equivalent position, to serve in such capacity before the expiration of the 60 ~~30~~ day review period unless the Department notifies the financial institution of an intention not to disapprove the individual.

(c) The Department will conduct background investigations on individuals proposed to become a ~~director~~ or executive officer, or equivalent positions. The investigations shall, in general, include contacts with the FBI, local law enforcement and prosecutorial agencies, federal and state financial institution regulatory agencies, and other federal and state government agencies. Background investigations of proposed individuals who are not citizens of the United States will include appropriate foreign and international contacts.

(d) If the Department makes a request for additional information during the review of an incomplete notice, the financial institution must provide the information within 25 days of such a Departmental request or request in writing that the Department suspend processing of the notice.

~~(e) If the Department does not timely receive the information it requested pursuant to paragraphs (3)(c) or (3)(d) concerning an individual proposed by the financial institution, or if the Department requires additional time to fully review the notice or information requested pursuant to paragraphs (3)(c) or (3)(d), the Department shall suspend the processing of the notice for an additional 60 days.~~

~~(f) The processing of a substantially complete notice shall also be suspended for a period of up to 60 days or such longer period of time if such suspension is requested by the financial institution and the Department determines that such a delay~~

~~will not be detrimental to the safety and soundness of the concerned institution or cause a risk of harm to the public interest.~~

(4) Requests For Interim Appointment.

(a) Any financial institution may file a written request with the Department to permit an individual proposed as a director or executive officer, or equivalent position, to assume his or her position on an interim basis prior to the expiration of the 60 ~~30~~ day prior notice period ~~or applicable period of suspension~~.

(b) The Department shall not consider a request for interim appointment or employment of a director or executive officer, or equivalent position, unless the Department has received a completed Form DBF-C-10 for the proposed individual.

(c) The Department shall only grant a request for the interim appointment or employment of a director or executive officer, or equivalent position, if the interim appointment or employment is not likely to cause a risk of harm to the financial institution or the public interest.

(d) The granting of a request for the interim appointment or employment of an individual to the position of director or executive officer, or equivalent position, shall not affect the Department's ability to subsequently issue a notice of disapproval within ~~or suspend~~ the 60 ~~30~~ day prior notice period.

(5) Regulatory Standards for Evaluating Requests for Proposed Directors or Executive Officers, or Equivalent Positions.

(a) The financial institution may appoint or employ an individual to begin service as a director or executive officer, or equivalent position, on a permanent basis if:

1. The Department notifies the financial institution of an intent not to disapprove the proposed director or executive officer, or equivalent position; or

2. The 60 ~~30~~ day review period expires ~~and was not extended or suspended, by the Department or the financial institution~~, and during such review period the concerned individual was not disapproved.

(b) The Department shall issue a notice of disapproval if the competence, experience, character, or integrity, or business acumen and judgment of the proposed individual to be appointed or employed indicates that it is not in the best interests of the depositors, the members, or the public to permit the individual to be employed by or associated with the state financial institution.

(c) Unless the Department finds, in writing, that the proposed individual has shown rehabilitation, the proposed director or executive officer, or equivalent position, shall not be eligible for permanent or interim employment, if the individual:

1. Has been convicted of or has entered a plea of guilty or nolo contendere, regardless of adjudication, to a felony or of an offense involving moral turpitude, dishonesty, a breach of trust, a violation of state or federal financial institution law, the Florida Financial Institutions Codes, or fraud;

2. Has been removed by any regulatory agency as a director, officer, or employee of any financial institution;

3. Has performed acts of fraud or dishonesty, or has failed to perform duties, resulting in a loss to a financial institution; or

4. Has been convicted or found guilty, regardless of adjudication, of a violation of Section 655.50, Florida Statutes, relating to the Florida Control of Money Laundering in Financial Institutions Act; Chapter 896, relating to offenses related to financial transactions; or any similar state or federal law.

(d) If an individual proposed as a director or executive officer, or equivalent position, has demonstrated a lack of responsibility in relation to financial matters which is reflected by either the credit worthiness payment history and/or bankruptcy of the person or by such person's business history, it shall be permissible to consider such a conditions in evaluating the character and integrity of the individual in managing one's personal financial affairs.

(e) Material errors or omissions in any information submitted to the Department regarding an individual shall be grounds for a finding by the Department that the individual fails to meet the requisite standards for service as a director or executive officer, or equivalent position, of a state financial institution.

(f) If an individual is proposed for the position of chief executive officer, president, or equivalent position, he or she shall have had at least 1 year of direct experience, including policy making responsibilities, as an executive officer, financial institution regulator, or director of a financial institution within the last 3 years. A financial institution may request a waiver of this requirement by writing to the Director of the Division of Banking detailing why the proposed officer's overall experience and expertise compensates for the lack of recent, direct financial institution or financial institution regulator experience. The Department shall grant a request for a waiver only when it is clear that the proposed officer's overall experience and expertise suggests he or she will perform satisfactorily in office.

(g) If the proposed executive officer, president, or equivalent position is to be employed by a state financial institution that does not meet the minimum capital requirements or is otherwise operating in an unsafe or unsound condition, the Department shall, based on the unique needs of the financial institution, require more extensive financial institution experience.

(6) Pursuant to Section 655.0385(1)(b), Florida Statutes, the Department may exempt from the 60 day notice requirement a financial institution which has undergone a change of control or conversion within the preceding two years and which operates in a safe and sound manner.

(a) A financial institution with a composite rating of "1" or "2" in its most recent safety and soundness report of examination or, in the case of a trust company, its most recent trust report of examination, and which is not subject to a state or federal regulatory action shall be automatically exempted from the 60 day notice requirement. For purposes of this section "regulatory action" shall include cease and desist orders, written agreements, memoranda of understanding, documents of resolution, letters of understanding and agreement, resolutions adopted at the request of financial institution regulators, and any other equivalent action initiated by a financial institution regulator. (Examination ratings are based on the Federal Financial Institutions Examinations Council's Uniform Interagency Trust Rating System and Uniform Financial Institutions Rating System, often called the CAMELS rating system.)

(b) Other financial institutions may request an exemption by writing to the Director of the Division of Banking detailing why the institution believes it is operating in a safe and sound manner, and why an exemption is appropriate.

Specific Authority 655.012(3), 658.0385(4) ~~420.53(1)(b)~~ FS. Law Implemented 655.0385, 658.21, 658.33, 665.013 FS. History--New 12-14-93, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Donald M. Kelly, Financial Control Analyst, Division of Banking

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Linda Charity, Chief, Bureau of Research, Planning and Staff Development, Division of Banking

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 20, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 5, 1999

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Securities and Investor Protection**

RULE TITLE: Prohibited Business Practices for Dealers and

RULE NO.:

Their Associated Persons 3E-600.013

PURPOSE AND EFFECT: The purpose of the proposed amendments is to update the rule to include amendments that have been made to NASD rules and SEC rules that are incorporated by reference and to make other grammatical and technical changes.

SUMMARY: The title for Rule 3E-600.013 is being amended to designate that the rule describes prohibited business practices for dealers and their associated persons. Rule

3E-600.013 is also being amended to provide reference dates of March 1, 1999 for federal and regulatory rules. A new Rule 3E-600.013(1)(m) will make failing to execute a customer's order a prohibited business practice for a dealer. A number of NASD rules have been renamed and Rule 3E-600.013(1)(p)1. is being amended to reflect the name changes. Rule 3E-600.013(1)(p)3. is being amended to add violations of SEC rules 419 and 481 as prohibited business practices. Also, violating Section 15(b)(4)(E) of the Securities Exchange Act of 1934 will be a prohibited business practice for a dealer. Rule 3E-600.013(1)(s) is being amended to read that it is a demonstration of unworthiness as a dealer to recommend to a customer that they engage the services of an investment adviser that is not registered or exempt from registration. Rule 3E-600.013(2) is being amended to designate that the practices specified are demonstrations of unworthiness by an associated person of a dealer. Rule 3E-600.013(2)(h) is being amended to include 3E-600.013(1)(m) as a prohibited business practice of an associated person of a dealer.

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

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

SPECIFIC AUTHORITY: 517.03(1) FS.

LAW IMPLEMENTED: 517.12, 517.161(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:

TIME AND DATE: 10:00 a.m., December 17, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Reilly, Financial Administrator, Division of Securities and Investor Protection, Fletcher Building, Room 664, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULE IS:

3E-600.013 Prohibited Business Practices for Dealers and Their Associated Persons.

(1) The following are deemed demonstrations of unworthiness by a dealer under Section 517.161(1)(h), F.S., Florida Statutes, without limiting that term to the practices specified herein:

(a) through (e) No change.

(f) Extending, arranging for, or participating in arranging for credit to a customer in violation of the provisions of Regulation T (~~i.e.~~, 12 CFR ~~ss.~~ 220.1-220.131, inclusive) promulgated by the Federal Reserve Board, as such provisions existed on March 1, 1999 ~~February 28, 1992~~;

(g) through (h) No change.

(i) Hypothecating a customer's securities in violation of SEC Rule 8c-1 (17 CFR 240.8c-1) ~~of the Securities and Exchange Commission~~, as such rule existed on March 1, 1999 ~~February 28, 1992~~;

(j) through (k) No change.

~~(l) Entering into a transaction for its own account with a customer in which a commission is charged;~~

~~(l)(m) Entering into a transaction with or for a customer at a price not reasonably related to the current market price;~~

(m) Failing to execute a customer's order;

(n) through (o) No change.

(p) With respect to any customer, transaction or business in this state, violating:

1. Any by-law, schedule thereto, rule or appendix thereto, of the National Association of Securities Dealers ("NASD"), interpreted in accordance with the guidelines, policies, and interpretations of the NASD or SEC, including: the Conduct Rules; ~~the Marketplace Rules~~ ~~the Government Securities Rules~~; ~~The Small Order Execution System ("SOES") Rules~~; ~~the Intermarket Trading System/Computer Assisted Execution System Automated Interface ("ITS/CAES") Rules~~; ~~The Automated Confirmation Transaction Service for Self Clearing Firms ("ACT") Rules~~; and the Uniform Practice Code, as published in the NASD Manual as of July 1998 and any amendments as existed on March 1, 1999 ~~dated May, 1996~~;

2. For members of the New York Stock Exchange, Rules 405, 412 or 435 of the New York Stock Exchange, as such rules existed on March 1, 1999 ~~February 28, 1992~~, interpreted in accordance with the guidelines, policies, and interpretations of the NYSE or SEC;

3. Sections 2, 4, 5, or 6 of the Securities Act of 1933 or SEC Rules 134 (17 CFR ~~§~~ 230.134); 134a (17 CFR ~~§~~ 230.134a); 135a (17 CFR ~~§~~ 230.135a); 144 (17 CFR ~~§~~ 230.144); 144A (17 CFR 230.144A); 156 (17 CFR ~~§~~ 230.156); 419 (17 CFR 230.419); 481 (17 CFR 230.481); or 482 (17 CFR ~~§~~ 230.482) ~~of the SEC~~ promulgated pursuant thereto, as such provisions existed on March 1, 1999 ~~February 28, 1992~~, interpreted in accordance with the guidelines, policies, and interpretations of the NASD or SEC; ~~or~~

4. Section 15(b)(4)(E) of the Securities Exchange Act of 1934 as it existed on March 1, 1999; or

~~5.4.~~ Any rule of the Municipal Securities Rulemaking Board ("MSRB") including the Definitional Rules (~~i.e.~~, Rules D-1 through D-11, inclusive), and the General Rules with the exception of Rule G-35 (~~i.e.~~, Rules G-1 through G-34, inclusive), promulgated pursuant to Section 15B of the Securities Exchange Act of 1934, as such rules existed on

~~March 1, 1999 February 28, 1992~~, interpreted in accordance with the guidelines, policies, and interpretations of the MSRB, NASD, or SEC.

~~6.5.~~ To the extent that any of the rules described in subparagraphs 1. ~~through-5.4.~~ of this section or their interpretation by the NASD, NYSE, MSRB, or SEC, as appropriate, conflict or are inconsistent with other provisions of the Florida Securities and Investor Protection Act or rules promulgated pursuant thereto, this paragraph of this rule shall not be deemed controlling.

(q) No change.

(r) Introducing customer transactions on a “fully disclosed” basis to another dealer that is not registered under Chapter 517, ~~F.S. Florida Statutes~~, unless the customer is a person described in Section 517.061(7), ~~F.S. Florida Statutes~~.

(s) Recommending to a customer that the customer engage the services of an investment advisor that is not registered or exempt from registration ~~licensed~~ under Chapter 517, ~~F.S. Florida Statutes~~, unless the customer is a person described in Section 517.061(7), ~~F.S. Florida Statutes~~;

(t) No change.

(u) Selling or offering for sale any security in a transaction exempt from registration pursuant to Section 517.061(17)(a) ~~1.~~ ~~(+)~~, ~~F.S.~~, where the issuer of such securities has not filed with the SEC within the specified period of time all reports required by Sections 13 or 15(d) of the Securities Exchange Act of 1934, as such sections existed on ~~March 1, 1999 February 28, 1992~~.

(v) No change.

(2) The following are deemed demonstrations of unworthiness by an associated person of a dealer under Section 517.161(1)(h), ~~F.S. Florida Statutes~~, without limiting that term to the practices specified herein:

(a) through (b) No change.

(c) Effecting transactions in securities, or investments, as defined by Section 517.301(2), ~~F.S. Florida Statutes~~, not recorded on the regular books or records of the dealer which the associated person represents, unless the transactions are disclosed to, and authorized in writing by, the dealer prior to execution of the transactions;

(d) through (g) No change.

(h) Engaging in any of the practices specified in ~~paragraphs subsection~~ (1)(b), (c), (d), (e), (f), (g), (m), (n), (o), (p), (q), (s), (t), (u), or (v).

Specific Authority 517.03(1) FS. Law Implemented 517.161(1), 517.081 FS. History—New 12-5-79. Amended 9-20-82. Formerly 3E-600.13, Amended 8-1-91, 6-16-92, 1-11-93, 11-7-93, 5-5-94, 9-9-96, 10-20-97, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Reilly, Financial Administrator, Division of Securities  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don Saxon, Director, Division of Securities

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 25, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18, 1999

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Securities and Investor Protection**

RULE TITLE: Prohibited Business Practices for Investment Advisers and Their Associated Persons

RULE NO.: 3E-600.0131

PURPOSE AND EFFECT: During the past several years, there has been a significant increase in the number of firms and associated persons offering investment advisory services. Currently, there are no rules that specify unethical business practices of investment advisers and their associated persons. In order to protect the investing public, the Division of Securities and Investor Protection is proposing this new rule to specify such activities.

SUMMARY: Rules concerning investment adviser conduct have been promulgated on the federal level. The rules proposed by the Division are based on the model rules proposed by the North American Securities Administrators Association. The rule identifies conduct such as borrowing monies from clients, making unsuitable recommendations, excessive trading, unauthorized purchases or sales, and other practices that are prohibited.

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

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

SPECIFIC AUTHORITY: 517.03(1) FS.

LAW IMPLEMENTED: 517.12, 517.161(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:

TIME AND DATE: 10:00 a.m., December 17, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Reilly, Financial Administrator, Division of Securities and Investor Protection, Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULE IS:

3E-600.0131 Prohibited Business Practices for Investment Advisers and Their Associated Persons.

(1) The following are deemed demonstrations of unworthiness by an investment adviser or an associated person of an investment adviser under 517.161(1)(h), F.S., without limiting that term to the practices specified herein:

(a) With respect to any customer, transaction or business in, to or from this state, engaging in any conduct prohibited by, or failing to comply with the requirements of, the following:

1. Sections 204, 204A, 205, 206, 207, 208 of the Investment Advisers Act of 1940 or SEC Rules 204-3 (17 CFR 275.204-3); 205-1 (17 CFR 275.205-1); 205-2 (17 CFR 275.205-2); 205-3 (17 CFR 275.205-3); 206(3)-1 (17 CFR 275.206(3)-1); 206(3)-2 (17 CFR 275.206(3)-2); 206(4)-1 (17 CFR 275.206(4)-1); 206(4)-2 (17 CFR 275.206(4)-2); 206(4)-3 (17 CFR 275.206(4)-3); and 206(4)-4 (17 CFR 275.206(4)-4) promulgated pursuant thereto, as such provisions existed on March 1, 1999, interpreted with the guidelines, policies, no-action letters, and interpretations of the SEC;

(b) Borrowing money or securities from a customer unless the customer is a dealer, an affiliate of the investment adviser, or a financial institution engaged in the business of loaning funds;

(c) Loaning money to a customer unless the investment adviser is a financial institution engaged in the business of loaning funds or the customer is an affiliate of the investment adviser;

(d) Recommending to a customer the purchase, sale or exchange of any security without reasonable grounds to believe that the recommendation is suitable for the customer on the basis of information furnished by the customer after reasonable inquiry concerning the customer's investment objectives, financial situation and needs, and any other information known by the investment adviser;

(e) Exercising any discretionary power in placing an order for the purchase or sale of securities for a customer's account without first obtaining written discretionary authority from the customer, unless the discretionary power relates solely to the time or price for the execution of orders;

(f) Inducing trading in a customer's account which is excessive in size or frequency in view of the financial resources, investment objectives, and character of the account;

(g) Placing an order to purchase or sell a security on behalf of a customer without authority to do so;

(h) Placing an order to purchase or sell a security for a customer's account upon instruction of a third party without first having obtained a written third-party trading authorization from the customer;

(i) Misrepresenting the qualifications of the investment adviser or any employee of the investment adviser to a client or prospective client when the representation does not fairly

describe the nature of the services offered, the qualifications of the person offering the services, and the method of compensation for the services or omitting to state a material fact;

(j) Charging a customer an unreasonable advisory fee;

(k) Failing to disclose to customers in writing before any advice is rendered any material conflict of interest relating to the adviser or any of its employees which could reasonably be expected to impair the rendering of unbiased and objective advice including:

1. Compensation arrangements connected with advisory services to customers which are in addition to compensation from such customers for such services; and

2. Charging a customer an advisory fee for rendering advice when a commission for executing securities transactions pursuant to such advice will be received by the adviser or its employees;

(l) Guaranteeing a customer that a specific result will be achieved with the advice to be rendered;

(m) Recommending to a customer that the customer engage the services of a dealer that is not registered or exempt from registration under Chapter 517, F.S., unless the customer is a person described in Section 517.061(7), F.S.;

(n) Recommending to a customer that the customer engage the services of a dealer in connection with which the investment adviser receives a fee or remuneration from the dealer, except as permitted in Rule 3E-600.003, F.A.C.;

(o) Disclosing the identity, affairs, or investments of any customer unless required to do so by law or consented to by the customer;

(p) Giving false or otherwise misleading customer information to any financial institution or regulatory agency;

(q) Entering into, extending or renewing any investment advisory contract unless such contract is in writing and discloses, in substance, the services to be provided, the term of the contract, the advisory fee, the formula for computing the fee, the amount of prepaid fee to be returned in the event of contract termination or non-performance, whether the contract grants discretionary power to the adviser and that no assignment of such contract shall be made by the investment adviser without the consent of the other party to the contract; and

(r) Including, in an advisory contract, any condition, stipulation, or provisions binding any person to waive compliance with any provision of Chapter 517, F.S., or of the Investment Advisers Act of 1940, or any other practice contrary to the provisions of Section 215 of the Investment Advisers Act of 1940.

(2) The federal statutory and regulatory provisions referenced herein shall apply to investment advisers and federal covered advisers, to the extent permitted by the National Securities Markets Improvement Act of 1996.

Specific Authority 517.03(1) FS. Law Implemented 517.12, 517.161(1) FS. History--New.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bill Reilly, Financial Administrator, Division of Securities

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 25, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18, 1999

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Securities and Investor Protection**

RULE TITLE: Books and Records Requirements

RULE NO.: 3E-600.014

PURPOSE AND EFFECT: The rule is being amended to provide a reference date for federal and regulatory agency rules.

The National Securities Market Improvement Act of 1996 ("NSMIA") provided states with the exclusive authority for registration of investment advisers with less than \$25 million in assets under management. The amended rule describes those books and records that must be maintained by investment advisers with a principal place of business in Florida. All books and records must be maintained in a true, accurate and current manner. The books and records described in the amended rule are required of those investment advisers registered with the Securities and Exchange Commission ("SEC").

NSMIA also prohibited states from imposing on dealers any requirement relating to books and records or financial or operational reports that differ from or are in addition to those under federal law. Therefore, the rule is being amended to delete all references to branch office books and records and financial or operational reports that differ from or are in addition to those under federal law.

The amended rule also describes the books and records to be maintained by investment advisers registered or required to register in this state and who have a business location in this state.

Preservation of the required books and records is also described in the amended rule.

Those investment advisers having a principal place of business in another state will be exempt from the requirements of this rule provided the investment adviser is registered in that state and is in compliance with that state's record keeping requirements.

The proposed rules are based on the model rules suggested by the North American Securities Administrators Association and are intended to ensure uniformity among the states as to books and records requirements and retention.

SUMMARY: The amended rule describes the maintenance and preservation of books and records required of investment advisers subject to registration with the Florida Department of Banking and Finance.

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

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

SPECIFIC AUTHORITY: 517.03(1), 517.121 FS.

LAW IMPLEMENTED: 517.121 FS.

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

TIME AND DATE: 10:00 a.m., December 17, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Reilly, Financial Administrator, Division of Securities and Investor Protection, Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULE IS:

3E-600.014 Books and Records Requirements.

Except as otherwise provided herein, every dealer, investment adviser, branch office, and associated person conducting business in this state shall prepare and maintain on a current basis, and preserve for the periods of time specified, such records, prescribed hereinafter, as are appropriate for said dealer's, investment adviser's, branch office's, or associated person's course of business, and are sufficient to provide an audit trail of all business transactions by said dealer, investment adviser, associated person, or branch office. Associated persons who conduct business from a registered branch office in this state shall be exempt from the provisions of this rule.

(1) All dealers are required to prepare and maintain appropriate books and records relating to their business as described in either ~~SEC S-E-C~~ Rules 17a-3 (17 CFR 240.17a-3) and 17a-4 (17 CFR 240.17a-4) or ~~MSRB M-S-R-B~~ Rules G-7 and G-8 of the ~~Securities and Exchange Commission or the Municipal Securities Rule Making Board~~, as such rules existed on ~~March 1, 1999~~ February 28, 1992; and records evidencing compliance with NASD Conduct Rule 3000, as published in the NASD Manual ~~as of July 1998~~ dated May, 1996.

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



(3) All investment advisers, ~~notwithstanding the fact that the investment adviser is not registered or required to be registered under the Investment Advisers Act of 1940,~~ shall prepare and maintain true, accurate and current appropriate records relating to their business as described in SEC Rule 275.204-2 of the Investment Advisers Act of 1940 as amended (17 CFR 275.204-2) as it existed on March 1, 1999, and general rules and regulations promulgated by the Securities and Exchange Commission; and have available for the Department at least the following records:

(a) All trial balances, financial statements prepared in accordance with generally accepted accounting principles, and internal audit working papers relating to the investment adviser's business as an investment adviser. For purposes of this paragraph, "financial statements" means balance sheets, income statements, cash flow statements and net worth computations as required by Rule 3E-300.002, F.A.C. Proof of money balances and all ledger accounts in the form of a trial balance;

(b) A list or other record of all accounts with respect to the funds, securities, or transactions of any client. Record of all customer accounts reflecting at least the name and address of such customers and any contractual agreements or correspondence pertaining to each such customer.

(c) A copy in writing of each agreement entered into by the investment adviser with any client.

(d) A file containing a copy of each record required by SEC Rule 204-2(11) (17 CFR 275.204-2(11)) as it existed on March 1, 1999 including any communication by electronic media that the investment adviser circulates or distributes, directly or indirectly, to two or more persons, other than persons connected with the investment adviser.

(e) A copy of each written statement and each amendment or revision given or sent to any client or prospective client of the investment adviser in accordance with the provisions of SEC Rule 204-3 (17 CFR 275.204-3) as it existed on March 1, 1999 and a record of the dates that each written statement, and each amendment or revision was given or offered to be given to any client or prospective client who subsequently becomes a client.

(f) For each client that was obtained by the adviser by means of a solicitor to whom a cash fee was paid by the adviser, records required by SEC Rule 206(4)-3 (17 CFR 275.206(4)-3) as it existed on March 1, 1999.

(g) All records required by SEC Rule 204-2(16) (17 CFR 275.204-2(16)) as it existed on March 1, 1999, including but not limited to electronic media that the investment adviser circulates or distributes, directly or indirectly, to two or more persons, other than persons connected with the investment adviser.

(h) A file containing a copy of all communications received or sent regarding any litigation involving the investment adviser or any investment adviser representative or employee, and regarding any customer or client complaint.

(i) Written information about each investment advisory client that is the basis for making any recommendation or providing any investment advice to such client.

(j) Written procedures to supervise the activities of employees and investment adviser representatives that are reasonably designed to achieve compliance with applicable securities laws and regulations.

(k) A file containing a copy of each document, other than any notices of general dissemination, that was filed with or received from any state or federal agency or self regulatory organization and that pertains to the registrant or its investment adviser representatives. Such file should contain, but is not limited to, all applications, amendments, renewal filings, and correspondence.

~~(4) A dealer or investment adviser and its appropriate principals shall ensure that each branch office and any other location which is listed on a Form U-4 as an Office of Employment Address shall prepare and maintain such records, as described in subsections (1) and (3) of this Rule, as are applicable, including, but not necessarily limited to customer new account information records, customer account activity records, a record of all transactions in securities executed by or through such office, a record of receipt and disbursement of all monies through such office relating to the purchase or sale of securities or the rendering of investment advice, and a record of all securities received or delivered by or through such office; and shall maintain copies of all documentation as required under subsections (5) and (8) of this Rule.~~

~~(5) Notwithstanding the applicability of the books and records requirements set forth in subsections (1), (2), and (3) of this Rule, all dealers, investment advisers, branch offices and any other location which is listed on a Form U-4 as an Office of Employment Address, shall maintain either in the original or copies thereof, at least the following documents with respect to those persons employed by, and registered as associated persons of, said dealers, investment advisers, and branch offices, which records will be referred to as "associated persons files":~~

~~(a) Form U-4, Uniform Application for Securities Industry Registration (Revised 11-91), which application shall be approved in writing by a principal of such dealer or investment adviser.~~

~~(b) Full documentation and details pertaining to affirmative responses.~~

~~(c) Documentation pertaining to any outstanding or resolved customer complaints, actions, internal reviews or investigations into such person's activities while associated with said dealer or investment adviser.~~

~~(d) License evidencing registration as an associated person, and any evidence of registration with a national securities exchange or association, if applicable.~~

~~(e) A copy of any written disclosure required by subsection (8) of this rule, if applicable.~~

~~(6) Every associated person of a dealer or investment adviser conducting business from a location in this state other than that of a registered branch office shall be responsible for maintaining each of the books and records described in paragraph (4) of this section. The dealer or investment adviser with which said associated person is registered, and its appropriate principals, shall be responsible for ensuring compliance with the provisions of this section.~~

~~(7) Every dealer and investment adviser conducting business in the state of Florida shall maintain a current list of all locations in this state, other than registered branch offices, from which any associated person renders investment advice or offers for sale or sells securities on behalf of or through such investment adviser or dealer. Such list shall include the street address and mailing address of such location; the name under which business is conducted at such location; the name of associated persons conducting business at said location; the names of the persons responsible for operating such location or having any fiscal responsibility associated with such location; the phone number of such location; and the name, title, CRD number, and employment location of the registered principal or principals responsible for supervising the activities of each said location. A current, accurate, and complete copy of such list shall be provided to the Department within five (5) business days of any request by the Department for such list.~~

~~(8) For each location which conducts business under a name other than that of the dealer or investment adviser exclusively, the dealer or investment adviser shall also maintain a copy of the written disclosure required by Rule 3E-600.004(3)(d)4., and shall evidence on such copy that a principal of the dealer or investment adviser has approved such disclosure as being in compliance with the provisions of said rule and the date of such approval.~~

~~(9) The provisions of subsections (6)-(8), inclusive, shall not be enforced by the Department prior to August 1, 1992.~~

~~(10) All dealers shall establish and keep current a set of written supervisory procedures, and a system for implementing such procedures, which may be reasonably expected to prevent and detect any violations of Chapter 517, Florida Statutes, and rules thereunder. The procedures shall include the designation by name or title of those persons delegated supervisory responsibility in at least the areas of sales, financial operations, and compliance. A complete set of such procedures and systems shall be kept in all branch offices registered with this Department.~~

~~(4)(11) No provisions of this Rule, unless specifically designated otherwise as a required form, shall be deemed to require the preparation, maintenance, or preservation of a~~

dealer's or investment adviser's books and records in a particular form or system, provided that whatever form or system utilized by such dealer's or investment adviser's course of business is sufficient to provide an audit trail of all business transactions.

(5) Every investment adviser that has its principal place of business in a state other than this state shall be exempt from the requirements of this rule, provided the investment adviser is licensed in such state and is in compliance with that state's record keeping requirements.

~~(6)(12) All such books and records as heretofore described in this Rule shall be preserved in accordance with the following:~~

~~(a) Those records required under subsection (1) of this Rule shall be preserved for such periods of time as specified in either SEC S.E.C. Rule 17a-4 (17 CFR 240.17a-4), or MSRB M.S.R.B. Rule G-9, as such rules existed on March 1, 1999 are amended.~~

~~(b) Those records required under subsections (2) and (3) of this rule shall be preserved for a period of not less than five (5) years while effectively registered with the Department, nor for less than five (5) years after withdrawal or expiration of registration in this State.~~

~~(c) Those records required under subsection (4) of this Rule shall be preserved for a period of not less than three (3) years at the branch office maintaining such records, and thereafter, for the periods of time specified in paragraphs (a) and (b) of this subsection. Such records shall be accessible through the main office of the dealer or investment adviser.~~

~~(d) Notwithstanding the provisions of paragraph (c) above, all associated persons files shall be maintained and preserved in the locations specified by this Rule during the period such associated persons are affiliated with each dealer or investment adviser, and for a period of not less than three (3) years subsequent to the termination of such associated person.~~

(c) Books and records required to be prepared under the provisions of subsection (3) shall be maintained and preserved in an easily accessible place for a period of not less than five years from the end of the fiscal year during which the last entry was made on such record, the first two years in the principal office of the investment adviser.

(d) Books and records required to be made under the provisions of subsection (3), shall be maintained and preserved for a period of not less than five years from the end of the fiscal year during which the last entry was made on such record or for the time period during which the investment adviser was registered or required to be registered in the state, if registered less than five years.

(e) Each investment adviser registered or required to be registered in this state and which has a business location in this state shall maintain at such business location:

1. The records or copies required under the provisions of paragraphs (a)(3), (a)(7)-(10), (a)(14)-(15), (b), and (c) of SEC Rule 204-2 (17 CFR 275.204-2); and

2. The records or copies required under the provisions of paragraphs (3)(a)-(j) above related to customers or clients for whom the investment adviser representative provides or has provided investment advisory services; and,

3. The records or copies required under the provisions of paragraphs (a)(11) and (a)(16) of SEC Rule 204-2 (17 CFR 275.204-2) which records or related records identify the name of the investment adviser representative or which identify the business locations' physical address, mailing address, electronic mailing address, or telephone number. The records will be maintained for the period described in subsections (d) and (e) of SEC Rule 204-2 (17 CFR 275.204-2). The investment adviser shall be responsible for ensuring compliance with the provision of this subsection.

(7) To the extent that the U.S. Securities and Exchange Commission promulgates changes to the above-referenced rules of the Investment Advisers Act of 1940, investment advisers in compliance with such rules as amended shall not be subject to enforcement action by the Department for violation of this rule to the extent that the violation results solely from the investment adviser's compliance with the amended rule.

Specific Authority 517.03(1), 517.121(1) FS. Law Implemented 517.121(1) FS. History--New 12-5-79, Amended 9-20-82, Formerly 3E-600.14, Amended 10-14-90, 8-1-91, 6-16-92, 1-11-93, 9-9-96.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Reilly, Financial Administrator, Division of Securities

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 25, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18, 1999

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Florida Fix: Partnership In Low

Income Residential Energy

Conservation For Florida

9B-55

RULE TITLES:

RULE NOS.:

- Definitions
Applicant Eligibility
Application Process
Application Format
Scoring Criteria
Scoring Procedures
Eligible Projects
Allowable Expenditures
Match Requirements and Sources

- 9B-55.001
9B-55.004
9B-55.005
9B-55.006
9B-55.007
9B-55.008
9B-55.009
9B-55.010
9B-55.011

Standards of Work 9B-55.012
Client Eligibility 9B-55.013

Monitoring and Training and Technical Assistance 9B-55.014

Contracts and Amendments 9B-55.015

PURPOSE, EFFECT AND SUMMARY: The purpose and effect is to repeal the rule because it is obsolete by current federal regulations.

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 regulatory alternative, must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 120.53(1) FS.

LAW IMPLEMENTED: 163.03 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: 2:00 p.m., December 29, 1999

PLACE: Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Second Floor, Conference Room 220N, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Norm Gempel, Planning Manager, Division of Housing and Community Development, Bureau of Community Assistance, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Suncom 278-7541, 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: Norm Gempel, Planning Manager, Division of Housing and Community Development, Bureau of Community Assistance, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-55.001 Definitions.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

9B-55.004 Applicant Eligibility.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

9B-55.005 Application Process.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

9B-55.006 Application Format.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

9B-55.007 Scoring Criteria.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

9B-55.008 Scoring Procedures.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

9B-55.009 Eligible Projects.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

9B-55.010 Allowable Expenditures.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

9B-55.011 Match Requirements and Sources.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

9B-55.012 Standards of Work.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

9B-55.013 Client Eligibility.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

9B-55.014 Monitoring, Training and Technical Assistance.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

9B-55.015 Contracts and Amendments.

Specific Authority 120.53(1) FS. Law Implemented 163.03 FS. History--New 5-16-93, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Norm Gempel, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas A. Pierce, Director, Division of Housing and Community Development, Department of Community Affairs

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 1999

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: Low-Income Home Energy Assistance Program

RULE CHAPTER NO.: 9B-65

RULE TITLES: Purpose Referral Services Household Composition Eligibility Factors Other Than Income Income Verification and Documentation Determination of Eligibility Based on Income Application Procedures and Processing Hearings Levels of Assistance

RULE NOS.: 9B-65.001

9B-65.003

9B-65.005

9B-65.007

9B-65.009

9B-65.011

9B-65.013

9B-65.015

9B-65.017

9B-65.019

PURPOSE, EFFECT AND SUMMARY: The purpose and effect is to repeal the rule because it is obsolete by current federal regulations.

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 regulatory alternative, must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 409.508(4) FS.

LAW IMPLEMENTED: 409.026, 409.508 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: 2:00 p.m., December 17, 1999

PLACE: Conference Room, Second Floor, Room 220N, 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 Hilda Frazier, Planning Manager, Division of Housing and Community Development, Bureau of Community Assistance, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Suncom 278-7541, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact: 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: Hilda Frazier, Planning Manager, Division of Housing and Community Development, Bureau of Community Assistance, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-65.001 Purpose.

Specific Authority 409.508(4) FS. Law Implemented 409.026, 409.508 FS. History--New 3-15-82, Amended 11-11-82, 12-3-85, Formerly 10C-29.01, Amended 2-11-88, 3-15-92, Formerly 10C-29-001, Repealed.

9B-65.003 Referral Services.

Specific Authority 409.508(4) FS. Law Implemented 409.026, 409.508 FS. History--New 3-15-82, Amended 10-31-83, 12-3-85, Formerly 10C-29.03, Amended 3-15-92, Formerly 10C-29-003, Repealed.

9B-65.005 Household Composition.

Specific Authority 409.508(4) FS. Law Implemented 409.026, 409.508 FS. History--New 3-15-82, Amended 10-31-83, Formerly 10C-29.05, Amended 3-15-88, Formerly 10C-29.005, Repealed.

9B-65.007 Eligibility Factors Other Than Income.

Specific Authority 409.508(4) FS. Law Implemented 409.026, 409.508 FS. History--New 3-15-82, Amended 11-11-82, 10-31-83, 11-4-84, 12-3-85, Formerly 10C-29.07, Amended 12-29-86, 1-12-89, 3-13-91, 3-15-92, 3-16-93, Formerly 10C-29.007, Repealed.

9B-65.009 Income.

Specific Authority 409.508(4) FS. Law Implemented 409.026, 409.508 FS. History--New 3-15-82, Formerly 10C-29.09, Amended 3-15-92, Formerly 10C-29.009, Repealed.

9B-65.011 Verification and Documentation.

Specific Authority 409.508(4) FS. Law Implemented 409.026, 409.508 FS. History--New 3-15-82, Amended 11-11-82, 10-31-83, 11-4-84, Formerly 10C-29.011, Amended 12-29-86, 2-11-88, 3-13-91, 3-16-93, Formerly 10C-29.011, Repealed.

9B-65.013 Determination of Eligibility Based on Income.

Specific Authority 409.508(4) FS. Law Implemented 409.026, 409.508 FS. History--New 3-15-82, Amended 11-11-82, 10-31-83, 11-4-84, 12-3-85, Formerly 10C-29.13, Amended 3-15-92, Formerly 10C-29.013, Repealed.

9B-65-015 Application Procedures and Processing.

Specific Authority 409.508(4) FS. Law Implemented 409.026, 409.508 FS. History--New 3-15-82, Amended 11-11-82, 10-31-83, 11-4-84, 12-3-85, Formerly 10C-29.15, Amended 12-29-86, 2-11-88, 1-12-89, 3-13-91, 3-16-93, Formerly 19C-29.015, Repealed.

9B-65.017 Hearings.

Specific Authority 409.508(4) FS. Law Implemented 409.026, 409.508 FS. History--New 3-15-82, Formerly 10C-29.17, Amended 2-11-88, 3-13-91, 3-15-92, Formerly 10C-29.017, Repealed.

9B-65.019 Levels of Assistance.

Specific Authority 409.508(4) FS. Law Implemented 409.026, 409.508 FS. History--New 3-15-82, Amended 11-4-84, 12-3-85, Formerly 10C-29.19, Amended 12-29-86, 2-11-88, 1-12-89, 3-13-91, 3-15-92, Formerly 10C-29.019, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hilda Frazier, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas A. Pierce, Director, Division of Housing and Community Development, Department of Community Affairs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 4, 1999

STATE BOARD OF ADMINISTRATION

RULE TITLE: Loss Reimbursement Procedures RULE NO.: 19-8.011

PURPOSE AND EFFECT: This rule is promulgated to implement recent legislative changes to Section 215.555, regarding the Florida Hurricane Catastrophe Fund, and to amend the procedures to make them more efficient.

SUMMARY: Proposed amended rule 19-8.011 adopts revised loss reimbursement procedures and reflects changes enacted by the Legislature during the 1999 session to Section 215.555.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board has prepared a statement and found the cost to be minimal.

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: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(2),(3),(4),(5),(6),(7) FS.

REGARDLESS OF WHETHER OR NOT ONE IS REQUESTED, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m. – 12:00 noon, Tuesday, January 11, 2000

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jack Nicholson, Chief Operating Officer of the Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Drawer 13300, Tallahassee, FL 32317-3300; tel.: (850)413-1340

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.011 Loss Reimbursement Procedures.

(1) Purpose. The purpose of this rule is to establish procedures and requirements for the payment by the Florida Hurricane Catastrophe Fund (the "Fund") of reimbursement to insurers for paid losses due to covered events. The rule sets out conditions precedent for the payment of reimbursement; adopts forms; establishes procedures for insurers to report paid losses to the Fund; establishes requirements for submitting reports; establishes procedures for the Board's determinations as to whether or not to grant a request for an advance under Section 215.555(4)(e), Florida Statutes, and establishes audit requirements.

## (2) Conditions Precedent.

(a) The Fund shall ~~not~~ reimburse any insurer for any paid losses due to a covered event, as that term is defined in Section 215.555(2)(b), Florida Statutes, when unless the insurer is in compliance with the requirements of Section 215.555, Florida Statutes. An insurer is in compliance with the requirements of Section 215.555, Florida Statutes, if such insurer has executed the annual reimbursement contract with the Fund as required by Section 215.555(4)(a), Florida Statutes; and if such insurer has submitted complete and accurate exposure data as required by Section 215.555(5)(c), Florida Statutes, and rules adopted thereunder. An insurer, regardless of whether or not such insurer is involved in litigation with the Fund, must be in compliance with the requirements enumerated in the immediately preceding sentence before the Fund will pay any reimbursement for paid losses due to a covered event.

(b) For purposes of this rule, an insurer must have executed the required annual reimbursement contract for the contract year in which the covered event occurs for which a paid loss has been reported.

(c) For purposes of this rule, an insurer's exposure data is accurate and complete if it has been processed by the Fund's Administrator and undergone the review checks so that the processing has resulted in a determination of the reimbursement premium due from that insurer to the Fund for that contract year. An insurer's data is considered accurate and complete if a reimbursement final premium has been determined even if the data was not timely submitted or even if the insurer submitted the data more than once before the final premium was determined. However, an insurer is not in compliance with the requirements of Section 215.555, Florida Statutes, unless the exposure data required by Section 215.555(5)(c), Florida Statutes, has been accurately and completely submitted and the reimbursement premium is finally determined for that contract year. Note, however, that all insurers are subject to audit by the Fund and that the final reimbursement premium for any contract year may be adjusted after the completion of the audit.

## (3) Losses for Which Reimbursements Will be Paid.

(a) The Fund shall reimburse insurers for paid losses for policies ~~which insure real or personal property located in the State of Florida~~ to the extent such a policy insures a residential structure or the contents of a residential structure located in the State of Florida. ~~Residential structures are those dwelling units used as a home, residence, or sleeping place for other than short-term, transient occupancy. These include, but are not limited to, the following types of structures, including appurtenant structures insured under the same policy and any other structure or contents covered under endorsement associated with a policy covering a residential structure, the principal function of which at the time of loss was as a primary or secondary residence: apartments (including owners and tenants); adult congregate living facilities; boarding or~~

~~rooming houses; condominiums (including unit owners, tenants and associations); houses; mobile homes; residences in structures also containing non residential units; and townhomes. The reimbursement from the Fund shall also include 5% of the reimbursed losses to cover loss adjustment expenses.~~

~~(b) If the losses in paragraph (a), above, differ from the provisions of Articles V and VI in the reimbursement contract for the contract year in which the covered event occurs for which the insurer has requested reimbursement define more specifically the losses for which reimbursement will be paid; then the provisions of the reimbursement contract shall control. Reimbursement contracts for each contract year are adopted and incorporated by reference in Rule 19-8.010.~~

~~(b)(c) If the losses in paragraph (a), above, differ from the coverages provided in Section 215.555(2)(c), Florida Statutes, in effect for the contract year in which the covered event occurs for which the insurer has requested reimbursement, then the provisions of the statute shall control.~~

## (4) When Losses Are Reimbursed.

~~(a) Pursuant to Section 215.555(4)(d), Florida Statutes, the Fund shall begin to reimburse insurers as soon as practicable for their paid losses after the losses have been reported, as required, on or before 12/31 of the contract year. Quarterly thereafter, in accordance with Section 215.555(4)(d)1., Florida Statutes, the Fund will reimburse insurers for paid losses, in accordance with Section 215.555(4)(d), Florida Statutes, until all reimbursements have been made. Initial or quarterly reports received on or before the due date for that report will be reimbursed within 30 days or as soon as practicable after the receipt of the report and verification of the reported losses thereafter. Those received after the initial or quarterly reporting due date will be reimbursed within 30 days following the next reporting due date or as soon as practicable after the receipt of the report and verification of the reported losses thereafter.~~

~~(b) If a covered event occurs during the contract year, but not during the official June 1 through November 30 hurricane season, insurers shall report their losses as soon as practicable thereafter and the Fund shall begin to reimburse insurers for paid losses occurring outside the official hurricane season as soon as the losses are reported and the Fund has established the availability of the moneys to pay the reimbursements. The Fund shall determine the schedule for reporting losses for non-hurricane season covered events by taking into consideration the date or dates of the covered event's storm's occurrence; its size; severity; windspeeds; forward track; occurrence of tornados or flooding as a result of the covered event storm; geographical area impacted; and ability of adjusters to assess the damage.~~

~~(c) All loss reports received will be compared with the Fund's exposure data to establish the facial reasonableness of the reports. Preliminarily, the Fund will examine the reported~~

losses to determine whether reported losses exceed reported exposure in the affected counties; whether the insurer has reported a low concentration of exposure in the affected counties; and whether the ground-up loss as a percentage of exposure in affected counties is significantly higher than the average. Insurers meeting these tests for reasonableness will be scheduled for reimbursement. Insurers not meeting these tests for reasonableness will be handled on a case-by-case basis and will be contacted to provide specific information regarding their individual book of business. Any insurer failing one or more of these tests for reasonableness shall be required to sign Form FHCFL1D, "Statement Relating to Covered Losses," rev. 12/95, which is hereby adopted and incorporated by reference. The Fund will not pay reimbursements to any insurer failing one or more of these tests for reasonableness unless the Fund has received a properly executed Form FHCFL1D from the insurer regarding the losses for which the reimbursement is to be made, regardless of the projected payout process schedule in sub-subparagraph a., above.

(d)4- Pursuant to Section 215.555(4)(c), the Fund is obligated to pay for losses only up to the limit of the moneys available, up to a limit of \$11 billion for any one contract year, further limited by each participating insurer's projected payout, other than entities created pursuant to Section 627.351, Florida Statutes.

~~(b) If more than one covered event occurs during the hurricane season in any one contract year, the reimbursements for all such covered events will begin to be made in the calendar year following the hurricane season in which the multiple covered events have occurred. If more than one covered event occurs during the contract year but not during the hurricane season, the reimbursement for all such covered events will begin to be made as soon as insurers have reported their losses and the Fund has determined that moneys are available to pay the reimbursements.~~

(5) Calculation of Reimbursements Due from the Fund.

(a) In General. An insurer's covered paid losses must exceed its retention as determined in accordance with Section 215.555(2)(e) before any reimbursement is payable from the Fund. If more than one covered event occurs in any one contract year, any reimbursements due from the Fund shall take into account the separate retention requirement for each insurer for each covered event, as that term is defined in Section 215.555(2)(b), Florida Statutes.

(b) Specific Procedures.

1. This subparagraph provides procedures for reimbursing insurers for losses from covered events in those situations in which the Board determines, pursuant to the provisions of Section 215.555(6)(a), Florida Statutes, and Rule 19-8.013, that reimbursable losses from a covered event are likely to exhaust the available claims-paying capacity of the Fund, which is the total of the balance of the Fund as of 12/31 of the contract year in which the covered event occurs plus the

amount the Board is able to raise through the issuance of bonds, in accordance with Section 215.555(6), Florida Statutes, or by purchasing reinsurance in accordance with Section 215.555(7)(a), Florida Statutes, or the incurrence of other indebtedness in accordance with Section 215.555(7)(b), Florida Statutes, up to the statutory limit of \$11 billion for any one contract year. In that situation, each insurer sustaining reimbursable losses will first receive the amount of reimbursement due under the reimbursement contract up to the amount of the insurer's projected payout, based on the payout multiple, as calculated in accordance with Section 215.555(4)(c) and (4)(d)2.b., Florida Statutes, and as defined in Article V(i) of the Reimbursement Contract as adopted and incorporated by reference in Rule 19-8.010. For purposes of the projected payout calculation, the "actual premium paid for that contract year," as referenced in Section 215.555(4)(d)2.b., Florida Statutes, shall be the premium received by the Fund as of December 31 of the contract year. Thereafter, payments for additional reimbursable losses will be available only to entities created under Section 627.351, Florida Statutes, and will be based on a pro rata share of the outstanding losses to the extent of any funds available up to the \$11 billion limitation. In order to determine the amount available for payment of reimbursable losses on a pro rata basis for entities created under Section 627.351, Florida Statutes, the Board will review reported loss information from all insurers and determine that all insurers which received payments for reimbursable losses but which did not exceed their projected payout have settled all, or substantially all, of their claims eligible for reimbursement. The Board will then determine the remaining amount of claims-paying capacity and will pay entities created under Section 627.351, Florida Statutes, insurers requesting reimbursement for losses which exceed their projected payout on a pro rata basis, up to the \$11 billion limitation. Reimbursements for all covered events occurring during the same contract year will be made in accordance with this subparagraph.

2. This subparagraph provides procedures for reimbursing insurers for losses from covered events in those situations in which the Board determines, pursuant to the provisions of Section 215.555(6)(a), Florida Statutes, and Rule 19-8.013, that reimbursable losses for covered events will exhaust the balance of the Fund as of 12/31 of the contract year in which the covered event has occurred but will not exceed the amount the Board is able to raise through the issuance of bonds, reinsurance purchased, or the incurrence of other indebtedness. In that situation, each insurer sustaining reimbursable losses will first receive the amount of reimbursement due under the reimbursement contract up to the amount of the insurer's projected payout, as calculated in accordance with Section 215.555(4)(c) and (4)(d)2.b., Florida Statutes, and as defined in Article V(i) of the Reimbursement Contract as adopted and incorporated by reference in Rule 19-8.010. Thereafter, payments for additional reimbursable losses will continue to be

made based on the loss reports required pursuant to subsection (4) of this rule from entities created under Section 627.351, Florida Statutes.

3. This subparagraph provides procedures for reimbursing insurers for losses from covered events in those situations in which the Board determines that the reimbursable losses will not exhaust the balance of the Fund as of 12/31 of the contract year in which the covered event has occurred. In that situation, each insurer sustaining reimbursable losses will receive the amount of reimbursement due under the reimbursement contract.

4. Losses in Multiple Contract Years. Example. A covered event occurs in Contract Year A which requires the payment of reimbursable losses. A covered event then occurs in Contract Year B, immediately following Contract Year A, and that second covered event also requires the payment of reimbursable losses. In that situation, reimbursable losses for Contract Year B will be paid in accordance with the provisions of Section 215.555(4)(c) and (4)(d), Florida Statutes, and Rule 19-8.013. The Board will estimate the claims-paying capacity for Contract Year B based on the balance of the Fund as of 12/31 of Contract Year B plus the amount the Board is able to raise through the issuance of bonds, reinsurance recoveries, or the incurrence of other indebtedness. If, in Contract Year A, the balance of the Fund was exhausted but only part of the estimated borrowing capacity for Contract Year A was used, then the claims-paying capacity for Contract Year B will be based on the balance of the Fund as of 12/31 of the Contract Year B, which will consist primarily of reimbursement premiums and investment income received for Contract Year B, plus any borrowing capacity or reinsurance purchased not used to pay reimbursements in Contract Year A.

5. When a covered event occurs in a subsequent contract year when reimbursable losses are still being paid for a covered event in a previous contract year, the Board will establish a reserve for the outstanding reimbursable losses for the previous contract year, based on the length of time the losses have been outstanding, the amount of losses already paid, the percentage of incurred losses still unpaid, and any other factors specific to the loss development of the covered events involved. ~~In any event, no bonds will be issued in a subsequent contract year to pay for losses in a previous contract year, which losses are in excess of the total projected payout for those insurers sustaining reimbursable losses in the previous contract year.~~

(6) How to Report a Loss.

(a) As directed by the Board, after a covered event occurs, insurers shall report all their losses for covered policies (ground-up losses, without regard for the insurer’s retention) on Form FHCF-L1A, “Florida Hurricane Catastrophe Fund Interim Loss Report,” rev. 10/98, which is hereby adopted and incorporated by reference. Prompt reporting in the format requested will aid the Board in determining whether to seek additional sources of funds to pay for reimbursable losses. The

losses reported on Form FHCF-L1A are expected to result from a good faith effort on the part of the insurer to report as accurately as possible. Preliminary reports will not be binding. Reimbursements by the Fund will be made on the basis of Form FHCF-L1B, adopted below, and on the basis of quarterly adjustments thereafter. After the initial report of ground-up losses on Form FHCF-L1A, only insurers expecting to exceed their retentions for covered losses are required to comply with paragraph (b), below.

(b) If an insurer expects covered losses to exceed its retention, it shall report its paid and outstanding covered losses for each occurrence as of month-end by the fifteenth of the following month in accordance with the table below:

Submit Form FHCF-L1A Monthly	
For Losses as of	By
06/30/XX	07/15/XX
07/31/XX	08/15/XX
08/31/XX	09/15/XX
09/30/XX	10/15/XX
10/31/XX	11/15/XX
11/30/XX	12/15/XX

(c) Insurers shall report their annual covered losses (all losses regardless of an insurer’s retention) for each occurrence on or before December 31 of the contract year during which the covered event occurs and quarterly thereafter on the date the quarter ends on Form FHCF-L1B, “Florida Hurricane Catastrophe Fund Proof of Loss Report,” rev. 10/98, which is hereby adopted and incorporated by reference. In reporting losses, deductibles shall be applied first to the coverages provided by the FHCF, that is, to structure and/or contents. Deductibles shall not be applied first to any coverages not provided by the FHCF such as additional living expense. For the quarterly report due on 3/31, any insurer whose losses reach or exceed 50% of its FHCF retention shall report its losses on Form FHCF-L1B. For the quarterly report due on 6/30, any insurer whose losses reach or exceed 75% of its FHCF retention shall report its losses on Form FHCF-L1B. For the quarterly reports due on 9/30 and thereafter, any insurer which anticipates that its losses will reach 100% or more of its FHCF retention shall report its losses on Form FHCF-L1B until all its losses are paid to its policyholders and the insurer has received reimbursement from the Fund. Each insurer which has recoveries from the Fund and which has reinsurance recoveries other than recoveries from the Fund shall complete Form FHCF-L1C, “Florida Hurricane Catastrophe Fund Proof of Loss Report/Reinsurance Recovery Worksheet,” rev. 10/98, which is hereby adopted and incorporated by reference. For purposes of this rule, quarterly loss reports shall be those reports submitted at each quarter end date after December 31 of the contract year in which the covered event occurs and continuing until all claims and losses resulting from loss



occurrences commencing during the contract year are fully discharged, in accordance with the reporting requirements in this paragraph.

(d) As a result of reports submitted on Form FHCF-L1B and Form FHCF-L1C, reimbursements to insurers shall be adjusted in accordance with Section 215.555(4)(b)3., Florida Statutes, which prohibits an insurer's recovery from all sources to exceed 100 percent of its losses from a covered event, and in accordance with Section 215.555(4)(d)1., Florida Statutes, which requires the Fund to pay additional amounts to insurers and insurers to return overpayments to the Fund, based on the most recent calculation of losses.

(e) All forms may be obtained from and shall be submitted to the Administrator of the Fund: Paragon Reinsurance Risk Management Services, Inc., 3600 3500 West 80th Street, Minneapolis, Minnesota 55431; tel.: 1(800)689-3863.

(f) The requirement that a report is due on a certain date means that the report shall be in the physical possession of the Fund's Administrator in Minneapolis no later than 5 p.m., Central Time, on the due date applicable to the particular report. If the applicable due date is a Saturday, Sunday or legal holiday, and if the due date's being a Saturday, Sunday or legal holiday means that neither the United States Postal Service nor private delivery services are operating that day, then the applicable due date will be the day immediately following the applicable due date which is not a Saturday, Sunday or legal holiday. For purposes of the timeliness of the remittance, neither the United States Postal Service postmark nor a postage meter date is in any way determinative. Reports sent to the Board in Tallahassee, Florida, will be returned to the sender. Reports not in the physical possession of the Fund's Administrator by 5 p.m., Central Time, on the applicable due date are late.

(7) Advances to insurers to prevent insolvency in imminent danger of insolvency.

(a) Pursuant to Section 215.555(4)(e), Florida Statutes, the Board may advance certain insurers certain percentages of the Board's estimate of reimbursement due the insurer their paid reimbursable losses. Subparagraph 1. of Section 215.555(4)(e) provides that insurers which demonstrate to the Board that the immediate receipt of moneys from the Board is likely to prevent the insurer from becoming insolvent are in imminent danger of insolvency due to the occurrence of one or more covered events may receive an advance up to 50 percent of the Board's estimate of the reimbursement due to the insurer, at market interest rates from Fund moneys held by the Board State Board of Administration ("the Board"), if such insurers demonstrate to the Board that the immediate receipt of moneys from the Board is likely to prevent the insurer from becoming insolvent. For purposes of this rule, a An insurer is insolvent if it is unable to pay its policyholders for justifiable claims. The

"market interest rate" shall be the then current interest rate being earned on the Fund's investments existing prime rate as published by the Sixth District Federal Reserve.

(b) Insurers shall request a specific amount for the advance and shall demonstrate that the immediate receipt of moneys from the Board is likely to prevent the insurer from becoming insolvent imminent insolvency by providing the Board with the following information, determined in accordance with statutory accounting principles:

1. current assets
2. current liabilities other than liabilities due to the covered event
3. current liabilities due to the covered event, paid and unpaid, submitted on Form FHCF-L1B
4. evidence of estimated retention breached by payment of paid losses from the covered event
  - ~~5.4.~~ current surplus as to policyholders
  - ~~6.5.~~ estimate of expected liabilities due to the covered event
  - ~~7.6.~~ estimate of other expected liabilities not due to the covered event
  - ~~8.7.~~ amount of reinsurance immediately available to pay claims for the covered event under other reinsurance treaties
  - ~~9.8.~~ estimated amount of payout from the Fund, determined in accordance with Section 215.555(4)(b), Florida Statutes. This estimate is necessarily predicated on the insurer's premium which in turn is predicated on its exposure. Therefore, if the covered event occurs in June, July, or August, the insurer shall provide its exposure data prior to September 1 in order that the appropriate calculations may be made.

(c) Insurers seeking advances pursuant to subparagraph 1 of Section 215.555(4)(e) shall also describe the steps they have taken to liquidate assets to pay claims and may also supply such other information as they deem necessary and appropriate to aid the Board in reaching a determination regarding whether or not to grant an advance pursuant to Section 215.555(4)(e), Florida Statutes.

(d) The information outlined in paragraphs (b) and (c), above, shall be supplied in the form of a letter, signed by two executive officers of the insurer, with the supporting information attached.

(e) In determining whether or not to grant an advance pursuant to Section 215.555(4)(e), Florida Statutes, the Board shall take the following steps:

1. the Board shall carefully review and consider all the information submitted by such insurers;
2. the Board shall consult with all relevant regulatory agencies may consult with the Department of Insurance and may ask for a recommendation from the Department; and
3. the Board shall carefully review its currently available liquid assets; and

4. the Board shall review the damage caused by the covered event and when that covered event occurred during the official Atlantic Hurricane Season.

(f) The Board's final decision regarding an application for an advance under Section 215.555(4)(e)1., Florida Statutes, shall be based on whether or not, considering the totality of the circumstances, including the Board's obligations to provide reimbursement for the whole Atlantic Hurricane Season. granting an advance will prevent the insolvency of the applicant insurer so that the insurer is able, not only to pay its policyholders' claims arising from the covered event, but also to maintain its existence as a viable source of residential property insurance coverage to the people of this state. A majority unanimous vote of the Trustees in favor is required before an advance can be granted.

(g) If an advance is granted, the "market interest rate" shall be determined with reference to the then current interest rate earned on the fund's investments on the date the Trustees' vote is taken ~~existing prime rate as published by the Sixth District Federal Reserve.~~ Pursuant to Section 215.555(4)(e)1., Florida Statutes, the amount of the advance shall not exceed 50 percent of the Board's estimate of the reimbursement due the insurer. The insurer's final reimbursement shall be reduced by an amount equal to the amount of the advance and the interest thereon.

(h) Any amount advanced by the Board shall be used by the insurer only to pay claims of its policyholders for the covered event or covered events which have precipitated either the immediate need for imminent ~~insolvency prevention~~ or the need to continue to pay additional claims as they become due, as the case may be. The advance is a reimbursement which allows the insurer to continue to pay claims in a timely manner. ~~It is not intended to be a substitute for private reinsurance.~~

(8) Advances to entities created pursuant to Section 627.351, Florida Statutes.

(a) ~~Pursuant to Section 215.555(4)(e), Florida Statutes, the Board may advance certain insurers certain percentages of the Board's estimate of their paid reimbursable losses.~~ Subparagraph 2. of Section 215.555(4)(e) provides that entities created under Section 627.351 may receive an advance at market interest rates of up to 90% of the lesser of the Board's estimate of reimbursement for losses due to such entity or the entity's share of reimbursement premium for that contract year multiplied by the currently available liquid assets of the Fund. The purpose of the advance under subparagraph 2. is to allow the entity to continue to pay additional claims from a covered event, as defined in Section 215.555(2)(b), Florida Statutes, in a timely manner. The "market interest rate" shall be the then current interest rate earned on the Fund's investments ~~existing prime rate as published by the Sixth District Federal Reserve.~~

(b) Insurers shall request a specific amount for the advance and shall demonstrate that an advance is essential to allow the entity to continue to pay ~~additional~~ claims for a covered event

in a timely manner once currently available liquid assets have been exhausted by providing the Board with the following information, determined in accordance with statutory accounting principles:

1. current assets
2. current liabilities other than liabilities due to the covered event
3. current liabilities due to the covered event, paid and unpaid, submitted on Form FHCF-L1B

4. evidence that the estimated retention will be breached by payment of covered losses from the covered event

- ~~5.4-~~ current surplus as to policyholders
- ~~6.5-~~ estimate of expected liabilities due to the covered event

~~7.6-~~ estimate of other expected liabilities not due to the covered event

~~8.7-~~ amount of reinsurance available to pay claims for the covered event

~~9.8-~~ estimated amount of payout from the Fund, determined in accordance with Section 215.555(4)(b), Florida Statutes. This estimate is necessarily predicated on the insurer's premium which in turn is predicated on its exposure. Therefore, if the covered event occurs in June, July, or August, the insurer shall provide its exposure data prior to September 1 in order that the appropriate calculations may be made.

(c) Insurers seeking advances pursuant to subparagraph 2 of Section 215.555(4)(e) shall describe the steps they have taken to liquidate assets to pay claims and may also supply such other information as they deem necessary and appropriate to aid the Board in reaching a determination regarding whether or not to grant an advance pursuant to Section 215.555(4)(e), Florida Statutes.

(d) The information outlined in paragraphs (b) and (c), above, shall be supplied in the form of a letter, signed by two executive officers of the insurer, with the supporting information attached.

(e) In determining whether or not to grant an advance pursuant to Section 215.555(4)(e), Florida Statutes, the Board shall take the following steps:

1. the Board shall carefully review and consider all the information submitted by such insurers;

2. the Board shall consult with all relevant regulatory agencies ~~may consult with the Department of Insurance and may ask for a recommendation from the Department; and~~

3. the Board shall carefully review its currently available liquid assets; and

4. the Board shall review the damage caused by the covered event and when that covered event occurred during the Atlantic Hurricane Season.

(f) The Board's final decision regarding an application for an advance under Section 215.555(4)(e)2., Florida Statutes, shall be based on whether or not, considering the totality of the

circumstances, including the Board's obligations to provide reimbursement for the whole Atlantic Hurricane Season, granting an advance is essential to allowing the entity to continue to pay additional claims for a covered event as they become due in a timely manner once currently available liquid assets have been exhausted. A majority ~~unanimous~~ vote of the Trustees in favor is required before an advance can be granted.

(g) If an advance is granted, the "market interest rate" shall be determined with reference to the current interest rate earned on the fund's investments on the date the Trustees' vote is taken ~~then existing prime rate as published by the Sixth District Federal Reserve.~~ Pursuant to Section 215.555(4)(e)2., Florida Statutes, the amount of the advance shall not exceed the lesser of 90% of the Board's estimate of the reimbursement for reimbursable losses due to such entity or the entity's share of the actual reimbursement premium paid for that contract year multiplied by the currently available liquid assets of the Fund. The insurer's final reimbursement shall be reduced by an amount equal to the amount of the advance and the interest thereon.

(h) Any amount advanced by the Board shall be used by the insurer only to pay claims of its policyholders for the covered event or covered events which have precipitated the need to continue to pay additional claims as they become due. The advance is a reimbursement which allows the insurer to continue to pay claims in a timely manner. ~~It is not intended to be a substitute for private reinsurance.~~

(9) Advances to limited apportionment companies.

(a) Subparagraph 3. of Section 215.555(4)(e) provides that any limited apportionment company under Section 627.351(2)(b)3. may receive an advance of the amount of the estimated reimbursement payable to such company as calculated pursuant to Section 215.555(4)(d), at market rates, if the Board determines that the Fund's assets are sufficient and are sufficiently liquid to permit the Board to make an advance to such company and at the same time fulfill its reimbursement obligations to the Fund's other participating insurers.

(b) Limited apportionment insurers seeking an advance pursuant to subparagraph 3 of Section 215.555(4)(e) shall request a specific amount for the advance and provide the Board with the following information, determined in accordance with statutory accounting principles:

1. current assets
2. current liabilities other than liabilities due to the covered event
3. current liabilities due to the covered event, paid and unpaid, submitted on Form FHCF-L1B
4. evidence of estimated retention will be breached by payment of paid losses from the covered event
- ~~5.~~4. current surplus as to policyholders
- ~~6.~~5. estimate of expected liabilities due to the covered event

~~7.~~6. estimate of other expected liabilities not due to the covered event

~~8.~~7. amount of reinsurance available to pay claims for the covered event

~~9.~~8. estimated amount of payout from the Fund, determined in accordance with Section 215.555(4)(b), Florida Statutes. This estimate is necessarily predicated on the insurer's premium which in turn is predicated on its exposure. Therefore, if the covered event occurs in June, July, or August, the insurer shall provide its exposure data prior to September 1 in order that the appropriate calculations may be made.

(c) Limited apportionment insurers may also supply such other information as they deem necessary and appropriate to aid the Board in reaching a determination regarding whether or not to grant an advance pursuant to Section 215.555(4)(e), Florida Statutes.

(d) The information outlined in paragraphs (b) and (c), above, shall be supplied in the form of a letter, signed by two executive officers of the insurer, with the supporting information attached.

(e) In determining whether or not to grant an advance pursuant to Section 215.555(4)(e), Florida Statutes, the Board shall take the following steps:

1. the Board shall carefully review and consider all the information submitted by such insurers;
2. the Board shall consult with all relevant regulatory agencies may consult with the Department of Insurance and may ask for a recommendation from the Department; and
3. the Board shall carefully review its currently available liquid assets; and
4. the Board shall review the damage caused by the covered event and when that covered event occurred during the official Atlantic Hurricane Season.

(f) The Board's final decision regarding an application for an advance under Section 215.555(4)(e)3., Florida Statutes, shall be based on whether or not, considering the totality of the circumstances, the Fund's assets are sufficient and sufficiently liquid to permit the Board to make an advance to the limited apportionment company and at the same time fulfill its reimbursement obligations to the Fund's other participating insurers. A majority vote of the Trustees in favor is required before an advance can be granted.

(g) If an advance is granted, the "market rate" shall be determined with reference to the then current interest rate earned on the fund's investments on the date the Trustees' vote is taken ~~existing prime rate as published by the Sixth District Federal Reserve.~~ Pursuant to Section 215.555(4)(e)3., Florida Statutes, the amount of the advance shall not exceed the Board's estimate of the reimbursement due the insurer calculated in accordance with Section 215.555(4)(d), Florida Statutes. The insurer's final reimbursement shall be reduced by an amount equal to the amount of the advance and the interest thereon.

(h) Any amount advanced by the Board shall be used by the insurer only to pay claims of its policyholders for the covered event or covered events which have precipitated either the need to continue to pay additional claims as they become due. The advance is a reimbursement which allows the insurer to continue to pay claims in a timely manner. ~~It is not intended to be a substitute for private reinsurance.~~

(10) Audits.

(a) All insurers reporting losses and/or receiving reimbursements or advances from the Fund for paid losses from covered events are subject to audit by the Fund or its agents pursuant to Article XIII of the reimbursement contract entered into between the insurer and the Fund for the contract year during which the covered event occurs for which losses are reported and/or reimbursements are made by the Fund. Therefore, all insurers shall retain complete and accurate records of all losses paid by the Fund for 5 years or until the Fund has completed its audit of the insurer's reimbursable losses, whichever is later. The records to be retained are set forth as part of Form FHCF-L1B and of Form FHCF-L1C, adopted above, and are set out below in paragraphs (b) and (c), below.

(b) Records Retention Requirements Relating to Loss Reports.

1. All records, including Form FHCF-L1B (Proof of Loss Report), correspondence, and supporting documentation, must be available with computer runs produced containing the information listed in this paragraph.

2. Detail claims listing which supports the losses reported on the Proof of Loss Report including: claim number, date of loss; policy number; policy effective date; paid loss – habitational building, appurtenant structure, and contents; outstanding loss reserve – habitational building, appurtenant structure, and contents; and salvage received, if any.

3. Hard copy claim files which include documentation of the following: claim number; claim description; policy number and location of property; evidence of salvage received; amount of loss adjustment expense; and copies of checks for payment of losses.

4. Detail exposure listing which was retained at the time the exposure data was submitted to the FHCF for the contract year the loss occurred.

(c) Records Retention Requirements Relating to the Reinsurance Recovery Worksheet.

1. All records, including Form FHCF-L1C (Reinsurance Recovery Worksheet) must be available with the supporting information listed in this paragraph.

2. For reinsurance recoveries in which FHCF recoveries inure to the benefit of the private reinsurer, provide the reinsurance agreement(s).

3. For reinsurance recoveries in which FHCF recoveries do not inure to the benefit of the private reinsurer, provide the following:

a. Summary of reinsurance in effect at the date of loss. Include subject per risk and aggregate agreements.

b. For proportional per risk reinsurance include percentage ceded, placement percentage, and treaty limits.

c. For non-proportional per risk reinsurance include attachment point, limit, percentage placed, and treaty limits.

d. For proportional aggregate reinsurance include attachment point, percentage ceded, placement percentage, and treaty limit.

e. For non-proportional aggregate reinsurance include attachment point, limit, and treaty limit.

f. For facultative reinsurance, provide summary of coverage placed.

4. Provide treaties or placement slips for the subject reinsurance agreements for all layers.

5. If no per risk, facultative, or aggregate reinsurance was in place at the time of the subject event, provide written confirmation.

6. Documentation supporting total paid loss for all lines, all states which reconciles to amounts reported on FHCF-Form L1C, Section III A. Include summary of direct paid loss listing for loss portion only. Do not include loss adjustment expenses.

7. Documentation supporting total incurred loss for all lines, all states that reconciles to amounts reported on FHCF-Form L1C, Section III A. Include summary of direct incurred loss listing for loss portion only. Do not include loss adjustment expenses.

8. Documentation supporting total paid reinsurance recovery that reconciles to amounts reported on FHCF-Form L1C, Section III E. Include reinsurance statements, notice of loss statements to reinsurer, or loss bordereaux.

9. Documentation supporting total incurred reinsurance recoverable that reconciles to amounts reported on FHCF-Form L1C, Section III E. Include reinsurance statements, notice of loss statements to reinsurer, or loss bordereaux.

(e) The insurer must also have available any other information not set out above which is specific to its claims payment procedures and without which a complete and accurate audit would not be possible.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History—New 5-20-96, Amended 2-17-97, 11-25-97, 10-13-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jack Nicholson, Chief Operating Officer, Florida Hurricane Catastrophe Fund, State Board of Administration

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 1999

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18 and July 30, 1999

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid Postsecondary Education Expense Board**

RULE TITLES: Application Contract Prices  
RULE NOS.: 19B-4.001 19B-4.002

PURPOSE AND EFFECT: To give effect to Section 240.551(5)(c), F.S., which authorizes the Board to make and execute contracts and other necessary instruments that are required in the administration of the Florida Prepaid College Program. To provide actuarial assumptions of the annual increases in state university local fees and in community college local fees for the pricing of state university local fee contracts and community college total fee contracts.

SUMMARY: Incorporates by reference two updated forms, the Prepaid College Application Form and the 1999-2000 Master Covenant, and revises the actuarial assumptions for increases in state university local fees and community college local fees for the pricing of state university local fee contracts and community college local fee contracts.

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: 240.551(5) FS.

LAW IMPLEMENTED: 240.551 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: 2:00 p.m., December 20, 1999

PLACE: Suite 210, Hermitage Building, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE FULL TEXT OF THE PROPOSED RULES IS:

19B-4.001 Application.

These rules apply to purchasers of advance payment contracts for the prepayment of postsecondary registration and/or dormitory residency fees. The application period shall commence and terminate on dates set annually by the Board and published in the Florida Administrative Weekly. Applications for advance payment contracts purchased through the Board's direct support organization, the Florida Prepaid College Foundation, Inc., or for purchasers participating in employer participation programs may be submitted to the Board at any time. After acceptance by the Board of the purchaser's application, a participation and payment schedule and master covenant shall be mailed to the purchaser. The

advance payment contract shall be comprised of the application, master covenant, and participation and payment schedule. The Florida Prepaid College Program Application, Form No. ~~FPCP 99-1~~ ~~FPCP 98-1~~ is hereby incorporated by reference and may be obtained by calling 1-800-552-GRAD (4723) (prompt 1). The effective date of the form is October ~~18, 1999~~ ~~19, 1998~~. The Florida Prepaid College Program Master Covenant, Form No. ~~FPCP 99-2~~ ~~FPCP 98-2~~, is hereby incorporated by reference with an effective date of October ~~18, 1999~~ ~~19, 1998~~.

Specific Authority 240.551(5) FS. Law Implemented 240.551 FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, Formerly 4G-4.001, Amended.

19B-4.002 Contract Prices.

The Board will evaluate prices for revision annually. All contract prices will be published annually in the Florida Administrative Weekly. Contract prices are based on the actuarial assumption that university tuition will rise at an average of ~~6.8~~ ~~7.5~~ percent per annum, community college tuition will rise at an average of ~~6~~ ~~5~~ percent per annum and dormitory fees will rise at an average of 6 percent per annum. Local fee contract prices are based on the actuarial assumption that university local fees will rise at an average of 6 percent per annum and community college local fees will rise at an average of 11 percent per annum.

Specific Authority 240.551(5) FS. Law Implemented 240.551 FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, 5-31-95, 2-18-99, Formerly 4G-4.002, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 1999 and October 5, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 1999

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid Postsecondary Education Expense Board**

RULE TITLE: Contract Types  
RULE NO.: 19B-5.001

PURPOSE AND EFFECT: To provide that local fee plan contracts sold after July 1, 1999, provide coverage for the technology fee. The 1999 Legislature authorized community colleges to impose a technology fee. To provide for the sale of dormitory contracts as an addendum to community college plus university tuition contracts.

SUMMARY: This rule change includes the technology fee in the coverage of local fee plan contracts and allows advance payment contracts for the dormitory plan to be purchased in conjunction with or as an addendum to community college plus university tuition plans.

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: 240.551(5) FS.

LAW IMPLEMENTED: 240.551(5), (7)(a) 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: 2:00 p.m., December 20, 1999

PLACE: Suite 210, Hermitage Building, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-5.001 Contract Types.

The program offers purchasers three different types of tuition and local fee plan contracts, respectively, with an addendum dormitory plan to the university plan or community college plus university plan contract. All types of tuition plans cover the matriculation fee, the building fee, the capital improvement fee and the financial aid fee. Local fee contracts cover the activity and service, health, and athletics fees imposed by the state universities and the student activity fee imposed by the community colleges. Local fee contracts purchased after July 1, 1999 also cover the technology fee imposed by the community colleges.

(1) Tuition plans consist of three separate plans:

(a) University Plan – The university plan specifies that 120 credit hours at a state university are purchased for the benefit of the qualified beneficiary.

(b) Community College Plan – The community college plan specifies that 60 credit hours at a state community college are purchased for the benefit of the qualified beneficiary. For community college plans purchased prior to the 1996-97 application period, the number of credit hours purchased through the community college plan shall be the number specified in the advance payment contract.

(c) Community College Plus University Plan – The community college plus university plan specifies that 60 credit hours at a state community college and 60 upper division level credit hours at a state university are purchased for the benefit of the qualified beneficiary. For community college plus university plans purchased prior to the 1996-97 application period, the number of credit hours purchased through the community college plus university plan shall be the number specified in the advance payment contract.

Tuition plans do not cover institutionally-imposed fees such as health, athletic, activity and service, technology or student activity fees.

(2) Local fee plans consist of three separate plans:

(a) University Local Fee Plan – The university local fee plan specifies that local fees for 120 credit hours at a state university are purchased for the benefit of the qualified beneficiary.

(b) Community College Local Fee Plan – The community college plan specifies that local fees for 60 credit hours at a state community college are purchased for the benefit of the qualified beneficiary.

(c) Community College Plus University Local Fee Plan – The community college plus university plan specifies that local fees for 60 credit hours at a state community college and 60 upper division level credit hours at a state university are purchased for the benefit of the qualified beneficiary.

(3) Dormitory Plan

(a) The dormitory plan may be purchased only for those contract beneficiaries four (4) or more years away from their anticipated matriculation date at the time that the contract application is filed. Effective for enrollment periods beginning after July 1, 1997, the dormitory plan is not available unless the sale of dormitory contracts is specifically authorized by the Board prior to the enrollment period for that year and the sale of dormitory plan contracts will not adversely affect the status of the program as a “qualified state tuition program” under s. 529 of the Internal Revenue Code.

(b) A dormitory plan purchased in conjunction with or as an addendum to the community college plus university plan is intended for use after the beneficiary is admitted to a state university. A dormitory plan may only be transferred for use at a community college pursuant to Rule 19B-9.004, F.A.C.

(4) The contracts do not cover fees and costs related to books, meals, transportation, graduate school, and institutionally-imposed fees such laboratory fees.

Specific Authority 240.551(5) FS. Law Implemented 240.551(5),(7)(a) FS. History–New 3-29-89, Amended 5-17-92, 8-23-92, 5-31-95, 6-20-96, 10-20-96, 8-18-97, 2-18-99, Formerly 4G-5.001, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 1999

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid Postsecondary Education Expense Board**

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

PURPOSE AND EFFECT: To revise the Board's rules to rename the "Not Sufficient Fund Fee" as the "Insufficient Fund Fee," delete the fee for change of beneficiary and clarify that the reinstatement fee is due for each tuition, dormitory or local fee account that is reinstated.

SUMMARY: This rule change: 1) revises the name of the "Not Sufficient Funds" fee to the "Insufficient Funds" fee; 2) deletes the change of beneficiary fee; and 3) revises the reinstatement fee to clarify that the fee is due for each tuition, dormitory or local fee account that is reinstated.

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: 240.551(5) FS.

LAW IMPLEMENTED: 240.551(5), (7)(a) 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: 2:00 p.m., December 20, 1999

PLACE: Suite 210, Hermitage Building, Tallahassee, Florida  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

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

19B-6.001 Fee Schedule.

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

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

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

- (a) The purchaser or beneficiary dies or is disabled; or
- (b) The beneficiary receives a scholarship which renders the plan unusable; or
- (c) The purchaser holds the advance payment contract for a period of at least two years immediately preceding the request for termination and refund. The purchaser shall request a waiver of the termination fee at the time of the refund request. Only one termination fee will be assessed for a single

termination request for both the university and dormitory plan. Documentation of one of the above events permitting the fee waiver shall also be submitted with the request.

~~(3) Substitution of Beneficiary – A five dollar (\$5.00) fee will be assessed to substitute beneficiaries under the plan, except in the event of a death or disability of a qualified beneficiary.~~

~~(4)~~(4) Cancellation Fee – In verifying the residency of a beneficiary, if the Board discovers that a purchaser has committed fraud, a cancellation fee of one hundred percent (100%) of the amount paid into the plan up to a maximum of two hundred fifty dollars (\$250.00) will be assessed, and the remainder of the amount paid into the plan will be automatically refunded to the purchaser.

~~(4)~~(5) Late Fee – A late fee of ten dollars (\$10.00) will be assessed on each monthly payment received twenty (20) days past the due date. The Board may grant an additional four (4) days grace period when a federal holiday occurs within the twenty (20) days mentioned above. A maximum charge of seventy dollars (\$70.00) in outstanding late fees will be charged against each account upon cancellation. This charge shall be separate from and in addition to any termination fee that might be imposed pursuant to subsection (2) of this rule. If both the tuition and local fee payments are received twenty (20) or more days past the due date, only the tuition account will be assessed a ten dollar (\$10.00) late fee.

~~(5)~~(6) Insufficient Not Sufficient Funds – Purchasers will automatically be assessed a ten dollar (\$10.00) fee for all payments returned for insufficient funds.

~~(6)~~(7) Addition of a dormitory contract – A fee of ten dollars (\$10.00) will be assessed for any purchaser of a tuition plan who subsequently adds a dormitory plan to the previously purchased tuition plan.

~~(7)~~(8) Addition of a local fee contract – A fee of ten dollars (\$10.00) will be assessed for any purchaser of a tuition plan who subsequently adds the corresponding local fee plan to the previously purchased tuition plan.

~~(8)~~(9) Out-of-State Transfer Fee – A fee of twenty-five dollars (\$25.00) will be assessed for the transfer of benefits to eligible postsecondary institutions outside Florida.

~~(9)~~(10) Outstanding fees – All outstanding fees must be paid by March 1 of the anticipated enrollment year in order for the qualified beneficiary to receive the contract benefits. Fees assessed after March 1 of the anticipated enrollment year and remaining unpaid on February 1 of the succeeding year will result in a suspension of the contract benefits.

~~(10)~~(11) Reinstatement Fee – A \$42.00 fee shall be assessed for the reinstatement of a voluntarily canceled or involuntarily canceled account. This fee shall be due on each tuition, local fee and dormitory account. The fee shall be due from the purchaser at the time the request for reinstatement is made and shall be in addition to all payments and fees required to bring an account current.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Florida Prepaid College Board  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Florida Prepaid College Board  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: October 5, 1999  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: November 12, 1999

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid Postsecondary Education Expense Board**  
 RULE TITLE: Qualified Individual  
 RULE NO.: 19B-8.001  
 PURPOSE AND EFFECT: To revise the Board's rules to allow the transfer of a contract to an eligible substitute beneficiary, regardless of the age or postsecondary enrollment status of the original beneficiary, as long as no Program benefits have been used.

SUMMARY: Allows transfer of a contract to an eligible substitute beneficiary, regardless of the age or postsecondary enrollment status of the original beneficiary, as long as no Program benefits have been used.

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: 240.551(5) FS.

LAW IMPLEMENTED: 240.551(5), (7)(a) 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: 2:00 p.m., December 20, 1999

PLACE: Suite 210, Hermitage Building, Tallahassee, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-8.001 Qualified Individuals.

A purchaser may request a transfer of a contract to an eligible substitute beneficiary who is either the brother, sister, half brother, half sister, step-brother, or step-sister of the qualified beneficiary. A purchaser who is the grandparent of the qualified beneficiary may request the transfer of a contract to an eligible substitute beneficiary who is a grandchild of the

purchaser. The substitute beneficiary must meet the residency requirement of a qualified beneficiary at the time of substitution. Documentation must also be submitted with the transfer request evidencing the relationship of the transferee. The contract purchaser will be required to sign and notarize any request to substitute beneficiaries on an advance payment contract. The substitution must be made prior to the qualified beneficiary using benefits at a matriculating at a state postsecondary institution.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Florida Prepaid College Board  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Florida Prepaid College Board  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: October 5, 1999  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: November 12, 1999

**FLORIDA LAND AND WATER ADJUDICATORY COMMISSION**

**Fleming Island Plantation Community Development District**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Fleming Island Plantation Community Development District	42BB-1
RULE TITLES:	RULE NOS.:
Creation and Establishment	42BB-1.001
Boundary	42BB-1.002
Supervisors	42BB-1.003

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule is to establish a community development district (CDD), the Fleming Island Plantation Community Development District (District), pursuant to Chapter 190, F.S. The amended petition together with the original petition to establish the District, filed by Centrex Homes, (Petitioner), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Fleming Island Plantation CDD. The land area proposed to be served by the District will be approximately 1,580 acres. All proposed lands in the District are within the unincorporated area of Clay County, generally located just south of County Road 220 and west of U.S. 17. The proposed community within the District has been approved as the Fleming Island Plantation Development of Regional Impact. The development plan for the District currently includes land-uses consisting of single and multi-family residential, retail, light industrial, and office development, in addition to various park, amenity, community, recreation and public facilities. The property has a projected development build-out date of December 31, 2012. The District, if established, intends to provide internal and external



roads, irrigation system and landscaping, sanitary sewer, potable water, reuse water and storm sewer lines, fire station contribution, master drainage system, amenity center and community buildings, and certain other projects when expressly approved or required by a local government.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** The Petitioner has prepared a Statement of Estimated Regulatory Costs (SERC). The complete text of the SERC is contained as Exhibit 11 to the petition to establish the District. The Fleming Island Plantation Uniform Community Development District is seeking authority to plan, finance, acquire, construct and maintain infrastructure such as; water management, water supply, sewer, wastewater management, bridges or culverts, roads and street lights, common area landscaping, parks and recreational facilities, security facilities, mosquito control and certain other projects when expressly approved or required by a local government for the benefit of the property and residents within the boundaries of the District as authorized by Chapter 190, Florida Statutes. The District intends to finance these infrastructure improvements through special or non-ad valorem assessment revenue bonds. Repayment of these bonds will be through special non-ad valorem assessments levied against all benefited properties within the District. On-going operation and maintenance for District owned facilities is expected to be funded through maintenance assessments levied against all benefited properties within the District. The current and future property owner will be responsible for payment of these assessments on the basis of the amount of benefited property owned. In exchange for the payment of these special assessments, there are substantial potential benefits to be derived by the future property owners. The cost of implementing this rule to Clay County, its residents and to all applicable state agencies for processing the documents is nominal. The County was paid a \$15,000.00 processing fee to offset its cost of review of the petition to establish the District. Administrative costs will be incurred by the Florida Land and Water Adjudicatory Commission, the Division of Administrative Hearings, the Bureau of Local Government Finance/Office of the Comptroller, and the Florida Department of Community Affairs. Other than administrative costs, no costs will be incurred by the State of Florida or the general citizenry from the establishment or operations of the District. The impact of District establishment and function on competition and employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the rule, is as economically viable as establishing the District. Creation of the District should not have a negative impact on small cities or counties, because Clay County is not a "small county" as defined in Section 120.52, F.S. Data utilized in the SERC was provided by the developer/petitioner and represents the best

information available at this time. Other data was provided by Rizzetta & Company and was based on observations, analysis and experience with private development and other CDDs in various stages of existence.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

IF REQUESTED WITHIN TWENTY-ONE (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. – 12:00 Noon, Monday, January 10, 2000

PLACE: Room 2106, The Capitol, Tallahassee, Florida

COPIES OF THE PROPOSED RULES AND ESTIMATED REGULATORY COSTS STATEMENT MAY BE OBTAINED BY CONTACTING: Susan C. McDonald, Rogers, Towers, Bailey, Jones & Gay, P. A., 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207, telephone (904)346-5587 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 2105, Tallahassee, Florida 32399-0001, telephone (850)488-7793

THE FULL TEXT OF THE PROPOSED RULES IS:

42BB-1.001 Creation and Establishment.

The Fleming Island Plantation Community Development District is hereby created and established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History-New

42BB-1.002 Boundary.

The boundaries of the District are as follows:

LEGAL DESCRIPTION OF FLEMING ISLAND – "WEST" PARCEL

A PART OF SECTIONS 4, 5, 6, 8, 9, 16, 17, AND ALSO A PART OF THE GEORGE FLEMING GRANT, SECTION 38, ALL LYING IN TOWNSHIP 5 SOUTH, RANGE 26 EAST, CLAY COUNTY, FLORIDA AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE CORNER COMMON TO SAID SECTIONS 5 AND 8 WITH SECTIONS 6 AND 7, SAID TOWNSHIP AND RANGE: THENCE SOUTH 06° 25' 27" WEST, ALONG THE LINE DIVIDING SAID SECTION 7 FROM SAID SECTION 8, A DISTANCE OF 2,029.71 FEET; THENCE NORTH 88° 34' 03" EAST A DISTANCE OF 1,519.07 FEET TO THE SOUTHWEST CORNER OF LANDS RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 1285, PAGE 079; RUN THENCE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES ALONG THE WEST LINE OF SAID OFFICIAL RECORDS BOOK 1285, PAGE 079: 1st COURSE, NORTH 01° 25' 57" WEST, 1,200.00 FEET; 2nd COURSE, NORTH 67° 09' 17" EAST, 369.74 FEET; 3rd COURSE, NORTH 03° 05' 06" WEST, 100.0 FEET; 4th

COURSE, NORTH 56° 54' 54" EAST, 100.0 FEET; 5th COURSE, NORTH 03° 05' 06" WEST, 150.0 FEET; 6th COURSE, NORTH 63° 05' 06" WEST, 100.0 FEET; 7th COURSE, NORTH 03° 05' 06" WEST, 200.0 FEET TO A POINT ON A CURVE; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE IN THE NORTH LINE OF LAST MENTIONED DEED, SAID CURVE BEING CONCAVE NORTHERLY AND HAVING A RADIUS OF 1,800.0 FEET, AN ARC DISTANCE OF 438.16 FEET TO THE NORTHEAST CORNER OF SAID DEED, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 80° 14' 19" EAST, 437.17 FEET; THENCE SOUTH 02° 43' 18" WEST, ALONG THE EASTERLY LINE OF A 66 FOOT UNRECORDED CLAY ELECTRIC EASEMENT, A DISTANCE OF 109.88 FEET; THENCE NORTH 90° 00' 00" EAST, A DISTANCE OF 1,133.99 FEET; THENCE SOUTH 57° 35' 21" EAST, A DISTANCE OF 772.86 FEET; THENCE SOUTH 32° 24' 39" WEST, A DISTANCE OF 167.39 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 650.00 FEET, AN ARC DISTANCE OF 192.62 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 23° 55' 16" WEST, 191.92 FEET; THENCE SOUTH 15° 25' 53" WEST, A DISTANCE OF 85.40 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET, AND ARC DISTANCE OF 47.12 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 60° 25' 53" WEST, 42.43 FEET; THENCE NORTH 74° 34' 07" WEST, A DISTANCE OF 14.80 FEET TO A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE SOUTHERLY AND HAVING A RADIUS OF 175.00 FEET, AN ARC DISTANCE OF 47.13 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 82° 17' 03" WEST, 46.99 FEET; THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 1,537.64 FEET TO A POINT ON THE EAST LINE OF PREVIOUSLY MENTIONED OFFICIAL RECORDS BOOK 1285, PAGE 079; THENCE SOUTH 02° 43' 18" WEST, ALONG LAST SAID EAST DEED LINE, 1,018.40 FEET TO THE SOUTHEAST CORNER OF SAID DEED; THENCE SOUTH 88° 34' 03" WEST, ALONG THE SOUTH LINE OF SAID OFFICIAL RECORDS BOOK 1285, PAGE 079, A DISTANCE OF 139.42 FEET; THENCE SOUTH 06° 21' 04" WEST, 3,365.62 FEET; THENCE SOUTH 00° 31' 34" EAST,

1,154.82 FEET; THENCE SOUTH 38° 12' 02" EAST, 775.11 FEET; THENCE SOUTH 00° 00' 14" WEST, 828.48 FEET; THENCE SOUTH 58° 24' 54" EAST, 1,127.18 FEET; THENCE DUE SOUTH, 400.00 FEET; THENCE SOUTH 40° 48' 54" WEST, 893.07 FEET; THENCE SOUTH 05° 07' 41" EAST, 243.40 FEET; THENCE NORTH 35° 50' 56" EAST, 117.83 FEET; THENCE NORTH 43° 58' 16" EAST, 851.76 FEET; THENCE NORTH 85° 07' 48" EAST, 328.12 FEET; THENCE SOUTH 60° 31' 53" EAST, 523.89 FEET; THENCE SOUTH 21° 54' 37" WEST, 307.10 FEET; THENCE DUE SOUTH, 1,251.12 FEET; THENCE DUE WEST, 219.20 FEET; THENCE SOUTH 52° 37' 30" EAST, 3,778.12 FEET; THENCE NORTH 29° 27' 01" EAST, 392.64 FEET; THENCE NORTH 27° 02' 49" WEST, 937.20 FEET; THENCE NORTH 02° 51' 40" EAST, 414.11 FEET; THENCE NORTH 60° 07' 34" WEST, 489.56 FEET; THENCE NORTH 29° 52' 26" EAST, 522.13 FEET; THENCE SOUTH 60° 07' 34" EAST, 870.96 FEET; THENCE SOUTH 87° 08' 20" EAST, 200.00 FEET; THENCE NORTH 02° 51' 40" EAST, ALONG THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 STATE ROAD NO. 15 (A VARIABLE WIDTH RIGHT OF WAY), 651.23 FEET; THENCE NORTH 60° 31' 53" WEST, ALONG THE SOUTHWESTERLY LINE OF FLEMING ISLAND ESTATES AS RECORDED IN PLAT BOOK 4, PAGE 63 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 2,718.29 FEET; THENCE NORTH 46° 57' 35" EAST, ALONG THE NORTHWESTERLY LINE OF SAID FLEMING ISLAND ESTATES AND ITS NORTHEASTERLY PROLONGATION, THE SAME BEING THE NORTHWESTERLY LINE OF THE AFOREMENTIONED GEORGE FLEMING GRANT, SECTION 38, A DISTANCE OF 2,191.22 FEET; THENCE SOUTH 89° 10' 36" WEST, ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK "H", PAGE 242 AND DEED BOOK 38, PAGE 44, BOTH OF SAID PUBLIC RECORDS, A DISTANCE OF 701.41 FEET; THENCE NORTH 00° 48' 52" WEST, ALONG THE WESTERLY LINE OF SAID LANDS, A DISTANCE OF 795.34 FEET; THENCE NORTH 89° 07' 16" EAST, ALONG THE NORTHERLY LINE OF SAID LANDS AND ALONG THE NORTHERLY LINE OF DEED BOOK 99, PAGE 268 OF SAID PUBLIC RECORDS, A DISTANCE OF 1,579.58 FEET TO ITS INTERSECTION WITH SAID NORTHWESTERLY LINE OF THE GEORGE FLEMING GRANT, SECTION 8; THENCE NORTH 46° 57' 35" EAST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 115.13 FEET TO ITS INTERSECTION WITH THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 - STATE ROAD NO. 15; THENCE NORTH 02° 51' 23" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, 8,066.26 FEET; THENCE SOUTH 89° 33' 25" WEST, ALONG THE SOUTHERLY LINE OF OFFICIAL RECORDS VOLUME 122, PAGE 625 (PARCEL NO. 1) OF SAID PUBLIC

RECORDS, A DISTANCE OF 823.19 FEET; THENCE SOUTH 01° 01' 47" EAST, A DISTANCE OF 541.27 FEET; THENCE SOUTH 25° 45' 22" WEST, A DISTANCE OF 550.74 FEET; THENCE SOUTH 40° 26' 26" WEST, A DISTANCE OF 184.87 FEET; THENCE SOUTH 10° 59' 12" WEST, A DISTANCE OF 385.85 FEET; THENCE SOUTH 49° 53' 10" WEST, A DISTANCE OF 227.28 FEET TO A POINT ON A CURVE; RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1,000.00 FEET, AN ARC DISTANCE OF 391.74 FEET TO A POINT OF REVERSE CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 51° 20' 11" WEST, 389.24 FEET; RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1,950.00 FEET, AN ARC DISTANCE OF 799.31 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 50° 48' 57" WEST, 793.72 FEET; THENCE NORTH 39° 04' 23" WEST, A DISTANCE OF 412.83 FEET TO A POINT OF CURVATURE; RUN THENCE IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 30.00 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 05° 55' 36" EAST, 42.43 FEET; THENCE NORTH 50° 55' 37" EAST, A DISTANCE OF 170.00 FEET TO A POINT OF CURVATURE; RUN THENCE IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 500.00 FEET, AN ARC DISTANCE OF 577.46 FEET TO A POINT OF REVERSE CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 17° 50' 27" EAST, 545.90 FEET; RUN THENCE IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 450.00 FEET, AN ARC DISTANCE OF 660.72 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 26° 49' 04" EAST, 602.95 FEET; THENCE NORTH 68° 52' 51" EAST, A DISTANCE OF 200.56 FEET TO A POINT OF CURVATURE; RUN THENCE IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 375.00 FEET, AN ARC DISTANCE OF 217.32 FEET TO A POINT, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 52° 16' 44" EAST, 214.29

FEET; THENCE NORTH 89° 33' 25" EAST, 134.43 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN THE OFFICIAL RECORDS OF SAID COUNTY IN OFFICIAL RECORDS BOOK 43, PAGE 300, TRACT NO. 100; THENCE NORTH 00° 26' 35" WEST, ALONG THE WEST LINE OF SAID OFFICIAL RECORDS BOOK 43, PAGE 300, TRACT NO. 100, A DISTANCE OF 300.00 FEET; THENCE NORTH 89° 33' 25" EAST, ALONG THE NORTHERLY LINE OF LAST MENTIONED LANDS AND ALONG THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 122, PAGE 625 OF SAID PUBLIC RECORDS, A DISTANCE OF 1,588.98 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 - STATE ROAD NO. 15; THENCE NORTH 02° 51' 23" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 100.17 FEET; THENCE SOUTH 89° 33' 25" WEST, 2,147.52 FEET; THENCE SOUTH 89° 28' 17" WEST, 1,935.17 FEET; THENCE SOUTH 00° 31' 43" EAST, 721.32 FEET; THENCE NORTH 61° 01' 58" EAST, 490.10 FEET; THENCE SOUTH 43° 54' 14" EAST, 496.66 FEET; THENCE SOUTH 50° 55' 37" WEST, 1,885.75 FEET; THENCE NORTH 57° 35' 21" WEST, 654.06 FEET; THENCE NORTH 60° 51' 43" EAST, 56.79 FEET; THENCE NORTH 19° 01' 41" WEST, 1,730.58 FEET; THENCE SOUTH 89° 28' 17" WEST, 163.45 FEET; THENCE SOUTH 19° 01' 41" EAST, 1,153.59 FEET; THENCE SOUTH 89° 02' 15" WEST 69.42 FEET; RUN THENCE THE FOLLOWING THREE (3) COURSES ALONG THE EAST, SOUTH AND WEST LINES OF OFFICIAL RECORDS BOOK 1482, PAGE 0012: 1st COURSE, SOUTH 19° 01' 41" EAST, 425.0 FEET; 2nd COURSE, SOUTH 89° 02' 15" WEST, 350.0 FEET; 3rd COURSE, NORTH 19° 01' 41" WEST, 425.00 FEET; THENCE SOUTH 89° 02' 15" WEST, 1,535.63 FEET; THENCE SOUTH 04° 09' 45" WEST, ALONG THE LINE DIVIDING AFOREMENTIONED SECTION 5 FROM AFOREMENTIONED SECTION 6, A DISTANCE OF 990.44 FEET; THENCE SOUTH 89° 17' 23" WEST, ALONG THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 585, PAGE 506 OF SAID CURRENT PUBLIC RECORDS, A DISTANCE OF 3,296.55 FEET; THENCE SOUTH 63° 37' 27" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LANDS, THE SAME BEING THE SOUTHEASTERLY LINE OF THE E.A., FERGUSON GRANT AND THE NORTHWESTERLY LINE OF AFOREMENTIONED SECTION 6, A DISTANCE OF 230.88 FEET; THENCE NORTH 89° 17' 23" EAST, ALONG THE SOUTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 585, PAGE 506, A DISTANCE OF 3,496.12 FEET TO THE AFOREMENTIONED LINE DIVIDING SECTION 5 FROM SECTION 6; THENCE SOUTH 04° 09' 45" WEST, ALONG SAID DIVIDING LINE A DISTANCE OF 22.71 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAIN 1.469 ACRES OR LESS.

ALSO.

LEGAL DESCRIPTION OF FLEMING ISLAND – "EAST" PARCEL

A PART OF THE GEORGE FLEMING GRANT, SECTION 38, TOWNSHIP 5 SOUTH, RANGE 26 EAST, CLAY COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF FLEMING ISLAND ESTATES AS RECORDED IN PLAT BOOK 4, PAGE 61 OF THE PUBLIC RECORDS OF SAID COUNTY WITH THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 STATE ROAD NO. 15 AS NOW ESTABLISHED BY THE STATE OF FLORIDA, STATE ROAD DEPARTMENT, RIGHT OF WAY SECTION NO. 71020 2508 RIGHT OF WAY MAP; THENCE SOUTH 60° 31' 53" EAST, ALONG SAID SOUTHWESTERLY LINE OF FLEMING ISLAND ESTATES, A DISTANCE OF 2,342.36 FEET; THENCE SOUTH 29° 28' 07" WEST, ALONG THE NORTHWESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 208, PAGE 701, A DISTANCE OF 100.00 FEET TO REFERENCE POINT "A"; THENCE FROM THE AFOREMENTIONED POINT OF BEGINNING OF SAID PARCEL BEING DESCRIBED RUN SOUTH 02° 51' 40" WEST, ALONG THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 STATE ROAD NO. 15, A DISTANCE OF 1,134.95 FEET TO AN ANGLE POINT IN SAID EASTERLY RIGHT OF WAY LINE; THENCE SOUTH 02° 54' 42" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 986.87 FEET; THENCE SOUTH 87° 05' 18" EAST, ALONG THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK 69, PAGE 35 OF SAID PUBLIC RECORDS, A DISTANCE OF 165.00 FEET; THENCE SOUTH 02° 54' 42" WEST, ALONG THE EASTERLY LINE OF SAID LANDS, A DISTANCE OF 200.00 FEET; THENCE NORTH 87° 05' 18" WEST, ALONG THE SOUTHERLY LINE OF SAID LANDS, A DISTANCE OF 165.00 FEET TO THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 STATE ROAD NO. 15; THENCE SOUTH 02° 54' 42" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 278.27 FEET TO A POINT OF CURVE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 23,125.73 FEET; THENCE SOUTHERLY, ALONG AND WITH THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT OF WAY LINE, A CHORD BEARING OF SOUTH 04° 09' 37" WEST AND A CHORD DISTANCE OF 1,007.86 FEET TO A POINT OF REVERSE CURVE, SAID CURVE BEING CONCAVE EASTERLY HAVING A RADIUS OF

22,996.74 FEET; THENCE SOUTHERLY, ALONG AND WITH THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT OF WAY LINE, A CHORD BEARING OF SOUTH 04° 57' 41" WEST AND A CHORD DISTANCE OF 359.01 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 02° 54' 42" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 293.16 FEET; THENCE SOUTH 87° 05' 18" EAST, ALONG THE NORTHERLY LINE OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PARK, A DISTANCE OF 272 FEET, MORE OR LESS TO ITS INTERSECTION WITH THE APPROXIMATE MEAN HIGH WATERLINE OF THE ST. JOHNS RIVER; THENCE NORTHEASTERLY ALONG AND WITH SAID APPROXIMATE MEAN HIGH WATER LINE, A DISTANCE OF 3,800 FEET, MORE OR LESS TO ITS INTERSECTION WITH A LINE WHICH BEARS SOUTH 60° 31' 53" EAST FROM AFOREMENTIONED REFERENCE POINT "A"; THENCE NORTH 60° 31' 53" WEST, ALONG THE SOUTHWESTERLY LINE OF THOSE AFOREMENTIONED LANDS AS RECORDED IN OFFICIAL RECORDS BOOK 208, PAGE 701, A DISTANCE OF 70 FEET, MORE OR LESS TO THE NORTHEASTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1196, PAGE 394 OF SAID CURRENT PUBLIC RECORDS, SAID CORNER LYING SOUTH 60° 31' 53" EAST, A DISTANCE OF 190.00 FEET FROM REFERENCE POINT "A"; THENCE SOUTH 29° 28' 07" WEST, ALONG THE SOUTHEASTERLY LINE OF SAID LANDS, A DISTANCE OF 20.00 FEET; THENCE NORTH 60° 31' 53" WEST, ALONG THE SOUTHWESTERLY LINE OF LANDS, A DISTANCE OF 90.00 FEET; THENCE NORTH 29° 28' 07" EAST, ALONG THE NORTHWESTERLY LINE OF SAID LANDS, A DISTANCE OF 20.00 FEET; THENCE NORTH 60° 31' 53" WEST, ALONG THE AFOREMENTIONED SOUTHWESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 208, PAGE 701, A DISTANCE OF 100.00 FEET TO REFERENCE POINT "A"; THENCE NORTH 29° 28' 07" EAST, ALONG THE AFOREMENTIONED NORTHWESTERLY LINE OF THOSE LANDS, A DISTANCE OF 100.00 FEET; THENCE NORTH 60° 53" WEST, ALONG THE AFOREMENTIONED SOUTHWESTERLY LINE OF FLEMING ISLAND ESTATES, A DISTANCE OF 2,342.36 FEET TO THE POINT OF BEGINNING.

CONTAINING 111 ACRES, MORE OR LESS.

Specific Authority 190.005 FS, Law Implemented 190.004, 190.005 FS, History—New \_\_\_\_\_.

42BB-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: David Bishop, Doug Smith, Sarah Carmody, Candice Paulsen, and Clint Smith.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 2105, The Capitol, Tallahassee, Florida 32399-0001

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 5, 1999

DEPARTMENT OF THE LOTTERY

RULE TITLES:	RULE NOS.:
General Provisions	53-20.001
Classification and Pay Plan	53-20.002
Recruitment	53-20.003

SUMMARY: The proposed rule is necessary to amend the provisions regarding the recruitment of Executive Management Service personnel, to amend the title, "The Personnel Administration Unit (PAU)" to the "The Division of Human Resource Services" throughout the chapter, and to add Chief of Staff to the positions that compose the Executive Management Service.

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(10)(j) FS.

LAW IMPLEMENTED: 24.105(20)(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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 9:00 a.m., December 20, 1999

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, Capitol Complex, Tallahassee, Florida 32399-4011, (850)487-7724

THE FULL TEXT OF THE PROPOSED RULES IS:

- 53-20.001 General Provisions.
- (1) No change.

(2) The Executive Management Service is composed of the Secretary, Deputy Secretary, Chief of Staff, Assistant Secretaries, Directors, General Counsel, and the Inspector General/Chief Internal Auditor, ~~and the Communications Director~~.

(3) through (6) No change.

Specific Authority 24.105(10)(j) FS. Law Implemented 24.105(20)(2+)(d) FS. History--New 2-25-93, Amended \_\_\_\_\_.

53-20.002 Classification and Pay Plan.

(1) The Division of Human Resource Services Personnel Administration Unit (PAU) shall establish and maintain a classification and pay plan applicable to all positions in the Executive Management Service.

(2) The Division of Human Resource Services PAU shall prepare a job description for each position to be placed in the Executive Management Service and shall maintain such job descriptions on a current basis. Each job description shall accurately present information as prescribed by the Lottery.

(3) The Division of Human Resource Services PAU shall assign each such position to its appropriate class according to the information contained in the job description.

(4) No change.

(5) At the request of the Secretary, the Division of Human Resource Services PAU shall conduct studies and surveys to determine if changes are needed in order to maintain the classification and pay plan on a current basis.

(6) through (9) No change.

Specific Authority 24.105(10)(j) FS. Law Implemented 24.105(20)(2+)(d) FS. History--New 2-25-93, Amended \_\_\_\_\_.

53-20.003 Recruitment.

Recruiting efforts to fill current or anticipated vacancies in the Executive Management Service shall be conducted as directed by the Secretary. The Secretary shall have sole discretion to determine whether a need exists to advertise the vacancy and, if so, the nature and extent of such advertisement. The Secretary shall assure that agency recruiting efforts are carried out so as to attract qualified minority and female applicants. ~~Recruiting efforts to fill current or anticipated vacancies in the Executive Management Service shall be the responsibility of the Personnel Administration Unit. The Secretary shall assure that:~~

~~(1) Each vacant position not filled by another member of the Executive Management Service, or by an acting appointment, is publicized within and/or outside the Lottery.~~

~~(2) Each announcement identifies the position and provides sufficient information to effectively inform applicants as to the requirements of the position; and~~

~~(3) Agency recruiting efforts are planned and carried out so as to attract qualified minorities and women.~~

Specific Authority 24.105(10)(j) FS. Law Implemented 24.105(20)(2+)(d) FS. History--New 2-25-93, 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: November 10, 1999  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: October 29, 1999

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

**Construction Industry Licensing Board**

RULE TITLE: Continuing Education Requirements for  
 Certificateholders and Registrants

RULE NO.: 61G4-18.001

PURPOSE AND EFFECT: The purpose of this rule is to  
 require each person who is registered or certified to provide  
 proof of continuing education hours.

SUMMARY: Certificateholders and Registrants should follow  
 certain requirements when completing continuing education  
 courses.

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

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

SPECIFIC AUTHORITY: 455.213(7), 489.108 FS.  
 LAW IMPLEMENTED: 455.271(10), 489.115, 489.116,  
 455.2123 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE  
 PROPOSED RULE IS: Rodney Hurst, Executive Director,  
 Construction Industry Licensing Board, 7960 Arlington  
 Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.001 Continuing Education Requirements for  
 Certificateholders and Registrants.

(1) Each person who is certified or registered by the board  
 must, as a condition of each renewal of the certificate or  
 registration, provide proof of completion of at least 14  
 classroom or interactive distance learning hours of continuing  
 education in one or more courses from a continuing education  
 sponsor approved by the board. Of the required 14 hours of  
 continuing education, up to four hours of credit may be earned  
 by attending a meeting of the Board wherein disciplinary cases

are considered. At least seven days advance notice of the intent  
 to attend the disciplinary case session must be given to the  
 Board, and the licensee must check in with Board staff prior to  
 the beginning of the disciplinary proceedings. A maximum of  
 four hours will be allowed during a renewal cycle. Credit hours  
 shall be awarded on an hour for hour basis up to a maximum of  
 four hours. Credit hours may not be earned when the licensee  
 attends a disciplinary case session as a party to a disciplinary  
 action.

All registered contractors and all certified contractors are  
 required to complete at least one hour of a workplace safety  
 class, one hour of a business practices class and one hour of a  
 workers' compensation class as a part of the 14 hours of  
 required continuing education for license renewal. That portion  
 of this rule relating to business practices shall be effective  
 September 1, 1999.

(2) through (7) No change.

Specific Authority 455.213(7), 489.108 FS. Law Implemented 455.271(10),  
 489.115, 489.116, 455.2123 FS. History--New 12-2-93, Amended 5-19-94,  
 8-16-94, 10-12-94, 1-18-95, 2-4-98, 5-11-99, 7-12-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Construction Industry Licensing  
 Board

DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: October 15, 1999

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

**Board of Professional Engineers**

RULE TITLE: Criteria for Investigators and Consultants

RULE NO.: 61G15-18.013

PURPOSE AND EFFECT: The Board is repealing this rule  
 because the Board does not have statutory authority for this  
 rule.

SUMMARY: Repeal of Rule 61G15-18.013.

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: 455.203(8) FS.

LAW IMPLEMENTED: 455.203(8) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dennis Barton, Executive Director, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-18.013 Criteria for Investigators and Consultants.

Specific Authority 455.203(8) FS. Law Implemented 455.203(8) FS. History—New 1-25-82, Amended 5-18-82, Formerly 21H-18.13, 21H-18.013, Amended 10-19-97, Repealed \_\_\_\_\_.

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: October 6, 1999

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLE: Seal, Signature and Date shall be Affixed

RULE NO.: 61G15-23.002

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the requirements for submitting sealed plans and prints.

SUMMARY: The Board has determined that it is necessary to update the requirements for engineers and duly authorized engineering businesses when submitting plans and prints which must sealed under the provisions of Chapter 471.

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: 471.025 FS.

LAW IMPLEMENTED: 471.025 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dennis Barton, Executive Director, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-23.002 Seal, Signature and Date Shall Be Affixed.

(1) No change.

(2) Each sheet of plans and prints which must be sealed under the provisions of Chapter 471 shall be sealed, signed and dated by the professional engineer in responsible charge. Engineers shall legibly indicate their name, address, and number on each sheet. If practicing through a duly authorized engineering business, the name, address, and engineering business number shall be legibly indicated on each sheet. A title block on each sheet containing the printed name, address, and number of the engineer or engineering business will satisfy this requirement. A cover or index sheet for engineering specifications may be used and that sheet must be signed, sealed and dated by those professional engineers in responsible charge of the production and preparation of each section of the engineering specification or other engineering document with sufficient information on the cover sheet or index so that the user will be aware of each portion of the specifications for which each professional engineer is responsible. Engineering reports must be signed, sealed and dated on a signature page or cover letter by each professional engineer who is in responsible charge of any portion of the report. A professional engineer may only seal an engineering report, plan, print or specification if that professional engineer was in responsible charge of the preparation and production of the engineering document and the professional engineer has the expertise in the engineering discipline used in producing the engineering document in question.

(3) through (4) No change.

Specific Authority 471.025 FS. Law Implemented 471.025 FS. History—New 1-8-80, Amended 1-20-85, Formerly 21H-23.02, Amended 5-14-86, Formerly 21H-23.002, Amended 11-15-94, 8-18-98, \_\_\_\_\_.

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: October 6, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 1999

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLES: Notice of Noncompliance

RULE NOS.: 64B8-8.011

Citation Authority

64B8-8.017

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes with regard to minor violations and citations.

SUMMARY: The proposed amendments make changes to the rules in response to recent statutory changes with regard to notices of noncompliance and citations.

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

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

SPECIFIC AUTHORITY: 458.309, 455.617 FS.

LAW IMPLEMENTED: 455.617 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 RULES IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-8.011 Notice of Noncompliance.

(1) through (2) No change.

(3) The following violations are those for which the board authorizes the Agency to issue a notice of noncompliance.

(a) No change.

(b) Failure to perform one of the following statutory or legal obligations:

1. through 16. No change.

17. First occurrence of failing to comply with the provisions of Sections 381.026 and 381.0261, Florida Statutes, to provide patients with information about their patient rights and how to file a patient complaint.

(c) No change.

Specific Authority 455.621(3), 458.309 FS. Law Implemented 455.621(3) FS. History—New 11-15-90, Formerly 21M-20.011, 61F6-20.011, 59R-8.011, Amended \_\_\_\_\_.

64B8-8.017 Citation Authority.

(1) through (2) No change.

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

VIOLATIONS	PENALTY
(a) CME violations (Sections 458.321, 458.331(1)(g),(x), <u>455.624 (1)(e),(s), F.S.</u> )	Within <u>twelve</u> <del>six</del> months of the date the citation is issued, Respondent must submit certified documentation of completion of all CME equirements for the period for which the citation was issued; prior to renewing the license for the next biennium, Respondent must document compliance with the CME requirements for the relevant period; AND

1. through 4. No change.

(b) Obtaining license renewal by fraud or

~~+~~ \$5000 fine

misrepresentation ~~2. Written reprimand~~

Section 458.331(1)(a);

failure to document

any of the 40 hours of required CME for license renewal (Sections 458.321, 458.331(1)(x)).

(c) Practice on an inactive or delinquent license

(Sections 458.327(1)(a), 458.331(1)(x)).

1. For a period of up to nine months. ~~\$200 Letter of Concern~~ for each month or part thereof.

2. For a period of nine months to twelve months. ~~\$300 \$200~~ for each month or part thereof

(d) Failure to notify Department of change of practice address (Sections 458.319(5), 458.331(1)(g)). ~~\$250~~ fine

(e) Failure to provide medical records of only one patient (Sections ~~455.241,~~ 455.331(1)(g), ~~455.667~~).

(f) Failure to post notice on the form of a sign informing patients that the physician does not have malpractice coverage described in Section 458.320(1) or (2) (Sections 458.320(5)(f) and (g), 458.331(1)(x)). ~~\$500 \$100~~ fine

(4) through (7) No change.

Specific Authority 458.309, 455.617 FS. Law Implemented 455.617 FS. History—New 12-30-91, Formerly 21M-20.017, Amended 11-4-93, Formerly 61F6-20.017, Amended 8-23-95, Formerly 59R-8.017, Amended 4-7-99, \_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 29, 1999



**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE TITLES:**  
Licensure by Examination  
Rule Governing Licensure and  
Inspection of Electrology Facilities

**RULE NOS.:**  
64B8-51.002  
64B8-51.006

**PURPOSE AND EFFECT:** The Electrolysis Council has recommend and the Board of Medicine proposes, an amendment to Rule 64B8-51.002, Subsection (1)(c) to clarify educational criteria, and in Rule 64B8-51.006, Subsection (6) to clarify the consequences for failure to renew a facility license.

**SUMMARY:** These amendments clarify the educational requirements in Rule 64B8-51.002, and dictates when a facility license becomes delinquent or null and void in Rule 64B8-51.006.

**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:** 455.711, 455.712 478.43(1)(4), 478.51(3) FS.

**LAW IMPLEMENTED:** 455.574, 455.711, 455.712(2)(3)(5), 478.45, 478.49, 478.51 FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FLORIDA ADMINISTRATIVE WEEKLY (IF NOT REQUESTED, THE HEARING WILL NOT BE HELD).**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSE RULE IS:** Kaye Howerton, Executive Director, Electrolysis Council, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

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

64B8-51.002 Licensure by Examination.

(1) Every applicant for licensure as an electrologist by examination shall demonstrate to the Council that the applicant:

(a) through (b) No change.

(c) Possesses a high school diploma, ~~or~~ a graduate equivalency diploma, college diploma, university diploma, or technical school diploma if such college, university, or technical school required a high school or graduate equivalency diploma for admission.

(d) through (g) No change.

(2) through (3) No change.

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

64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities.

(1) through (5) No change.

(6) Renewal of Facility Licensure. Facility licensure shall be renewed at the end of each biennium prescribed by the Department. The licensee shall receive ninety (90) days notice of the need to renew the facility license. The notice shall be sent to the licensee at the last known address of the facility. Failure to receive the notice will not excuse the licensee from the requirement to renew the facility license, and failure to renew shall result in the ~~termination of the license; becoming delinquent. If the delinquent licensee does not apply for renewal of the license within six months of the license becoming delinquent, the license shall become null and any subsequent licensure shall be as a result of applying and meeting all requirements for new licensure.~~ A facility may not operate without a license. To timely renew the facility license, including the six month "grace period" provided for, the licensee must pay the renewal fee of \$100 and the inspection fee of \$100. ~~If a facility license has been terminated for failure to timely renew the license, the former licensee must file a new application for facility licensure if the former licensee wishes to obtain a facility license.~~

(7) No change.

Specific Authority 455.711, ~~455.712,~~ 478.43(1)(4), 478.51(3) FS. Law Implemented 478.49, 455.711, ~~455.712(2)(3)(5),~~ 478.51 FS. History--New 11-16-93, Formerly 61F6-76.006, Amended 5-11-95, 6-26-96, Formerly 59R-51.006, Amended 12-23-97, 12-22-98, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Board of Medicine

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** October 8, 1999

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** November 5, 1999

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE TITLE:** Exemption of Spouse of Armed Forces Member

**RULE NO.:**

64B8-54.0021

**PURPOSE AND EFFECT:** As required by Statute, this new rule exempts the spouse of an Armed Forces member from licensure renewal during absence from the State of Florida.

**SUMMARY:** The spouse of an Armed Forces member who is licensed to perform electrolysis services and who is absent from the State of Florida because of the spouse's duties may be exempt from licensure renewal provisions.

**SPECIFIC AUTHORITY:** 455.507 FS.

LAW IMPLEMENTED: 455.507 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FLORIDA ADMINISTRATIVE WEEKLY (IF NOT REQUESTED, THE HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Electrolysis Council, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-54.0021 Exemption of Spouse of Armed Forces Member from License Renewal Requirements.

A licensee who is the spouse of a member of the Armed Forces of the United States and was caused to be absent from the State of Florida because of the spouse's duties with the armed forces and, who at the time the absence became necessary, was in good standing with the Board and entitled to practice as an electrologist in Florida shall be exempt from all licensure renewal provisions during such absence. The licensee must document the absence and the spouse's military status to the Board.

Specific Authority 455.507 FS. Law Implemented 455.507 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 5, 1999

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Fees  
RULE NO.: 64B8-54.004

PURPOSE AND EFFECT: This rule proposes to add Subsection (8), providing for a \$25.00 fee for a wall certificate.  
SUMMARY: Subsection (8) will be added to set the fee for a wall certificate at \$25.00.

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: 455.564(2) 478.43(1), (4), 478.50, 478.55 FS.

LAW IMPLEMENTED: 455.587(2), 455.711, 478.50, 478.55 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD SCHEDULED AND ANNOUNCED IN THE FLORIDA ADMINISTRATIVE WEEKLY (IF NOT REQUESTED, THE HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Electrolysis Council, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B8-54.004 Fees.
- (1) through (7) No change.
- (8) The fee for a wall certificate of licensure shall be \$25.

Specific Authority 455.564(2), 478.43(1),(4), 478.50, 478.55 FS. Law Implemented 455.587(2), 455.711, 478.50, 478.55 FS. History--New 9-29-93, Formerly 61F6-79.004, Amended 6-29-95, Formerly 59R-54.004, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 5, 1999

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLES: Disciplinary Guidelines  
RULE NOS.: 64B8-55.001  
Discipline of Electrolysis Facilities 64B8-55.0021

PURPOSE AND EFFECT: Text has been added to rule 64B8.55.001 to clarify the person(s) who may be subjected to sexual misconduct. Additionally this rule change adds penalties for sexual misconduct, for failing to report one's plea or conviction of a crime, and for the solicitation of people in accidents. Rule 64B8-55.0021 provides for discipline of electrolysis facilities providing services without an active business establishment license.

SUMMARY: Rule 64B8-55.001 adds "immediate family members of a client" as person(s) who are protected from sexual misconduct and provides for a range of penalties. Additionally, penalties are provided for failure to report a plea or conviction of guilt, and for solicitation of accident victims. Rule 64B8-55.0021 is a new rule setting penalties for discipline of unlicensed electrolysis facilities or facilities using unlicensed personnel to deliver electrolysis services.

Specific Authority 455.624, 455.627, 455.712, 455.627, 478.43(1), 478.52(4) FS.

Law Implemented 455.624, 455.627, 478.712, 478.52(4) FS. SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FLORIDA ADMINISTRATIVE WEEKLY (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-55.001 Disciplinary Guidelines.

(1) No change.

(2) Sexual misconduct in the delivery of electrolysis services is sexual behavior or involvement with a client, or an immediate family member of a client, including verbal or physical behavior, which may reasonably be interpreted as intended for the sexual arousal or gratification of the Electrologist, the client, an immediate family member of the client, or any third party.

(3) No change.

VIOLATION

RECOMMENDED RANGE OF PENALTY

(a) through (v) No change.

(w) Sexual Misconduct. (455.567, F.S.)

(w) Denial of licensure, or if licensed, six months suspension to revocation and an administrative fine of \$500 to \$10,000.

(jj) Failure to report, within 30 days years a conviction, finding of guilt, or plea of nolo contendere, regardless of adjudication, to a crime to the Board. (455.624(w), F.S.)

(jj) 3 months probation to 2 years suspension, and a fine of \$500 to \$5,000.

(kk) Using information from accident reports, or from news sources that use such information for the solicitation of people involved in such accidents. (455.624(x), F.S.)

(kk) Up to six months probation and/or a fine of up to \$500.

(4) through (7) No change

Specific Authority 455.624, 455.624, 478.52(4) FS. Law Implemented 455.624, 455.627, 478.52(4) FS. History—New 11-16-93, Formerly 61F6-80.002, Amended 1-2-95, Formerly 59R-55.002, Amended 2-9-98, 10-12-98,\_\_\_\_\_.

64B8-55.0021 Discipline of Electrolysis facilities.

Any business establishment that provides electrolysis services must have an active status license in order to provide such services. Failure to obtain and maintain an active status license as a licensed electrolysis facility pursuant to Rule 64B8-51.006, F.A.C. shall be subject to discipline as follows:

(1) A business establishment offering electrolysis services without an active status license shall:

(a) cease and desist offering such services;

(b) make application for a current status license pursuant to Rule 64B8-51.006, F.A.C. if the business establishment wishes to offer electrolysis services;

(c) pay a fine equal to all licensure and renewal fees that would have been due for the time of operation without an active status license up to a maximum of \$5,000.

(2) Any electrolysis facility with an active status license that employs or permits an unlicensed person to deliver electrolysis services shall be subject to discipline as follows:

(a) cause the unlicensed person to cease and desist from the delivery of electrolysis services;

(b) the facility licensure shall be suspended for up to one year;

(c) the facility shall be subject to a fine of up to \$1,000.

Specific Authority 478.43(1), 455.712 FS. Law Implemented 478.712 FS. History—New\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 5, 1999

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE:

RULE NO.:

Application for Licensure

64B18-11.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text regarding an applicant's file for licensure and to delete unnecessary rule text.

SUMMARY: The Board has determined that it is necessary to amend this rule to further clarify the requirements for an applicant's application to be complete for licensure and to delete unnecessary language.

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: 461.005, 455.604(6) FS.  
 LAW IMPLEMENTED: 455.564, 461.006, 455.604 FS.  
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-11.001 Application for Licensure.

(~~1~~) An application file for licensure is not complete unless and until it contains verification of a passing score from examination of the National Board of Podiatric Medical Examiners, including Part I, Part II, and the a PMLexis Examination administered after August of 1996. Such verification must be received by the Board office directly from the provider of the National Board of Podiatric Medical Examiners examination PMLexis Examination.

~~(2) To foster the Board's interest in assuring that an applicant remain current in his or her application, the applicant must update his or her application consistent with Rule 64B18-11.003, Florida Administrative Code, if a passing score for that applicant is not submitted by the PMLexis Examination provider within five (5) months of the date on which the application was first filed or last updated, whichever is warranted under the circumstances.~~

~~(3) An applicant must complete an educational course acceptable to the Board on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome as that course is described in Rule 64B18-17.003(4), F.A.C.~~

~~(4) Any application submitted for licensure may not be used for more than one year from the date of the original submission of the application. For an applicant to be considered after that period, a new application and new fee shall be required.~~

Specific Authority 461.005, 455.604(6) FS. Law Implemented 455.564, 461.006, 455.604 FS. History-New 1-29-80, Amended 12-9-82, Formerly 21T-11.01, Amended 10-14-86, 1-26-88, 6-20-88, 7-3-89, 6-24-92, Formerly 21T-11.001, Amended 7-6-94, Formerly 61F12-11.001, Amended 1-1-96, 7-15-96, Formerly 59Z-11.001, Amended 9-3-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Board of Podiatric Medicine  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Podiatric Medicine  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 24, 1999  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 21, 1999

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE TITLE: Forms  
 RULE NO.: 64E-9.003

PURPOSE AND EFFECT: The purpose of the proposed rule change is to incorporate revised forms into the rule.

SUMMARY: The changes will provide two updated forms. Both DH Form 920, Dec. 98, Public Pool and Bathing Place Inspection Report (64E-9.003(1)(b) and DH Form 914, 3/98, Application For Approval Of Swimming Pool Plans (64E-9.003(2)(c) shall be changed.

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: 381.0011, 381.006, 514.021 FS.  
 LAW IMPLEMENTED: Part I, Ch. 386, 381.0011, 381.0025, 381.006, 514.011, 514.0115, 514.021, 514.025, 514.03, 514.031, 514.033 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., December 16, 1999  
 PLACE: Room 203, Building 5, 1317 Winewood Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bob Pryor, Environmental Specialist III, 2020 Capital Circle, S. E., Bin #A08, Tallahassee, FL 32399-1710

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-9.003 Forms.

(1) All forms listed in this section are incorporated by reference in these rules and may be obtained from the department. The following forms are for use by the department or the public:

(b) DH Form 920, Feb 99 ~~Dec. 96~~, Public Pool and Bathing Place Inspection Report.

(2) Upon receipt of the following properly completed forms, the department shall approve or deny the following applications in accordance with the provisions of Chapters 120 and 514, F.S.:

(c) DH 914, Sept 99 ~~3/98~~, Application for Approval of Swimming Pool Plans.

Specific Authority 381.0011, 381.006, 514.021 FS. Law Implemented Part I Ch. 386, 381.0011, 381.0025, 381.006, 514.011, 514.0115, 514.021, 514.025, 514.03, 514.031, 514.033 FS. History-New 10-5-93, Formerly 10D-5.132, Amended 12-27-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Bob Pryor, Environmental Specialist III, Bureau of Facility Programs, Division of Environmental Health  
 NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Pad Juarez, Environmental Manager, Bureau of Facility Programs  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 16, 1999  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 22, 1999

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation**

RULE TITLES:	RULE NOS.:
Definitions	65C-6.001
Certification	65C-6.002
Procedures for Funding	65C-6.003
Standards for Certification	65C-6.004
Evaluation	65C-6.006
Appeal Hearings	65C-6.007

PURPOSE AND EFFECT: The Office of the Governor and the Department of Children and Families, working cooperatively, have improved services to victims of domestic violence. Some of the improvements impact providers who manage domestic violence centers. These improved rules will ensure appropriate and adequate facilities are provided by each center that meets the certification standards.

SUMMARY: The changes to chapter 65C-6 will establish new certification requirements and standards for centers and details the procedures that must be followed to receive funding.

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: 39.903, 39.905 FS.

LAW IMPLEMENTED: 39.903, 39.905 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., December 15, 1999

PLACE: 1317 Winewood Blvd., Building 8, Room 232, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Trula Motta, Specialist, 1317 Winewood Blvd. Building 8, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

65C-6.001 Definitions.

Specific Authority 39.903(2), 120.53 FS. Law Implemented 39.901 et seq. FS. History--New 5-13-79, Amended 12-4-79, 1-11-83, 12-3-85, Formerly 10A-8.02, 10A-8.002, 10M-48.001, Repealed.

(Substantial rewording of Rule 65C-6.002 follows. See Florida Administrative Code for present text.)

65C-6.002 Certification.

(1) Centers eligible for certification shall have as their primary mission, as evidenced in their organization's mission statement, the provision of services to victims of domestic violence, as defined in s. 741.28, F.S. Certification of a center is based upon compliance with all physical plant requirements as outlined in 65C-6.004(3) and program standards as detailed herein and contained in contract.

(2) A certified center shall, at a minimum, provide all of the mandated services as outlined in s. 39.905(1)(c), Florida Statutes. When a center seeking certification is in a district with an existing center, the applicant should subcontract with the existing center to avoid duplication of services. If sub-contracting is not an option, and the application for certification is successful, the department may exempt the services of 24 hour hotline, community education and professional training as provided in s. 39.905(1)(c), F.S.

(a) Application for initial certification and annual certification thereafter shall be sent to the district office in which the center operates. Certification is non-transferable and valid only for the corporation or public entity named in the department's letter of certification. A center may operate satellite centers at different locations. If the center wishes to change the location of service, or open additional service centers during an existing certification period, the provider must seek approval from the district office for an amendment of the certification letter. The department has the right to refuse the certification to include additional or new sites, the provider may not utilize departmental funds to operate those locations.

(b) Certification is for one year and shall be denied, suspended or revoked for failure to comply with any of the requirements detailed in section (1) above. Suspension may be for up to six (6) months, while the center completes a corrective action plan and brings the center into compliance. However, the department shall suspend a center's certification without allowing a corrective action time period, or immediately revoke the centers' certification if the deficit is dangerous to the health or safety of clients. The department will not distribute any funds to the center during the suspension period or after revocation.

(c) Where deficiencies are not dangerous to the health and safety of the clients and are remediable within a three-month period, the department shall allow the center to retain its certification and funding during the corrective action period.

(3) In addition to the requirements outlined in s. 39.905, F.S., the application for initial certification shall contain:

(a) A completed financial audit covering the previous eighteen (18) months operation as a domestic violence center.

(b) A business plan that details programmatic and financial activities for future operations. The plan must include an outline of projected revenues and expenditures for a minimum eighteen-month period.

(c) Documentation of 25% local match; either cash, in kind or a combination thereof.

(d) Documentation of community support, both programmatic and financial.

(e) Documentation of local need and the identified statewide needs assessment as required by s. 39.905(1)(i), F.S. The need for each mandated service must be detailed with supporting documentation included.

(f) A plan that illustrates the manner in which proposed services will be integrated with existing resources for domestic violence victims. Inter-agency agreements are strongly encouraged.

(g) When there is an existing certified service center within the service area, the application shall include an explanation as to why subcontracting to provide the additional services is not feasible.

(4) The department shall evaluate each center annually for compliance with all standards. Authorized staff from the department may enter and inspect the premises of certified domestic violence centers or those requesting certification at any reasonable hour. Information received by the department concerning client identity is confidential and shall not be disclosed without the written consent of the client to whom the records or information pertains.

Specific Authority 39.903, 39.905 FS. Law Implemented 39.905 FS. History--New 5-13-79, Amended 12-4-79, 12-13-85, Formerly 10A-8.03, Amended 6-22-87, Formerly 10A-8.003, 10M-48.002, Amended \_\_\_\_\_.

(Substantial rewording of Rule 65C-6.003 follows. See Florida Administrative Code for present text.)

65C-6.003 Procedures for Funding.

(1) Annually, during the normal funding cycle, each district office will provide all certified domestic violence centers with an application for funding with instructions for completion and all other pertinent information.

(2) Certification does not ensure funding, and newly certified centers without previous funding from the department must notify the department by January 1, of their intention to apply for funding for the pending fiscal year. Upon request the local district office shall provide an application to the certified center(s) within their district. A center seeking funding for the first time must notice all other certified centers within the department's district of their intent to apply for funding. The notification must be made 30 days prior to requesting an application, and documentation of the notification must be submitted to the department. This time period is provided to

the existing center(s) so that they may furnish a letter of adverse economic impact to the department for consideration prior to the department's decision on funding the new center.

(3) When there is more than one certified and funded center in the district, the department shall bring together the centers to allow each the opportunity to provide input into the funding decision process. However, the department shall make the final determination on funding allocations.

(4) Funding is contingent upon satisfaction of all certification and funding requirements set forth herein and in statute. Failure to maintain the standards set out in these rules and in statute constitutes grounds for revocation of certification and funding. If certification is suspended or revoked, funding shall also be suspended or revoked.

(5) Under s. 741.01(2), F.S., and s. 39.905(7)(a), F.S., all funds to the district from the Domestic Violence Trust Fund are distributed through an allocation formula that incorporates population, a rural factor and sales of marriage licenses.

(6) Final approval of application and award of funds shall be made by the district administrator and executed through the state contracting process.

Specific Authority 39.903, 39.905 FS. Law Implemented 39.903 FS. History--New 5-13-79, Amended 12-4-79, 11-1-83, 12-13-85, Formerly 10A-8.04, Amended 6-22-87, Formerly 10A-8.004, 10M-48.003, Amended \_\_\_\_\_.

(Substantial rewording of Rule 65C-6.004 follows. See Florida Administrative Code for present text.)

65C-6.004 Standards for Certification.

(1) Administrative Components:

(a) Each center shall retain all financial records, supporting documents, client files and statistical records for a period of five (5) years after termination of a contract, or if an audit has been initiated and audit findings have not been resolved at the end of five (5) years, the records shall be retained until resolution of the audit findings. The department shall make the final determination as to what constitutes a satisfactory resolution of audit findings.

(b) Each center seeking certification shall develop its own manual on administrative operations which includes all of the organization's fiscal policies.

(c) The center shall maintain current, accurate and complete case records in compliance with contract requirements and these rules. The records must be maintained in such form as to permit evaluation of the program's services by authorized department personnel.

(d) Domestic violence centers shall employ direct service staff who are trained in the field of domestic violence. The center may determine qualifications for other positions within the program.

1. Minimal paid domestic violence center staffing shall consist of one full-time administrator or director, and one full-time counselor and one full or part-time bookkeeper.

2. Staffing must include, at a minimum, a social worker or like professional with an undergraduate degree in a human services area and training in the power and control dynamics of domestic violence, or a person with four years of direct service experience in the field of domestic violence. This person shall provide regular scheduled in-service training to the center staff, and any sub-contractees.

3. Staff may receive a salary or volunteer or be a combination thereof.

4. In order to ensure the health and welfare of center clients all staff shall receive a minimum of 24 hours of training each year, which shall be documented in their personnel file.

(e)1. Each center shall establish written intake policies and procedures that identify who is eligible for services and how those services are accessed.

2. Certified centers shall not deny services to any person because of national origin or spoken language, religion, age or disability. Certified centers must inform prospective clients who do not meet the admission criteria of their ineligibility and provide referrals to programs and services that can provide assistance.

(f) Each center shall develop a manual detailing all programmatic procedures for center operation. The manual shall incorporate organizational policies on the provision of each mandated service and other day to day operational guidelines for staff.

(g) Each center shall ensure all staff comply with s. 39.908, F.S., which prohibits the disclosure of any information regarding center clients without their express written consent.

(h) Each center must maintain a current and accurate list of all staff who work, paid or unpaid, at the center and meet the requirements for domestic violence advocate privilege according to s. 90.5036, F.S. Documentation of the mandated 30 hours of training for privilege must be maintained in each staff's personnel file.

(i) Each center shall have written safety procedures, including a plan for natural disasters such as hurricanes or fires that may require relocation of the clients, and all staff shall receive yearly in-service training on implementing those procedures.

(2) Program Component:

(a) The minimum services a center must provide for full certification are:

1. Information and Referral: The provision to domestic violence victims or individuals assisting domestic violence victims of information about and referrals to services and resources according to individual needs.

2. Counseling: Providing information on the dynamics of domestic violence; doing an assessment of risk, and engaging in other supportive activities with victims of domestic violence. The service may utilize a professional or peer model of counseling.

3. Emergency Shelter for 24 Hours or More: Temporary emergency safe housing of domestic violence victims and their dependents.

4. Hotline: The provision of crisis counseling and information and referral on a 24 hour per day, seven days a week basis by center staff, paid or unpaid. The use of answering devices or commercial telephone answering services to cover the crisis line is not permitted.

5. Child Assessments: Evaluation of the basic needs of children served by the program, and the referral of children to services if needed. Service includes a screening for child abuse and an assessment of risk.

6. Case Management: The provision of a client needs assessment, development of a service plan, and the coordination of services and follow-up. Case management plans must include a written safety plan signed by the client. The center shall provide one on one case management to residents in shelter for 72 hours or more and to non-residents after three counseling sessions.

7. Community Education: Presentation to the public, both in person and through the media, of information on the incidence, and dynamics of domestic violence.

8. Professional Training: Provision of domestic violence training to law enforcement personnel, other professionals and paraprofessionals.

(b) The department may exempt the 24 hour hotline, professional training and community education certification requirements from certain centers where those requirements are already being met by another center in the area, pursuant to s. 39.905(1)(c), F.S. Centers with such certification must provide all of the other remaining services detailed herein.

(c) Each center shall maintain a comprehensive, up to date data base of information and referral resources, and all staff who provide counseling and hotline services shall be trained to provide referrals to community resources. The data base shall be available for use by staff and volunteers and for review by departmental staff during the monitoring process.

(d) Each center shall provide counseling services to victims of domestic violence and their dependents:

1. Counseling services shall be provided or supervised by persons who meet the qualifications outlined in this Chapter.

2. Non-resident counseling clients, seen on a face to face basis, shall have a case record developed that includes identification data, dates of contact and services provided.

(e) Individual case records of shelter residents shall be maintained on a current basis and shall include at a minimum:

1. Identification data including name, age, ethnicity and other relevant information for the client and any dependents;

2. A needs assessment for any child dependents;

3. Case history;

4. Case management plan that includes a written needs assessment, a service plan that addresses goals and objectives, a safety plan signed by the adult client indicating participation in the development of the plan and documentation of all services received while in the shelter;

5. Signed release of liability forms and release of information forms;

6. Exit interview and

7. Follow up status if available.

(f) Domestic violence center staff shall develop procedures for regularly scheduled staff meetings for the purpose of evaluating their progress in assisting clients with meeting their objectives.

(g) To ensure the health and safety of clients counseling staff shall be available on site at the shelter minimally between the hours of 8:00 A.M. and 10:00 P.M. with on call counseling staff available between 10:00 P.M. and 8:00 A.M.

(h) Counseling services may incorporate advocacy services such as intervening with the various social and legal agencies on behalf of the client, accompanying the client to court hearings and providing interpretation services.

(i) Counseling services may be based on the educational peer counseling model. Individuals who need mental health counseling services may be served through referral to an outside provider.

(j) Each center shall provide temporary emergency shelter for more than 24 hours.

1. Domestic violence centers shall be staffed 24 hours a day by paid or trained volunteer staff. Failure to do so may result in immediate suspension or revocation of certification.

2. The need for shelter shall be determined by the need for safety to prevent physical harm.

3. Each shelter resident shall be provided with an individual counselor.

(k) Each center shall provide 24-hour hotline services. All staff and volunteers answering hotline calls shall be trained in crisis counseling, safety planning and providing information and referral services. Specific written procedures shall be developed to coordinate the provision of services to each caller. The hotline shall be covered 24 hours a day by trained staff or volunteers.

(l) All children in shelter for 72 hours or more will be provided with an assessment of their needs and referral to services. This assessment must include an evaluation of medical needs; a screening for child abuse and for behavioral issues that necessitate referral to interventions.

(m) Each center shall provide case management services to assure the coordination of service provision.

1. Each shelter resident housed 72 hours or more, and each non-resident client who has received three (3) or more separate counseling sessions, shall have a case management plan developed.

2. The case management plan shall include the provision of an individualized needs assessment and a detailed service plan. The plan shall also include a safety plan for the adult client and for each child who is capable of carrying out a safety plan.

(n) Each center shall provide community education to promote community awareness of the incidence, causes, and prevention strategies of domestic violence. Community education shall be presented both face to face and through the utilization of the various media.

(o) Domestic violence center staff shall participate in community task forces, interagency councils and other organizational groups whose efforts are intended to improve services for the victims of domestic violence.

(p) Each center shall offer professional training to law enforcement personnel and other professionals who have contact with the victims of domestic violence as part of their work.

(r) Providers may elect to provide additional services, which will benefit the people they serve. Examples of such services are:

1. Transportation: The provision of travel for clients to or from the shelter or community providers, or to conduct any business necessary for the completion of their case management objectives.

2. Children's Programs: The provision of supervised children's activities that allow children to receive support and a better understanding of their experiences, and provide them with basic safety planning skills.

3. Transitional Housing: The provision of temporary housing for a limited period of time with the goal of accruing the finances necessary to obtain a permanent residence.

#### (3) Physical Plant

(a) Each center, its shelter, offices, and any facilities maintained by sub-contractees for service provision shall meet county and municipal building code enforcement requirements as authorized in Chapter 162, F.S., and s. 166.0415, F.S.

1. Each center must have an annual fire inspection that conforms to fire safety standards as determined by the local municipality, county or special district with fire safety responsibility as defined in s. 633.025, Florida Statutes.

2. Each center must have an annual sanitation inspection through their local municipal, county health department or special district agency.

(b) For initial certification only, documentation of approval signed by local authorized zoning, building, and electrical agencies, and based upon inspections not more than sixty (60) days prior to the date of filing shall be attached to the application. Those centers, shelters, and subcontractor's buildings which have pre-established schedules with local regulatory agencies for annual re-inspection may submit written documentation of the results of such inspection held within the past calendar year.



(c) Failure to satisfy and maintain health and fire standards, as referenced in this section, shall result in suspension or revocation of certification. The department shall allow a limited period of time for corrective action of not more than 3 months before suspension or revocation if the failing is considered minor and easily remedied.

(d) The center shall be equipped with telephones for client use.

(e) Each domestic violence center shall take precautionary measures to ensure the physical safety of residents. For example, all outside doors shall remain locked from the outside at all times, all windows shall be secured against entry; outside and entrance way lighting shall be in place; and playground equipment shall be routinely checked for safety. If an outside playground area is made available for the children, fencing must secure the safety of the area. If the playground is in view of the public, privacy fencing is required. The center shall have sprinklers or smoke alarms in each client bedroom and in all hallways. In addition, the center shall have written procedures that address safety issues.

(f) Center outreach offices and shelters must be accessible to clients in wheel chairs. Accommodations must be made for the hearing impaired both over the hotline and on telephones for client use within the shelter.

Specific Authority 39.903, 39.905 FS. Law Implemented 39.903 FS. History—New 5-13-79, Amended 12-4-79, 11-1-83, 12-13-85, Formerly 10A-8.05, Amended 6-22-87, Formerly 10A-8.005, 10M-48.004, Amended \_\_\_\_\_.

65C-6.006 Evaluation.

(1) Each funded domestic violence center shall be evaluated at least ~~semi~~ annually by an on-site monitoring visit conducted by the District Family Safety and Preservation Aging and Adult Services Program Office and other authorized representatives of the department. The annual monitoring pursuant to s. 39.903(1)(d), F.S. shall evaluate:

(a) The center's achievement of objectives and program outcomes as detailed in the center's contract with the department.

(b) The center's continued compliance with minimum administrative, programmatic, and physical plant standards for certification as stated in Section 39.905, F.S., contract and these rules. ~~HRSM Program — Marriage License Fee Trust Fund;~~

(c) Client satisfaction with the services as determined through ~~a review of evaluation forms completed by each client when leaving the center,~~ client satisfaction surveys, client interviews or other means which maintain client confidentiality;

(d) The ~~primary~~ domestic violence center's monitoring of the execution of any subcontract to assure compliance with all applicable provisions of Sections 39.901-39.908, F.S., and these rules. ~~HRSM 55-6, Spouse Abuse Program Marriage License Fee Trust Fund;~~

(2) No change.

(3) No center shall receive approval for funding without written documentation that the center and any subcontractee of the center, has met all departmental standards contained herein and in statute. This document shall include a written report of the on-site evaluation conducted by the department assuring satisfaction of all certification and operational requirements, ~~or a departmentally approved corrective action plan for those items found to be deficient at the time of certification, conducted by the Aging and Adult Services district Staff.~~

Specific Authority 39.903 FS. Law Implemented 39.903 FS. History—New 5-13-79, Amended 12-4-79, 12-13-85, Formerly 10A-8.07, 10A-8.007, 10M-48.006, Amended \_\_\_\_\_.

65C-6.007 Appeal Hearings.

Specific Authority 120.53(1)(b), (c) FS. Law Implemented 120.53(1)(b), (c), 120.57 FS. History—New 5-13-79, Amended 12-3-85, Formerly 10A-8.09, 10A-8.009, 10M-48.007, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Trula Motta, Specialist, 1317 Winewood Blvd. Building 8, Tallahassee, FL 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Linda Radigan, Assistant Secretary, 1317 Winewood Blvd. Building 8, Tallahassee, FL 32399

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 16, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 11, 1999

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE CHAPTER TITLE:	RULE NOS:
Policy	66B-1.004
Application Process	66B-1.006
Project Eligibility	66B-1.008

PURPOSE, EFFECT AND SUMMARY: The purpose of the proposed rulemaking is to include the following provisions in the program rule: modify the property control requirements for project sites that are leased; clarify the amount of pre-agreement expenses that are eligible for program funding; modify the Attorney's Certificate of Title for clarity; revise the project priority list; and, revise the date when permits are required for construction projects. The effect of the proposed rulemaking is to implement changes in the administration of the District's Cooperative Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) 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: 2:00 p.m., December 22, 1999

PLACE: The District office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David K. Roach Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

THE FULL TEXT OF THE PROPOSED RULES IS:

66B-1.004 Policy.

The following constitutes the policy of the District regarding the administration of the program:

(1) through (6) No change.

(7) The site of a new proposed land-based development project shall be dedicated for the public use for which the project was intended for a minimum period of 25 years after project completion. Such dedication shall be in the form of a deed, lease, management agreement or other legally binding document and shall be recorded in the public property records of the county in which the property is located. This property control requirement also applies to a project site owned by another governmental entity. The governmental entity that owns the project site may be joined as a co-applicant to meet this property control requirement. Existing land based development projects that are being repaired, replaced or modified must demonstrate that the project site has been dedicated for public use for at least 25 years with at least 10 years remaining on the dedication document.

(8) No change.

(9) The project sponsor shall not commence work on an approved project prior to the execution of the project agreement unless authorized by the Board during the review and funding approval process. Pre-agreement expenses will be authorized if they are less than fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only fifty (50) percent of the pre-agreement expenses will be eligible for reimbursement funding from the District.

(10) through (11) No change.

(12) All project costs must be incurred and work performed within the project period as stipulated in the project agreement unless pre-agreement costs are approved by the Board. Pre-agreement expenses will be authorized if they are less than fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only fifty (50) percent of the pre-agreement expenses will be eligible for reimbursement funding from the District.

(13) through (19) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(2) FS. History--New 12-17-90, Amended 2-6-97, Formerly 16T-1.004, Amended 5-17-98, 3-31-99.

66B-1.006 Application Process.

(1) through (2) No change.

(3) A pre-application meeting will be held with District staff prior to formal submission of the application. Upon receipt in the District office, staff will review the applications for completeness of the informational requirements identified in the Application Checklist, FIND Form Number 90-16 (effective date 2-6-97), hereby incorporated by reference and available from the District office, and for compliance with the eligibility requirements of this rule. If the application is for a project that is a land based development project the applicant shall submit an Attorney's Certification of Title, FIND Form Number 94-26 (effective date \_\_\_\_\_ ~~2-6-97~~), hereby incorporated by reference and available from the District office. When an application is determined by staff to be incomplete or ineligible, Staff will immediately inform the applicant by mail. The applicant will then have until the date established by the Board in the application package to bring the application into compliance. If the applicant fails to provide a complete application in compliance with these rules, the application will not be considered for funding.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Amended 2-6-97, Formerly 16T-1.006, Amended \_\_\_\_\_.

66B-1.008 Project Eligibility.

(1) Financial assistance and support through this program shall be used to plan or carry out public navigation, public recreation, environmental education, boating safety, and inlet management directly related to the waterways.

(a) Program funds may be used for projects such as acquisition planning, development, construction, reconstruction, extension improvement, operation or maintenance of the following for public use on land and water:

1. Public navigation channel dredging ~~Public boat ramps and launching facilities~~
2. Public navigation aids and markers ~~Public navigation channel dredging~~
3. Inlet management projects that are a benefit to public navigation in the District ~~Public navigation channel lights and markers~~
4. Public shoreline stabilization ~~Waterway signs and buoys for safety, regulation or information~~
5. Public spoil disposal site development ~~Public boat docking and mooring facilities~~
6. Waterway signs and buoys for safety, regulation or information ~~Public shoreline stabilization~~
7. Public boat ramps and launching facilities ~~Public spoil disposal site development, acquisition or management~~

8. Public boat docking and mooring facilities ~~Public fishing and viewing piers~~

9. Waterways related environmental education programs and facilities ~~Public waterfront boardwalks~~

10. Public fishing and viewing piers ~~Waterways related environmental education programs and facilities~~

11. Public waterfront boardwalks ~~Waterways boating safety programs and equipment~~

12. Waterways boating safety programs and equipment ~~Inlet management projects related to waterway navigation improvement~~

13. Beach renourishment on beaches adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project ~~Derelict vessel removal~~

14. Other waterway related projects.

(b) through (c) No change.

(d) Applications for eligible waterway projects which include construction elements below mean high water will be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work will be submitted along with the Phase I application for Board review. Applicants for Phase II funding will demonstrate that the environmental permitting element of Phase I will be completed by the District's final TRIM hearing prior to the tentative approval date of funding for Phase II. Should the environmental permitting element of Phase I of an application for a construction project not be completed by the District's final TRIM hearing meeting where tentative funding decisions for this program will be made, the Phase II project will not be considered for funding. ~~An applicant may file a petition pursuant to the rule waiver procedures of s. 120.542, F.S. and Chapter 28-104, F.A.C. to extend the date for receipt of the required environmental permits. Petitions filed pursuant to this rule section should be submitted to the District no later than July 1st to facilitate the orderly process of this program and the preparation of the District's fiscal year budget in which the assistance funds will be included.~~ The District will not deviate from the funding schedule, whereby funding decisions are completed at the final TRIM hearing, to accommodate any application deficiency applicant filing a petition after that date.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History--New 12-17-90, Amended 2-6-97, Formerly 16T-1.008, Amended 5-17-98, 3-31-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: David K. Roach Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number: (561) 627-3386.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David K. Roach Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 15, 1999

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

RULE CHAPTER TITLE:	RULE NOS:
Policy	66B-2.004
Application Process	66B-2.006
Project Eligibility	66B-2.008

PURPOSE, EFFECT AND SUMMARY: The purpose of the proposed rulemaking is to include the following provisions in the program rule: modify the property control requirements for project sites that are leased; clarify the amount of pre-agreement expenses that are eligible for program funding; modify the Attorney's Certificate of Title for clarity; revise the project priority list; and, revise the date when permits are required for construction projects. The effect of the proposed rulemaking is to implement changes in the administration of the District's Cooperative Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3),(5) 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., December 22, 1999

PLACE: The District office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David K. Roach Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

THE FULL TEXT OF THE PROPOSED RULE IS:

66B-2.004 Policy.

The following constitutes the policy of the District regarding the administration of the program:

(1) through (6) No change.

(7) The site of a new proposed land-based development project shall be dedicated for the public use for which the project was intended for a minimum period of 25 years after project completion. Such dedication shall be in the form of a

deed, lease, management agreement or other legally binding document and shall be recorded in the public property records of the county in which the property is located. This property control requirement also applies to a project site owned by another governmental entity. The governmental entity that owns the project site may be joined as a co-applicant to meet this property control requirement. Existing land based development projects that are being repaired, replaced or modified must demonstrate that the project site has been dedicated for public use for at least 25 years with at least 10 years remaining on the dedication document.

(8) No change.

(9) The project sponsor shall not commence work on an approved project prior to the execution of the project agreement unless authorized by the Board during the review and funding approval process. Pre-agreement expenses will be authorized if they are less than fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only fifty (50) percent of the pre-agreement expenses will be eligible for reimbursement funding from the District.

(10) through (11) No change.

(12) All project costs must be incurred and work performed within the project period as stipulated in the project agreement unless pre-agreement costs are approved by the Board. Pre-agreement expenses will be authorized if they are less than fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only fifty (50) percent of the pre-agreement expenses will be eligible for reimbursement funding from the District.

(13) through (18) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(2) FS. History—New 12-17-90, Amended 2-3-94, 2-6-97, Formerly 16T-2.004, Amended 5-18-98, 3-31-99, \_\_\_\_\_.

66B-2.006 Application Process.

(1) No change.

(2) Applications will be reviewed by the local FIND Commissioner before being submitted to the District Office. Upon receipt in the District office, staff will review the applications for completeness of the informational requirements identified in the Application Checklist, FIND Form Number 90-26 (effective date 4-12-95) and for compliance with the eligibility requirements of this rule. If the application is for a project that is a land based development project the applicant shall submit an Attorney's Certification of Title, FIND Form Number 94-26 (effective date \_\_\_\_\_ ~~4-12-95~~). When an application is determined by staff to be incomplete or ineligible, staff will immediately inform the applicant by mail. The applicant will then have until the date established by the Board in the application package to bring the application into compliance. If the applicant fails to provide a complete application in compliance with these rules, the application will not be considered for funding.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Amended 9-2-92, 6-24-93, 4-12-95, Formerly 16T-2.006, Amended \_\_\_\_\_.

66B-2.008 Project Eligibility.

(1) Financial assistance and support through this program shall be used to plan or carry out public navigation, public recreation, environmental education, boating safety, spoil site acquisition directly related to the waterways, inlet management, environmental mitigation and beach renourishment.

(a) Program funds may be used for projects such as acquisition, planning, development, construction, reconstruction, extension, improvement, operation or maintenance of the following types of projects for public use on land and water. These project types will be arranged into a priority list each year by vote of the Board. The priority list will be distributed to applicants with the project application.

1. Public navigation channel dredging
2. Public navigation aids and markers
3. Inlet management projects that are a benefit to public navigation in the District ~~Public boat ramps and launching facilities~~
4. Public shoreline stabilization ~~Public boat docking and mooring facilities~~
5. Public spoil disposal site development ~~Public shoreline stabilization~~
6. Waterway signs and buoys for safety, regulation or information ~~Inlet management projects that are a benefit to public navigation in the District~~
7. Public boat ramps and launching facilities ~~Waterway signs and buoys for safety, regulation or information~~
8. Public boat docking and mooring facilities ~~Public spoil disposal site development~~
9. Waterways related environmental education programs and facilities
10. Public fishing and viewing piers
11. Public waterfront boardwalks
12. Waterways boating safety programs and equipment
13. Beach renourishment on beaches adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project
14. Other waterway related projects.

(b) through (c) No change.

(d) Applications for eligible waterway projects which include construction elements below mean high water will be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work will be submitted along with the Phase I application for Board review. Applicants for Phase II funding will demonstrate that the environmental permitting element of Phase I will be completed by the District's final

~~TRIM hearing prior to the tentative approval date of funding for Phase H. Should the environmental permitting element of Phase I of an application for a construction project not be completed by the District's final TRIM hearing meeting where tentative funding decisions for this program will be made, the Phase II project will not be considered for funding. An applicant may file a petition pursuant to the rule waiver procedures of s. 120.542, F.S. and Chapter 28 104, F.A.C. to extend the date for receipt of the required environmental permits. Petitions filed pursuant to this rule section should be submitted to the District no later than July 1st to facilitate the orderly process of this program and the preparation of the District's fiscal year budget in which the assistance funds will be included. The District will not deviate from the funding schedule, whereby funding decisions are completed at the final TRIM hearing, to accommodate any application deficiency applicant filing a petition after that date.~~

Specific Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History--New 12-17-90, Amended 9-2-92, 6-24-93, 2-3-94, 4-12-95, 9-5-96, 2-6-97, Formerly 16T-2.008, Amended 5-17-98, 3-31-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
David K. Roach Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David K. Roach Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 15, 1999

**Section III**  
**Notices of Changes, Corrections and Withdrawals**

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Finance**

RULE NO.: 3D-160.031  
RULE TITLE: Consumer Finance License Renewal and Reactivation

**NOTICE OF CHANGE**

Notice is hereby given that the Department has made a change to the above rule based on comments by the Joint Administrative Procedures Committee. This rule was originally published in the Vol. 25, No. 37, September 17, 1999 issue of the Florida Administrative Weekly. When adopted, subsection (1) of Rule 3D-160.031 will read:

(2) Each active consumer finance license will be renewed for the biennial period beginning January 1 of ~~the renewal year, which is every odd-numbered year beginning January 1, 1989,~~

~~and ending December 31 of the biennium period, which is every even-numbered year beginning December 31, 1990, upon submission of the renewal fee of \$550.00 and return of the renewal notice to the Department. Form DBF-CF-3 (effective 10/99), Consumer Finance License Renewal, is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street, Tallahassee, Florida 32399-0350.~~

**DEPARTMENT OF INSURANCE**

RULE NO.: 4-154.520  
RULE TITLE: Varying Commissions Based on Group Size Prohibited

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 24, No. 49, December 4, 1998, of the Florida Administrative Weekly, has been withdrawn.

**DEPARTMENT OF EDUCATION**

RULE NO.: 6-2.001  
RULE TITLE: Educational Facilities

**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. 25, No. 38, September 24, 1999, issue of the Florida Administrative Weekly:

Subsection (2)(l) was amended to read:  
NEC. National Electrical Code, 1999 1997 (NFPA 70)  
The following changes have been made for clarity of intent to the State Requirements for Educational Facilities 1999 manual incorporated by reference in the above referenced rule:

1. The requirement for a school site plan to include future expansion indicators was moved from the subsection on relocatables to general site requirements.

2. New Relocatables: Page 280, inserted "after the effective date of these standards" to the first sentence in the section (26)(a) Relocatables.

3. Page 281, (b)1. replaced "anticipated" with "known".

4. Page 281, (c) inserted "after the effective date of these standards" after board in (c).

5. Page 282, deleted language in (e), inserted "After the effective date of these standards, relocatables placed on educational plant sites shall comply with federal and state laws and rules relating to the placement of structures on sites, as well as building code, fire code site requirements." Corrected typing error in 4 from "s" to "as".

6. Page 283, (h)(1) replaced "to slow" with "control"

7. Existing relocatables: Page 83-87, corrected numbering

8. Page 264, changed "and" to "an", and deleted "in compliance with NFPA 101" and inserted "as required by NFPA".

8. A reference to school security was added to the section on general construction requirements.

10. On page 259 and 260 a section was added on safe school design: (h) Safe School Design. Recognizing that providing a safe, secure, orderly and peaceful learning environment is essential to the educational process and the general welfare of Florida's school population, including pre-K through twelve (12), vocational and community colleges, safe school design strategies are available from DOE/Educational Facilities and the DOE Internet site. School boards shall design educational facilities and sites to enhance security and reduce vandalism through the use of "safe school" design "principles", including but not limited to the following:

- a. Natural access and control of schools and campuses.
- b. Natural surveillance of schools and campuses both from within the facility and from adjacent streets by removing obstructions or trimming shrubbery.
- c. School and campus territorial integrity; securing courtyards, site lighting, building lighting.
- d. Audio and motion detection systems covering ground floor doors, stairwells, offices and areas where expensive equipment is stored.

e. Designs which will promote the prevention of school crime and violence. Exterior architectural features which do not allow footholds or handholds on exterior walls, tamper-proof doors and locks, non-breakable glass or shelter window protection system; also landscaping and tree placement should be designed so they do not provide access to roofs by unauthorized persons. Sections of schools commonly used after hours should be separated by doors or other devices from adjacent areas to prevent unauthorized access. Install locks on roof hatches; apply slippery finishes to exterior pipes.

f. Exterior stairs, balconies, ramps, and upper level corridors around the perimeter of buildings should have open-type handrails or other architectural features to allow surveillance.

g. Open areas, such as plazas, the building's main entrance, parking lots, and bicycle compounds should be designed so they are visible by workers at work stations inside the buildings.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.602                      RULE TITLE: Community Release Programs

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 44, November 5, 1999, Florida Administrative Weekly has been withdrawn.

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management**  
RULE NO.: 40C-1.004                      RULE TITLE: District Funds

**NOTICE OF CHANGE**

Notice is hereby given that the following technical changes have been made in the proposed rule which was published in the Florida Administrative Weekly on November 5, 1999, Vol. 25, No. 44, in accordance with subparagraph 120.54(3)(d)1., F.S.

40C-1.004 District Funds.

(1) No change.

(2) District funds may be disbursed, by wire or electronic transfer according to the procedure set forth in Section II, of Policy 99-02, as revised 2/10/99, entitled "Investment of Funds and Wire and Electronic Transfer Procedures," which is hereby incorporated by reference.

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management**  
RULE NO.: 40C-3.035                      RULE TITLE: Agreements

**NOTICE OF CHANGE**

Notice is hereby given that the following technical changes have been made in the proposed rule which was published in the Florida Administrative Weekly on October 22, 1999, Vol. 25, No. 42, in accordance with subparagraph 120.54(3)(d)1., F.S.

40C-3.035 Agreements.

The Governing Board hereby incorporates by reference the following documents:

(1) through (9) No change.

(10) An agreement between Florida Department of Health, Lake County Health Department ~~Lake County Health Unit~~ and St. Johns River Water Management District regarding water well permitting dated September 7, 1999.

(1) An agreement between Florida Department of Health, Osceola County Health Department ~~Osceola County Health Unit~~ and St. Johns River Water Management District regarding water well permitting dated September 7, 1999.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Division of Managed Care and Health Quality Home Care**  
RULE CHAPTER NO.: 59A-8                      RULE CHAPTER TITLE: Minimum Standards for Home Health Agencies

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made in the above cited rule as published in Vol. 25 No. 38, Florida Administrative Weekly, September 24, 1999. In response to comments received from JAPC and the Associated Home Health Industries of Florida, Inc. the following changes have been made.

In 59A-8.002(3)(f) "or her" is deleted.

In 59A-8.002(37) "or her" is deleted.

In 59A-8.003(9)(c) "within thirty minutes" is changed to "during the course of the survey."

In 59A-8.0095(5)(j) "at least 12 hours of" is deleted.

In 59A-8.0095(5)(j) "Other educational training to fulfill the 12 hours requirement can include coverage of topics listed in Rule 59A-8.0095(5)(c)1. through 17., or such topics as domestic violence, CPR, and OSHA requirements. The training requirement may be fulfilled on a prorated basis during the home health aide's and the Cans first year of employment or following a planned leave of absence, that is less than one year." is changed to "Training must be provided to obtain and maintain a certificate in cardiopulmonary resuscitation."

In 59A-8.0095(5)(c)8. "or her" is deleted in two places.

In 59A-8.0095(5)(d) "or her" is deleted.

In 59A-8.0095(5)(l) "appropriate assistance" is changed to "assistance in accordance with their training and with the medication prescription."

In 59A-8.0095(8)(b)2. "or her" is deleted.

In 59A-8.0095(10)(a)5. "or her" is deleted.

In 59A-8.0095(12)(b)5. "or her" is deleted.

In 59A-8.0185(2)(a) "and every two years thereafter" is deleted.

In 59A-8.0185(2)(b) is relettered (c); (c) is relettered (d); (d) is relettered (e); (e) is relettered (f)

In 59A-8.020(1) "appropriately, adequately and" is deleted.

In 59A-8.020(1) "or her" is deleted.

In 59A-8.020(2) "an appropriate" is changed to "another."

In 59A-8.0215(2)(a)(b) and (c) "or she" is deleted.

In 59A-8.0218(2)(b) "appropriate" is deleted in two places.

In 59A-80218(3) "or she" is deleted in three places.

In 59A-8.0218(4) "appropriate" is deleted.

In 59A-8.022(3) "or her" is deleted in two places.

In 59A-8.024(1)(d) "potentially" is deleted.

In 59A-8.0245(2)(a) "some other substantially similar document" is changed to "a document drafted by a person or organization other than AHCA."

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NOS.:	RULE TITLES.:
61G4-15.027	Pollutant Storage System Specialty Contractors
61G4-15.028	Precision Tank Testers
61G4-15.029	Tank Lining Applicators

**NOTICE OF CHANGE**

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rules published in Vol. 25, No. 30, July 30, 1999, issue of the Florida Administrative Weekly. The Board, at its

October 15, 1999 meeting, voted to change the rules in response to comments received from the Staff of the Joint Administrative Procedures Committee.

Subsection (2)(a)1., 2., a., b., c.; subsection (2)(b); and subsection (3) of Rule 61G4-15.027 shall now read as follows:

61G4-15.027 Pollutant Storage System Specialty Contractors.

(2) Certification Procedures for Pollutant Storage Specialty Contractors:

(a) Qualifications:

1. Any person who desires to become a certified pollutant storage specialty contractor shall apply to the Board in writing on form BPR/CILB/001, as incorporated in Rule 61G4-12.006(3)(a), F.A.C., provided by the Department of Business and Professional Regulation.

2. A person shall be certified as a pollutant storage system specialty contractor if said person:

- a. Is at least eighteen (18) years of age; and
- b. Takes and successfully completes the state examination for certification as a pollutant storage system specialty contractor; or

c. Takes and successfully completes either a local licensure examination, a licensure examination of another state, or a licensure examination of a national organization which has been judged by the Board to be equal to or more stringent than the state pollutant storage system specialty contractor certification examination pursuant to Section 489.133(4)(c), F.S.

(b) Other certification procedures and fees: other certification procedures and fees for certified pollutant storage system specialty contractors shall be the same as those provided for the certification of other contractors as defined in Chapter 489, Part I, F.S, as set forth in Rules 61G4-15.002, 61G4-15.0021, 61G4-15.0022, 61G4-15.003, 61G4-15.006, 61G4-15.007, 61G4-15.008, 61G4-15.009, and 61G4-15.010, F.A.C. The amount of liability insurance for pollutant storage system specialty contractors shall be as follows: \$250,000.00 public liability insurance and \$25,000.00 property damage insurance, both policies protecting insured for incidents of pollutant contamination resulting from contractor's work. Applicants for licensure shall submit competent substantial evidence to the Board demonstrating that the applicant has a net worth of \$10,000.00.

(3) Method of Operation: nothing in this rule chapter is intended to supersede or modify standards of operation established for pollutant storage system specialty contractors by the Department of Environmental Protection, as expressly stated in Rule Chapter 62-761, F.A.C., which rule chapter is hereby adopted (effective 11-99) and incorporated herein by reference as the Board's operating standards for pollutant storage system specialty contractors.

Specific Authority 489.108, 489.113(3),(7), 489.129(3), 489.133 FS. Law Implemented 489.113(3),(7),(8), 489.115(4),(5), 489.133 FS. History—New\_\_\_\_\_.

Rule 61G4-15.028, Subsection (2)(a)1., 2.a.b.; and subsection (2)(b) are changed as follows. Subsection (3) is deleted in its entirety.

61G4-15.028 Precision Tank Testers.

(2) Registration Procedures for Precision Tank Testers:

(a) Qualifications:

1. Any person who desires to become a registered precision tank tester shall apply to the Board in writing on form DPR/CILB/031, as incorporated in Rule 61G4-12.006(1)(a), F.A.C., provided by the Department of Business and Professional Regulation.

2. A person shall be registered as a precision tank tester if said person:

a. Is at least eighteen (18) years of age; and

b. Who meets the standards established by the Florida Department of Environmental Protection pursuant to Rule 62-761.200(83), F.A.C. (effective 11-99). The Florida Department of Environmental Protection shall certify to the Board that an applicant for registration as a precision tank tester meets these standards before the applicant is registered.

(b) Other registration procedures and fees: other registration procedures and fees for registered precision tank testers shall be the same as those provided for the certification of other contractors as defined in Chapter 489, Part I, F.S., as set forth in Rules 61G4-15.002, 61G4-15.0021, 61G4-15.0022, 61G4-15.003, 61G4-15.006, 61G4-15.007, 61G4-15.008, 61G4-15.009, and 61G4-15.010, F.A.C. The amount of liability insurance for precision tank testers shall be as follows: \$250,000.00 public liability insurance and \$25,000.00 property damage insurance, both policies protecting insured for incidents of pollutant contamination resulting from contractor’s work. Applicants for registration shall submit competent substantial evidence to the Board demonstrating that the registrant has a net worth of \$10,000.00.

Specific Authority 489.108, 489.113(3),(7), 489.129(3), 489.133 FS. Law Implemented 489.113(3),(7),(8), 489.115(4), 489.133 FS. History—New\_\_\_\_\_.

Rule 61G4-15.029, has been changed to read as follows:

61G4-15.029 Tank Lining Applicators.

(1) Scope of Rule: The purpose of this rule is to provide for the registration of tank lining applicators.

(2) Registration Procedures for Tank Lining Applicators:

(a) Qualifications:

1. Any person who desires to become a registered tank lining applicator shall apply to the Board in writing on form DPR/CILB/031, as incorporated in Rule 61G4-12.006(1)(a), F.A.C., provided by the Department of Business and Professional Regulation.

2. A person shall be registered as a tank lining applicator if said person:

a. Is at least eighteen (18) years of age; and

b. Who meets the standards established by the Florida Department of Environmental Protection pursuant to Rule 62-761.700(2)(c), F.A.C. (effective 11-99). The Florida Department of Environmental Protection shall certify to the Board that an applicant for registration as a tank lining applicator meets these standards before the applicant is registered.

(b) Other Registration procedures and fees: other registration procedures and fees for registered tank lining applicators shall be the same as those provided for the certification of other contractors as defined in Chapter 489, Part I, FS, as set forth in Rules 61G4-15.002, 61G4-15.0021, 61G4-15.0022, 61G4-15.003, 61G4-15.006, 61G4-15.007, 61G4-15.008, 61G4-15.009, and 61G4-15.010, F.A.C. The amount of liability insurance for tank lining applicators shall be as follows: \$250,000.00 public liability insurance and \$25,000.00 property damage insurance, both policies protecting insured for incidents of pollutant contamination resulting from contractor’s work. Applicants for registration shall submit competent substantial evidence to the Board demonstrating that the registrant has a net worth of \$10,000.00.

Specific Authority 489.108, 489.113(3),(7), 489.129(3), 489.133 FS. Law Implemented 489.113(3),(7),(8), 489.115(4), 489.133 FS. History—New\_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, FL 32211-7467

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Landscape Architecture**

RULE NO.:	RULE TITLE:
61G10-14.003	Disciplinary Guidelines; Range of Penalties; Aggravating And Mitigating Circumstances

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 24, No. 24, June 12, 1998, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 97-17R

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
62-302	Surface Water Quality Standards
RULE NO.:	RULE TITLE:
62-302.700	Special Protection, Outstanding Florida Waters, Outstanding National Resource Waters



The Department of Environmental Protection announces the rescheduling of a rule adoption hearing currently scheduled to be heard by the Environmental Regulation Commission (ERC) on December 2, 1999 at 12:00 p.m. The notice of proposed rulemaking, published in the September 24, 1999 issue of the Florida Administrative Weekly, Vol. 25, No. 38, provided notice that the Department is proposing changes to Chapter 62-302 of the Florida Administrative Code to designate Lake Disston and portions of Haw Creek as Outstanding Florida Waters (OFW).

The adoption hearing for the proposed OFW designation is now scheduled before the ERC at the time, date and place shown below:

TIME AND DATE: 1:00 p.m., January 26, 2000

PLACE: Bunnell City Hall, 200 South Church Street, Bunnell, FL 32110

The Department regrets any inconvenience this postponement may have caused. If you have any questions concerning this notice or the proposed OFW designation, please contact Janet Klemm, Florida Department of Environmental Protection, Division of Water Resource Management, Mail Station 3575, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-9928.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-5.001  
RULE TITLE: Examinations

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Medicine hereby gives notice of an additional public hearing on the above-referenced rule(s) to be held on December 4, 1999 at 8:00 a.m., or as soon thereafter as can be heard, at the Tampa Airport Marriott, Tampa International Airport, Tampa, Florida. The rule was originally published in Vol. 25, No. 33, of the August 20, 1999, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-11.0015  
RULE TITLE: Renewal of Approval for Recognizing Agencies

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Medicine hereby gives notice of an additional public hearing on the above-referenced rule(s) to be held on December 4, 1999, at 8:00 a.m., or as soon thereafter as can be heard, at the Tampa Airport Marriott, Tampa International Airport, Tampa, Florida. The rule was originally published in Vol. 25, No. 37, of the September 17, 1999, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-4.009  
RULE TITLE: Function of the Advanced Registered Nurse

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Nursing hereby gives notice of an additional public hearing on the above-referenced rule to be held on December 8, 1999 at 3:00 p.m., at the Hilton Oceanfront Resort, 2637 South Atlantic Avenue, Daytona Beach, Florida 32118. The rule was originally published in Vol. 25, No. 29, week of July 23, 1999, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771(TDD).

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-6.003  
RULE TITLE: Reactivation of Inactive License

**NOTICE OF CHANGE**

The Board of Nursing hereby gives notice of change to the above-referenced rule based upon comments received from the Joint Administrative Procedures Committee. The rule was originally published in Vol. 25, No. 29, of the July 23, 1999 issue of the Florida Administrative Weekly.

When changed, Rule 64B9-6.003(3) shall read as follows:

(3) If a license has been inactive for more than two consecutive biennial licensure cycles, and the licensee has not been practicing nursing in any jurisdiction for the two years immediately preceding the application for reactivation, the applicant for reactivation will be required to complete a nursing refresher course with clinical component appropriate to the licensure level of the licensee. The refresher course must be given at a Board-approved program, and must include at least 60 hours of classroom instruction and 96 hours of clinical experience in medical/surgical nursing and any specialty area of practice of the licensee.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.:	RULE TITLES:
64E-8.006	Water Quality Standards and Monitoring
64E-8.009	Variances
64E-8.012	Schedule of Fines

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 39, October 1, 1999 issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

64E-8.006(3)(b)1. & 2. are changed as follows:

(1) Laboratory analysis costs of \$10 for each lead and nitrate sample ~~Table II chemical~~ analyzed in the initial survey, for routine monitoring, or for non-public health concerns; and

(2) Laboratory analysis costs of \$10 for each microbiological sample analyzed for routine monitoring, for a new distribution line clearance, for an initial well survey, or for non-public health concerns.

64E-8.009(5) is changed as follows:

~~(5) Water management district variances shall be honored without a variance from this rule; however, the county health department is authorized in these cases to require additional monitoring for contaminants.~~

64E-8.012 is changed as follows:

The department shall impose fines or pursue other enforcement action authorized by s. 381.0012 and 381.0062, F.S. The following maximum fines ~~shall may~~ be imposed for violations of 64E-8, each day that a violation occurs shall ~~and may~~ be considered as a separate violation:

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.:	RULE TITLES:
64E-19.001	General
64E-19.002	Definitions
64E-19.003	Forms
64E-19.004	Requirements For Premises
64E-19.005	Requirements For Sterilizing Jewelry and Instruments
64E-19.006	Piercing Procedures
64E-19.007	Other Operations
64E-19.008	Enforcement

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made in the above-cited rules as published in Vol. 25, No. 28, September 24, 1999, of the Florida Administrative Weekly. The changes are made in response to comments received from the Joint Administrative Procedures Committee, comments received at the public hearing, and comments received during the time period allowed for submission of materials.

Subsection 64E-19.002(7) has been changed so that when adopted it will read: "Formal training – means a course of instruction that is presented under classroom conditions to detail compliance with the requirements of this chapter, including safety, sanitation, and sterilization requirements and standard precautions for preventing the transmission of infectious diseases."

Subsection 64E-19.002(9) has been changed so that when adopted it will read: "Handsink – means a lavatory equipped with hot and cold running water..."

Subsection 64E-19.002(23) has been changed so that when adopted it will read: "Standard precautions – means a set of guidelines and controls, published by the Center for Disease Control and Prevention (CDC), which includes specific recommendations for the use of gloves, masks, protective eye wear and/or other protective equipment when contact with blood or body fluids containing blood is anticipated. These guidelines and controls may be found in "Recommendations for Prevention of HIV Transmission in Health-Care Settings", Morbidity and Mortality Weekly Report (MMWR), August 21, 1987, Vol. 36, No. (SU02);001; "Universal Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and Other Bloodborne Pathogens in Health-Care Settings", MMWR, June 24, 1988, Vol. 37, No. 24; "Guidelines for Prevention and Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to Health-Care and Public Safety Workers, MMWR, June 23, 1989, Vol. 38,

No. S-6; and MMWR; and "Recommendations for Preventing Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to Patients During Exposure-Prone Invasive Procedures", July 12, 1991, Vol. 40, No. (RR08);1-9. These guidelines are hereby incorporated by reference into this chapter."

Subsection 64E-19.003(1)(a) has been changed so that when adopted it will read: "All forms listed in this section are incorporated by reference. Forms used by the public may be obtained from the county health department in the county of their location or the Department of Health, 2020 Capital Circle, S.E., BIN A08, Tallahassee, Florida, 32399-1710.

(a) DH Form 4124, 10/99, Body Piercing Salon Inspection Report.

Subsection 64E-19.003(2) has been changed so that when adopted it will read: "Upon receipt of a properly completed DH Form 4120, 10/99, Application for a Body Piercing Salon License, the department shall process the application in accordance with the provisions of Chapter 120.60, F.S., and agency procedures."

Subsection 64E-19.004(6) has been changed so that when adopted it will read: "A handsink separate from handsinks in restrooms, liquid soap..."

Subsection 64E-19.004(8) has been changed so that when adopted it will read: "At least one waste receptacle shall be provided in each body piercing area. Solid waste shall be collected, stored, and disposed of in a manner and frequency that does not create a sanitary nuisance, as that term is defined in Chapter 386, F.S. Biomedical waste, as that term is defined in paragraph 381.0098(2)(a), F.S., shall be managed in accordance with Chapter 64E-16, F.A.C."

Subsection 64E-19.004(9) has been changed so that when adopted it will read: "Other equipment and supplies necessary for providing body-piercing services and for cleaning and sterilizing instruments shall be provided. This includes at least a separate one-compartment sink with hot and cold running water under pressure for cleaning instruments, an autoclave, instruments and single use supplies for performing piercings, work tables or counters, customer chairs, and storage cabinets or containers for storing clean and sterilized instruments and supplies. All surfaces of equipment shall be made of smooth, non-absorbent and non-porous material.

Each one-compartment sink and autoclave must have an adequate size, depth or capacity to submerge or otherwise accommodate the instruments being cleaned or autoclaved. Salons that use ultrasonic units with heating elements to clean their instruments, shall not be required to have hot water at the one-compartment sink; provided the heating elements can heat the cleaning solution to at least the minimum temperature required by this chapter and maintain that temperature throughout the cleaning cycle."

Subsection 64E-19.004(11) has been changed so that when adopted it will read:

"Except for first aid purposes, smoking, eating, or drinking is prohibited in areas where body-piercing procedures are performed or where instruments and supplies are cleaned and stored."

The current language in 64E-19.004(11) will be retained and renumbered to (12). All other subsections will also be retained and renumbered accordingly.

Subsection 64E-19.005(3) has been changed so that when adopted it will read: "All sterilized instruments shall remain stored in sterilized containers until just prior to performing a body piercing procedure..."

Subsection 64E-19.005(5) has been changed so that when adopted it will read: "Autoclaves shall be cleaned at the frequency recommended by the manufacturer. Autoclaves shall be serviced at the frequency recommended by the manufacturer, but not less than once a year. A copy of the manufacturer's instructions for cleaning and servicing the autoclave must be maintained on file in the salon."

Subsection 64E-19.005(6) has been changed so that when adopted it will read: "All clean or packaged sterilized instruments and supplies shall be stored in clean, dry closed cabinets or tightly covered containers."

Subsection 64E-19.006(3) has been changed so that when adopted it will read: "Piercers shall wear protective eyewear if the piercer determines that spattering is likely to occur."

Subsection 64E-19.006(8)(a) has been changed so that when adopted it will read: "In accordance with subparagraph 381.0075(11)(a)4., F.S., before performing a body piercing procedure, the skin and surrounding area where the piercing is to be done shall be thoroughly cleansed with an FDA approved pre-surgical scrub in accordance with the manufacturer's directions. A single use sterile gauze pad or other suitable sterile product may be used for washing the skin. If shaving is necessary, the skin shall be gently scrubbed with an FDA approved pre-surgical scrub in accordance with the manufacturer's directions, using a sterile gauze pad, before and after the shaving..."

Subsection 64E-19.007(2) has been changed so that when adopted it will read: "Reporting Complaints of Injuries. As specified in subparagraph 381.0075(11)(a)8., F.S., any injury or complaint of injury, suspected infections that required treatment by a licensed practitioner, or any notifiable diseases resulting from the body-piercing procedure that become known to the operator shall be reported to the local county health department by the operator within 72 hours of the operator becoming aware of the complaint or condition. The report shall be submitted on DH Form 4122, 10/99, Body Piercing Salon Injury Report."

Subsection 64E-19.007(5) has been changed so that when adopted it will read: "Records required by this section shall be maintained at each salon for the current licensing period. Records may be stored elsewhere after that time frame, but

they must be stored in accordance with this chapter and be made available for review by the department upon request of the department.”

Subsection 64E-19.007(6)(a) has been changed so that when adopted it will read: “Operators and piercers shall complete...course. Correspondence courses must meet the same subject matter requirements as formal training in order to qualify as acceptable substitutes for formal training.”

Subsection 64E-19.007(6)(b) has been changed so that when adopted it will read: “The training required initially for each operator and piercer shall include all of the...”

Subsection 64E-19.007(6)(d) has been changed so that when adopted it will read: “Operators and piercers must complete the required training according to the following time frames:

1. Operators and piercers hired on or after the effective date of this chapter must complete the required training prior to assuming responsibilities in a salon;

2. Operators and piercers working in salons before the effective date of this chapter must complete the required training prior to a salon being licensed.”

Subsection 64E-19.008(2) has been changed so that when adopted it will read: “Department personnel shall be granted access to the premises of a body-piercing salon during a salon’s normal hours of operation, including access to customer and personnel records to conduct epidemiological investigations.”

### Section IV Emergency Rules

#### DEPARTMENT OF THE LOTTERY

RULE TITLE:

RULE NO.:

Florida Lottery “Big Sales Gain Retailer Incentive Promotion

53ER99-57

SUMMARY OF THE RULE: The rule describes the “Big Sales Gain” Retailer Incentive Promotion in which eligible Florida Lottery on-line retailers have the opportunity to earn a \$5,000 Bonus Commission.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

#### 53ER99-57 Florida Lottery “Big Sales Gain” Retailer Incentive Promotion.

(1) The Florida Lottery is offering eligible Florida Lottery on-line Retailers the opportunity to earn a bonus commission for achieving the largest percentage increase in average total weekly sales for all instant and on-line Lottery products in their assigned categories as described in paragraph (b) below, and in

their Florida Lottery sales districts during the “Big Sales Gain” Retailer incentive period from October 25, 1999 through January 2, 2000.

(a) For the incentive period, each eligible on-line Retailer will be assigned to a sales category within its Florida Lottery sales district based upon its average total weekly instant and on-line sales for the base period of October 26, 1998, through January 3, 1999.

(b) The “Big Sales Gain” sales categories, average total weekly sales amounts, and designated bonus commission amounts are as follows:

Sales Category	Average Total Weekly Sales	Bonus Commission
A	\$10,000 and over	\$5,000
B	\$4,000 – \$9,999	\$5,000
C	\$1,500 – \$3,999	\$5,000

(c) Each Retailer’s average total weekly sales for all instant and on-line Lottery products during the incentive period will be compared to its average total weekly instant and on-line sales for the base period to determine the percentage increase. The eligible retailer with the largest percentage increase in each of the three sales categories in each of the eleven Florida Lottery sales districts will be awarded the bonus commission, for a total of thirty-three winners.

(d) In the event a Retailer does not meet the requirements of subsections (2) and (3) below, the next eligible Retailer with the highest percentage sales increase will be substituted for the ineligible Retailer until all bonus commissions are awarded. The total amount of incentive bonus commissions for this promotion is \$165,000.

(e) Bonus commissions will be paid by check and reported to the Internal Revenue Service as compensation. The Florida Lottery will apply bonus commissions earned against outstanding debt for Retailers meeting all eligibility requirements.

(2) To be eligible to participate in the “Big Sales Gain” Retailer Incentive Promotion, Retailers must meet the following requirements:

(a) have been an active on-line retailer on or before October 26, 1998,

(b) have an authorized representative commit in writing before December 1, 1999, to participate in the incentive program,

(c) have average weekly combined instant and on-line sales of at least \$1,500 for the base period, and have recorded sales in seven of the ten weeks in the base period.

(3) To be eligible to receive the bonus commission, participating Retailers must:

(a) have average weekly combined instant and on-line sales of at least \$1,500 for the incentive period,

(b) maintain an active retailer status throughout the entire incentive period,

(c) must have recorded sales in seven of the ten weeks of the incentive period, and

(d) must be in good financial standing with the Florida Lottery at the time bonus commissions are awarded. Good financial standing is defined as having no dishonored unpaid electronic funds transfers or associated penalties or any other accounts receivable outstanding for more than sixty days.

(4) Retailers whose Lottery contracts are terminated or inactivated subsequent to the determination of winners and prior to award of the bonus commission, shall receive the bonus commission won, provided said termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or Retailer Contract terms.

Specific Authority 24.105(10)(a), (c), 24.112(1), 24.109(1) FS. Law Implemented 24.105(10)(a), (c), 24.112(1), 24.109(1) FS. History--New 11-10-99.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: November 10, 1999

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: RULE NO.:

Retailer FLORIDA LOTTO Bonus Commission Program 53ER99-61

SUMMARY OF THE RULE: This emergency rule replaces 53ER99-51. The rule describes the Lotto Bonus Commission program for Florida Lottery retailers that sell a grand prize Lotto ticket for a Wednesday drawing during the program period.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-61 Retailer FLORIDA LOTTO Bonus Commission Program.

(1) Effective October 27, 1999, through November 24, 1999, the Florida Lottery will conduct, as a sales incentive, a Retailer FLORIDA LOTTO Bonus Commission Program in which the Florida Lottery will award bonus commissions totaling up to \$5,000 per week to eligible on-line retailers that sell a grand prize FLORIDA LOTTO ticket for a Wednesday drawing held during the sales incentive period.

(2) During the bonus commission program period, the five or fewer eligible retailers who sell a winning grand prize FLORIDA LOTTO ticket for a Wednesday drawing will each earn a bonus commission of \$1,000. If more than five eligible retailers sell winning FLORIDA LOTTO grand prize tickets, each of the retailers will earn an equal share of the weekly \$5,000 bonus commission pool.

(3) Bonus commissions are subject to availability of funds appropriated for retailer incentives.

(4) For purposes of this program, the maximum weekly bonus commission pool is \$5,000 regardless of jackpot rollovers. If there is no FLORIDA LOTTO jackpot winner on November 24, 1999, the bonus commission program will end.

(5) Eligibility for bonus commissions will be open to all Florida Lottery on-line retailers who are in good financial standing with the Florida Lottery at the time bonus commissions are awarded. Good financial standing is defined as having no dishonored unpaid electronic funds transfers or associated penalties or any other account receivable outstanding for more than sixty (60) days. Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award, shall be paid the bonus commission earned provided said termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or contract terms.

(6) Retailers that earn a bonus commission will receive payment upon determination by the Lottery of the bonus commission amount and retailer eligibility as set forth in this rule. Bonus commissions will be reported to the Internal Revenue Service as compensation. The Lottery reserves the right to apply bonus commissions earned against outstanding debt for retailers meeting all eligibility requirements.

(7) This emergency rule replaces 53ER99-51, F.A.C.

Specific Authority 24.105(10)(a),(c), 24.109(1) F.S. Law Implemented 24.105(10)(a),(c), 24.112(1), 24.109(1) FS. History--New 11-9-99, Replaces 53ER99-51.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: November 9, 1999

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: RULE NO.:

Public Information 53ER99-62

SUMMARY OF THE RULE: The rule changes the classification of information identifying the selling location of top tier winning tickets from confidential to public record.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-62 Public Information.

(1) Information identifying the selling location of top tier winning tickets (e.g., 5 of 5 matches in FANTASY 5 or 6 of 6 matches in LOTTO) shall be available for distribution by the Lottery to the public.

(2) Subsection (1) above, supersedes subparagraph 53-1.005(2)(b)10., F.A.C.

Specific Authority 24.105(2)(a), 24.105(10)(j), 24.109(1) FS. Law Implemented 24.109(1), 24.105(10)(j) FS. History—New 11-9-99.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: November 9, 1999

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Sprint Payphone Service's petition for exemption from Rule 25-24.515(13), Florida Administrative Code, filed on August 4, 1999 in Docket No. 991036-TC was approved by the Commission at its October 5, 1999 Agenda Conference. Order No. PSC-99-2065-PAA-TC, issued October 21, 1999 memorialized the decision. The rule requires payphones to receive incoming calls. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on August 25, 1999.

A copy of the Order can be obtained from either the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or the Commission's Homepage at <http://www.floridapsc.com>.

### WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on October 25, 1999, the South Florida Water Management District (SFWMD) has received a petition for waiver from the City of Margate, for utilization of works or land of the SFWMD known as the C-14 Canal, Broward County. The petition seeks relief from the Rule 40E-6.301(1)(i), 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 prohibits the placement of permanent or semi-permanent above-ground facilities within the District's right of way that may interfere with the District's present or future ability to operate and maintain the works and lands of the District.

A copy of the petition may be obtained from Juli Triola at (561)682-6268 or e-mail at [jtriola@sfwmd.gov](mailto:jtriola@sfwmd.gov). The SFWMD 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, West Palm Beach, FL 33406, Attn.: Juli Triola, Office of Counsel.

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection has taken action on a petition for emergency waiver received from Hillsborough County School Board on January 19, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly on February 12, 1999. No public comment was received. The petition requested an emergency waiver under section 120.542 of the Florida Statutes from the prohibition of discharging any contaminant into Class G-II ground water that may cause a violation of secondary standards except, within a zone of discharge, under rule 62-522.300(2)(a), Florida Administrative Code. The waiver would allow for the construction of a stormwater pond to be built over an old landfill containing construction debris. The construction project is in conjunction with renovation projects at the Young Magnet Middle School, located at 1807 E. Martin Luther King Boulevard, Tampa. On February 18, 1999, the Department denied the emergency waiver in a final order, OGC File No.: 99-0091. The final order denied the emergency variance for failure to demonstrate an emergency, but the petition was reviewed and processed on a non-emergency basis as a regular petition for waiver. After numerous attempts by the Department to get the Petitioner to complete its petition for waiver, on November 10, 1999, the Department denied the petition for waiver for failure to demonstrate that the purposes of the underlying statutes would be met if the waiver were granted. For a copy of the final order write or call Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; telephone (850)921-9610.

The Department of Environmental Protection has taken action on a petition for emergency variance received from Eagle-Picher Industries, Inc., on October 15, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 44, dated November 5, 1999. No public comment was received. The petition requested an emergency variance from rule 62-522.300(2)(a) of the Florida Administrative Code, which prohibits a zone of discharge for discharges through wells. Eagle-Picher Industries, Inc., petitioned for the emergency variance in order to use an in-situ remedial process. This process involves the installation of one or more temporary Class V underground injection wells at the site of soil and ground water contamination. On November 10, 1999, the Department denied the emergency variance in a final order, OGC File No.: 99-1766. The final order denied the emergency variance for failure to demonstrate an emergency, but the petition will be reviewed and processed on a non-emergency basis as a regular

petition for variance. For a copy of the final order write or call Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; telephone (850)921-9610.

On September 3, 1999, the Department received a petition for variance under section 120.542 of the Florida Statutes from the City of Winter Garden for their Winter Garden Wastewater Treatment Facility to obtain a variance from the specific criteria of rule 62-699.311(10) of the Florida Administrative Code. This rule addresses the requirement that the lead/chief operator for a Class A or B treatment plant be on duty for one full shift each duty day. A Notice of Variance Petition was published in the October 8, 1999, edition of the Florida Administrative Weekly.

On November 8, 1999, the Department received a notice from the City of Winter Garden withdrawing their request for variance.

On July 29, 1999, the Department received a petition for variance under section 120.542 of the Florida Statutes from the City of Melbourne to obtain a variance from the specific criteria of rule 62-699.311(10) of the Florida Administrative Code for their Grant Street Wastewater Treatment Facility. This rule addresses the requirement that the lead/chief operator for a Class A or B treatment plant be on duty for one full shift each duty day. A Notice of Variance Petition was published in the August 20, 1999, edition of the Florida Administrative Weekly.

On November 4, 1999, the Department issued an order granting the petition for variance on the grounds that the petitioner demonstrated that the application of the rule would create a substantial hardship and that the granting of the variance would achieve the underlying purpose of the statute. A copy of this order may be obtained by contacting Jennifer Fitzwater, Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, Telephone (850)488-9314.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

Notice is hereby given that the Florida Fish and Wildlife Conservation Commission has issued a two-year variance from the Collier County manatee protection rule (68C-22.023, FAC.) to The Airboat Experience of the Everglades Inc. ("Airboat Experience"). The petition was filed with the Office of Environmental Services on July 9, 1999. A Notice of Receipt of Petition was published in the Florida Administrative Weekly on July 30, 1999. The Commission received additional information on August 24, 1999, and the variance was granted with conditions, on October 15, 1999 (expires on October 15, 2001). The variance authorizes Airboat Experience to operate

no more than two airboats at speeds not to exceed 20 MPH while conducting sight-seeing tours along three specific shallow water routes in Addison Bay and Goodland Bay. The airboats are not authorized to operate above the posted speed limits during weekends or state-recognized holidays. The variance was granted because the Commission determined that application of the rule would violate the principles of fairness (as set forth in 120.542, F.S.) and because the purpose of the underlying statute (i.e., manatee protection) would still be met by placing conditions and limitations on the variance. Copies of the variance may be obtained by contacting the Florida Fish and Wildlife Conservation Commission, Office of Environmental Services, Bureau of Protected Species Management (OES-BPS), 620 South Meridian Street, Tallahassee, FL 32399-1600; Attn.: Dawn Griffin.

**Section VI  
Notices of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF STATE**

The **Department of State**, Constitutional Transition Task Force announces a public hearing to which all interested persons are invited.

DATE AND TIME: Friday, December 10, 1999, 9:00 a.m. – 1:00 p.m.

PLACE: The Knott Bldg., Room 117, Tallahassee, FL

PURPOSE: Task Force Final Public Hearing.

The agenda has not yet been finalized and will be available upon request prior to the meeting. For a copy of the most recent agenda please contact: Jennifer Chester, (850)414-5508.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise the Constitutional Transition Task Force by contacting: Jennifer Chester, (850)414-5508.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of the Soil and Water Conservation Council's Executive Planning Committee to which all persons are invited:

DATE AND TIME: Tuesday, December 7, 1999, 2:00 p.m. – 3:00 p.m.

PLACE: The Capitol, 21st Floor, Room 2103, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Planning Committee meeting is scheduled to discuss Soil and Water Conservation Legislative Priorities, to make a

report to the Soil and Water Conservation Council at the next meeting, to be held on immediately following the Executive Planning Committee meeting in Tallahassee, Florida.

A copy of the agenda or directions may be obtained by contacting: Office of Agricultural Water Policy, Mail Stop C-28, 3125 Conner Boulevard, Suite C, Tallahassee, Florida 32399-1650, Attn.: Jannice Gardner, (850)488-6249 or Suncom 278-6249.

The Florida **Department of Agriculture and Consumer Services** announces the following public meetings of the Pesticide Registration Evaluation Committee to which all persons are invited:

- DATE AND TIME: January 6, 2000, 9:00 a.m.
- PLACE: Bureau of Pesticides, Conference Room, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida
- DATE AND TIME: February 3, 2000, 9:00 a.m.
- PLACE: Bureau of Pesticides, Conference Room, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida
- DATE AND TIME: March 2, 2000, 9:00 a.m.
- PLACE: Bureau of Pesticides, Conference Room, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida
- DATE AND TIME: April 6, 2000, 9:00 a.m.
- PLACE: Bureau of Pesticides, Conference Room, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida
- DATE AND TIME: May 4, 2000, 9:00 a.m.
- PLACE: Bureau of Pesticides, Conference Room, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida
- DATE AND TIME: June 1, 2000, 9:00 a.m.
- PLACE: Bureau of Pesticides, Conference Room, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida
- DATE AND TIME: July 6, 2000, 9:00 a.m.
- PLACE: Bureau of Pesticides, Conference Room, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida
- DATE AND TIME: August 3, 2000, 9:00 a.m.
- PLACE: Bureau of Pesticides, Conference Room, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida
- DATE AND TIME: September 7, 2000, 9:00 a.m.
- PLACE: Bureau of Pesticides, Conference Room, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida
- DATE AND TIME: October 5, 2000, 9:00 a.m.
- PLACE: Bureau of Pesticides, Conference Room, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida
- DATE AND TIME: November 2, 2000, 9:00 a.m.
- PLACE: Bureau of Pesticides, Conference Room, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida
- DATE AND TIME: December 7, 2000, 9:00 a.m.
- PLACE: Bureau of Pesticides, Conference Room, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Regular meetings of the Committee during which there will be discussions and recommendations on pesticide registration issues impacting on human health and safety and the environment.

A copy of the agenda may be obtained by contacting: Pesticide Registration Section, 3125 Conner Boulevard, Bldg. 6, Room 606, Tallahassee, Florida 32399-1650, (850)487-2130.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** (DOF) and the Two Mile Prairie Tract (Withlacoochee State Forest) Management Plan Advisory Group announce two public meetings and a public hearing to which all persons are invited.

**PUBLIC MEETING – Two Mile Prairie Tract (Withlacoochee State Forest) Management Plan Advisory Group**

DATE AND TIME: Wednesday, December 15, 1999, 6:00 p.m.

**PURPOSE:** To allow the Two Mile Prairie Tract (Withlacoochee State Forest) Management Plan Advisory Group to prepare for a public hearing the evening of December 15, 1999, and provide recommendations to the DOF to help in preparation of a management plan for the Two Mile Prairie Tract (Withlacoochee State Forest).

**PUBLIC HEARING**

DATE AND TIME: Wednesday, December 15, 1999, 7:30 p.m.

**PURPOSE:** To solicit public comment on management of the Two Mile Prairie Tract (Withlacoochee State Forest). Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the DOF's Withlacoochee Forestry Center Office, 15019 Broad St., Brooksville, FL 34601, to the attention of Wilbur Priest and should be mailed so as to arrive at the Center Office by the date of the public hearing.

**PUBLIC MEETING – Two Mile Prairie Tract (Withlacoochee State Forest) Management Plan Advisory Group**

DATE AND TIME: Thursday, December 16, 1999, 1:00 p.m.

**PURPOSE:** To allow the Two Mile Prairie Tract (Withlacoochee State Forest) Management Plan Advisory Group to review comments from the public hearing of December 15, 1999 and provide recommendations to the DOF to help in preparation of a management plan for the Two Mile Prairie Tract (Withlacoochee State Forest).

PLACE: Holder Community Center, 7040 N. Florida Avenue, Holder, Florida

Copies of a working draft of the plan are available by contacting the Withlacoochee Forestry Center Office in writing at the above address or by telephone, (352)754-6777, Extension 116.



Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance of these proceedings. Any request for special accommodations can be made by writing the DOF's, Withlacoochee Forestry Center Office at the above listed address.

You are hereby notified in accordance with Chapter 286.0105, Florida Statutes, should you decide to appeal any decision made as a result of, or take exception to any findings of fact with respect to any matter considered at the hearing and meetings referred to above, you may need to ensure that a verbatim record of the proceedings is made. Such record shall include the testimony and evidence upon which the appeal is to be based.

---

#### DEPARTMENT OF EDUCATION

The Florida **Department of Education** announces a public meeting to which all interested parties are invited to attend.

DATE AND TIME: December 2, 1999, 1:30 p.m.

PLACE: Room 124, Collins Building, 255 W. Gaines Street, Tallahassee, Florida 32399-0400

PURPOSE: To conduct an organizational meeting of the evaluation committee for RFP #2000-07.

A copy of the agenda may be obtained by writing: Office of Student Financial Assistance, Department of Education, Attention: Taren Theriaque, 325 W. Gaines Street, 124 Collins Building, Tallahassee, Florida 32399-0400

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 by contacting Taren Theriaque, (850)488-4095, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the agency by calling (850)488-4095.

---

The **Department of Education** announces the following public meeting to which all persons are invited.

DATE AND TIME: December 6, 1999, 10:00 a.m. – 3:00 p.m.

PLACE: 412 Knott Building, Tallahassee, Florida

PURPOSE: Meeting of the Florida Distance Learning Network Advisory Council

A copy of the agenda may be obtained by contacting: Suzanne Martin, Interim Chief, Bureau of Educational Technology, Department of Education, 325 West Gaines Street, Room 501-B, Tallahassee, Florida 32399-0400, (850)488-0980.

Persons with disabilities who require assistance to participate in the meeting are requested to notify Suzanne Martin at least 48 hours before the meeting.

---

The State of Florida, **Education Practices Commission** announces a Teacher Hearing Panel to which all persons are invited.

DATE AND TIME: December 10, 1999, 8:30 a.m. or as soon thereafter

PLACE: The Sheraton Suites, Tampa Airport, 4400 West Cypress Street, Tampa, Florida 33607, (813)873-6675

PURPOSE: A Teacher Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining teachers.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing: Education Practices Commission, Florida Education Center, 325 W. Gaines Street, Room 224-E, Tallahassee, Florida 32399-0400.

Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)488-0547, at least five calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

---

The **Board of Regents** of the State University System of Florida announces a meeting to which the public is invited. This meeting will be held to negotiate the 2000-2001 Re-opener Agreement between the Board of Regents and the Florida Public Employees Council 79, American Federation of State, County and Municipal Employees (AFSCME).

DATES AND TIME: December 6-7, 1999, 10:00 a.m. – 4:00 p.m.

PLACE: FSU University Center, Room 5301, Florida State University, Tallahassee, Florida

The Board welcomes participation from any interested members of the public.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity Programs, (850)201-7160 (Voice), (850)201-7164 (TDD), at least 7 days in advance, so that their needs can be accommodated.

---

The **Community Hospital Education Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 8, 1999, 10:00 a.m. – 11:30 a.m.

PLACE: Florida Education Center, Room 1706, 325 West Gaines Street, Tallahassee, Florida

PURPOSE: Regular Quarterly Meeting of the Council.

FOR AGENDA: Patricia C. Haynie, Ph.D., Vice Chancellor, State University System, Florida Education Center, Suite 1520, 325 West Gaines Street, Tallahassee, Florida 32399-1950, Telephone (850)201-7120.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity and Diversity at least seven (7) days in advance, by calling (850)201-7160 (Voice), (850)201-7333 (TDD), so that their needs can be accommodated.

---

The Executive Committee of the Florida **Board of Regents** invites the public to a telephone conference call meeting:

DATE AND TIME: Friday, December 10, 1999, 9:00 a.m.

PLACE: Florida Education Center, Room 1505, 325 West Gaines Street, Tallahassee, Florida

PURPOSE: To consider matters pertaining to the State University System.

A copy of the agenda may be obtained by writing: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity and Diversity at least seven (7) days in advance, by calling (850)201-7160 (Voice), (850)201-7333 (TDD), so that their needs can be accommodated.

---

The **Board of Regents** Selection Committee for the President of the University of Florida announces a public meeting via conference call to which all persons are invited.

DATE AND TIME: Friday, December 10, 1999, 9:00 a.m. or at the conclusion of the Executive Committee Meeting

PLACE: Florida Education Center, Room 1505, 325 West Gaines Street, Tallahassee, Florida

PURPOSE: To receive a report from the Search Advisory Committee.

A copy of the agenda may be obtained by writing: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity and Diversity at least seven (7) days in advance, by calling (850)201-7160 (Voice), (850)201-7333 (TDD), so that their needs can be accommodated.

---

The **Florida State University** announces the following public meeting, to which all persons are invited.

DATE AND TIME: Wednesday, December 8, 1999, 9:00 a.m.

PLACE: FSU Public Safety Building, Police Station, Northeast corner of Woodward and Jefferson Streets, Room 205, Florida State University, Tallahassee, Florida, (850)644-1001

PURPOSE: To hold a Proposal Review Meeting for Art in State Buildings Project #BR m-262, FSU Public Safety Building, Tallahassee FL

COMMITTEE: Local Art Selection Committee

For more information or to obtain a copy of the agenda, please contact: Diane Greer, Director of Cultural Resources, Florida State University, 216 Westcott, Tallahassee, FL 32306-1350.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for Judicial review. This meeting will not be taped by Florida State University.

Pursuant to 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 Diane Greer, (850)644-1001. If you are hearing or speech impaired, please contact the agency by calling (850)644-1001.

---

The **Board of Regents** announces a public meeting of the Leadership Board for Applied Research and Public Service to which all persons are invited:

DATE AND TIME: December 8, 1999, 2:00 p.m. – 4:00 p.m.

PLACE: Florida Education Center, Turlington Building, Room 1704, 325 West Gaines Street, Tallahassee, Florida 32399-1950

GENERAL SUBJECT MATTER TO BE CONSIDERED: On-going projects of the Leadership Board for Applied Research and Public Service.

A copy of the agenda may be obtained by contacting: Carolyn Renfroe, (850)644-3410.

Any person requiring a special accommodation to participate in the meeting because of a disability should contact Carolyn Renfroe, (850)644-3410, at least five (5) business days in advance to make appropriate arrangements.

---

The **University of Central Florida**, Art in State Buildings Program announces the following public meeting, to which all persons are invited:

DATE AND TIME: Monday, December 6, 1999, 3:00 p.m.

PLACE: University of Central Florida, Visual Arts Building, Room 105, 4000 Central Florida Blvd., Orlando, FL 32816

PURPOSE: To hold a slide review meeting to review entries and select artists for Direct Selection for the following projects: BR-414 Bookstore Expansion; BR-429 Classroom Building

COMMITTEE: Art Selection Committee

For more information or to obtain a copy of the agenda, please contact: Teresa E. Robert, Program Administrator, University of Central Florida, Art Department, VAB 117, Orlando, FL 32816, (407)823-5941.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the University of Central Florida.

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: Teresa E. Robert, (407)823-5941. If you are hearing impaired, please contact the agency by calling (407)823-5941.

The **University of Central Florida**, Art in State Buildings Program announces the following public meeting, to which all persons are invited:

DATE AND TIME: Friday, December 17, 1999, 2:00 p.m.  
PLACE: University of Central Florida, Visual Arts Building, Room 105, 4000 Central Florida Blvd., Orlando, FL 32816  
PURPOSE: To hold a slide review meeting to review entries and select artists for Direct Selection for the following project: BR-400 Residence Hall

COMMITTEE: Art Selection Committee  
For more information or to obtain a copy of the agenda, please contact: Teresa E. Robert, Program Administrator, University of Central Florida, Art Department, VAB 117, Orlando, FL 32816, (407)823-5941.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the University of Central Florida. 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: Teresa E. Robert, (407)823-5941. If you are hearing impaired, please contact the agency by calling (407)823-5941.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, December 11, 1999, 9:00 a.m.  
PLACE: Music Building Auditorium, FSDB Campus, St. Augustine, Florida  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by writing: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 North San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)827-2200.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he 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.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance from the aforementioned address.

The Florida **Community College System** announces a meeting/conference call of the State Board of Community Colleges Governance Task Force to which all persons are invited:

DATE AND TIME: Friday, December 3, 1999, 10:00 a.m. – 2:00 p.m.  
PLACE: Valencia Community College, East Campus, Building 5, Room 112, 701 North Econlockhatchee Trail, Orlando, Florida 32825  
CONFERENCE ACCESS NUMBER: (850)921-2530 or Suncom 291-2530

PURPOSE: To discuss the development of recommendations to the State Board of Community Colleges related to the governance of postsecondary education in Florida.  
If you need special services to attend the meeting or need additional information write: Division Community Colleges, 1314 Turlington Building, Tallahassee, Florida 32399-0400.

The **Gulf Coast Community College District**, Board of Trustees will hold its monthly meeting as follows.

DATE AND TIME: December 9, 1999, 10:00 a.m., (CDT)  
PLACE: Gardner Seminar Room  
PURPOSE: Regular monthly meeting.  
Contact person for the meeting, Dr. Robert L. McSpadden, President.

The Program/Planning Committee of the **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Friday, December 3, 1999, 8:30 a.m. – 11:30 a.m.  
PLACE: The Hilton, Ft. Lauderdale Airport, 1870 Griffin Road, Ft. Lauderdale, Florida  
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address its current assignments related to Joint-use Facilities, Education Facility Standards and Academic Program Contracts.  
For further information contact: Dr. Jon Rogers, Educational Policy Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400, (850)488-7894.

The Access Committee of the **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Friday, December 3, 1999, 8:30 a.m. – 11:30 a.m.

PLACE: The Hilton, Ft. Lauderdale Airport, 1870 Griffin Road, Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address its current assignments related to the Minority Participation in Legal Education Program, and the Bright Futures Scholarship.

For further information contact: Mr. David Wright, Educational Policy Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400, (850)488-7894.

The **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Friday, December 3, 1999, 12:30 p.m. – 4:30 p.m.

PLACE: The Hilton, Ft. Lauderdale Airport, 1870 Griffin Road, Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will consider its studies related to the Minority Participation in Legal Education Program, Joint-Use Facilities, and the Bright Futures Scholarship and will discuss a proposed center at Broward Community College, issues concerning other current assignments and the Master Plan.

For further information contact: Dr. William B. Proctor, Executive Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400, (850)488-7894.

#### DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a meeting of the Affordable Housing Study Commission's 2010 Evaluation Committee, to which all interested persons are invited.

DATE AND TIME: Monday, December 6, 1999, 10:00 a.m. – 2:00 p.m.

PLACE: First Housing Development Corporation, 1715 North Westshore Blvd., Suite 375, Tampa, FL 33607

PURPOSE: The 2010 Evaluation Committee will review and adopt the Commission's 2010 evaluation report.

Any person requiring special accommodation due to disability or physical impairment should contact Melissa Sims, (850)922-1609, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Ms. Sims using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda or the proposed housing policy may be obtained from: Melissa Sims, The Affordable Housing Study Commission, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)922-1609.

The **Florida Building Commission** announces the following meetings to which all persons are invited:

The Florida Building Commission, "The Commission"

DATES AND TIMES: December 5, 1999, 9:00 a.m. – 6:00 p.m.; December 6, 1999, 9:00 a.m. – 6:00 p.m.; December 7, 1999, 8:00 a.m. – 4:00 p.m.

PLACE: Double Tree Hotel, 3011 Maingate Lane, Kissimmee, Florida, Telephone (407)396-1400

PURPOSE: Hear presentations on ASCE 7-98 costs and rational; review and decide on Commission Member proposed amendments; approve the Florida Building Code and Education/Training propose draft rules; review, discuss and adopt amendatory text of Product Approval System recommendations and State Agencies on standards development and enforcement functions; review and adopt recommendations on Threshold Inspector Committee laws/rules; review and adopt Special Occupancy TAC and SBCCI recommendations on Chapter 4 of the Florida Building Code; hear a presentation and update on the Building Code Information System; take action on petition for declaratory statement on whether an owner when acting as his own contractor may certify the wind resistance design for one-family or two-family residences; and review assignments for next meeting.

December 5, 1999 – Meetings of Ad Hoc Committee on Insurance Premium Credits, South Florida Integration Ad hoc Committee on Product Approval, Special Occupancy Technical Advisory Committee (TAC), Mechanical and Energy TAC, and Education Task Group.

December 6, 1999 – Meeting of the Accessibility Waiver Council

Plenary Session of the Commission: Review and adopt updated workplan; hear presentations on the additional cost of adopting ASCE 7-98 and the rational for selecting the 120 mph requirements for requiring protection; report on Insurance Credits for Enhanced Code Protections Resulting from Adoption of ASCE 7-98; review and decide on Commission Member proposed amendments; adopt the Florida Building Code and Education/Training propose draft rules; and meeting of the Threshold Inspector Certification Committee.

Consideration of Accessibility Waiver applications. Waivers are: Boca West Country Club – Tennis Exhibition Viewing Area, Boca Raton; BellSouth Perrine Service Operations, Miami; Cobalt Moon, Neptune Beach; H.O.P.E. Center – Addition, Melbourne; Trinity Preparatory School – Bleachers, Largo; Charles Schwab & Co., Inc. – Child Care Center, Orlando; Star Child Academy, Apopka; I.C. Assemblies, Inc., Miami; UniverSoul Circus, Miami; and First Congregational Church, Tampa.

December 7, 1999 – Plenary Session of the Commission: Discuss and adopt amendatory text of Product Approval System recommendations; discuss and adopt amendatory text of recommendations for State Agencies on standards

development and enforcement functions; receive public comments; review and adopt recommendations on Threshold Inspector Committee laws/rules; review and adopt Special Occupancy TAC and SBCCI recommendations on Chapter 4 of the Florida Building Code; hear a presentation and update on the Building Code Information System; hear presentation for Legal staff on seeking legislative approval to interpret codes separate from Chapter 120 procedure; take action on petition for declaratory statement on whether an owner when acting as his own contractor may certify the wind resistance design for one-family or two-family residences; approve revisions to the SBCCI contract; hear Threshold Inspector Committee report; establish subcommittees on roofing and review of the Manufactured Building Program; and review assignments for next meeting.

A copy of the Committee and Commission meeting agendas may be obtained by sending a request in writing: Jean Easom, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at these meetings because of a disability or physical impairment should contact Ms. Jean Easom, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs** announces a meeting of the State Energy Program (SEP) Clean Fuel Florida Advisory Board (CFF) to which all interested parties are invited.

**SEP CFF MEETING**

DATE AND TIME: December 6, 1999, 1:00 p.m. – 5:00 p.m.

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

ACTIONS TO BE TAKEN: The CFF will consider the following items:

- 1) Review of State of Georgia Position Paper
- 2) Short Term Goals
- 3) Long Term Goals
- 4) Existing Contracts
- 5) Proposed Pilot Projects
- 6) Selection of Vice Chairperson

**APPEAL INFORMATION:** If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public meeting he or she may need a record or transcript of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record may include testimony and evidence relevant to the appeal.

Anyone who wants a copy of the agenda or additional information on this meeting may write or call: Emily Cook, Administrative Assistant, Department of Community Affairs, 2255 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2475.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP using the Florida Dual Party System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF LAW ENFORCEMENT**

The **Division of Criminal Justice Standards and Training** announces a public meeting for a Probable Cause Determination to which all persons are invited to attend.

DATE AND TIME: Wednesday, December 8, 1999, 1:00 p.m. – Open

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

PURPOSE: To determine if probable cause exists to proceed with possible disciplinary action.

A copy of the Probable Cause Case agenda can be obtained by calling: Brenda S. Miller, (850)410-8648, at the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Bureau of Standards, Post Office Box 1489, Tallahassee, Florida 32302-1489.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Donna Hunt, (850)410-8615, at least 2 weeks prior to the meeting.

**DEPARTMENT OF TRANSPORTATION**

**NOTICE OF CHANGE** – The Florida **Department of Transportation**, District 6 announces a public hearing to which all interested persons are invited.

DATE AND TIME: December 2, 1999, between the hours of 6:00 p.m. – 8:00 p.m. Copies of the District Six Work Program documents will be available for review between those hours.

PLACE: District Six Main Office Auditorium, 1000 N. W. 111 Avenue, Miami, Florida

The hearings to present the work program in Miami-Dade County were scheduled originally for November 17, 1999 and November 18, 1999 and were announced in both the November 5, 1999, and November 12, 1999, editions (Volume 25, Nos. 44 and 45) of the Florida Administrative Weekly. The District Six work program will be presented in Miami-Dade County in this one hearing on December 2, 1999.

**PURPOSE:** This hearing is being held in accordance with Section 339.135, Florida Statutes, and offer the public the opportunity to comment on projects for the State Highway System, Public Transportation or any other project in the Sixth District's Tentative Five Year Transportation Plan. These hearings will also include consideration of proposed projects for Florida's Turnpike System. The Sixth District comprises Miami-Dade and Monroe Counties. The Plan covers the period from July 1, 2000, to June 30, 2005.

All interested persons are invited to attend and be heard.

The proposed improvements have been developed in accordance with the Civil Rights Act of 1964 and the Civil Rights Act of 1968. Under Title VI and Title VIII of the United States Civil Rights Act any person(s) or beneficiary who believes they have been subjected to discrimination because of race, color, religion, sex, age, national origin, disability or familial status may file a written complaint to the Florida Department of Transportation's Minority Programs Office in Tallahassee or contact Jeffrey Dodge, District Six's Title VI and Title VIII Coordinator.

Central Office: Florida Department of Transportation, Minority Programs Office, 605 Suwannee Street, M.S. #65, Tallahassee, Florida 32399-0450.

District Six: Jeffrey Dodge, Title VI and Title VIII Coordinator, Florida Department of Transportation, 1000 N. W. 111 Avenue, Room 6207A, Miami, Florida 33172.

Assistance for persons who require transcriptions in braille may be arranged by contacting the Public Information Office, (305)470-5349, seven days before the public hearings to allow time for the documents to be transcribed. Assistance for other disabled person may be arranged by contacting the Public Information Office prior to the hearings.

The **Florida Transportation Commission** announces a public meeting to which all persons are invited:

**DATE AND TIME:** December 9, 1999, 11:00 a.m. – conclusion of agenda

**PLACE:** Department of Transportation Auditorium, 605 Suwannee Street, Tallahassee, Florida

**PURPOSE:** Regular meeting of the Florida Transportation Commission.

Information and a copy of the agenda may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. #9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, Telephone (850)414-4105.

The Florida **Department of Transportation** announces public meetings to which all persons are invited:

**PURPOSE:** Regular Meeting of the Executive Committee

**DATE AND TIME:** December 16, 1999, 8:30 a.m.

**PLACE:** Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

**DATE AND TIME:** January 20, 2000, 8:30 a.m.

**PLACE:** Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

**DATE AND TIME:** February 17, 2000, 8:30 a.m.

**PLACE:** Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

**DATE AND TIME:** March 16, 2000, 8:30 a.m.

**PLACE:** Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

**DATE AND TIME:** April 20, 2000, 8:30 a.m.

**PLACE:** Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

**DATE AND TIME:** May 18, 2000, 8:30 a.m.

**PLACE:** Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

A copy of the agenda may be obtained by writing: Florida Department of Transportation, 605 Suwannee Street, Mail Station 57, Tallahassee, Florida 32399-0450.

The Florida **Department of Transportation**, District 5 announces a public hearing to which all persons are invited.

**DATE AND TIME:** December 16, 1999, 7:00 p.m.

**PLACE:** The American Legion, Florida State Headquarters, 1912 Lee Road, Orlando, Florida

**PURPOSE:** This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Item Number 239496-1, Federal Aid Number XA-8785-(17), otherwise known as John Young Parkway (State Road 423) in Orange County, Florida. The limits of the project corridor are from State Road 50 to State Road 434, Orange County, Florida.

Anyone needing project or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address below or call telephone number (904)943-5400.

Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Mr. Tianjia Tang, Project Manager, Florida Department of Transportation, 719 South Woodland Boulevard, DeLand, Florida 32720.

**FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 1, 1999, 9:00 a.m.  
PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C., Third Floor, Tallahassee, Florida  
PURPOSE: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980). A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice, Telephone (850)488-3417.

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 8, 1999, 8:30 a.m.  
PLACE: County Commissioner's Chambers, County Administration Building, 301 North Olive Avenue, 6th Floor, West Palm Beach, Florida  
PURPOSE: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980). A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice, Telephone (850)488-3417.

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN by the Florida **Public Service Commission** that BellSouth Public Communications Inc.'s petition for exemption from Rule 25-24.515(13), Florida Administrative Code, filed on August 9, 1999 in Docket No. 991105-TC was approved by the Commission at its October 5, 1999 Agenda Conference. Order No. PSC-99-2065-PAA-TC, issued October 21, 1999 memorialized the decision. The rule requires payphones to receive incoming calls. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on August 25, 1999.

A copy of the Order can be obtained from either the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or the Commission's Homepage: <http://www.floridapsc.com>.

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990649-TP – Investigation into pricing of unbundled network elements.

DATES AND TIME: December 13-15, 1999, 9:30 a.m.  
PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida  
PURPOSE: To permit parties to present testimony and exhibits relative to the investigation into pricing of unbundled network elements, all parties shall be given the opportunity to present testimony and other evidence on the issues identified by the parties at the prehearing conference held on December 2, 1999. All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapters 25 and 28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 960545-WS – Investigation of utility rates of Aloha Utilities, Inc., in Pasco County.

DATES AND TIME: December 16-17, 1999, 10:00 a.m.  
A customer hearing will be held on December 16, 1999 at 10:00 a.m. and 6:00 p.m.  
PLACE: Clarion Hotel, Ballroom, 5316 U. S. Highway 19 North, New Port Richey, Florida

**PURPOSE:** To permit parties to determine whether the quality of service provided by Aloha Utilities, Inc., is satisfactory and what actions, if any, should the Commission require the utility to take to improve the quality of service, and for such other purposes as the Commission may deem appropriate. At the hearing, all parties shall be given the opportunity to present testimony and other evidence on the issues identified by the parties at the prehearing conference held on November 15, 1999. All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Florida Partnership for School Readiness, **Executive Office of the Governor**, announces the following public meeting to which all persons are invited.

**DATES AND TIMES:** November 29-30, 1999, 10:00 a.m. – 5:00 p.m.; Reception 5:30 p.m. – 7:30 p.m.

**PLACE:** The Senate Office Building, Room 110, Tallahassee, Florida (Reception to be held in the Old Capitol)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Florida Partnership for School Readiness.

A copy of the agenda may be obtained by contacting: Kristin Gilmore, Florida Partnership for School Readiness, Executive Office of the Governor, Room 131, Knott Building, Tallahassee, Florida 32399, (850)488-0337

The **Executive Office of the Governor** announces a Board Meeting of the Florida Black Business Investment Board which has been scheduled as follows. All interested persons are invited.

**DATE AND TIME:** December 10, 1999, 10:00 a.m. – 2:00 p.m.

**PLACE:** Clarion Capital Hotel, 319 West Tennessee Street, Tallahassee, FL

**PURPOSE:** To further discuss the Board’s business plan to identify areas for future Board priorities and approve actions taken by the Executive Director and Chairman under delegated authority.

A copy of the agenda may be obtained by contacting: Gregory L. Hobbs, Executive Director, Florida Black Business Investment Board, 1711 S. Gadsden Street, Tallahassee, FL 32301, Telephone (850)487-4850.

If a person decides to take an appeal 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 verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend this meeting, please notify the FBBIB office at (850)487-4850, at least seven (7) days prior to the meeting. If you are hearing or speech impaired, please contact the Office of the Governor by using the Citizen Service Office, (850)488-4441.

**REGIONAL PLANNING COUNCILS**

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

**MEETING:** Executive Committee

**DATE AND TIME:** December 2, 1999, 6:00 p.m.

**PURPOSE:** To conduct the regular business of the Executive Committee.

**MEETING:** Regional Planning Committee

**DATE AND TIME:** December 2, 1999, 6:00 p.m.

**PURPOSE:** To prepare an Evaluation and Appraisal Report for the North Central Florida Regional Planning Council.

**MEETING:** Clearinghouse Committee

**DATE AND TIME:** December 2, 1999, 6:30 p.m.

**PURPOSE:** To conduct the regular business of the Clearinghouse Committee.

**MEETING:** North Central Florida Regional Planning Council

**DATE AND TIME:** December 2, 1999, 8:00 p.m.

**PURPOSE:** To conduct the regular business of the North Central Florida Regional Planning Council.

**PLACE:** Suwannee River Cove Restaurant, Branford, Florida

Any person deciding to appeal any decision of the Council or its committees with respect to any matter considered at the meeting, may need to ensure that a verbatim record of the proceedings is made.

A copy of any of these agendas may be obtained by writing: NCFRPC, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653-1603.

Persons with disabilities who need assistance may contact us, (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **Northeast Florida Regional Planning Council**, Comprehensive and Project Planning Committee announces the following public meetings to which all persons are invited:

**DATE AND TIME:** December 2, 1999, 9:00 a.m.

**PLACE:** Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL



PURPOSE: To discuss pending comprehensive and project planning items.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council**, Personnel, Program Planning and Budget Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: December 2, 1999, 9:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL

PURPOSE: To discuss pending personnel, program planning and budget matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council** announces the following public meeting to which all persons are invited:

DATE AND TIME: December 2, 1999, 10:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL

PURPOSE: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call Ginny Montgomery, (904)363-6350, Extension 146, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The **Withlacoochee Regional Planning Council** announces its Annual meeting to which all persons are invited.

DATE AND TIMES: Thursday, December 9, 1999, Open House – 6:00 p.m., Meeting – 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the Council including election of Council Officers for 2000.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 8, 1999, 10:00 a.m.

PLACE: Central Florida Regional Planning Council, Conference Room, 555 East Church Street, Bartow, Florida

PURPOSE: Regular Monthly Meeting of the Council.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces a meeting of the Council's Nominating Committee to which all persons are invited:

DATE AND TIME: December 10, 1999, 9:00 a.m.

PLACE: Howard Johnson's Motor Lodge, 950 S. Federal Highway, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Council's Nominating Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a

record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

---

### REGIONAL TRANSPORTATION AUTHORITIES

Pursuant to 23 CFR 771 and Section 339.155, Florida Statutes, The **Miami-Dade Expressway Authority** (MDX) will hold a Public Hearing to which all interested persons are invited:

DATE AND TIME: Tuesday, December 14, 1999, 6:30 p.m.

PLACE: Don Shula Hotel, 6842 Main Street, Miami Lakes, Florida 33014

PURPOSE: To address the widening of the Gratigny Parkway, extending from the I-75/SR826 Interchange east to N. W. 62nd Avenue. MDX Project No. 924-001.

This Hearing will give interested persons the opportunity to express their views concerning the conceptual plans, as well as the social, economic and environmental effects of the proposed improvements.

The Gratigny Parkway is a six-lane roadway in its eastern segment that transitions to four lanes from west of N. W. 57th Avenue/West 8th Avenue to the I-75/SR 826 interchange. The project consists of the widening of the remaining four-lane segment to six lanes. The four-lane segment that would be improved under the Gratigny Parkway Widening Project is approximately one mile long. The purpose of this roadway improvement is to eliminate traffic bottlenecks in this four-lane segment, and improve travel conditions on this section of the Parkway.

The Hearing will consist of a presentation of the project and its associated impacts, followed by a public testimony period. MDX representatives will be available to answer questions before and after the Public Hearing.

The environmental document and conceptual design plans developed by MDX will be available for public review on weekdays at MDX's Office, 3790 N. W. 21st Street, Miami, Florida. The materials will also be available at the Hearing site from 6:00 p.m. the day of the Hearing.

Persons with disabilities who may require special accommodations to participate in the Hearing should contact MDX's Chief Engineer in writing at least seven calendar days before the Hearing at the address below.

Persons desiring to submit comments in place of or in addition to oral statements may do so at the Hearing. Written statements or exhibits may also be submitted as part of the Hearing if received within ten calendar days after the date of the Hearing. The Chief Engineer is: Mr. Samuel Gonzalez, P. E., 3790 N. W. 21st Street, Miami, Florida 33142, Telephone (305)637-3277.

---

### DEPARTMENT OF CORRECTIONS

The Florida **Corrections Commission** announces the following public meeting to which all interested persons are invited:

DATE AND TIME: Friday, December 10, 1999, 9:00 a.m. – 3:30 p.m.

PLACE: Department of Corrections, Room B-501, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

PURPOSE: The Commission will hold a meeting for the purpose of discussing issues to be included in the 1999 Annual Report.

A copy of the agenda may be obtained by writing: Mr. John Fuller, Executive Director, Florida Corrections Commission, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500 or call (850)413-9330.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

---

### DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

The Florida **Department of Labor and Employment Security**, Workers' Compensation Oversight Board announces a public hearing to be held by the Fraud and Noncompliance Committee.

DATE AND TIME: December 1, 1999, 9:00 a.m.

PLACE: TBA, Ft. Lauderdale, Florida

PURPOSE: The purpose is to discuss the Elimination of, and Alternatives to, the WC Exemption Process.

For a copy of the agenda or for further information about this meeting, contact: Julie Douthit, Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee, Florida 32399-2152, Telephone (850)487-2613.

In the event meeting time and/or place changes, notice of change will be posted on meeting notice bulletin board at 2574 Seagate Drive, Suite 100, Marathon Building, Tallahassee, Florida 32399-2152. You may call (850)487-2613.

Persons with a disability or handicap requiring reasonable accommodation should contact Becky Thomas in writing or by telephone at the above address or telephone number at least two business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Becky Thomas using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The Florida **Department of Labor and Employment Security**, Workers' Compensation Oversight Board announces a public hearing to be held by the Premiums and Benefits Committee.

DATE AND TIME: December 1, 1999, 1:00 p.m.

PLACE: TBA, Ft. Lauderdale, Florida

PURPOSE: The purpose is to discuss the Division of Workers' Compensation Employee Assistance Office.

For a copy of the agenda or for further information about this meeting, contact: Julie Douthit, Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee, Florida 32399-2152, Telephone (850)487-2613.

In the event meeting time and/or place changes, notice of change will be posted on meeting notice bulletin board at 2574 Seagate Drive, Suite 100, Marathon Building, Tallahassee, Florida 32399-2152. You may call (850)487-2613.

Persons with a disability or handicap requiring reasonable accommodation should contact Becky Thomas in writing or by telephone at the above address or telephone number at least two business days in advance of the meeting to make appropriate arrangements.

If you are hearing or speech impaired, please contact Becky Thomas using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The Florida **Department of Labor and Employment Security**, Workers' Compensation Oversight Board, announces a meeting to which the public is invited.

DATE AND TIME: December 2, 1999, 9:00 a.m.

PLACE: TBA, Ft. Lauderdale, Florida

PURPOSE: The purpose is to discuss issues of interest to the Board and Committees.

For a copy of the agenda or for further information about this meeting, contact: Julie Douthit, Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee, Florida 32399-2152, Telephone (850)487-2613.

In the event meeting time and/or place changes, notice of change will be posted on meeting notice bulletin board at 2574 Seagate Drive, Suite 100, Marathon Building, Tallahassee, Florida 32399-2152. You may call (850)487-2613.

Persons with a disability or handicap requiring reasonable accommodation should contact Becky Thomas in writing or by telephone at the above address or telephone number at least two business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Becky Thomas using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The Florida **Department of Labor and Employment Security, Division of Workers' Compensation**, Special Disability Trust Fund Privatization Commission announces a meeting to which the public is invited.

DATE AND TIME: Thursday, December 2, 1999, 2:00 p.m. – 5:00 p.m.

PLACE: The Capitol, Room 214, Tallahassee, Florida

PURPOSE: To complete the business of the Special Disability Trust Fund Privatization Commission.

For further information regarding the meeting, please contact: Anne Mackenzie, (850)488-4896.

Persons with a disability or handicap requiring reasonable accommodations should contact Anne Mackenzie by telephone at least two business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Anne Mackenzie using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

---

The **Department of Labor and Employment Security, Division of Vocational Rehabilitation** and the Florida Rehabilitation Council in partnership with the Occupational Access and Opportunities Commission announce the following public forum.

DATE AND TIME: November 29, 1999, 4:00 p.m. – 7:00 p.m.

PLACE: Daytona Beach Community College, Building 16, Room 102, 1200 International Speedway, Daytona Beach, Florida

CONTACT: Lorene de Aranzeta, (352)732-1290

PURPOSE: To receive comments, suggestions and recommendations concerning both the reassignment of the Division from the Department of Labor to the Occupational Access and Opportunities Commission in the Department of Education and the redesign of the system for delivering Vocational Rehabilitation services to the citizens of Florida. In addition, this information will assist in the development of the State Plan.

Interpreters for the deaf will be available. Individuals requiring other accommodations or assistance should contact the individual listed above no later than November 24, 1999.

Written comments may be sent to: Tamara Allen, Director, Division of Vocational Rehabilitation, 2002 Old St. Augustine Road, Tallahassee, Florida 32399-0696.

---

The **Department of Labor and Employment Security, Division of Vocational Rehabilitation** and the Florida Rehabilitation Council in partnership with the Occupational Access and Opportunities Commission announce the following public forum.

DATE AND TIME: November 30, 1999, 3:00 p.m. – 6:00 p.m.

PLACE: YMCA, 3200 Southeast 17th Street, Ocala, FL

CONTACT: Lorene de Aranzeta, (352)732-1290

PURPOSE: To receive comments, suggestions and recommendations concerning both the reassignment of the Division from the Department of Labor to the Occupational Access and Opportunities Commission in the Department of Education and the redesign of the system for delivering

Vocational Rehabilitation services to the citizens of Florida. In addition, this information will assist in the development of the State Plan.

Interpreters for the deaf will be available. Individuals requiring other accommodations or assistance should contact the individual listed above no later than November 24, 1999.

Written comments may be sent to: Tamara Allen, Director, Division of Vocational Rehabilitation, 2002 Old St. Augustine Road, Tallahassee, Florida 32399-0696.

The Americans with Disabilities Act Working Group, which is administered by the **Division of Vocational Rehabilitation, Department of Labor and Employment Security** announces a meeting of the Americans with Disabilities Act Working Group Executive Board to which all interested persons are invited.

DATE AND TIME: December 6, 1999, 3:00 p.m. – 5:00 p.m.

PLACE: Room 214, Division of Vocational Rehabilitation Headquarters, 2002 Old St. Augustine Road, Building A, Tallahassee, Florida 32399-0696

For those people unable to attend in person, you may participate in the meeting via Teleconference call by dialing (850)488-5776 or Suncom 278-5776.

A copy of the agenda may be obtained by writing to the above address or calling the Americans with Disabilities Act Working Group, (850)487-3423.

Additionally, in order to fulfill its mandates under Executive Order 99-80, it is necessary for the ADA Working Group to hold, on an as-needed basis, a series of committee meetings and task force meetings. For more information on the schedule and location of those meetings, please call the ADA Working Group.

According to the Americans with Disabilities Act, accommodations for a person with a disability will be provided upon request. Requests for accommodations must be made to the ADA Working Group office no later than by November 29, 1999.

The **Department of Labor and Employment Security** and the **Department of Education** announces the third meeting of the Occupational Access and Opportunity Commission to which all persons are invited and to which all interested individuals are encouraged to attend.

DATES AND TIMES: December 7, 1999, 9:00 a.m. – 4:00 p.m.; December 8, 1999, 8:30 a.m. – 4:00 p.m.; December 9, 1999, 8:30 a.m. – 1:00 p.m.

PLACE: Doubletree Hotel, 101 South Adams Street, Tallahassee, FL 32301

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in these meetings should contact Ken Baer, no later than December 6, 1999, 2002 Old St. Augustine Road, Building A, Tallahassee, FL 32399-0696, or toll free 1(800)451-4327.

This agenda is available in alternative formats upon request. Should you not be able to attend, but would like a copy of the minutes, please contact Ken Baer, (850)487-3431 or toll free at 1(800)451-4327.

#### WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: December 9, 1999, 9:00 a.m.

PLACE: Tommy Usher Center, 506 S. W. 4th Avenue, Highway 345, Chiefland, FL

PURPOSE: Board Meeting. To consider District business, and conduct public hearings on regulatory and land acquisition matters.

DATES AND TIMES: December 9, 1999, 2:00 p.m.; December 10, 1999, 8:30 a.m.

PLACE: Cedar Cove Inn, 192 2nd Street, Cedar Key, Florida

PURPOSE: Governing Board Workshop on District Programs.

A copy of the agenda(s) may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Cheshire, (904)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **St. Johns River Water Management District** announces the following Projects Committee Meeting:

DATE AND TIME: Thursday, December 2, 1999, 5:00 p.m.

PLACE: Environmental Learning Center, 255 Live Oak Drive, Vero Beach, Florida

PURPOSE: An informational meeting relative to the Upper St. Johns River Basin Project.

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, Administrative Support Coordinator, Department of 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).

If any person decides to appeal any decision with respect to any matter considered by the St. Johns River Water Management District's Governing Board, such person may need to ensure that a verbatim record of the meeting is made to include the testimony and evidence upon which appeal is to be based.

The **St. Johns River Water Management District** announces the following public meetings and hearings to which all persons are invited:

**GOVERNING BOARD MEETING**

DATE AND TIME: Tuesday, December 7, 1999, 10:00 a.m.  
PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

PURPOSE: Discussion and consideration of District business including regulatory and non-regulatory matters.

**FINANCE COMMITTEE MEETING**

DATE AND TIME: Wednesday, December 8, 1999, 8:00 a.m.  
PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

PURPOSE: Discussion of Finance Committee agenda items followed by committee recommendations to be approved by the full Governing Board.

**GOVERNING BOARD MEETING AND PUBLIC HEARING**

DATE AND TIME: Wednesday, December 8, 1999, 9:00 a.m.  
PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

PURPOSE: Discussion and consideration of District business including regulatory and non-regulatory matters.

A copy of the agenda for meetings on December 7 or 8, 1999 may be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, Attention: Ann Freeman, Governing Board Support Specialist.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings or hearings is requested to advise the District at least 48 hours before the workshop, meeting or hearing by contacting Ann Freeman, (904)329-4101. If you are hearing or speech impaired, please contact the District by calling (904)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 **St. Johns River Water Management District** announces a Northern Region Recreation Advisory Council meeting to which all persons are invited. The meeting is scheduled for:

DATE AND TIME: Monday, December 13, 1999, 9:00 a.m. – 12:00 p.m.

PLACE: Welaka State Forest, 309C, Welaka, Florida

PURPOSE: To discuss recreation on District lands in the Central Region.

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).

If any person decides to appeal any decision with respect to any matter considered by the St. Johns River Water Management District's Governing Board, such person may need to ensure that a verbatim record of the meeting is made to include the testimony and evidence upon which appeal is to be based.

The **Southwest Florida Water Management District** announces the following meeting to which all interested parties are invited.

**AGRICULTURAL ADVISORY COMMITTEE**

DATE AND TIME: Tuesday, December 7, 1999, 5:30 p.m.  
PLACE: Tampa Service Office, 7601 Highway 301 North, Building 1, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

A copy of the agenda may be obtained by writing: Community Affairs Department, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the 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 to which all interested parties are invited:

DATE AND TIME: Wednesday, December 1, 1999, 1:30 p.m. – 4:30 p.m.

PURPOSE: The Indian Trail Improvement District Pilot Pump Project Technical Advisory Committee will meet to receive a status report on the progress of the Pilot Pump Program.

PLACE: District Headquarters, B-1 Building, Storch Conference Room, 3rd Floor, 3301 Gun Club Road, West Palm Beach, Florida

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Patricia Walker, (561)682-6302.

---

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, December 15, 1999, 1:30 p.m. – 4:30 p.m.

PURPOSE: The Indian Trail Improvement District Pilot Pump Project Technical Advisory Committee will meet to receive a status report on the progress of the Pilot Pump Program. This will be the final meeting of the Indian Trail Improvement District Pilot Pump Project Technical Advisory Committee.

PLACE: District Headquarters, B-1 Building, Storch Conference Room, 3rd Floor, 3301 Gun Club Road, West Palm Beach, Florida

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Patricia Walker, (561)682-6302.

---

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Thursday, December 2, 1999, 1:30 p.m. – 4:00 p.m.

PLACE: South Florida Water Management District, B-1 Building, Storch Room, 3rd Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: A meeting of the Agricultural Advisory Committee to continue the discussion of topics of interest to the committee. Agenda items will include a status report on the progress of the topics of interest to the committee.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Gardenia Banks Long, (561)682-6001.

---

NOTICE OF CORRECTION – The **South Florida Water Management District** announces regular and special workshops/meetings which may be conducted by means of or in conjunction with communications technology, specifically by telephonic conference, to which all interested parties are invited:

DATE AND TIME: December 8, 1999, 9:00 a.m.

PLACE: City of Fort Lauderdale, City Hall, 100 North Andrews Avenue, Fort Lauderdale, Florida

PURPOSE: Governing Board workshop to discuss and consider 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. 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, December 9th meeting agenda, including regulatory and non-regulatory items.

DATE AND TIME: December 8, 1999, 1:00 p.m.

PLACE: City of Fort Lauderdale, City Hall, 100 North Andrews Avenue, Fort Lauderdale, Florida

PURPOSE: Human Resources Committee meeting to discuss regular committee business.

DATE AND TIME: December 8, 1999, 2:00 p.m.

PLACE: City of Fort Lauderdale, City Hall, 100 North Andrews Avenue, Fort Lauderdale, Florida

PURPOSE: Audit Committee meeting to discuss regular committee business. 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.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: December 9, 1999, 7:00 a.m.

PLACE: Omni Hotel, 1601 Belvedere Road, West Palm Beach, Florida

PURPOSE: Breakfast workshop with Governing Board members and senior management.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Friday, December 3, 1999, 9:30 a.m. – 12:30 p.m.

PLACE: Institute of Food and Agricultural Sciences (IFAS), 2686 S.R. 29, North, Immokalee, Florida

PURPOSE: To review and gather public input on the Lower West Coast Water Supply Plan.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561)682-6206.

For more information, contact: Mark Elsner, (561)682-6156.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Friday, December 3, 1999, 1:30 p.m. – 3:30 p.m.

PLACE: Institute of Food and Agricultural Sciences (IFAS), 2686 S.R. 29, North, Immokalee, Florida

PURPOSE: To review and gather public input on the establishment of minimum flows and levels for the Lower West Coast Aquifer System.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561)682-6206.

For more information, contact: Mark Elsner, (561)682-6156.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Monday, December 6, 1999, 7:00 p.m.

PLACE: Wyndham Resort and Spa, 250 Rackquet Club Road, Ft. Lauderdale, Florida

PURPOSE: Public meeting to discuss acquisition of lands within Broward County for the East Coast Buffer/Water Preserve Areas Project.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561)682-6206.

For more general project information, contact: Jim Jackson, Project Manager, (561)682-6334.

---

The **South Florida Water Management District** announces a regular and special public workshop/meeting which may be conducted by means of or in conjunction with communications technology, specifically by telephonic conference, to which all interested parties are invited:

DATE AND TIME: December 8, 1999, 9:00 a.m.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Governing Board workshop to discuss and consider 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. 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, December 9th meeting agenda, including regulatory and non-regulatory items.

DATE AND TIME: December 8, 1999, 1:00 p.m.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Human Resources Committee meeting to discuss regular committee business.

DATE AND TIME: December 8, 1999, 2:00 p.m.

PLACE: District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Audit Committee meeting to discuss regular committee business. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

DATE AND TIME: December 9, 1999, 8:30 a.m.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Governing Board meeting for consideration of regulatory matters. 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.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

---

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: December 9, 1999, 8:50 a.m.

PLACE: District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: To consider the purchase of lands or property rights generally described in the SFWMD 1999 Save Our Rivers Five Year Plan.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561) 682-6206.

For additional information, contact: Blair LittleJohn, III, Director, Real Estate Division, (561) 682-6842.

---

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Friday, December 10, 1999, 9:00 a.m. – 12:00 Noon



PLACE: Fort Myers Service Center, 2301 McGregor Blvd., Fort Myers, Florida

PURPOSE: A meeting of the Caloosahatchee Advisory Committee to discuss the Draft Caloosahatchee Water Management Plan.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561)682-6206.

**NOTICE OF CORRECTION – The South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: December 8, 1999, 7:00 a.m.

PLACE: Crown Plaza Hotel (formerly Omni Hotel), 1601 Belvedere Road, West Palm Beach, Florida

PURPOSE: Breakfast workshop with Governing Board members and senior management.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

**NOTICE OF CORRECTION – The South Florida Water Management District** announces regular and special workshops/meetings which may be conducted by means of or

in conjunction with communications technology, specifically by telephonic conference, to which all interested parties are invited:

DATE AND TIME: December 8, 1999, 9:00 a.m.

PURPOSE: Governing Board workshop to discuss and consider 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. 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, December 9, 1999, meeting agenda, including regulatory and non-regulatory items.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

DATE AND TIME: December 8, 1999, 1:00 p.m.

PURPOSE: Human Resources Committee meeting to discuss regular committee business.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

DATE AND TIME: December 8, 1999, 2:00 p.m.

PURPOSE: Audit Committee meeting to discuss regular committee business.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

**The South Florida Water Management District** announces a special workshop/meeting which may be conducted by means of or in conjunction with communications technology, specifically by telephonic conference, to which all interested parties are invited:

DATE AND TIME: December 13, 1999, 9:00 a.m.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: The Hurricane Irene after-action report by Joseph Schweigart.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

**COMMISSION FOR THE TRANSPORTATION  
DISADVANTAGED**

The Florida **Commission for the Transportation Disadvantaged's**, Executive Director announces interviews for applicants of the Financial Auditor job advertisement. Members of the Commission will be invited to participate and advise the Executive Director on the selection of a person to fill this position.

DATES AND TIMES: Wednesday, December 1, 1999, 10:00 a.m. – until completion; Friday, December 3, 1999, 8:30 a.m. – until completion

PLACE: 2740 Centerview Drive, Rhyne Building, Suite 1A, Tallahassee, Florida, (850)488-6036.

PURPOSE: To interview applicants of the Financial Auditor job advertisement.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Jo Ann Hutchinson, Executive Director, Commission for the Transportation Disadvantaged at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon Executive Director's request.

**DEPARTMENT OF VETERANS' AFFAIRS**

The Florida **Department of Veterans' Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, December 11, 1999, 12:30 p.m.

PLACE: The Florida Department of Veterans' Affairs, Koger Center, 2540 Executive Center Circle, West, Douglas Building, Suite 100, Tallahassee, Florida 32301

PURPOSE: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Carolyn S. Schultz, Florida Department of Veterans' Affairs, Koger Center, 2540 Executive Center Circle, West, Douglas Building, Suite 100, Tallahassee, Florida 32301, please Telephone (850)487-1533, at least 48 hours prior to the workshop.

**DEPARTMENT OF ELDER AFFAIRS**

The **Department of Elder Affairs** and the Agency for Health Care Administration announces a workshop to study unlicensed assisted living facilities to which all persons are invited.

DATE AND TIME: Wednesday, December 1, 1999, 1:00 p.m. – 4:00 p.m.

PLACE: Ft. Lauderdale Regional Service Center, 1400 West Commercial Boulevard, Ft. Lauderdale, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Section 5 of Chapter 99-179, Laws of Florida, directs the Agency for Health Care Administration and the Department of Elder Affairs to convene a workgroup to identify additional legal and administrative steps needed to discourage the operation of unlicensed assisted living facilities in this state. This will be the workgroup's third meeting.

A copy of the agenda may be obtained by contacting: Meta Calder, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2309, or Mary Loepp, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, FL 32308-5402, (850)487-2515.

The **Department of Elder Affairs** announces an Advisory Council Meeting to which all persons are invited:

DATE AND TIME: December 13, 1999, 10:00 a.m. – 2:00 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Department of Elder Affairs Advisory Council.

This is a public meeting open to all who wish to attend. Agenda may be obtained by contacting: Office of the Secretary, Florida Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000 or by calling (850)414-2000.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited:

DATE AND TIME: Friday, December 17, 1999, 9:00 a.m. – 3:00 p.m.

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

PURPOSE: Discussion on mandated study of certified nursing assistants, training, employment, and retention. Subgroups will meet at additional times between full-group meetings. All actions of the subgroups will be presented at full-group meetings.

For information on subgroup schedules or for a copy of the full-group agenda contact: Gail Larosa, (850)414-2000, Ext. 3201.

#### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Medicaid** Formulary Study Panel announces a meeting to which all persons are invited:

DATE AND TIME: Monday, December 6, 1999, 10:00 a.m. – 4:00 p.m.

PLACE: Turnbull Conference Center, Florida State University, 555 West Pensacola Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Panel discussion to develop Medicaid Formulary Study Panel Report for the Governor and Legislature.

Persons in need of special accommodations to participate in the meeting may contact Donna Hollaway at the following address and telephone number: Post Office Box 13000, Tallahassee, Florida 32317-3000, (850)488-3560. The meeting is subject to change upon chairperson's request.

The Probable Cause Panel (South), **Board of Medicine** announces a meeting.

DATE AND TIME: Wednesday, December 8, 1999, 6:00 p.m., or soon thereafter

PLACE: Hilton Palm Beach Airport, 150 Australian Avenue, West Palm Beach, Florida 33406, (561)684-9400

PURPOSE: 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: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no

later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section, P. O. Box 14229, Tallahassee, Florida 32317-4229, Telephone (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The Probable Cause Panel (North), **Board of Medicine** announces a meeting.

DATE AND TIME: Friday, December 17, 1999, 1:00 p.m., or soon thereafter

PLACE: Agency for Health Care Administration, 1580 Waldo Palmer Lane, Tallahassee, Florida 32308, (850)487-9700

PURPOSE: 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: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted: P. O. Box 14229, Tallahassee, Florida 32317-4229, Telephone (850)922-2414; 1(800)955-8771(TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Agency for Health Care Administration** announces a meeting of the Prescribing Pattern Review Panel to which all interested parties are invited.

DATE AND TIME: Saturday, December 11, 1999, 10:30 a.m. – 3:00 p.m.

PLACE: Marriott, Tampa International Airport, Tampa, FL

PURPOSE: Evaluation of prescribing patterns and profiles of prescribers for selected therapeutic classes in the Medicaid program.

Any attendee requiring special accommodation because of a disability or physical impairment should contact the Marriott, (813)878-6502, at least five days prior to the meeting.

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces a public meeting of the Regulatory Council of Community Association Managers, to which all persons are invited.

DATE AND TIME: Monday, December 13, 1999, 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, Secretary's Conference Room, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-1040

PURPOSE: To conduct general business of the Council.

A copy of the agenda may be obtained by writing: Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-1040, or by calling their office (850)488-2141.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Regulatory Council of Community Association Managers, (850)488-2141. 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 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 to be based.

---

Notice is hereby given by the **Department of Business and Professional Regulation** of a meeting of the Interagency Panel on Mobile Homes. All persons are invited to attend.

DATE AND TIME: December 14, 1999, 10:00 a.m. – 3:00 p.m.

PLACE: Ballroom D, Harborview Center, 300 Cleveland Street, Clearwater, Florida

PURPOSE: To take testimony from mobile home park owners, mobile home park residents and other interested members of the public on the following issues: (1) what, if any, improvements can be made in the area of lot rent disputes; (2) what if any improvements need to be made in the areas of prospectus disclosures, record keeping by park management and the Bureau of Mobile Homes, implementing tie down requirements, and enforcement by the Bureau of Mobile Homes. Testimony will be limited to these areas only.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Ronda Federspiel, (850)921-2243. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 TDD.

Agency contact person: Ronda Federspiel, Personal Secretary I, Office of the Secretary, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0750, Telephone (850)921-2243.

---

The **Department of Business and Professional Regulation** announces the following meeting to be conducted by the Florida **Board of Architecture and Interior Design** (Board):

MEETING: Probable Cause Panel

DATE AND TIME: December 7, 1999, 10:00 a.m.

PLACE: The Department of Business and Professional Regulation, Bureau of Testing, Exam Conference Room, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399, (850)488-6685, Ext. 4.

PURPOSE: To conduct an official meeting of the Probable Cause Panel of the Florida Board of Architecture and Interior Design. Only that portion of the meeting wherein probable cause has previously been found on noted cases will be open to the public.

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact: Gregory Spence, Department of Business and Professional Regulation, Board of Architecture and Interior Design, (850)488-6754, at forty eight (48) hours prior to the meeting. If you are hearing or speech impaired, please call Vickie Booher, Florida Board of Architecture and Interior Design 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 Pilot Commissioners** announces a Conference Call meeting to discuss deputy advancements to which all persons are invited.

DATE AND TIME: December 16, 1999, 11:00 a.m., Eastern Standard Time

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399-0773, Access Telephone Number (850)921-6433, Suncom 291-6433

PURPOSE: Deputy Advancements.

A copy of the agenda may be obtained by writing: Board of Pilot Commissioners, 1940 North Monroe Street, Suite 60, Tallahassee, FL 32399-0773.

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 will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Persons requiring special accommodations due to disability or physical impairment should contact Glenda Albritton, Board of Pilot Commissioners, (850)487-7991, at least five working days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees which all persons are invited:

DATE AND TIME: Tuesday, December 7, 1999, 9:00 a.m. or as soon thereafter

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

PURPOSE: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting Dennis Barton, (850)521-0500.

The **Florida Engineers Management Corporation** announces a public meeting to conduct the business of the Board which all persons are invited:

DATE AND TIME: Wednesday, December 8, 1999, 9:30 a.m. or as soon thereafter

PLACE: Radisson Hotel, 415 Monroe Street, Tallahassee, Florida 32301

PURPOSE: General Business of the Board.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting: Dennis Barton, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting to conduct the business of the Board, including committee business which all persons are invited:

DATES AND TIMES: Wednesday, December 8, 1999, 1:00 p.m. or as soon thereafter; Thursday, December 9, 1999, 8:30 a.m., if business of the Board is not concluded

PLACE: Radisson Hotel, 415 Monroe Street, Tallahassee, Florida 32301

PURPOSE: General Business of the Board.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting Dennis Barton, (850)521-0500.

The **Board of Accountancy**, Committee on Continuing Professional Education announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, December 16, 1999, 9:00 a.m.

PLACE: Via Conference Call

PURPOSE: To review reporting forms and requests for course approval.

If you wish to participate in this meeting or receive a copy of the agenda, please contact: Kim Thompson, Board of Accountancy, 2610 N. W. 43rd Street, Suite 1-A, Gainesville, FL 32606, (352)955-2165, as soon as possible.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

NOTICE OF CHANGE – The **Department of Environmental Protection** announces the rescheduling of a hearing to be held before the Environmental Regulation Commission regarding the management of the Drinking Water State Revolving Fund Priority List for grants to local governments for the construction of drinking water facilities.

The hearing was originally scheduled to be held in the Bunnell City Hall on December 2, 1999, 12:00 Noon, but has been rescheduled for the location and time shown below.

DATE AND TIME: December 2, 1999, 9:00 a.m.

PLACE: Twin Towers Office Building, 2600 Blair Stone Road, Room 609, Tallahassee, FL

If an accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist, Bureau of Human Resources, (850)488-2996 or 1(800)955-8771 (TDD), at least seven days before the meeting.

The **Department of Environmental Protection** announces a public meeting of the Environmental Regulation Commission (ERC) to which all interested persons are invited.

DATE AND TIME: December 2, 1999, 9:00 a.m.

PLACE: Conference Room 609, Twin Towers Building, 2600 Blairstone Road, Tallahassee, Florida

PURPOSE: The regularly scheduled meeting of the ERC will include briefings and approvals. Briefings include: Rules Under Development; Rules Under Appeal; Chapter 62-302 Florida Administrative Code, (FAC.), proposed Outstanding Florida Waters designation of Lake Disston; Chapter 62-711, FAC., Waste Tires; and Chapters 62-4 and 62-620, FAC., dealing with open ocean discharges. Under Chapter 62-552, FAC., the ERC will be requested to approve the priority list for the State Revolving Fund for drinking water facilities. Time will be allotted at the end of the meeting for public comment.

A copy of the agenda may be obtained by contacting: Jacqueline McGorty, Department of Environmental Protection, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000, (850)921-9717.

If an accommodation is needed for a disability in order to participate in this activity, please notify Linda Harvey, (850)488-2996, 1(800)955-8771 (TDD), at least seven days prior to the event.

---

The **Department of Environmental Protection** announces a Citizens Advisory meeting, to which all persons are invited:

DATE AND TIME: December 14, 1999, 3:00 p.m.

PLACE: Room 502, 160 Governmental Center, Pensacola, Florida 32501

PURPOSE: The Northwest Citizens Advisory Panel meeting will include a presentation by Dr. Tom Atkeson about Florida's mercury issues.

A copy of the agenda may be obtained by writing: Department of Environmental Protection, 160 Governmental Center, Pensacola, Florida 32501 or by calling Dick Fancher, (850)595-8300.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Service Specialist, Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

---

The **Department of Environmental Protection** announces a public workshop for rule development to which all persons are invited.

DATE AND TIME: Tuesday, December 14, 1999, 7:00 p.m.

PLACE: Brevard County Commission Building, Florida Room, 2725 Judge Fran Jamison Way, Building C, Viera, Florida 32940

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and receive public comment on potential surface water reclassifications from Class III to Class II under Rule 62-302.400, FAC. The primary purpose of this reclassification

is to address some discrepancies between areas approved for harvesting of shellfish by the Shellfish Evaluation and Assessment Section (SEAS) and waters that are not classified by the Department as "Shellfish Harvesting or Propagation" (Class) waters. There are ten areas in the state which have been approved for shellfish harvesting that are not existing Class II waters under Rule 62-302.400, FAC. These areas include certain waters within Choctawhatchee Bay, Apalachicola Bay, Horseshoe Beach, Cedar Key, Crystal River, Tampa Bay, Sarasota Bay Indian River, Banana River and Mosquito Lagoon. This workshop is being conducted as part of the Department's rulemaking effort to coordinate the designated beneficial use of these waters with their actual use as designated by SEAS.

A copy of the workshop agenda may be obtained by contacting: Janet Klemm, Division of Water Resource Management, Mail Station 3575, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Telephone (850)921-9928.

If an Americans With Disabilities Act accommodation is needed to participate in this activity, please contact Linda Harvey, (850)488-2996 or 1(800)955-8771 (TDD), at least seven days before the meeting.

---

#### DEPARTMENT OF JUVENILE JUSTICE

The **Juvenile Justice Accountability Board** announces a public hearing by the Juvenile Justice Education Policy Task Force that is open to the public.

DATE AND TIME: November 29, 1999, 4:00 p.m., or 15 minutes past the adjournment of the JJAB meeting until 6:00 p.m. or adjournment

PLACE: Renaissance Orlando Hotel, Airport, 5445 Forbes Place, Les Continents Room, Orlando, FL 32812

The Task Force is seeking input from the public regarding vocational programming for youth committed to the Department of Juvenile Justice, school district accountability and funding, and the programmatic, fiscal and governance issues associated with the creation of a separate school district.

For more information, contact Marianna Tutwiler, Juvenile Justice Accountability Board Office, (850)921-5274.

---

#### DEPARTMENT OF HEALTH

The Florida **Department of Health**, Bureau of HIV/AIDS, on behalf of the Florida Minority HIV and AIDS Task Force announces an upcoming meeting of the Task Force. A portion of the meeting will be dedicated to obtaining public comments. DATES AND TIMES: Monday, November 29, 1999, 1:00 p.m. – 8:00 p.m.; Tuesday, November 30, 1999, 9:00 a.m. – 12:00 p.m. The Task Force will reserve time on Monday, November 29, 1999, 4:00 p.m. – 8:00 p.m., to receive comments from the public

PLACE: Edward Waters College, 1658 Kings Road, Jacksonville, Florida, Telephone (904)366-2500.

PURPOSE: Pursuant to the 1999 Legislature, the Minority HIV/AIDS Task Force was created to “develop and provide specific recommendations to the Governor, the Legislature, and the Department of Health on ways to strengthen HIV and AIDS prevention programs and early intervention and treatment efforts in the state’s black, Hispanic, and other minority communities, as well as ways to address the many needs of the state’s minorities infected with HIV and their families.” All persons, including representatives of city and county governments, health officials and public and private community organizations are invited to attend. To reserve a five minute speaking time or to obtain a copy of the agenda, please call: Ron Henderson, (850)245-4433 or Suncom 205-4433.

All speakers are requested to provide a written copy of their presentation to a representative of the Department of Health, Bureau of HIV/AIDS at the public forum.

NOTICE OF CHANGE – The Florida **Department of Health**, Division of Family and Community Health will conduct a Proposers’ Conference regarding the upcoming “Invitation to Negotiate” for Community-Based Abstinence Only Education Teen Pregnancy Prevention Services.

DATE AND TIME: December 1, 1999, 3:30 p.m. – 5:30 p.m.

PLACE: Ramada Resort and Conference Center, Salon #3, 7400 International Drive, Orlando, Florida

(Please note the above change in the location of the Proposer’s Conference. It was previously announced in the November 19, 1999, issue of the Florida Administrative Weekly at a different location which was incorrect.)

PURPOSE: To inform potential bidders of proposal requirements, funding opportunities, and contract requirements for Abstinence Education Teen Pregnancy Prevention Services. Questions on the bid process and/or ITN requirements will not be answered by phone. All inquiries must be in writing and received by November 29, 1999. Answers will be provided at the Bidders’ Conference in Orlando on December 1, 1999. For additional information and/or a copy of the ITN, please contact: Annette Phelps, (850)245-4102 or Jim Poindexter or Elaine Cauthen, (850)922-1218.

The **Department of Health**, Community Environmental Health Advisory Board announces a meeting to be held by way of telephone conference hookup.

DATE AND TIME: December 9, 1999, 10:00 a.m. – 12:00 p.m.

PLACE: Number 1(800)826-6115

PURPOSE: To conduct general business of the board.

A passcode for the call and a copy of the agenda may be obtained by writing: Emily J. Wilson, R. S., M. P. H., Department of Health, Environmental Epidemiology, 1000 N. E. 16th Avenue, Box 19, Gainesville, FL 32601-4598 or by calling (352)955-5792.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 5 days before the workshop/hearing/meeting by contacting the board office, (352)955-5792. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The Florida **Board of Medicine** announces a meeting to which all persons are invited.

DATES AND TIME: Friday, December 3-5, 1999, 8:00 a.m.

PLACE: The Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

PURPOSE: To conduct general business of the Board.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-3622, 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: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., 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 insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The Joint Florida **Board of Medicine** and **Board of Osteopathic Medicine** announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, December 4, 1999, 8:00 a.m.

PLACE: The Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

PURPOSE: To conduct general business of the Boards.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-3622, 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: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., 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 insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The Florida **Board of Medicine**, Dietetics-Nutrition/Electrolysis Committee announces a meeting to which all persons are invited.

DATE AND TIME: Sunday, December 5, 1999, 7:30 p.m.

PLACE: The Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

PURPOSE: 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)488-3622, 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: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle S. E., 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 insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The Florida **Board of Medicine**, Expert Witness Credentials Committee announces a meeting to which all persons are invited.

DATE AND TIME: Sunday, December 5, 1999, 7:30 p.m.

PLACE: The Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

PURPOSE: 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)488-3622, 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: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03 Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee 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, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Nursing** announces public meetings to which all interested persons are invited.

Continued Competency Taskforce

DATE AND TIME: Tuesday, December 7, 1999, 1:00 p.m. – 5:00 p.m.

PLACE: Daytona Beach, Hilton Daytona Beach Oceanfront Resort, Richard Petty Room, 2637 S. Atlantic Ave., Daytona Beach, FL 32118, (904)767-7350

PURPOSE: To discuss procedures for continued competency.

Intervention Project for Nurses Committee Meeting

DATE AND TIME: Wednesday December 8, 1999, 8:00 a.m.

PLACE: Daytona Beach, Hilton Daytona Beach Oceanfront Resort, Bill France Room, 2637 S. Atlantic Ave., Daytona Beach, FL 32118, (904)767-7350

PURPOSE: To discuss matters relating to the policies and procedures of the Intervention Project for Nurses.

Advanced Registered Nurse Practitioner's Committee Meeting.

DATE AND TIME: Wednesday, December 8, 1999, 8:30 a.m.

PLACE: Daytona Beach, Hilton Daytona Beach Oceanfront Resort, Bill France Room, 2637 S. Atlantic Ave., Daytona Beach, FL 32118, (904)767-7350

PURPOSE: To consider applications and review certification of Advanced Registered Nurse Practitioners.

Continuing Education Committee Meeting

DATE AND TIME: Wednesday December 8, 1999, 9:30 a.m.

PLACE: Daytona Beach, Hilton Daytona Beach Oceanfront Resort, Bill France Room, 2637 S. Atlantic Ave., Daytona Beach, FL 32118, (904)767-7350

PURPOSE: To consider continuing education programs and procedures.



Education Committee Meeting

DATE AND TIME: Wednesday, December 8, 1999, 8:00 a.m.  
 PLACE: Daytona Beach, Hilton Daytona Beach Oceanfront Resort, Richard Petty Room, 2637 S. Atlantic Ave., Daytona Beach, FL 32118, (904)767-7350

PURPOSE: To consider matters relating to nursing programs and applications for licensure

Regular Board Meeting

DATE AND TIME: Wednesday, October 8, 1999, 1:30 p.m.; Thursday, October 9, 1999, 8:30 a.m.; Friday, October 10, 1999, 8:30 a.m.

PLACE: Daytona Beach, Hilton Daytona Beach Oceanfront Resort, 2637 S. Atlantic Ave., Daytona Beach, FL 32118, (904)767-7350

PURPOSE: Rule Hearing/Adoptions; Nursing Education Program Requests and Reports; Advanced Registered Nurse Practitioners Certificates and matters relating advanced nursing practice; Continuing Education matters; Legal and Disciplinary Actions; Licensing Problems, Informal Hearings, Declaratory statements, Correspondence and other miscellaneous matters relating to the practice of nursing.

A copy of the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Florida Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207.

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/she will need a record of the proceedings and for such purpose he/she may need to insure 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 special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing Office, (904)858-6940, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Orthotists and Prosthetists** has scheduled a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: Monday, December 6, 1999, 9:00 a.m.  
 PLACE: Department of Health, 1940 North Monroe Street, Tallahassee, Florida 32399 at Meet Me Number (850)488-5778  
 PURPOSE: General Board Business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Orthotists and Prosthetists, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board of Orthotists and Prosthetists

using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Ms. Sherra Causey, Professional Regulatory Specialist II, Board of Orthotists and Prosthetists, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257.

The Florida **Board of Podiatric Medicine** Probable Cause Panel will hold a duly noticed conference call meeting to which all persons are invited to attend.

DATE AND TIME: Friday, December 3, 1999, 8:00 a.m.  
 PLACE: Embassy Suites, 555 North Westshore Boulevard, Tampa, Florida 33609, (813)875-1555

PURPOSE: For cases previously heard by the panel.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Podiatric Medicine, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board of Podiatric Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Ms. Sherra W. Causey, Professional Regulation Specialist II, Board of Podiatric Medicine, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The **Department of Children and Family Services**, District 14, Health and Human Services Board announces the following public meetings to which all persons are invited:  
 Child Protection Council Meeting

DATE AND TIME: Thursday, December 2, 1999, 3:00 p.m.  
 PLACE: Children and Family Services Office, 1055 US Highway 17, North, Bartow, FL

PURPOSE: To discuss foster care, adoptions, family preservation and other children and family issues.

Alcohol, Drug Abuse and Mental Health Council Meeting

DATE AND TIME: Monday, December 13, 1999, 2:00 p.m.

PLACE: Children and Family Services Office, Conference Room 101, 270 Bartow Municipal Airport, Bartow, FL

PURPOSE: To discuss mental health and substance abuse issues.

For copies of the agenda, further information or persons needing accommodation to participate in these meetings please contact: Patty Harrison, (941)619-4100, Extension 157, 1(800)342-0825 or TDD (941)648-3337.

---

The Florida **Commission on Mental Health and Substance Abuse**, Personnel Committee announces a public meeting.

DATE AND TIME: December 3, 1999, 8:30 a.m. – 9:30 a.m.

PLACE: This meeting will be held by conference call. Dial (850)488-5778 or Suncom 278-5778.

PURPOSE: To review job applications for executive director for the commission.

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in this meeting should contact Denise Putnal, prior to the meeting, Department of Children and Family Services, 1317 Winewood Boulevard, Building 3, Room 102, Tallahassee, FL 32399-0700, Telephone (850)413-0936, or call via the Florida Relay Service, 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing the department at the above address.

---

The **Statewide Health and Human Services Board (SHHSB)** will hold a conference call:

DATE AND TIME: Wednesday, December 8, 1999, 3:30 p.m. – 5:00 p.m. The meet me phone number is (850)921-6623 or Suncom 291-6623.

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in this meeting should contact Diann Lowery prior to the meeting at the Department of Children and Family Services, 1317 Winewood Boulevard, Building 1, Room 205, Tallahassee, FL 32399-0700, Telephone (850)488-4306, Suncom 278-4306 or call via The Florida Relay Services, 1(800)955-8771 (TDD).

---

The **Department of Children and Family Services**, Refugee Programs Administration Office announces the following public meetings to which all interested persons are invited.

MEETING: District 4/Duval County Refugee Task Force

DATE AND TIME: Wednesday, December 8, 1999, 2:00 p.m. – 4:00 p.m.

PLACE: Lutheran Social Services, 421 West Church Street, Suite 322, Jacksonville, Florida 32202. Contact person is Russell Bloom, Telephone (904)632-0022

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to refugee resettlement in the Duval County/Children and Family Services, District 4 area.

A copy of the agenda may be obtained by writing: Juel Kamke, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: Districts 5, 6 and 14 – Tampa Bay Area Refugee Task Force

DATE AND TIME: There will be no meeting in December

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Tampa Area/Children and Family Services, District(s) 5, 6 and 14.

A copy of the agenda may be obtained by writing: Osman Uzun, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 9/Palm Beach County Refugee Task Force

DATE AND TIME: Wednesday, December 15, 1999, 1:30 p.m. – 3:30 p.m.

PLACE: Naval and Marine Corps Reserve Center, 1227 Marine Drive, West Palm Beach, Florida, Phone (561)687-3954. Contact person is George Lewis or Susan Sullivan, Telephone (850)488-3791

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Palm Beach County/Children and Family Services, District 9 area.

A copy of the agenda may be obtained by writing: Deirdre Williams, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 10/Broward County Refugee Task Force

DATE AND TIME: There will be no meeting in December

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Broward County/Children and Family Services, District 10 area.

A copy of the agenda may be obtained by writing: Shawn Thomas, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 11/Miami Area Refugee Task Force

DATE AND TIME: There will be no meeting in December

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Miami Area/Children and Family Services, District 11.

A copy of the agenda may be obtained by writing: George Lewis, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

Pursuant to the Provisions of the American's 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 at the Refugee Programs Administration Office, (850)488-3791 or Fax (850)487-4272. If you are hearing or speech impaired, please contact the agency by calling TDD Number (850)922-4449 and reference the specific Refugee Task Force Meeting by location and date.

**FLORIDA INLAND NAVIGATION DISTRICT**

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 10, 1999, 8:00 a.m.

PLACE: The Environmental Learning Center, 255 Live Oak Drive, Vero Beach, Indian River County, Florida

PURPOSE: A meeting of the Board of Commissioners to conduct the regular business of the District. Additionally, the District's Personnel, Manatee Sign and Property Acquisition and Management Committees will meet.

Please contact the District Office, 1314 Marcinski Road, Jupiter, FL 33477, Telephone (561)627-3386, for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

**FLORIDA HOUSING FINANCE CORPORATION**

The **Florida Housing Finance Corporation** announces a public meeting of the Board of Directors to which all interested parties are invited:

DATE AND TIME: December 9, 1999, 1:00 p.m.

Fiscal Committee; Guarantee Committee; Professional Services Selection Committee; FHFC Board Workshop

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Seltzer Room, Tallahassee, Florida 32301-1329

PURPOSE:

- (1) Consider, review and/or approve recommendations made by the Fiscal Committee.
- (2) Consider, review and/or approve recommendations made by the Guarantee Program Committee.
- (3) Consider, review and/or approve recommendations made by the Professional Services Selection Committee.
- (4) Consider, review and/or approve recommendations made by the Executive Committee.

(5) Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds on upcoming multifamily issues.

(6) Consider financing and inducement resolutions for various multifamily developments, under any multifamily program, including the ranking of projects.

(7) Consider approval of trustee and/or originator/services 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 authoring 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 or request for proposals on an emergency basis and structuring new issues.

(12) Consider and adopt targeting for use of the 1998 Multifamily Tax Exempt Bond Allocation.

(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.

A copy of the agenda may be obtained by contacting: Mary Floyd, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, Telephone (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Linda Hawthorne, Deputy Administrative Officer, 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.

The Counsel for the **Florida Housing Finance Corporation** (the "Corporation") will request a special meeting of the Board of Directors to be held as follows:

DATE AND TIME: December 10, 1999, 9:00 a.m.

PLACE: Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, Florida 32301

PURPOSE:

- (1) Opening of a public meeting.
- (2) An attorney-client closed session of the Corporation, in accordance with Section 286.011(8), Florida Statutes, as to settlement negotiations or strategy relating to litigation expenditures by the Corporation in connection with litigation against the Corporation. Present at the meeting will be: Corporation Board Members – Richard Martin, Chairman; Edward Lee, Jr., Vice-Chairman; Stephanie Williams-Baldwin; Dewitt Jackson Maxwell; Terry N. Santini; Charles Lydecker; Robert Jay Taylor; Rene R. Diaz de Villegas; Steven Seibert; – Corporation Counsel Stephen M. Donelan, Esq.; Special Counsel to the Corporation, Mark T. Mustian, Esq.; Tom Lang, Esq.; and Attorneys representing the Corporation in such litigation, Michael Glazer, Esq.; Maureen Daughton, Esq.; and Harry F. Chiles, Esq.
- (3) A reopening of the public meeting following termination of the attorney-client session.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Hawthorne, Deputy Administrative Officer, 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.

The **Florida Housing Finance Corporation** announces a public meeting of the Board of Directors to which all interested parties are invited:

DATE AND TIME: December 10, 1999, 9:00 a.m.

Fiscal Committee; Guarantee Committee; Professional Services Selection Committee; FHFC Board Meeting

PLACE: Tallahassee City Hall Commission Chambers, 300 South Adams Street, Tallahassee, Florida 32301

PURPOSE:

- (1) Consider, review and/or approve recommendations made by the Fiscal Committee.
- (2) Consider, review and/or approve recommendations made by the Guarantee Program Committee.
- (3) Consider, review and/or approve recommendations made by the Professional Services Selection Committee.
- (4) Consider, review and/or approve recommendations made by the Executive Committee.
- (5) Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds on upcoming multifamily issues.
- (6) Consider financing and inducement resolutions for various multifamily developments, under any multifamily program, including the ranking of projects.
- (7) Consider approval of 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 authoring 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) Consider and adopt targeting for use of the 1998 Multifamily Tax Exempt Bond Allocation.
- (13) Consideration of approval of underwaters 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.

A copy of the agenda may be obtained by contacting: Mary Floyd, Florida housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, Telephone (850)488-34197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Hawthorne, Deputy Administrative Officer, at the 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 the scheduling of a public workshop to which all interested parties are invited.

DATE AND TIME: Tuesday, December 7, 1999, 5:30 p.m. – 7:30 p.m.

PLACE: South County Regional Library, 21100 Three Oaks Parkway, Estero, Florida

PURPOSE: To discuss the new manatee protection boat speed zones for the Mullock Creek and North Estero Bay area of Lee County as approved by the Commission on October 6, 1999. When the commissioners approved the rule, they also directed staff to reassess the new zones in this area to determine if some other zone configuration should be implemented.

Questions or comments about the workshop should be directed to: Mr. Scott Calleson, Environmental Specialist III, Florida Fish and Wildlife Conservation Commission, Bureau of Protected Species Management (OES-BPS), 620 South Meridian Street, Tallahassee, Florida 32399, Telephone (850)922-4330.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting Mr. Scott

Calleson, (850)922-4330. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD) or (850)488-9542 within the Tallahassee area.

**VISIT FLORIDA**

The **Florida Tourism Industry Marketing Corporation**, d/b/a VISIT FLORIDA announces public meetings of the Finance Committee, Ecotourism/Heritage Tourism Subcommittee, Multi-Cultural Subcommittee, Marketing Committee, Partner Development Committee, Board of Directors and the Florida Commission on Tourism.

Meeting: Ecotourism/Heritage Tourism Subcommittee – TASK FORCES

DATE AND TIME: Tuesday, November 30, 1999, 4:00 p.m. – 6:00 p.m.

PLACE: Sheraton Sand Key Resort, 1160 Gulf Boulevard, Clearwater Beach, FL 33767, (727)595-1611

PURPOSE: The following task forces will meet individually: Grants, Rural Tourism, PR and Marketing, Education, and Strategic Alliances/Protection.

Meeting: Finance Committee

DATE AND TIME: Wednesday, December 1, 1999, 9:00 a.m. – 11:00 a.m.

PURPOSE: The committee will review quarterly budgets and financial statements.

Meeting: Ecotourism/Heritage Tourism Subcommittee

DATE AND TIME: Wednesday, December 1, 1999, 9:00 a.m. – 11:45 a.m.

PURPOSE: The subcommittee will review task force endeavors, hear regional updates and other business as necessary.

Meeting: Multi-cultural Subcommittee

DATE AND TIME: Wednesday, December 1, 1999, 10:00 a.m. – 11:00 a.m.

PURPOSE: The Subcommittee will review old business and discuss other business as necessary.

Meeting: Marketing Committee

DATE AND TIME: Wednesday, December 1, 1999, 11:00 a.m. – 2:45 p.m.

PURPOSE: The committee will hear updates from the Ecotourism/Heritage Tourism Subcommittee and the Multi-cultural subcommittee; discuss advertising media and other business as necessary.

Meeting: Partner Development Committee

DATE AND TIME: Wednesday, December 1, 1999, 3:00 p.m. – 5:00 p.m.

PURPOSE: The discussion will focus on strategies for recruiting new Partners and developing additional Partner benefits.

Meeting: Board of Directors

DATE AND TIME: Thursday, December 2, 1999, 9:30 a.m. – adjourned

PURPOSE: The Board of Directors will discuss committee reports, on-going and developing issues, and other matters.

Meeting: Florida Commission on Tourism

DATE AND TIME: Thursday, December 2, 1999, Upon adjournment by the Board of Directors Meeting

PURPOSE: The Commission will ratify actions of the Board of Directors and discuss other matters as necessary.

For further information contact: Sandy Stevens, C. M. P., VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 364.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

---

#### COMMISSION ON CAPITAL CASES

The **Commission on Capital Cases** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 6, 1999, 4:00 p.m. – 6:00 p.m.

PLACE: The Capitol, Room 301, Tallahassee, FL

PURPOSE: The Commission on Capital Cases will review the Capital Collateral Regional Counsel reports, suggested legislation, the status of the commission office, a report on the records repository and the attorney registry.

For further information, call Mary Jean Hinson, (850)921-4704, or write The Florida Legislature, Commission on Capital Cases, 402 South Monroe Street, Tallahassee, FL 32399-1300.

If an accommodation is needed for a disability, please notify Mary Jean Hinson, (850)921-4704, at least one week prior to the meeting. If hearing or speech impaired, dial 1(800)955-8771 (TDD).

---

#### ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: December 8, 1999, 8:00 a.m.

PLACE: Lowndes, Drosdick, Doster, Kantor & Reed, 215 North Eola, Orlando, Florida

PURPOSE: General Business Meeting.

---

#### FLORIDA CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION

The Region III and XV, Training Advisory Councils of the **Florida Criminal Justice Standards and Training Commission** announce a public meeting to which all interested persons are invited:

DATE AND TIME: December 1, 1999, 9:00 a.m.

PLACE: Pat Thomas Law Enforcement Training Academy, U.S. Highway 90, 14 miles west, Tallahassee, Florida

PURPOSE: This is a regularly scheduled meeting of the Region III and XV Training Advisory Councils of the Florida Criminal Justice Standards and Training Commission.

The primary business of the meeting will be to discuss training issues.

A copy of the agenda for the above meeting may be obtained by writing: Chief Jim Howell, Florida Highway Patrol Training Academy, 2908 Ridgeway Street, Tallahassee, Florida 32308.

---

The **Region V, Training Council** will hold its Bi-Annual Advisory Meeting:

DATE AND TIME: December 9, 1999, 2:00 p.m.

PLACE: Board Room C-136, Center, 4501 Capper Road, Jacksonville, FL

For an advance copy of the agenda, contact: Frank Heinze, Northeast Florida Criminal Justice Training and Education Center, (904)928-1277, Fax (904)928-1295.

---

#### FLORIDA COMMERCIAL SPACE FINANCING CORPORATION

The **Florida Commercial Space Financing Corporation** announces a meeting and teleconference to which the public is invited.

DATE AND TIME: December 14, 1999, 10:00 a.m. – 12:00 p.m.

PLACE: Enterprise Florida Inc., 390 North Orange Avenue, Suite 1300, Orlando, Florida 32801

PURPOSE: Organizational meeting to discuss the by-laws and goals of the Florida Commercial Space Financing Corporation Act, select a President for the corporation and general initial topics.

The teleconference will be available at the offices of Enterprise Florida Inc., 390 North Orange Avenue, Suite 1300, Orlando, Florida 32801.

For more information, contact Mr. Ed O'Connor, (407)730-5301, Ext. 1101.

To obtain a copy of the agenda: Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact the Spaceport Florida Authority.

**FLORIDA SURPLUS LINES**

The Florida Surplus Lines Service Office announces a quarterly meeting of the Board of Governors to which all interested parties are invited:

DATE AND TIME: Wednesday, January 12, 2000

PLACE: FLSO, 114 S. Duval Street, Tallahassee, FL 32301

PURPOSE: General Business Matters.

A copy of the agenda may be obtained by sending a faxed request to Kristen DeVitto, (850)513-9624.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Kristen a few days prior to the meeting, (850)224-7676, Ext. 16.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Petitioner: Ronald F. Dinardo, Community Association Manager License #0017004; 10851 S. Ocean Dr., #105, Telephone (561)229-3883; After December 1, 1999, 25 Hall Rd., Elington, Conn., Telephone (860)875-3805.

No attorney or representative

Rule Chapter 468, Part VIII, Florida Statutes

Community Association Management

(2) "Community Association Management" means any of the following practices requiring substantial specialized knowledge, judgement and managerial skill when done for remuneration and when the association or associations served contain more than 50 units or have an annual budget or budgets in excess of \$100,000: controlling or disbursing funds of a community association, preparing budgets or other financial documents for a community association, assisting in the noticing or conduct of community association meetings, and coordinating maintenance for the residential development and other day-to-day services involved with the operation of a community association. A person who performs clerical or ministerial functions under the direct supervision and control of a licensed manager or who is charged only with performing the maintenance of a community association and who does not assist in any of the management services described in this subsection is not required to be licensed under this part.

Although the Recreation Association is separate and has it's own Board. Does bid for management services of building and pool property leased by a 168-unit condominium and two small

Home owners Association under fifty units require a licensed Community Association Management? Total of 258 units compromise the association managed. Present Managers position is out to bid not requiring a C.A.M. All Lease fees, operating expenses, controlling and disbursing funds, preparing budgets and financial documents, are his responsibility. Seems like the people living in these Community Associations interests are not going to be protected without State control.

Ronald Dinardo

Oct. 27, 1999

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a declaratory statement in In Re: Petition for Declaratory Statement, Moon Bay Condominium Association, Inc., Petitioner; Docket Number CD1999132.

The declaratory statement provided, in summary, that the units in Moon Bay, A Condominium, that are rented more than three times in a calendar year for periods of less than 30 days or 1 calendar month, meet the definition of "public lodging establishment" and may be further classified as "resort condominiums" within the meaning of chapter 509, Florida Statutes. The declaratory statement further provided that such units are subject to the licensure requirements of Chapter 509, Florida Statutes, and the rules promulgated thereunder. In addition, the declaratory statement provided that on the facts presented, the Association need not obtain a license under Chapter 509, Florida Statutes, unless it owns units classified as "resort condominiums under section 509.242(1)(c), Florida Statutes. Finally, the declaratory statement held that Moon Bay, A Condominium, is a "residential condominium" as defined by section 718.103(22), Florida Statutes.

A copy of the declaratory statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

**DEPARTMENT OF HEALTH**

The Board of Medicine hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of Edward Romero, M.D. The Petitioner seeks the Board's interpretation of the application of section 455.654, F.S., to the circumstances outlined in the petition. Specifically, the Petitioner, who practices in a rural area, wishes to refer patients to a clinic to be operated by his wife which will perform tests using a lunar bone densitometer. He requests interpretation of the term "sole provider of designated health services."

The Board will consider this petition at 11:00 a.m., December 5, 1999, at its meeting at the Tampa Airport Marriott, Tampa International Airport, Tampa, Florida. Copies of the petition may be obtained by writing: Tanya Williams, Executive Director, Board of Medicine, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

NOTICE IS HEREBY GIVEN that the Board of Psychology has received a Petition for Declaratory Statement of rule 64B19-11.005(1)(d), Florida Administrative Code, which was filed on November 1, 1999 by Antonia Hawkins. Petitioner requests a declaratory statement from the Board with regards to whether the word "state" in the above named rule is restricted to the Continental United States, or if it, in fact, assumes an identity of any "place" in the world whether another Country and/or Commonwealth outside the U.S.

The Board will address this matter at its regularly scheduled board meeting which will be held December 3, 1999, at the Hilton Miami Airport and Towers, 5101 Blue Lagoon Drive, Miami, Florida 33126.

A copy of the Petition for Declaratory Statement may be obtained by writing: Kaye Howerton, Board of Psychology, Department of Health, 2020 Capital Circle, S. E., Bin #05, Tallahassee, Florida 32399-3255.

**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**

**NOTICE TO CONSTRUCTION MANAGERS**

The Florida State University, for and on behalf of the Board of Regents, a public corporation of the State of Florida announces that professional services in the disciplines of architecture/landscape architecture and master planning will be required for the following project:

Project No.: BR-230

Project and Location: Campus Master Plan Update, Florida State University, Tallahassee, Florida

The cost will be approximately \$375,000.

Work will consist of updating various elements in the current Campus Master Plan with a primary focus on Future Land Use, Housing, Recreation and Open Space, General Infrastructure, Utilities, Transportation, Intergovernmental Coordination, Conservation and Capital Improvements elements. Applicants should demonstrate familiarity with the procedures relating to the State university System's campus master planning program and statutory and administrative rule requirements. Applicants should demonstrate the ability to assess the impacts of future university development on off-campus public facilities and services (e.g., stormwater management, potable water, sanitary sewer, solid waste, roads and parks and recreation facilities). Greater consideration will be given to those applicants with previous experience in master planning in university or college environments, local government comprehensive plans and concurrency management in the State of Florida.

**INSTRUCTIONS:**

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," dated either 2/99 or 9/99. Applications on any other form, or on versions dated prior to 2/99, will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be property 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.

Note – the standard selection procedures are revised, as follows: the selection category, "Location," will be scored to assign firms inside the State of Florida a score of "1." and firms outside the State of Florida a score of "O".

Submit five (5) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions may be disqualified. Application materials will not be returned.

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, the Project Fact Sheet and selection criteria may be obtained through the Facilities Planning and Construction Department's Website: www.wpfa.fsu.edu/fpc or by contacting: Lynetta Mills, Florida State University, Facilities planning and Construction Department, Room 109, Mendenhall Maintenance Building A, Tallahassee, Florida 32306-4152, (850)644-2843 Telephone, (850)644-8351 Facsimile.

For further information on the project, contact Mark Bertolami, Director of Facilities Planning at the address and phone listed above.

Submittals must be received in the above office by 2:00 p.m., local time, Friday, January 7, 2000. Facsimile (Fax) submittals are not acceptable and will not be considered.

**NOTICE TO CONSTRUCTION MANAGERS  
OFFICE OF FACILITIES PLANNING AND  
CONSTRUCTION  
DUVAL COUNTY PUBLIC SCHOOLS  
FOR**

**Construction Management Services**

Facilities Planning and Construction announces that construction management services are required for the following project:

Project Number: C-90680

Project Title: Remodeling, Renovations and Site Improvements to Landon Middle School #31

Project Location: 1819 Thacker Ave., Jacksonville, FL

The project consists of a major renovation, remodeling and site improvement to the building of approximately 104,000 square feet. Improvements are expected to include structural, kitchen renovation, installation of elevator(s), code requirements for

ADA, HVAC replacement, sprinkler system, fire alarm, intercom, data and interior finishes. The auditorium will be renovated. The building has historical significance and the exterior envelope will be repaired, renovated and sealed as necessary. The construction budget is approximately \$7,500,000. The selected Construction Manager will provide pre-construction services including value engineering, constructability analysis, development of a cost model and estimating and will develop a Guaranteed Maximum Price at the applicable Construction Document phase.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability, financial capability, record keeping/administrative ability, critical path scheduling expertise, cost estimating, cost control ability, quality control ability, qualification of firm's personnel, staff and consultants and distance from the construction site.

To receive an application information and instruction booklet or for additional information contact the Project Manager listed below or Thomas Young, School Architect.

FOR DUVAL COUNTY PS: Facilities Planning & Construction, 1701 Prudential Drive, 5th Floor, Jacksonville, FL 32207-8182

PROJECT MANAGER: James L. Womack

PHONE NO.: 904-390-2279

RESPONSE DUE DATE: Tuesday, December 28, 1999 by 4:30 p.m., local time.

**DEPARTMENT OF TRANSPORTATION**

**NOTICE OF BID OPPORTUNITY**

The Florida Department of Transportation District 6 announces the following project:

BID NUMBER: E-6908 (RE-ADVERTISEMENT)

FINANCIAL PROJECT NUMBER: 250584-1-52-01

MBE/DBE RESERVATION OR PREFERENCE: NONE

DEADLINE FOR SUBMITTAL OF PRE-QUALIFICATION REQUIREMENTS: December 9, 1999, 2:00 p.m.

BID DUE DATE AND TIME: December 27, 1999, 2:00 p.m.

SCOPE OF SERVICES: Sealed bids are requested from licensed General Building Contractors, for the addition to the Florida Department of Transportation, District VI, 1000 Building located at the District Office Complex, 1000 Northwest 111th Avenue, Miami, Florida.

MANDATORY PRE-BID MEETING: NONE

MINIMUM QUALIFICATIONS: Bidders must submit their qualifications prior to the deadline of December 9, 1999, 2:00 p.m. Letters of Pre-qualification will only be issued to qualified Bidders. Each Bidder whose field is governed by Chapters 399, 455, 489 and 633, Florida Statutes, for Licensure or Certification must submit Pre-qualification data of their eligibility to submit Bids prior to the Bid Opening Date. After the Bid Opening, the low Bidder must qualify in accordance

with Rule 60D-5.004, Florida Administrative Code. A copy of the rule requirements is included in the Bid Package. Each Bidder must be pre-qualified by the District Six Procurement Office prior to the issuance of bid forms. To pre-qualify each Bidder must submit a copy of the appropriate Contractor's License(s) as required by the state for the type(s) of work to be proposed and a copy of the State Corporate Charter issued by The Department of State, Division of Corporations. If its' firm is a corporation, letters of pre-qualification must be submitted with the Bid package.

**BID BOND:** If the Bid exceeds \$100,000.00 the Bidder must provide with the Bid a good faith deposit in the amount of five percent of the Bid by way of a Bid Bond Form provided by the owner from a surety insurer authorized to do business in this state as surety, a certified check made payable to Florida Department of Transportation, a cashier's check, treasurer's check, or bank draft of any national or state bank. A Bid Bond, check, or draft in an amount less than five percent of the actual Bid will invalidate the Bid.

**PERFORMANCE AND LABOR AND MATERIAL BOND:** If the construction contract award amount is \$100,000.00 or less, a performance bond and a labor and material payment bond are not required.

**REQUESTING BID DOCUMENTS:** Requests for Plans, Specifications and/or Bid Documents should be directed to Nancy Kay Lyons, Contracts Administrator, Department of Transportation District 6, 1000 Northwest 111th Avenue, Room 6107-A, Miami, Florida 33172. Projects may also be requested via Internet e-mail. Please send your request to nancy.lyons@dot.state.fl.us.

**POSTING INFORMATION:** Unless otherwise notified in writing the Notice of Intent to Award will be posted at the Department of Transportation District Six Contracts Office, 1000 Northwest 111th Avenue, on January 27, 2000, 4:00 p.m. If the Department is unable to post as defined above, the Department will notify all Bidders by mail, Fax and/or Telephone. The Department will provide written notification of any future posting in a timely manner.

**PROTEST RIGHTS:** With respect to a Protest of the Specifications Contained in an Invitation to Bid or in a Request for Proposals, the Notice of Protest shall be filed in writing within 72 hours after the receipt of Notice of the Project Plans and Specifications or Intended Project Plans and Specifications in an Invitation to Bid or Request for Proposals." A Formal Written Protest stating with particularity the facts and law upon which the protest is based and in substantially the same form as a petition in accordance with Section 120.57(3), Florida Statutes, and Rule 60D-4.012, FAC., shall be filed within 10 days after filing of the Notice of Protest. The 10 day period includes Saturdays, Sundays, and legal holidays; provided, however, if the last day is a Saturday, Sunday, or legal holiday, the period shall run until the end of the next day which is neither a Saturday, Sunday, or Legal Holiday. Any person who

files an action protesting an award shall post with the Department, at the time of filing the Formal Written Protest, a bond payable to the Department in the amount equal to one percent of the Department's estimate of the contract amount for the purchase requested or \$5,000.00, whichever is less. The bond shall be conditioned upon the payment of all costs which may be adjudged against the Protestor in the administrative hearing in which the action is brought and in any subsequent Appellate Court Proceedings. In lieu of a bond, the Department may accept a cashier's check or money order in the amount of the bond. The Protest must be filed with the Department of Transportation, Clerk of Agency Proceedings, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0450.

The Department reserves the right to reject any or all bids received.

---

## REGIONAL TRANSPORTATION AUTHORITIES

### NOTICE TO CONTRACTORS

For Prequalification

Precast Concrete Segmental Bridge(s)

Tampa, Florida

The Tampa-Hillsborough County Expressway Authority ("Authority") is designing new connections to the Lee Roy Selmon Crosstown Expressway in Brandon and Tampa, Florida, and a major expansion of the Expressway in the seven-mile corridor between Interstate 75 and downtown Tampa. The project, which will begin construction by 2001, will include a series of contracts for roadway construction/reconstruction in Brandon and Tampa as well as roadway and conventional bridge construction/reconstruction between Interstate 75 and downtown Tampa.

The project will also include a separate contract for construction of one or more precast concrete segmental bridges 3,300 to 31,000 feet in total length (200,000 sq. ft. to 1.8 million sq. ft.). The number, lengths and square footage of the precast concrete segmental bridges will be defined by the Authority in Spring 2000, prior to publication of the bid documents.

The Authority requests prequalification submittals from responsible contractors to construct precast concrete segmental bridge(s). All prospective bidders, including joint venture partners and all precasting, pile driving and drilled shaft subcontractors, MUST be prequalified. The required prequalification procedures and format will be provided upon written request (by letter or fax) from December 1, 1999, through December 21, 1999. Prequalification submittals must be received by 12:00:00 p.m. EST on January 14, 2000, to be eligible for consideration. The Authority plans to announce its prequalification determinations in February 2000. Address requests for prequalification packages to: Ms. Katherine Lake, Contracts Administrator, Tampa-Hillsborough County

Expressway Authority, 412 East Madison Street, Suite 800, Tampa, FL 33602, Telephone (813)272-6740, Fax (813)273-3730.

An Equal Opportunity Public Agency.

**DEPARTMENT OF CORRECTIONS**

**ADVERTISEMENTS FOR BIDS**

PROPOSALS ARE REQUESTED FROM QUALIFIED WELL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, BUREAU OF FACILITIES SERVICES.

CONSTRUCTION OF: One (1) 12" (inch) Farm Well with pump and an option for a second 12" well.

PROJECT NO: GR-08-AG

PROJECT SITE: DESOTO CORRECTIONAL INSTITUTION, 13615 S. E. Hwy. 70, Arcadia, Florida 34265

PREQUALIFICATION: All bidders must submit evidence that they are qualified to perform the work in accordance with Section B, paragraph B-2 of the Specifications.

BID DATE AND TIME: December 16, 1999, 2:00 p.m., Local Time

PLACE: Conference Room, Room A-103, 1st Floor, Florida Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Any person with a qualified disability requiring special accommodations at the pre-bid conference and/or bid/proposal opening shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1(800)955-8771 (TDD).

PROPOSALS: Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained as stated below.

DRAWINGS/SPECIFICATIONS: Sets of Drawings and Specifications may be ordered from: Clayton Campbell, Engineer III, or Joe Jereb, P. E., (850)922-3945, Florida Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, or Wardens Office, DeSoto Correctional Institution, 13615 S. E. Hwy. 70, Arcadia, Florida 34265

PRE-BID CONFERENCE: A pre-bid conference will be held on December 1, 1999, 2:00 p.m., Local Time, at the Administration Building Conference Room, DeSoto Correctional Institution, 13615 S. E. Hwy. 70, Arcadia, Florida 34265. (Non-Mandatory)

CONTRACT AWARD: The recommendation for contract award will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the

Instructions to Bidders, the contract will be awarded by the Secretary, Department of Corrections. Right is reserved to reject any or all bids.

**NOTICE TO PROFESSIONAL CONSULTANTS  
PUBLIC ANNOUNCEMENT FOR**

The State of Florida, Department of Corrections, Bureau of Facilities Services, announces that Professional Services are required on the project listed below. Applications from qualified firms are to be sent: Attention: Jeff Raley, Bureau of Facilities Services, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**INSTRUCTIONS**

Any firm desiring to provide professional services for this project shall apply for consideration with a letter of application, indicating within the body of the letter, your firm's specific abilities respective to the particular project's requirements, and attach current copies of:

(1) A copy of the Department of Corrections' current "Professional Qualifications Supplement" (PQS) (dated August 1998), with current data.

(2) A reproduction of the firm's current Florida State Board License with the appropriate board governing the discipline offered. If the firm is a corporation, it must be properly chartered with the Department of State to operate in Florida.

(3) Attach a current copy of the SF 254.

Submit the required data in order listed above. Faxed copies will not be accepted. Applications that do not comply with the instructions set forth above may be considered improper and disqualified. The plans and specifications developed by this A/E project are subject to reuse in accordance with the requirements of Section 287.055, Florida Statutes, ("Consultants' Competitive Negotiation Act").

Under the authority delegated to the Secretary of the Department of Corrections by Florida Statute 287.055, sitting as the head of the Department of Corrections, Professional Services Contracts will be awarded following the recommendations of the Competitive Selection Committee in accord with the negotiation procedures. Selected firms will be notified after approval by the Secretary; all applicants will receive copies of this information.

RESPONSE DATE: December 27, 1999, 5:00 p.m.

PROJECT: Provide electrical engineering master planning and design services to rework the primary and secondary electrical supply lines at the Apalachee Correctional Institution in Sneads, Florida. Perform testing and studies on existing electrical distribution system to determine the loads and evaluate the condition and life expectancy of the cables, transformers and panels. Develop alternatives for renovating the normal and standby power distribution systems in phases to coordinate with new construction and available funding.

PROJECT NUMBER: WX-02-(ER)

ESTIMATE COST: \$1,250,000.00  
Project Administrator: Jeff Raley, (850)922-3945

**PUBLIC ANNOUNCEMENT FOR  
CONSTRUCTION MANAGEMENT SERVICES**

Project Name: Construction Management Services  
Project Number: WT-23-CM  
Project Description: Expansion and Renovation of Indian River Correctional Institution at Vero Beach, Florida

The Department of Corrections, Bureau of Facilities Services, requests qualifications from CONSTRUCTION MANAGEMENT firms to provide services for this project. Construction budget for this project is \$5,500,000. Construction will start January, 2000. Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Chapter 60D-5, Florida Administrative Code, and the Request for Qualification procedures and criteria which may be obtained from Bob Selman at the address and phone number below. Five firms will be selected to bid on project management fees. Firms interested in being considered for this project are encouraged to attend an information meeting at Indian River Correctional Institution, Vero Beach, Florida on December 16, 1999, 10:00 a.m., eastern standard time.

To be considered interested firms must submit an application in accordance with the Request for Qualifications by January 11, 1999, 4:00 p.m., eastern standard time, faxed submissions are not acceptable.

Submit six copies of your Statement Of Qualification to the Department of Corrections, Attn.: Bob Selman, Bureau of Facilities Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, (850)487-1330.

The State of Florida's performance and obligation to contract for these services are contingent upon annual appropriations by the Legislature.

**WATER MANAGEMENT DISTRICTS**

**REQUEST FOR BID (RFB) #99/00-07RM  
PARKING LOT PAVING FOR TRAIL HEAD  
BRANFORD, FLORIDA**

The Suwannee River Water Management District is requesting bids to pave the parking lot for the trail head in Branford, Florida.

Following mailing of the plans and specifications, all RFB responses must be mailed or delivered to the District prior to 4:00 p.m., December 15, 1999. Construction will begin soon thereafter and completion shall require no more than 30 days.

Any individual or firm desiring to obtain a copy of this Request for Bid may do so by contacting: Sandra Keiser, Administrative Assistant, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (904)362-1001 or 1(800)226-1066, Florida only.

Technical questions should be directed to David Still, P. E., at the same address and phone number listed above.

Anyone requiring reasonable accommodation as provided for in the Americans With Disabilities Act should contact Sandra Keiser, Administrative Assistant, (904)362-1001 or 1(800)226-1066 (Florida only).

**DEPARTMENT OF MANAGEMENT SERVICES**

**PUBLIC ANNOUNCEMENT FOR CONSTRUCTION  
MANAGEMENT SERVICES**

PROJECT NUMBER: JB-90037000

PROJECT NAME: Court of Appeal, 5th District – Addition and Parking Garage

PROJECT LOCATION: 300 South Beach Street, Daytona Beach, Florida 32114

The Department of Management Services, Building Construction, requests qualifications from construction management firms to provide construction management services for this project. The construction budget for this project is approximately \$4,000,000. Construction start date is April 3, 2000.

Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Section 255.29(3), F.S. and the procedures and criteria of Building Construction.

**INSTRUCTIONS**

Firms interested in being considered for this project must submit four (4) copies of their application with a table of contents and tabbed sections in the following order:

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, Form DBC5085.
3. Resumes of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

Response Due Date: December 27, 1999, 3:00 p.m., E.S.T.

Applications are to be sent to: Kevin Trussell, Project Director, Department of Management Services, Division of Building Construction, 100 Southpark Boulevard, Suite 308, St. Augustine, Florida 32086.

Phone Number: (904)823-4570.

Date and Location of Shortlist: December 28, 1999, 1:00 p.m., Court of Appeal, 5th District, 300 South Beach Street, Daytona Beach, Florida 32214.

Date and Location of Workshop: January 4, 2000, 10:00 a.m., Court of Appeal, 5th District, 300 South Beach Street, Daytona Beach, Florida 32214.

Date and Location for Interviews: January 14, 2000, 9:00 a.m., Court of Appeal, 5th District, 300 South Beach Street, Daytona Beach, Florida 32214.

Any changes to the above dates will be published on our website: <http://fcn.state.fl.us/dms/dbc/oppor1.html>

Any protest on the selection must be made within 72 hours of posting this notice. If no protest is received within 72 hours, contract award and negotiation will proceed with the selection firm. The selection results will be published in the Florida Administrative Weekly.

**NOTICE TO PROFESSIONAL CONSULTANTS  
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL  
SERVICES FOR  
ARCHITECTURE – ENGINEERING**

The Division of Building Construction announces that professional services are required for the project(s) listed below.

**PROJECT NUMBER:** CLL-99045000

**PROJECT NAME:** Lauderdale Lakes Community Center

**PROJECT LOCATION:** Willie L. Webb Sr. Park, N. W. 21st Street, Lauderdale Lakes, FL

**SERVICES TO BE PROVIDED:** Complete architectural/engineering services for a new community center. Total construction budget approximately \$800,000.00.

**CLIENT AGENCY:** City of Lauderdale Lakes

**CLIENT AGENCY REPRESENTATIVE:** Neil Appel

**DMS PROJECT DIRECTOR:** Larry Roemer

**PHONE NO:** (813)744-6289

**RESPONSE DUE DATE:** December 21, 1999, 2:00 p.m., Local Time

Applications are to be sent: Larry Roemer Division, Building Construction, 4508 Oak Fair Blvd., Suite 200, Tampa, Florida 33610

Date and Location of Shortlist: January 5, 2000, Division of Building Construction, 4508 Oak Fair Blvd., Suite 200, Tampa, Florida.

Date and Location For Interviews: January 13, 2000, 4300 N. W. 36th Street, Lauderdale Lakes, Florida 33319-5599

Any changes to the above dates will be published on our website: <http://fcn.state.fl.us/dms/dbc/oppor1.html>

**INSTRUCTIONS**

Firms interested in being considered for this project must submit eight (8) copies of their application with a table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm’s qualifications, related experience, the firm's abilities to do the work and other pertinent data.
2. Current Professional Qualifications Supplement (PQS) Form DBC5112.
3. A copy of the firm’s current Florida Professional Registration License Renewal.
4. 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.
5. Completed SF-254.
6. Completed SF-255.

Please include one stamped, self-addressed envelope for notice of selection results. 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. 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 Chapter 287.055, Florida Statutes.

Applicants are advised that plans and specifications for A/E projects may be reused. An appropriate contractual agreement will be made with the selected firm should this be necessary. Any protests of the selection must be made within 72 hours of posting the selection results. If no protest is received within 72 hours, negotiation and contract award will proceed with the selected firm. The selected firm will be notified and announcement of selected firms will be published in the “Florida Administrative Weekly.”

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF INVITATION TO BID  
BID NO. BDRS 32-99/00**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Boat Ramp Improvements, Restroom, Utilities and Related Site Improvements

**SCOPE OF WORK:** Construct dual boat ramps, docks, restroom, associated utilities, and related site improvements.

**PARK LOCATION:** Lovers Key State Recreation Area, 8700 Estero Boulevard, Ft. Myers Beach (Lee County), Florida

**PROJECT MANAGER:** Jim Ross, Bureau of Design and Recreation Services, Telephone (850)488-3541

**MINORITY BUSINESS REQUIREMENT:** This project is reserved for competitive sealed bidding only among qualified bidders who agree to use Department of Labor certified minority business enterprises (MBE) as subcontractors or subvendors. A minimum of twenty-one (21) percent of the total bid must be expended with certified minority business enterprises subcontractors and subvendors. Verification of the certified minority business enterprise utilization shall be determined by the agency before such bid awards may be made. In order to bid on a project so reserved. The qualified bidder shall identify those certified minority business enterprises which will be used as subcontractors or subvendors by sworn statement. At the time of performance of project completion, the contractor shall report by sworn statement the payment and completion of work for all certified minority business enterprises used in the contract.

**PREQUALIFICATION:** When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapter 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

**INSTRUCTIONS:** Bidders desiring plans and bid specifications for this project may obtain a copy by writing, telephoning, or visiting the office described below. These documents will be available Friday, November 26, 1999, Jim Gibson, Park Manager, Lovers Key State Recreation Area, 8700 Estero Boulevard, Ft. Myers Beach (Lee County), Florida 33931, Telephone (941)463-4588.

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-3539, at least five (5) workdays prior to openings.

**BID SUBMITTAL DUE DATE:** No later than 3:45 p.m., Monday, December 20, 1999 to the below address:

Florida Department of Environmental Protection, Bureau of Design and Recreation Services, 3540 Thomasville Road, Tallahassee, Florida 32308

The Department reserves the right to reject any or all bids. Michael Renard, Contracts Manager, Bureau of Design and Recreation Services

---

**NOTICE OF INVITATION TO BID  
BID NO. BDRS 33-99/00**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Boat Ramp and Parking Modifications

**SCOPE OF WORK:** Construct addition to existing single boat ramp to make a double ramp. Rebuild existing pier that was damaged by a hurricane. Construct modifications to parking lot and drive way to relieve traffic congestion. Addition of lighting to pier and boat wash down area. Relocation of boat wash-down area.

**PARK LOCATION:** Big Lagoon State Recreation Area, 10 miles S. W. of Pensacola on C.R. 292A (Escambia), Florida

**PROJECT MANAGER:** Dallas Marshall, Bureau of Design and Recreation Services, Telephone (850)488-6433

**MINORITY BUSINESS REQUIREMENT:** This project is reserved for competitive sealed bidding only among qualified bidders who agree to use Department of Labor certified minority business enterprises (MBE) as subcontractors or subvendors. A minimum of twenty-one (21) percent of the total bid must be expended with certified minority business enterprises subcontractors and subvendors. Verification of the certified minority business enterprise utilization shall be determined by the agency before such bid awards may be made. In order to bid on a project so reserved. The qualified bidder shall identify those certified minority business enterprises which will be used as subcontractors or subvendors by sworn statement. At the time of performance of project completion, the contractor shall report by sworn statement the payment and completion of work for all certified minority business enterprises used in the contract.

**PREQUALIFICATION:** When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapter 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

**INSTRUCTIONS:** Bidders desiring plans and bid specifications for this project may obtain a copy by writing, telephoning, or visiting the office described below. These documents will be available on Friday, November 26, 1999, Phil Leaser, Park Manager, Big Lagoon State Recreation Area, 12301 Gulf Beach Highway, Pensacola (Escambia County), Florida 32507, Telephone (850)492-1595

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-3539, at least five (5) workdays prior to openings

**BID SUBMITTAL DUE DATE:** No later than 4:00 p.m., Monday, December 20, 1999 to the below address:

Florida Department of Environmental Protection, Bureau of Design and Recreation Services, 3540 Thomasville Road, Tallahassee, Florida 32308

The Department reserves the right to reject any or all bids.

Michael Renard, Contracts Manager, Bureau of Design and Recreation Services

**DEPARTMENT OF JUVENILE JUSTICE**

Amount of available funds: \$40,000

Purpose: DDJ's Bureau of Data and Research and the Florida State Advisory Group, require a process evaluation of state funded Alternatives to Suspensions and Expulsion (ASE) Delinquency Prevention Programs that identifies program components which effectively reduce the likelihood for youth to be referred for delinquent acts. DJJ also requires a set of program models to be designed that incorporates these effective components based upon the evaluation results and other national research.

Who may apply: Any established organization, for profit or non-profit

When to apply: November 22, 1999 through COB December 6, 1999

Application information: To obtain an application sent a written request to: Julie Blankenship, Department of Juvenile Justice (DJJ), Bureau of Data and Research, 2737 Centerview Drive, Suite 100, Tallahassee, Florida 32399-3100.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**INVITATION TO BID**

Sealed bids are being received from qualified contractors, by the State of Florida, Department of Children and Family Services, for the following project:

PROJECT NUMBER: DCF-98203000

PROJECT NAME: Fire Alarm, Sunland Marianna (Marianna, FL).

BID DATE AND TIME: December 16, 1999, until 2:00 p.m., Central Standard Time.

PLACE OF BID OPENING: Administration Building Conference Room, Sunland Marianna, 3700 Williams Drive (off State Road 71 North), Marianna, FL 32446, Telephone (850)482-9205.

BID REQUIREMENTS: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be obtained from: Schmidt, Dell, Cook & Associates, Inc., 139 East Government Street, Pensacola, FL 32501, Telephone (850)438-0050, Fax (850)432-8631. Copies of drawings and specifications will also be made available to F. W. Dodge plan rooms in Pensacola and Tallahassee.

CONTRACTOR QUALIFICATIONS: No bid will be accepted from any bidder who is not state certified in accordance with Chapter 489, Florida Statutes, as a Fire Alarm I Contractor (Type EF) or unlimited Electrical Contractor (Type EC).

CORPORATE REGISTRATION: No bid shall be accepted from any corporation which is not able to demonstrate current corporate charter registration (for a domestic corporation) or authority to transact business within the State of Florida (for a foreign corporation).

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: On any construction contract for which the award amount is greater than \$100,000, a Performance Bond and a Labor And Material Payment Bond is required.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted, 4:00 p.m., on December 20, 1999, at the location where the bids are opened. In the event that the Bid Tabulation and Notice of Award cannot be posted in the above manner, then all bidders will be notified by certified U.S. mail, return receipt requested. Should the award recommendation be accepted by the Department, a contract will be awarded by the DCF Office of General Services. The Department of Children and Family Services reserves the right to reject any and all bids in the best interest of the State of Florida.

MINORITY PARTICIPATION: In accordance with Florida Statutes, the Department of Children and Family Services is encouraged to spend 21 percent (21%) of the monies actually expended for construction contractors with certified minority business enterprises. The Department of Children and Family Services encourages minority businesses to participate in the bidding process including any bidders conferences, pre-solicitation or pre bid meetings which are scheduled. Department of Children and Family Services further encourages contractors to utilize certified minority enterprises as subcontractors or subvendors whenever possible. Certified vendors are those firms certified by the State of Florida Commission on Minority Economic and Business Development, 2012 Capital Circle, S. E., #100, Hartman Building, Tallahassee, Florida 32399-2152, (850)487-4698.

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**

**NOTICE TO PROFESSIONAL CONSULTANTS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from Engineering firms or individuals desiring to render Professional Services for the following project at Vandenberg Airport, Tampa, Florida:

**NEW RUNWAY 5-23, APRONS AND ASSOCIATED TAXIWAYS – PHASE 6 AND**

**CONSTRUCTION OF AREA "C" T-HANGARS**

Services to be furnished shall include, but not be limited to, engineering design and surveys related to civil, electrical, taxiway, aprons and pre-manufactured aircraft hangars; geotechnical testing; assistance during the advertising, bid and

award phase; and basic engineering services and resident inspection during construction. A more detailed scope of services will be included in the formal request for proposals.

Qualified Consultants desiring consideration for this Project must give written notification in the form of a Letter of Interest to: William J. Connors, Jr., Senior Director of Planning and Development, Hillsborough County Aviation Authority, Post Office Box 22287, Tampa, Florida 33622

Interested parties may inquire as to project description, details, and required data submissions, to William J. Connors Jr., Senior Director of Planning and Development, Telephone number (813)870-8704. **ONLY A LETTER EXPRESSING INTEREST IN RECEIVING THE FORMAL REQUEST FOR PROPOSALS IS REQUIRED AT THIS TIME.** Subsequent to receiving Letters of Interest, a Request for Proposals will be sent to all respondents and adequate response time set forth in that package.

A MANDATORY Pre-Proposal Conference will be held on Tuesday, December 14, 1999, 2:00 p.m., Local Time, at the offices of Hillsborough County Aviation Authority, Landside Terminal Building, Third Floor, Blue Side, Tampa International Airport. Details of this conference will be included in the Request for Proposals.

Replies to this Notice must be received at or before 5:00 p.m., Local Time, Wednesday, December, 8, 1999.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

By: s/s Louis E. Miller

Louis E. Miller, Executive Director

## Section XII Miscellaneous

### DEPARTMENT OF BANKING AND FINANCE

#### NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following applications. Comments may be submitted to the: Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., December 15, 1999):

**APPLICATION FOR A NEW FINANCIAL INSTITUTION**  
Applicant and Proposed Location: Premier Bank of South Florida, 8496 N. W. 103rd Street, Hialeah Gardens, Florida 33016

Correspondent: Angel Medina, Jr., 11640 S. W. 128 Court, Miami, Florida 33186

Received: November 8, 1999

#### APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: American Bank, Bradenton, Florida Proposed Purchaser: Gold Banc Corporation, Inc., Leawood, Kansas

Received: November 16, 1999

### DEPARTMENT OF INSURANCE

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

CASE NO.: 99-5065

In Re: The Receivership of VANTAGE HEALTHCARE, INC., a Florida Health Maintenance Organization.

**NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH VANTAGE HEALTHCARE, INC.**

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 14th day of September, 1999, the Department of Insurance of the State of Florida was appointed as Receiver of VANTAGE HEALTHCARE, INC., and was ordered to liquidate the assets of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of VANTAGE HEALTHCARE, INC. shall present such claims to the Receiver on or before 11:59 p.m., September 14, 2000, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation, Florida Department of Insurance, Receiver for VANTAGE HEALTHCARE, INC., Post Office Box 10280, Tallahassee, Florida 32302-2280.

The Treasurer and Insurance Commissioner on October 12, 1999, ordered the immediate suspension on an emergency basis of the insurance licenses of ROY JUAN PEOPLES, JR. An Administrative Complaint was filed against ROY JUAN PEOPLES, JR., on November 2, 1999. A copy of the Emergency Order of Suspension may be obtained by contacting: Carl B. Morstadt, III, Esquire, Department of Insurance, Division of Legal Services, 612 Larson Building, Tallahassee, Florida 32399-0333, (850)922-3110, Extension 4168.



**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 Kawasaki Motors Corp., U.S.A., intends to allow the establishment of Sports Zone, Inc., as a dealership for the sale of Kawasaki motorcycles, at 3988 Highway 90, Marianna (Jackson County), Florida 32446, on or after December 15, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Sport Zone, Inc. is Bobby Hamilton, 4003 West Lafayette Street, Marianna, Florida 32446.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jim Capps, Regional Sales Manager, Kawasaki Motor Corp., U.S.A., 6110 Boat Rock Boulevard, S. W., Atlanta, Georgia 30378.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Ultra Cycles, intends to allow the establishment of Tombstone Cycles, as a dealership for the sale of Ultra Cycles, 1147 North Dixie Freeway, New Smyrna (Volusia County), Florida 32168, on or after September 27, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Ultra Cycles is: Fred Campagnuolo, Tombstone Cycles, 1147 North Dixie Freeway, New Smyrna, Florida 32168.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Bruce Knight, Director of Dealer Development, Ultra Cycles, 3810 Wacker Drive, Mira Loma, California 91752.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Confederate Motorcycles, Inc., intends to allow the establishment of Wheels On Fire, Inc., as a dealership for the sale of Confederate motorcycles, at 29857 U. S. Highway 19 North, Clearwater (Pinellas County), Florida 33761, on or after November 9, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Wheels On Fire, Inc. is: Paul Jackson, 29857 U. S. Highway 19 North, Clearwater, Florida 33761.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Lisa T. Lemoine, Executive Administrator, Confederate Motorcycles, Inc., 100 Confederate-Akorn Drive, Abita Springs, LA 70420.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

---

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Confederate Motorcycles, Inc., intends to allow the establishment of Ron Turner Cycles, Inc., as a dealership for the sale of Confederate motorcycles, at 10263 Beach Boulevard, Jacksonville (Duval County), Florida 32246 on or after November 9, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Ron Turner Cycles, Inc. is: Ron Turner, 10263 Beach Boulevard, Jacksonville, Florida 33160.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Lisa T. Lemoine, Executive Administrator, Confederate Motorcycles, Inc., 100 Confederate-Akorn Drive, Abita Springs, LA 70420.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

---

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Confederate Motorcycles, Inc., intends to allow the establishment of Ducati Miami, as a dealership for the sale of Confederate motorcycles, at 701 5th Street, Miami Beach (Dade County), Florida 33139, on or after November 9, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Ducati Miami is: Wade Caughtman, 19390 Collins Avenue, Suite 1406, Sunny Isle Beach, Florida 33160.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ms. Lisa T. Lemoine, Executive Administrator, Confederate Motorcycles, Inc., 100 Confederate-Akorn Drive, Abita Springs, LA 70420.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

---

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Ultra Cycles, Inc., intends to allow the establishment of Proudfoot's Motorcycles, Inc., as a dealership for the sale of Ultra Cycles, at 4601 Fowler Street, Fort Myers (Lee County), Florida 33907, on or after September 20, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Ultra Cycles is: Don Proudfoot, 4601 Fowler Street, Fort Myers, Florida 33907.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Bruce Knight, Director of Dealer Development, Ultra Cycles, 3810 Wacker Drive, Mira Loma, California 91752.

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**

On November 5, 1999, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Donald Hanft, M.D., license number ME 0015978. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.225(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

---

On, November 12, 1999, Robert G. Brooks, M.D., Secretary, Department of Health, issued an Order of Emergency SUSPENSION with regard to the license of Zhengdong Li license number AP 0000992. Li's last known address is 8011 Lake Dr., Apt. 205, Miami, FL 33166. This Emergency Order

was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 455.621(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

---

On November 12, 1999, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency SUSPENSION with regard to the license of Chung An Pan, license number AP 0000235. Pan's last known address is 2121 Ponce De Leon, Suite 405, Coral Gables, FL 33134. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 455.621(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

---

On November 12, 1999, Robert G. Brooks, M.D., Secretary, Department of Health, issued an Order of Emergency Suspension Order with regard to the license of Alice Diane Horton license number RN1368522, Horton's last known address is 7302 Geminata Oak Court, Palm Beach Gardens, FL 33410. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 455.621(8), and 120.60(8) Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

---

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for nursing facilities participating in the Florida Medicaid Program.

**PURPOSE:** To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for nursing facilities, the Agency is publishing the proposed rates, the methodologies underlying the establishment of such rates, and justifications for the proposed rates. The Agency is in the process of amending its long-term care reimbursement plan to incorporate changes to the reimbursement methodology as required by proviso language following specific appropriation 252 of the 1999-2000 General Appropriations Act, Chapter 99-226, Laws of Florida, which provides \$9,051,822 to increase the patient care caps effective January 1, 2000.

**PROPOSED RATES:** The proposed rates effective January 1, 2000, for nursing facilities participating in the Florida Medicaid Program will be rates resulting from the current methodology used to calculate rates that will include the addition of the \$9,051,822 increase to the patient care caps.

**METHODOLOGIES:** The methodology underlying the establishment of the proposed rates for nursing facilities is based on the methodology currently being used for calculating rates, except that it will include an additional \$9,051,822 to increase the patient care caps effective January 1, 2000. The agency will adjust upward the inflation multiplier in calculating facility specific patient care reimbursement rates

and patient care class ceilings to a level that results in an additional \$9,051,822 of reimbursement in the patient care component for the January 1, 2000 rate semester.

The adjustment in the inflation multiplier shall not result in a patient care per diem rate that exceeds the patient care per diem cost adjusted for inflation or be less than a patient care per diem cost calculated using an inflation multiplier of 1.4.

The adjustment in the inflation multiplier used in calculating the patient care class ceilings shall not result in a patient care class ceiling that exceeds the cost based class ceiling or be less than a class ceiling calculated using an inflation multiplier of 1.4.

**JUSTIFICATION:** The justification for the proposed rates is based on the legislative direction provided in the proviso language following Specific Appropriation 252 of the 1999-2000 General Appropriations Act, Chapter 99-226, Laws of Florida. This language directs the Agency to incorporate changes to the reimbursement methodology to increase the patient care caps and expend the \$9,051,822 appropriation. The agency is proposing the above rates and changes in methodology, effective January 1, 2000, to comply with the legislative direction.

Providers, beneficiaries and their representatives, and other concerned State residents may provide written comment on the proposed rates, methodologies and justification underlying the establishment of such rates. Written comments may be

submitted to: Carol Shotwell, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop #21, Tallahassee, Florida 32308. Written comments should be submitted no later than December 6, 1999.

Copies of the proposed reimbursement plan incorporating the above changes may be obtained by contacting Carol Shotwell, Medicaid Cost Reimbursement Section, at the address above.

---

**STATEWIDE NOMINATING COMMISSION FOR JUDGES OF COMPENSATION CLAIMS**

The Statewide Nominating Commission for Judges of Compensation Claims announces that it is accepting applications for two judge of compensation claims vacancies in District I-South (West Palm Beach) and one judge of compensation claims vacancy in District K (Miami). These vacancies have been created by the resignation of Judge Howard Scheiner and the term expirations of Judges Steven P. Cullen and John G. Tomlinson.

Qualified applicants must submit the original completed application and one copy to the Chairperson, and one additional copy must be submitted to each Commission member by 5:00 p.m., December 15, 1999.

A public hearing to be held on Tuesday, December 21, 1999, at the Crowne Plaza Hotel, Atrium Room, 1601 Belvedere Boulevard, West Palm Beach, Florida, commencing at 9:30 a.m., for the purpose of conducting interviews of, and to receive public commentary on, the applicants for these positions. To the extent necessary, this hearing may extend into Wednesday, December 22, 1999. Any written commentary concerning any applicant by any person must also be submitted to the Commission chairperson and a copy to each Commission member in advance of the hearing date.

Any questions should be directed to: G. Bart Billbrough, Commission chairperson, 1390 Brickell Avenue, Third Floor, Miami, FL 33131, Telephone (305)350-5358, Fax (305)373-2294.

---

The Statewide Nominating Commission for Judges of Compensation Claims announces that it is accepting applications for the judge of compensation claims vacancy for District F (Lakeland). This vacancy results from Judge Judith Flanders' elevation to the circuit court, and the Governor's rejection of the previously submitted finalists for this position. Qualified applicants must submit the original completed application and one copy to the Chairperson, and one additional copy must be submitted to each Commission member by 5:00 p.m., December 30, 1999.

A public hearing to be held on Monday, January 10, 2000, 9:30 a.m., at a site to be determined, for the purpose of conducting interviews of, and to receive public commentary on, the applicants for this position. Any written commentary concerning any applicant by any person must also be submitted to the Commission chairperson and a copy to each Commission member in advance of the hearing date.

Any questions should be directed to: G. Bart Billbrough, Commission chairperson, 1390 Brickell Avenue, Third Floor, Miami, FL 33131, Telephone (305)350-5358, Fax (305)373-2294.

---

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN November 9, 1999  
 and November 15, 1999

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

**DEPARTMENT OF STATE**  
**Secretary of State**

1C-3.144	11/10/99	11/30/99	25/34	
----------	----------	----------	-------	--

**DEPARTMENT OF INSURANCE**

4-137.001	11/10/99	11/30/99	25/35	
4-138.001	11/10/99	11/30/99	25/35	
4-138.044	11/10/99	11/30/99	25/35	

**DEPARTMENT OF EDUCATION**  
**Board of Regents**

6C-8.009	11/12/99	12/2/99	25/24	25/30
----------	----------	---------	-------	-------

**WATER MANAGEMENT DISTRICTS**  
**Southwest Florida Water Management District**

40D-1.002	11/12/99	12/2/99	25/40	
40D-1.659	11/12/99	12/2/99	25/40	
40D-2.091	11/12/99	12/2/99	25/40	

**FLORIDA LAND AND WATER ADJUDICATORY COMMISSION**  
**Brooks of Bonita Springs II Community Development District**

42Z-1.001	11/10/99	11/30/99	25/39	
42Z-1.002	11/10/99	11/30/99	25/39	
42Z-1.003	11/10/99	11/30/99	25/39	

**DEPARTMENT OF LOTTERY**

53-28.003	11/10/99	11/30/99	25/38	
53-29.003	11/10/99	11/30/99	25/38	
Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Office of Licensure and Certification**

59A-3.081	11/9/99	11/29/99	25/38	
-----------	---------	----------	-------	--

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
**Construction Industry Licensing Board**

61G4-12.010	11/9/99	11/29/99	25/39	
-------------	---------	----------	-------	--

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Division of Law Enforcement**

62N-22.005	11/10/99	11/30/99	24/33	25/15
------------	----------	----------	-------	-------

**DEPARTMENT OF HEALTH**  
**Board of Pharmacy**

64B16-27.220	11/10/99	11/30/99	25/38	
--------------	----------	----------	-------	--

**FISH AND WILDLIFE CONSERVATION  
COMMISSION**

**Division of Marine Fisheries**

68B-4.002	11/12/99	12/2/99	25/35	25/42
68B-4.0081	11/12/99	12/2/99	25/35	25/42
68B-6.003	11/12/99	12/2/99	25/35	25/42
68B-31.005	11/12/99	12/2/99	25/35	25/42
68B-31.006	11/12/99	12/2/99	25/35	25/42
68B-31.007	11/12/99	12/2/99	25/35	25/42
68B-31.007	11/12/99	12/2/99	25/35	25/42
68B-31.008	11/12/99	12/2/99	25/35	25/42
68B-31.009	11/12/99	12/2/99	25/35	25/42
68B-31.0135	11/12/99	12/2/99	25/35	25/42
68B-39.0047	11/12/99	12/2/99	25/35	25/42

**Division of Manatees**

68C-22.005	11/10/99	11/30/99	24/33	25/15
------------	----------	----------	-------	-------

---