

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Library and Information Services

RULE CHAPTER TITLE: Public Records Scheduling and Dispositioning

RULE CHAPTER NO.: 1B-24

PURPOSE AND EFFECT: The purpose of the rule is to implement Chapter 2000-258, Florida Statutes, (s. 257.36, F.S.) to revise the processes used by custodians and the Division of Library and Information Services to create and revise records retention schedules, and to dispose of records.

SUBJECT AREA TO BE ADDRESSED: Establishing records retention schedules and procedures for disposition.

SPECIFIC AUTHORITY: 257.36 FS.

LAW IMPLEMENTED: 257.36 FS.

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

TIME AND DATE: 10:00 a.m., August 7, 2000

PLACE: Room 10, Florida Records Storage Center, 4319 Shelfer Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jim Berberich, Bureau Chief, Bureau of Archives and Records Management, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250, (850)487-2073

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

DEPARTMENT OF INSURANCE

RULE TITLE: Small Group Health Insurance Availability

RULE NO.: 4-154.530

PURPOSE AND EFFECT: To promulgate rules necessary to implement and clarify HB 591, relating to small group health insurance.

SUBJECT AREA TO BE ADDRESSED: The implementation of HB 591, relating to small group health insurance.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 627.6699 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: 1:30 p.m., August 15, 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: Rich Robleto, Bureau Chief, Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, (850)413-5110

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

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

DEPARTMENT OF INSURANCE

RULE TITLE: Annual Rate Filings

RULE NO.: 4-170.007

PURPOSE AND EFFECT: The proposed amendment adopts the transmittal form used to transmit forms DI4-586 and DI4-584.

SUBJECT AREA TO BE ADDRESSED: Adoption of the transmittal form used to transmit forms DI4-586 and DI4-584.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 624.418(2), 624.4211, 627.021, 627.062, 627.0645, 627.0651, 627.221, 627.301 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., August 29, 2000

PLACE: Room 143, 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 IS: Beth Vecchioli, Bureau Chief, Property and Casualty Forms and Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-5310

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 4-170.007 Annual Rate Filings. (1) through (7) No change.

(8) Each filing shall include a completed Form DI4-XXX (rev. xx), Annual Rate Filing Form, which is hereby adopted and incorporated by reference, and is available from the address in (4)(h).

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.418(2), 624.4211, 627.021, 627.062, 627.0645, 627.0651, 627.221, 627.301 FS. History—New 12-25-90, Formerly 4-72.007, Amended 1-27-92, 3-9-93, 9-7-93.

DEPARTMENT OF INSURANCE

RULE TITLE: Claim Payments
RULE NO.: 4-191.066

PURPOSE AND EFFECT: To take testimony related to rule development on topics included in Chapter 00-252, Laws of Florida (CS/CS/CS/SB 1508) related to provider contracts, claims coding, and claims payment.

SUBJECT AREA TO BE ADDRESSED: Specific testimony is requested on: issues related to clean claims not addressed in the statutory definition; identification of current federal activities related to claims payment; and identification of other claims payment, claims coding, and provider contracting issues requiring rulemaking.

SPECIFIC AUTHORITY: 641.36 FS.

LAW IMPLEMENTED: 641.31(12), 641.3155, 641.3903(5)(a), 641.3903(5)(c)3.,5.,6. 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., August 16, 2000
PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James Bracher, Bureau Chief, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0326, (850)413-2550

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 James Bracher at (850)413-2550.

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

DEPARTMENT OF INSURANCE

RULE TITLE: Forms Incorporated by Referece
RULE NO.: 4-193.065

PURPOSE AND EFFECT: This rule is being amended to adopt and incorporate forms by reference.

SUBJECT AREA TO BE ADDRESSED: This rule is being amended to adopt and incorporate forms by reference.

SPECIFIC AUTHORITY: 624.308(1), 651.013, 651.015(1)(3) FS.

LAW IMPLEMENTED: 651.021, 651.022, 651.023, 651.024, 651.026, 651.033, 651.035 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., August 24, 2000
PLACE: Room 143, 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: Raleigh Close, Sr. Management Analyst, Insurance Consumer Service, Department of Insurance, Phone (850)413-5816

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)922-3110, Ext. 4214.

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

DEPARTMENT OF REVENUE

RULE TITLE: Qualifications
RULE NO.: 12-9.003

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12-9.003, F.A.C., is to incorporate changes to the Certified Florida Appraisers/Certified Florida Evaluators and Certified Florida Collectors/Certified Florida Collector Assistants certification course curriculum recommended by the Admissions and Certifications Committees for these certification programs.

SUBJECT AREA TO BE ADDRESSED: Course curriculum changes to tax collector and property appraiser certification programs.

SPECIFIC AUTHORITY: 195.002(2), 213.06(1) FS.

LAW IMPLEMENTED: 145.10, 145.11, 195.002, 213.05 FS.

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

TIME AND DATE: 10:00 a.m., August 17, 2000
PLACE: Room 116, Larson Building, 200 E. Gaines St., Tallahassee, Florida

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

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-9.003 Qualifications.

(1) In order to qualify for any of the professional designations, an applicant must have at least 2 years experience in a Florida property appraiser's office, a Florida tax collector's office, or with the Department. Provided, however, to qualify for the special qualification salary, elected officials must meet all certification requirements set forth in these rules within 4 years after taking office.

(2) Applicants must attend a minimum of 120 hours of approved courses and pass properly monitored written examinations. The 120 hours need not be continuous, but may be divided into 15 to 30 hour courses ~~four 30-hour per week courses including up to 4 hours each week for examinations.~~

(3) The tax collector's qualifying curriculum course must include course work ~~four courses~~ as follows:

(a) Duties and Responsibilities of Florida Tax Collectors; and

~~(b) Collection and Distribution of Ad Valorem Taxes in Florida; and~~

~~(b)(c) Approved elective courses totaling 90 hours with properly monitored examinations~~ Two elective approved courses other than the two listed above.

(4) The property appraiser's qualifying courses, as approved under Rule 12-9.001(11), must include four courses as follows:

(a) Fundamentals of Real Property Appraisal (International Association of Assessing Officers – Course 101, or an approved course substitute);

(b) Income Approach to Valuation (International Association of Assessing Officers – Course 102), or an approved course substitute; and

(c) Two other approved 30-hour elective courses to make up the remaining hours under subsection (2).

(5) No change.

Specific Authority 195.002(2), 213.06(1) FS. Law Implemented 145.10, 145.11, 195.002, 213.05 FS. History—New 4-2-81, Formerly 12-9.03, Amended 4-11-89, 12-19-89, 12-30-97, _____.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE TITLES: RULE NOS.:
 Conveyances Subject to Tax 12B-4.013
 Conveyances Not Subject to Tax 12B-4.014

PURPOSE AND EFFECT: Subsection (31) of Rule 12B-4.013, and subsection (8) of Rule 12B-4.014, FAC., are being removed from the Florida Administrative Code due to 2000 legislation that eliminated the imposition of documentary stamp tax on transfers of real property resulting from a merger. It is the Department's intent to add these two proposed rule amendments to the proposed Documentary Stamp Tax rule package that was the subject of a Rule Development Workshop held on February 22, 2000, and to publish a combined Notice of Proposed Rulemaking at the appropriate time.

SUBJECT AREA TO BE ADDRESSED: These rule provisions being proposed for removal from the Florida Administrative Code concern the taxation of conveyances resulting from mergers.

SPECIFIC AUTHORITY: 201.11, 213.06(1) FS.

LAW IMPLEMENTED: 201.01, 201.02, 201.08, 201.09, 201.10, 201.11, 201.21, 201.22, 201.23, 201.24, 517.32 FS.

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

TIME AND DATE: 10:00 a.m., August 14, 2000

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

Copies of the agenda for the rule development workshop may be obtained by contacting the person listed below.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Mary Herring at (850)922-4704. 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: Joy Eldred, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4844

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12B-4.013 Conveyances Subject to Tax.

(1) through (30) No change.

~~(31) Statutory Merger: The transfer of real property to a surviving corporation, partnership, limited liability company or other business entity resulting from the operation of an applicable statute governing the merger or consolidation of such business entities is not taxable unless a deed is given, in~~

~~which ease the consideration is presumed to be equal to the fair market value of the real property interest being transferred. Cross Reference — Rules 12B-4.013(7) and 12B-4.014(8), F.A.C.~~

~~(31)(32) No change.~~

~~Specific Authority 201.11, 213.06(1) FS. Law Implemented 201.01, 201.02 FS. History—Revised 8-18-73, Formerly 12A-4.13, Amended 12-11-74, 2-21-77, 5-23-77, 12-26-77, 7-3-79, 9-16-79, 11-29-79, 3-27-80, 12-23-80, 12-30-82, Formerly 12B-4.13, Amended 12-5-89, 6-4-90, 2-13-91, 2-16-93, 10-18-94, 12-30-97, 7-28-98,_____.~~

~~12B-4.014 Conveyances Not Subject to Tax.~~

~~(1) through (7) No change.~~

~~(8) Statutory Merger: The transfer of real property to a surviving corporation, partnership, limited liability company or other business entity resulting from the operation of an applicable statute governing the merger or consolidation of such business entities is not taxable unless a deed is given, in which case the consideration is presumed to be equal to the fair market value of the real property interest being transferred.~~

~~Cross Reference — Rules 12B-4.013(7) and 12B-4.013(31), F.A.C.~~

~~(9) through (16) renumbered (8) through (15) No change.~~

~~Specific Authority 201.11, 213.06(1) FS. Law Implemented 201.01, 201.02 FS. History—Revised 8-18-73, Formerly 12A-4.13, Amended 2-21-77, 12-26-77, 12-23-80, Formerly 12B-4.14, Amended 12-5-89, 6-4-90, 2-13-91, 2-16-93, 10-18-94, 12-30-97,_____.~~

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE TITLES:	RULE NOS.:
Documents, Extensions, and Due Dates for Filing	12C-3.0015
Calculation of Tax upon Resident Decedent Estates	12C-3.0035
Calculation of Tax upon Nonresident Decedent Estates	12C-3.0045
Calculation of Tax upon Nonresident Alien Decedent Estates	2C-3.0055
Forms	12C-3.008
Releases	12C-3.012
Protest Procedures	12C-3.013

~~PURPOSE AND EFFECT: A) The additional proposed amendments to Rule 12C-3.0015, FAC., clarify which rule provisions apply to decedents dying before January 1, 2000, and which provisions apply to those dying on or after January 1, 2000; specify the appropriate form(s) to be filed; discuss filing requirements which must be met within 9 months of the decedent’s death; explain that the personal representative must submit a copy of the federal closing letter in certain cases; clarify when the Department will issue a Nontaxable Certificate and Receipt for Estate Tax Form; and further~~

explain the instances which cause the assessment of penalties and/or the accrual of interest. B) The additional changes to Rule 12C-3.0035, FAC., clarify how to calculate the proper tax on the Estate Tax return; and revise the discussion concerning how an Estate Tax refund received from another state should be handled for Florida Estate Tax purposes. C) The additional proposed amendments to Rule 12C-3.0045, FAC., contain technical clarification regarding how to calculate the tax on nonresident decedents’ estates. D) The additional suggested revisions to Rule 12C-3.0055, FAC., contain similar technical clarifications for calculating the tax on nonresident alien decedents’ estates. E) The additional proposed amendments to Rule 12C-3.008, FAC., change the name of the agency’s form DR-308. F) The additional changes to Rule 12C-3.012, FAC., conform several references to form DR-308 to the name change contained in Rule 12C-3.008, FAC. G) The additional proposed revisions to Rule 12C-3.013, FAC., provide that the procedures for protesting Estate Tax billings will be governed by Rule 12-6.0033, FAC., and eliminate the less formal protest procedures currently contained in Rule 12C-3.013, FAC.

SUBJECT AREA TO BE ADDRESSED: These proposed rule amendments address the procedures taxpayer’s must follow to calculate and remit the Estate Tax imposed by Chapter 198, F.S.

SPECIFIC AUTHORITY: 72.011, 198.08, 213.06(1), 213.21 FS.

LAW IMPLEMENTED: 72.011, 198.02, 198.03, 198.04, 198.05, 198.08 198.12, 198.13, 198.14, 198.15, 198.22, 198.32, 213.21 FS.

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

TIME AND DATE: 10:00 a.m., August 14, 2000
PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained by contacting the person listed below.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Maryellen Clemens, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4712

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12C-3.0015 Documents, Extensions, and Due Dates for Filing.

(1) Preliminary Notice and Report. For estates of decedents dying before January 1, 2000, within ~~Within~~ 2 months after the decedent's death or within a like period after qualifying as such, the personal representative shall submit to the Department of Revenue Form DR-301, Preliminary Notice and Report, to determine whether or not the estate is subject to tax.

(2)(a) Estate Not Subject to Tax.

1. For decedents dying prior to January 1, 2000:

If the estate is not required to file the federal estate tax Form 706 subject to federal estate tax, upon receipt of the Form DR-301 and \$5 fee, a nontaxable certificate will be issued to the estate's representative. This nontaxable certificate (Form DR-302) may be when recorded in the county where the decedent owned property is located, will help show clear title to assets to be transferred from the decedent's estate.

2. For decedents dying on or after January 1, 2000:

The Department will no longer issue a Nontaxable Certificate and Receipt for Estate Tax (Form DR-302) in this instance. For decedents dying on or after January 1, 2000, if the estate is not required to file federal estate tax Form 706 or Florida estate tax Form F-706, the personal representative may file an Affidavit of No Florida Estate Tax Due (Form DR-312) with the Clerk of Court in each county where the decedent owned property. The affidavit will attest that no federal estate tax return (Form 706) is required to be filed for the estate and no Florida estate tax is due pursuant to Chapter 198, F.S. The certificate (Form DR-302) or affidavit (Form DR-312), when recorded in the county where the decedent's property is located, will remove the Department's lien. The certificate or affidavit is admissible as evidence to show nonliability for tax.

(3) Estate Possibly Subject to Tax.

(a) For decedents dying prior to January 1, 2000:

In addition to the Form DR-301, report, within nine months after the decedent's death, the personal representative (as defined in Section 198.01(2), F.S.) of every estate of a Florida resident, nonresident, or alien decedent whose estate includes Florida property and is required to file is subject to filing under the federal Federal Internal Revenue Code shall file a an executed copy of the executed federal estate tax return Federal Estate Tax Return (federal Federal Form 706 or federal Federal Form 706-NA 706NA), together with any payment of the Florida estate tax due with the Department of Revenue within nine months from the date of death. The copy of the executed Federal Estate Tax Return serves as the Florida estate tax return. If the Department of Revenue determines that the estate owes no tax to Florida, upon payment of a \$5 fee and receipt of a copy of the federal closing letter, the Department will issue to

the personal representative a Nontaxable Certificate and Receipt for Estate Tax (Form DR-302). This certificate has the same effect as a receipt. It may be recorded in the county or counties in which the decedent owned property. The certificate is admissible as evidence that the estate owes no Florida estate tax.

(b) For decedents dying on or after January 1, 2000:

The personal representative of an estate owning Florida property must file the Florida Estate Tax Return for Residents, Nonresidents and Nonresident Aliens (Form F-706), and a copy of the executed federal estate tax return (Form 706 or Form 706-NA), together with any payment of Florida estate tax estimated to be due. Upon receipt of a copy of the federal closing letter and payment of any Florida estate tax due, the Department will issue a Final Certificate for Estate Tax (Form DR-304). This certificate may be recorded as evidence that no additional Florida Estate Tax is due. If no tax is due, upon payment of a \$5 fee and receipt of a copy of the federal closing letter, the Department will issue a Nontaxable Certificate and Receipt for Estate Tax (Form DR-302).

(4) Domicile Affidavit – If the estate is filing as a Florida nonresident or nonresident alien, the personal representative must file the Estate Tax Domicile Affidavit, (Form DR-310), with the copies copy of the executed Florida Form F-706 and executed federal Federal Form 706.

(5) Extensions.

(a) If an extension of time is required for filing the copy of the federal Federal Form 706 return or paying the Florida estate tax, or both, the personal representative must file a copy of the federal extension request with the Department within 30 days after filing such request with the federal taxing authorities. If the federal Federal Internal Revenue Service grants the extension, the personal representative must file a copy of the approved federal extension with the Florida Department of Revenue within 30 days of receiving the approved federal extension. The Department will grant the same extension to pay or file with Florida as granted by the federal Federal Internal Revenue Service.

(b) An extension of time to file the copy of the federal Federal Form 706 return does not extend the time to pay the Florida estate tax. Interest and interest will accrue on any tax due and not paid by the original from the due date (as specified in Rule 12C-3.001(3), F.A.C.) will accrue from the original due date to the date until the tax is paid. Penalties will be assessed, and if any extension of time to pay is granted on the federal extension form, only interest will be assessed until the date the tax is paid.

(6) No change.

Specific Authority 198.08, 213.06(1) FS. Law Implemented 198.02, 198.03, 198.04, 198.05, 198.12, 198.13, 198.14, 198.15, 198.32 FS. History--New 12-13-94, Amended _____.

12C-3.0035 Calculation of Tax upon Resident Decedent Estates.

(1) Calculation of tax:

(a) Gross estate. The gross estate includes interests in property owned outside the United States.

(b) Credit for state death taxes. The credit for state death taxes as shown on the federal return is the beginning point for determination of the tax due Florida: on Form F-706, Florida Estate Tax Return for Residents, Nonresidents and Nonresident Aliens. The credit shown in Part I of this return. This entire credit is the amount of tax due Florida if the decedent was a Florida resident and the situs of all property in the estate was located in Florida. In the case of a resident decedent owning property with a situs in other states, a reduction against the Florida tax is allowed in Part I of the Florida return for the estate taxes properly paid to the other states after all refunds of state taxes are adjusted against the other state taxes paid. ~~The gross estate includes interests in property owned outside the United States.~~

(2) No change.

(3) Subsequent State Tax Refunds. If, after filing an executed copy of the federal estate tax return (Federal Form 706) with the Department of Revenue, any amount of estate or inheritance tax is subsequently refunded by another state either prior to or after the closing letter is received from the IRS (or the Final Certificate, (Form DR-304) is issued to the estate, the personal representative is required to notify the Florida Department of Revenue of the corrected amount of estate or inheritance tax paid to the other state and remit the amount of the refund to Florida, plus interest on the refunded amount from the original due date of the return until the tax is paid to Florida. If, after filing the Florida Estate Tax Return (Form F-706) and/or a copy of the federal estate tax return (Form 706), a refund of estate or inheritance tax is received from another state, this refund is owed to Florida because this amount was claimed as a reduction of the amount due Florida. If the refund is received either:

(a) prior to or after the federal closing letter is received, or

(b) prior to or after the Florida Final Certificate (Form DR-304) is issued by the Department to the estate, the Florida Form F-706 must be amended and the amount of the refund remitted to the State of Florida. If the refund is not remitted timely with the amended Florida Estate Tax Return, interest and/or penalties may be assessed.

(4) No change.

Specific Authority 198.08, 213.06(1) FS. Law Implemented 198.02 FS. History—New 12-13-94, Amended _____.

12C-3.0045 Calculation of Tax upon Nonresident Decedent Estates.

(1) If the decedent was not a resident of Florida (but was a citizen or resident of the United States) and the estate owns property with a situs in Florida and a credit for state death taxes

is taken on the federal return, estate tax will be due the State of Florida if the Florida property, in Part II, Florida Form F-706, as reduced by any related nonrecourse mortgage, has any value remaining after such reduction (but not below zero).

(2) To determine the amount of Florida estate tax due on Florida Form F-706, divide the gross value (net of nonrecourse mortgages) of the Florida assets in Part II property by the gross value (net of nonrecourse mortgages) of the entire estate (as shown on Line 1 of federal estate tax Form 706, taxable by the United States (including property located outside the United States) in Part II and multiply this number by the credit for state death taxes in Part II. The result of these calculations is the amount of estate tax due Florida in Part II, Form F-706:

Florida Estate Tax =

$$\frac{\text{Gross value of Florida property}}{\text{Gross value of entire estate wherever situate}*} \times \text{Federal Credit for State Death Taxes}$$

*The gross value of the entire estate wherever situate includes all property in which the decedent had *any* interest, including property outside the United States.

(3) No change.

(4) Marital Deduction Property. The gross value of marital deduction property is included in the gross value of Florida property in Part II, if such property has a Florida situs and is included in the gross value of the estate, wherever situate. As part of the gross estate, such property is included in Florida's estate tax formula in Part II of the Florida F-706 Estate Tax Return.

Specific Authority 198.08, 213.06(1) FS. Law Implemented 198.03, 198.22 FS. History—New 12-13-94, Amended _____.

12C-3.0055 Calculation of Tax upon Nonresident Alien Decedent Estates.

(1) The following formula shall be used in calculating the tax upon the estate of an alien decedent who was not a citizen or resident of the United States at the time of death but who owned property in Florida: The gross value of property taxable under Florida estate tax law in Part III of the Florida Estate Tax Return Form F-706, as finally determined by the United States Internal Revenue Service in federal Form 706-NA, multiplied by the credit allowable for state death tax in Part III, under the Federal Revenue Act, divided by the gross value of the estate taxable by the United States in Part III, or:

Florida Estate Tax =

$$\frac{\text{Gross value of Florida property}}{\text{Gross value of all property located in the United States}} \times \text{Federal Credit for State Death Taxes}$$

(2) The entire amount of the federal credit for state death taxes as shown on the executed copy of the ~~federal Federal Form 706-NA 706NA and Part III of Florida Form F-706~~ is the amount of tax due Florida if all the United States property owned by the nonresident alien decedent was located in Florida. A portion of this credit is due Florida in Part III if other property is owned in other states by the nonresident alien decedent ~~in other states~~. There is no Florida limitation (other than the amount of the credit for state death taxes) on the total

amount of estate tax due Florida where some property is owned by the nonresident alien decedent in other states of the United States.

Specific Authority 198.08, 213.06(1) FS. Law Implemented 198.04 FS. History–New 12-13-94, Amended _____.

12C-3.008 Forms.

The following public-use forms and instructions are employed by the Department in its dealings with the public and are hereby adopted by reference. These forms are available by: 1) writing the Florida Department of Revenue, Forms Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Forms Distribution Center at (850)922-2208; or, 3) using a fax machine telephone handset to call the Department's automated Fax On Demand system at (850)922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or, 6) downloading selected forms from the Department's Internet site stated in the parentheses (http://sun6.dms.state.fl.us/dor/). Copies may be obtained by application to the Department of Revenue, Bureau of Tax Information and Media Services, P. O. Box 7443, Tallahassee, Florida 32399-7443.–

Form Number	Title	Effective Date
(1) DR-301	Preliminary Notice and Report (r. 07/99 05/93)	08/94
DR-302	Nontaxable Certificate and Receipt for Estate Tax (r. 07/90)	01/93
DR-304	Final Certificate for Estate Tax (r. 05/90)	01/93
DR-305	Certified Copy of Final Certificate (r. 07/90)	01/93
DR-306	Certified Copy of Nontaxable Certificate (r. 08/92)	01/93
DR-307	Preliminary Monthly Report (r. 08/92)	01/93
(2) DR-308	<u>Request and Certificate Application for Waiver and Release of Florida Estate Tax Lien (r. 01/00 09/82)</u>	01/93
DR-309	Certificate of Waiver and Release of Florida Estate Tax Lien (r. 08/92)	01/93
(3) DR-310	<u>Estate Tax Domicile Affidavit (r. 11/96 n. 04/94)</u>	08/94
DR-311	Notice of Proposed Estate Tax Assessment (n. 06/94)	08/94
(4) DR-312	<u>Affidavit of No Florida Estate Tax Due (for decedents dying on or after January 1, 2000) (n. 01/00)</u>	_____
(5) F-706	<u>Florida Estate Tax Return for Residents, Nonresidents and Nonresident Aliens (n. 01/00)</u>	_____

Specific Authority 198.08, 213.06(1) FS. Law Implemented 198.08 ~~120.52(1)(b)~~ FS. History–New 9-26-77, Formerly 12C-3.08, Amended 1-11-93, 8-25-94, _____.

12C-3.012 Releases.

A decedent's estate being probated in this state may request a release of certain property from the estate tax lien. A release will be issued under the following conditions:

(1) Estate of Resident Decedents –

(a) Filing of a Request an Application and Certificate for Waiver and Release of the Florida Estate Tax Lien (Form DR-308), together with:

1. through (b) No change.

(3) Waiver and Release of the Florida Estate Tax Lien.

When a release is requested, if it appears that a tentative tax or additional tax will be due this state on the basis of the information contained in the Request Application and Certificate for Waiver and Release of the Florida Estate Tax Lien (Form DR-308), the tentative tax as determined in subsections (1) or (2) of this rule may be required before the Request and Certificate for Waiver and Release is issued.

Specific Authority 198.08, 213.06(1) FS. Law Implemented 198.22 FS. History–New 8-25-94, Amended 12-13-94, _____.

12C-3.013 Protest Procedures.

The personal representative of an estate shall use the procedures contained in Rule 12-6.0033, F.A.C., to protest any billing issued to the estate by the Department.

~~(1) After receiving a billing notice issued by the Bureau of Returns Processing, the personal representative of the estate shall have 60 calendar days from the issuance of the billing notice to resolve the issue with the Revenue Examiner or Revenue Examiner's Supervisor. The personal representative may either call the Revenue Examiner at the number indicated on the billing notice or write the Chief, Bureau of Returns Processing, Department of Revenue, Building F, 5050 West Tennessee Street, Tallahassee, Florida 32399-0100. If the matter is not resolved at the end of the specified 60 calendar day period, the personal representative of the estate will be given an opportunity to request that a Notice of Proposed Estate Tax Assessment (Form DR-311), incorporated by reference in 12C-3.008, F.A.C., be issued. Alternatively, the personal representative of the estate may request a Notice of Proposed Estate Tax Assessment at any time if they wish to pursue other administrative or judicial remedies.~~

~~(2) Upon receipt of a request for a Notice of Proposed Estate Tax Assessment from the personal representative of the estate, the Department will issue the Notice of Proposed Estate Tax Assessment.~~

~~(3)(a) When a Notice of proposed Estate Tax Assessment is issued, the personal representative may secure further agency review by filing a written protest under the procedures provided for in Rule 12-6.003, F.A.C.~~

~~(b) Failure to timely file such written protest will result in the proposed assessment becoming final agency action pursuant to Rule 12-6.004(2)(a), F.A.C.~~

~~(4) Issues of domicile of the decedent shall be evaluated by the Department at any time, before or after, a decision under this rule is rendered.~~

~~Specific Authority 72.011, 120.53(1), 198.08, 213.06(1), 213.21(1)(a) FS. Law Implemented 72.011, 198.08, 213.21 FS. History—New 8-25-94, Amended~~

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLE: Assessment of Mobile Homes
RULE NO.: 12D-6.002

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-6.003, FAC., is to conform the rule to section 320.055, Florida Statutes, which was amended under chapter 99-248, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Mobile home sticker effective dates.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.
LAW IMPLEMENTED: 192.001, 192.011, 193.075, 213.05, 320.015, 320.08(11), 320.0815 FS.

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

TIME AND DATE: 10:00 a.m., August 17, 2000
PLACE: Room 116, Larson Building, 200 E. Gaines St., Tallahassee, Florida

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

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-6.002 Assessment of Mobile Homes.
(1) through (2) No change.

(3) Under sections 320.055(2) ~~and (3)~~, Florida Statutes, a mobile home sticker is effective considered to be current through the 31st day of December and is authorized to be renewed during the 31 days prior to expiration on December 31. A mobile home renewed during the renewal period is

effective from January 1 through December 31 January of the year following its issuance and therefore shall be considered to be current on January 1, as well.

(4) through (6) No change.

Cross references: Rule 12A-1.007(11), F.A.C.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 192.001, 192.011, 193.075, 213.05, 320.015, 320.055, 320.08(11), 320.0815 FS. History—New 10-12-76, Formerly 12D-6.02, Amended 2-17-93, 1-11-94, 12-27-94, 12-28-95, _____.

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLES: Educational Exemption
RULE NOS.: 12D-7.015

Exemption of Homes for the Aged 12D-7.017

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-7.015, F.A.C., is to implement the provisions of Chapter 2000-306, Laws of Florida, providing for an ad valorem property tax exemption for charter school facilities.

Rule 12D-7.017, F.A.C., is proposed for repeal as it is duplicative of the statutes and therefore unnecessary.

SUBJECT AREA TO BE ADDRESSED: 12D-7.015: Charter school facility ad valorem property tax exemption. 12D-7.017: Repeal.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.
LAW IMPLEMENTED: 196.012, 196.197, 196.1975, 196.198, 196.1983, 213.05, 402.26 FS.

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

TIME AND DATE: 10:00 a.m., August 17, 2000
PLACE: Room 116, Larson Building, 200 E. Gaines St., Tallahassee, Florida

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-7.015 Educational Exemption.
(1) through (3) No change.

(4) Facilities, or portions thereof, used to house a charter school which meet the qualifications for exemption are exempt from ad valorem taxation as provided under section 196.1983, Florida Statutes.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 196.012, 196.198, 196.1983, 213.05, 402.26 FS. History—New 10-12-76, Formerly 12D-7.15, Amended 12-30-97, 12-30-99, _____.

12D-7.017 Exemption of Homes for the Aged.

~~Before an exemption may be granted to an applicant as a home for the aged, the following requirements must be satisfied as of January 1 of the tax year for which the request for exemption from ad valorem taxation is sought:~~

~~(1) The home for the aged is serving a “charitable purpose” as defined by section 196.012(7), Florida Statutes;~~

~~(2) The home for the aged is non profit under the criteria of section 196.195, Florida Statutes. The home for the aged may be a corporation not for profit or a Florida limited partnership, the sole general partner of which is a corporation not for profit;~~

~~(3) The home for the aged is exempt from federal income taxation under section 501(c)(3) of the Internal Revenue Code of 1986.~~

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 196.197, 196.1975, 213.05 FS. History—New 10-12-76, Formerly 12D-7.17, Amended 10-11-77, 12-28-95, 12-30-99, Repealed.

DEPARTMENT OF REVENUE

Divison of Ad Valorem Tax

RULE TITLE: Submission of Computer Tape Material to the Department

RULE NO.: 12D-8.013

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-8.013, FAC., is to provide for coding in property tax data files/records that will flag data that is exempt from the public records law, Chapter 119, Florida Statutes, in order to ensure confidentiality of such data.

SUBJECT AREA TO BE ADDRESSED: Confidentiality codes in the Standard N.A.L. file.

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

LAW IMPLEMENTED: 195.027, 195.096, 213.05 FS.

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

TIME AND DATE: 10:00 a.m., August 17, 2000

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

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

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-8.013 Submission of Computer Tape Materials to the Department.

(1) through (5) No change.

(6) Record Layouts for STANDARD FILES. Property appraisers are not required to keep data in the standard file layouts for day-to-day operations. However, they are required to merge and/or reformat their existing files to the standard file layout as appropriate when submitting computer tape materials to the Department.

(a) The STANDARD N.A.L. File shall be formatted as follows:

1. Record length – 450 characters (fixed length).

2. Block length – 3600 characters (8 records per block).

3. The following is a listing of the STANDARD N.A.L. File and is contained in an example form, Form DR-590 (incorporated by reference in Rule 12D-16.002, F.A.C.).

Name, Address, Legal (N.A.L.) File						
Field	Location	Field				
No.	Field Label	First	Last	Size	Type	Comments
1	Unique Parcel No.	1	28	28	A/N	
	County No.	1	2	2	N	
	Parcel No.	3	28	26	A/N	Show 2 digit county code, local parcel number, and space fill the remaining digits to 28
2	Roll type	29	29	1	A	"R" for real
3	Roll year	30	31	2	N	

4	D.O.R. land use code	32	35	4		All numeric except for notes and header records	13	Square footage	89	97	9	N	Assume no decimal places for square feet
5	Special assessment code	36	36	1	N		14	Improved quality	98	100	3	A/N	
6	Total just value	37	45	9	N		15	Construction class	101	101	1	N	
7	Total assessed value	46	54	9	N	Classified use value, including homestead property, if applicable; otherwise just value	16	Filler	102	102	1	A	Space Fill
8	Total taxable value for operating purposes	55	63	9	N		17	Effective or actual year built of major improvement	103	106	4	N	
9	New construction value or deletion value	64	72	9	N	Signed field; negative value indicates deletion	18	Total living area (or adjusted area) or usable area if non-residential	107	113	7	N	
10	Land value	73	81	9	N	Classified use value of land, if applicable; otherwise just value of land	19	Number of buildings	114	115	2	N	
11	Land units code	82	82	1	N	Use land-unit-of-value code here	20	Market area	116	117	2	A/N	10 To 30 areas
12	Number of land units	83	88	6	N	Assume two decimal places for acreage	MOST RECENT SALE DATA (through field 26)						
							21	Transfer code	118	119	2	N	
							22	Vacant or improved code	120	120	1	A	"V" or "I"
							23	Sale price	121	129	9	N	
							24	Date of sale Year	130	133	4	N	
								Month	134	135	2	N	01 through 12
							25	O.R. Book	136	140	5	A/N	
							26	O.R. Page	141	144	4	A/N	

SECOND MOST RECENT SALE DATA (through field 33)						SOCIAL SECURITY NUMBERS (SSN) OF APPLICANT AND OTHER OWNER (THROUGH FIELD 45)							
27	Filler	145	146	2	A	Space Fill	42	Applicant's Status	356	356	1	A	Applicant's marital status H = Husb. W = Wife O = Other "H", "W", or "O"
28	Transfer code	147	148	2	N								
29	Vacant or improved code	149	149	1	A	"V" or "I"							
30	Sale price	150	158	9	N		43	Applicant's SSN	357	365	9	N	
31	Date of sale Year	159	164	6	N								
	Month	159	162	4	N		44	Co-Applicant's Status	366	366	1	A	Co-Applicant's marital status H = Husb. W = Wife O = Other "H", "W", or "O"
		163	164	2	N	01 through 12							
32	O.R. Book	165	169	5	A/N								
33	O.R. Page	170	173	4	A/N								
34	Stratum No.	174	175	2	N	Always "00"; will be assigned by D.O.R.	45	Co-Applicant's SSN	367	375	9	N	
35	Owner's name	176	205	30	A	Primary owner	46	Personal exemption flags	376	376	1	A/N	Use numeric "0" or "A" thru "Z"
36	Street address line 1	206	235	30	A/N	Mailing address of primary owner	47	Other exemption value	377	383	7	N	
37	Street address line 2	236	265	30	A/N		48	Amount of homestead exemption	384	388	5	N	
38	City	266	295	30	A/N		49	Amount of widow(er) exemption	389	393	5	N	
39	State or country	296	320	25	A/N		50	Amount of disabled exemption	394	400	7	N	
40	U.S. mail zip code	321	325	5	N		51	Amount of renewable energy exemption	401	407	7	N	
41	Short legal description	326	355	30	A/N	1st 30 characters							

52	Group Number/Confidentiality Code	408	409	2	N	First Character Always "0" Will be assigned by Department of Revenue
						For second character "0" Otherwise any confidential parcels should be indicated with code "1"
	Filler	408	409	2	A	Space fill
53	Neighborhood code	410	417	8	A/N	
54	Public land	418	418	1	A	
55	Taxing authority code	419	422	4	A/N	First two digits indicate municipality
56	Parcel location	423	431	9	A/N	
	Township	423	425	3	A/N	2 numeric, 1 alpha
	Range	426	428	3	A/N	2 numeric, 1 alpha
	Section or Grant No.	429	431	3	N	Right justify
57	Alternate key	432	444	13	A/N	
58	Tax Roll Sequence No.	445	450	6	N	Numbers shall be assigned in the order parcels appear on the assessment roll

(1) Field type legend:

A = Alphabetic
 A/N = Alphanumeric
 N = Numeric

(b) through (c) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 195.027, 195.096, 213.05 FS. History--New 12-7-76, Amended 7-17-80, 9-30-82, Formerly 12D-8.13, Amended 12-27-94, 12-31-98, _____

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLES: RULE NOS.:

Destruction of Twenty-Year-Old Tax Receipts 12D-13.010

Sale at Public Auction 12D-13.063

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-13.010, FAC., is to update the rule to reflect current technologies used for storing and retrieving data.

The purpose of the proposed amendment to Rule 12D-13.063, FAC., is to remove language mandating acceptable methods of payment to the clerk of the circuit court for tax deeds which methods are not statutorily required.

SUBJECT AREA TO BE ADDRESSED: 12D-13.010: Destruction of twenty-year-old tax receipts, record keeping medium. 12D-13.063: Methods of payment to clerks of the circuit court for tax deed sales.

SPECIFIC AUTHORITY: 195.002(2), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 28.24, 119.041, 119.09, 197.122, 197.202, 197.3632, 197.443, 197.502, 197.512, 197.522, 197.542, 197.562, 197.582, 213.05 FS.

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

TIME AND DATE: 10:00 a.m., August 17, 2000
 PLACE: Room 116, Larson Building, 200 E. Gaines St., Tallahassee, Florida

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

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-13.010 Destruction of Twenty-Year-Old Tax Receipts.

The collector may destroy tax receipts as they become 20 years old. He or she may also destroy receipts after they are one year old, provided they are microfilmed or microfiche. For purposes of this rule, microfilm and microfiche includes storage in digital electronic format. Microfilm or microfiche of tax receipts may be destroyed as they ~~it~~ becomes 20 years old. Approval must be obtained from the Department of State, Division of Library and Information Services before destruction of any tax receipts by the tax collector, regardless of age.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 119.041, 119.09, 197.202, 213.05 FS. History—New 6-18-85, Formerly 12D-13.10, Amended 12-13-92,_____.

12D-13.063 Sale at Public Auction.

(1) through (6) No change.

(7) It is recommended that ~~Payment to~~ the clerk of the circuit court accept payment shall be by certified check, cash, bank draft, or cashiers check. The clerk of the circuit court shall issue the tax deed immediately upon receipt of full payment. Full payment shall be the highest bid accepted by the clerk of the circuit court plus documentary stamps and recording costs. The deed shall be signed by the clerk of the circuit court, witnessed by two witnesses and the official seal shall be affixed. The tax deed shall be in the form prescribed by the Department of Revenue.

(8) through (9) No change.

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

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLE: Index to Forms

RULE NO.: 12D-16.002

PURPOSE AND EFFECT: The proposed amendments to Rule 12D-16.002, FAC., implement forms revisions created in Chapters 2000-262, 2000-223, 2000-306, Laws of Florida, and incorporate other technical changes made to forms.

SUBJECT AREA TO BE ADDRESSED: Forms revisions.

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

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

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-16.002 Index to Forms.

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

Form Number	Form Title	Effective Date
(2) DR-401	Freight Line and Equipment Companies Annual Report (r. 12/00 1/94)	12/00 12/94
(3)(a)	No change.	
(b) DR-403AC	Revised Recapitulation of the Ad Valorem Assessment Rolls (County Values) (r. 04/00 1/97)	12/00 12/97
(4)(a) DR-403AM	Revised Recapitulation of the Ad Valorem Assessment Rolls (Municipality Values) (r. 04/00 1/97)	12/00 12/97
(b) through (5) (a)	No change.	
(b) DR-403EB	Assessment Roll Exemption Breakdown (r. 04/00 3/90)	12/00 3/90
(6) through (21)(a)	No change.	

(b) DR-474 Notice of Proposed Property Taxes (r. ~~12/00~~ ~~1/95~~) 12/00 ~~12/94~~

(c) No change.

(d) DR-474N Notice of Proposed Property Taxes and Proposed or Adopted Non-Ad Valorem Assessments (r. ~~12/00~~ ~~06/98~~) 12/00 ~~12/98~~

(22)(a) DR-482 Application and Return for Agricultural Classification of Lands (r. ~~12/00~~ ~~12/99~~) 12/00 ~~1/00~~

(b) through (27) No change.

(28)(a) DR-489AC Preliminary Recapitulation of Ad Valorem Assessment Rolls – County (r. ~~04/00~~ ~~1/97~~) 12/00 ~~12/97~~

(b) DR-489AM Preliminary Recapitulation of Ad Valorem Assessment Rolls – Municipality (r. ~~04/00~~ ~~1/97~~) 12/00 ~~12/97~~

(c) DR-489EB Assessment Roll Exemption Breakdown (r. ~~04/00~~ ~~3/90~~) 12/00 ~~3/90~~

(d) No change.

(29)(a) DR-490 Notice of Disapproval of Application for Property Tax Exemption by the County Property Appraiser (r. ~~12/00~~ ~~12/99~~) 12/00 ~~1/00~~

(b) No change.

(30) through (34) No change.

(35) DR-500 Renewal Application for Homestead and Related Tax Exemptions (r. ~~12/00~~ ~~1/93~~) 12/00 ~~1/93~~

(36) through (37) No change.

(38)(a) DR-501 Original Application for Ad Valorem Tax Exemption (r. ~~12/00~~ ~~12/99~~) 12/00 ~~01/00~~

(b) through (c) No change.

(d) DR-501SC Sworn Statement of Adjusted Gross Income of Household and Return (r. ~~12/00~~ ~~n. 12/99~~) 12/00 ~~01/00~~

(39) No change.

(40)(a) DR-504 Ad Valorem Tax Exemption Application and Return (r. ~~12/00~~ ~~12/97~~) 12/00 ~~12/97~~

(b) through (46)(a) No change.

(b) DR-513 Tax Collector's Certification (r. ~~12/00~~ ~~3/99~~) 12/00 ~~1/00~~

(c) through (51)(a) No change.

(b) DR-534 Notice and Application for Alternative Payment of 19__ Property Taxes (r. ~~12/00~~ ~~12/96~~) 12/00 ~~12/96~~

(52) through (57) No change.

(58) DR-590 Standard Record Layout for Rule 12D-8 Name, Address and Legal (N.A.L.) File (Required format) (r. ~~12/00~~ ~~1/95~~) 12/00 ~~12/94~~

(59) through (61) No change.

(62) DR-594 Electronic Data Interchange TPP Return File Structure Form Tangible Personal Property Tax Return (n. ~~12/00~~) 12/00

(63) DR-599 Electronic Data Interchange Transfer Authorization and Agreement Form (n. ~~12/00~~) 12/00

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

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLES:	RULE NOS.:
Definition and Scope of the Rules	12D-16.010
Communication of Return Information in Electronic Format	12D-16.030
Taxpayer Information and Identity	12D-16.040
Acknowledgment to Taxpayer	12D-16.050
Uniform Format for All Counties	12D-16.060
Procedures for Transfer	12D-16.080
Due Date; General Provisions	12D-16.090
PURPOSE AND EFFECT: Proposed Rules	12D-16.010, 12D-16.030, 12D-16.040, 12D-16.050, 12D-16.060, 12D-16.080, 12D-16.090, FAC., are created to implement the

provisions of section 193.052, Florida Statutes, which require the Department of Revenue to provide, by rule, formats and instructions for filing tangible personal property tax returns through electronic data interchange (EDI) method.

SUBJECT AREA TO BE ADDRESSED: Electronic data interchange method of filing tangible personal property tax returns.

SPECIFIC AUTHORITY: 193.052, 213.06(1) FS.

LAW IMPLEMENTED: 193.047, 193.052, 193.062, 193.072, 193.073, 193.074 FS.

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

TIME AND DATE: 10:00 a.m., August 17, 2000

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kathy Henley, Revenue Program Administrator II, Department of Revenue, Property Tax Administration Program, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7952

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-16.010 Definition and Scope of the Rules.

These rules address the electronic data interchange (EDI) of tangible personal property return information. The scope of these rules is to provide for the format and instructions necessary for the return of information to the property appraiser by the taxpayer; to ensure that all property subject to ad valorem tax is properly listed by the taxpayer; to require a uniform format for the electronic transfer of return information used by any county which elects to accept the electronic returns; to require that the format of the electronic return replicates the Form DR-405 Tangible Personal Property Tax Return (incorporated by reference in Rule 12D-16.002, F.A.C.), as it is currently prescribed by the Department; to ensure that adequate safeguards for verification of taxpayers' identities are part of the EDI system; and to provide a standard of data transfer which ensures the confidentiality of information which is proprietary to the taxpayer. For the purposes of this rule chapter, the terms and phrases used in

these rules shall have the meanings prescribed in this section, unless a different meaning is clearly indicated by the context in which the term or phrase is used.

(1) "Acknowledgment" when used in reference to EDI means the verification code or receipt number generated by the EDI system, which may include or be a trace number, which confirms the successful received communication of return information or extension request.

(2) "Call-in period" means the specified time interval in each day during which EDI return information or extension request received by the data collection center will be date stamped as being received. The call-in period must be specified by the property appraiser; if the property appraiser does not specify otherwise on Form DR-599 Electronic Data Interchange Transfer Authorization and Agreement Form (incorporated by reference in Rule 12D-16.002, F.A.C.), the call-in period shall be a default of "24/7", meaning 24 hours each day, seven days a week, with allowance for necessary outages.

(3) "Data collection center" means any computer facility operated by the property appraiser or a third party vendor designated by the property appraiser who, under contract with the property appraiser, collects and processes electronic return information or extension requests from taxpayers.

(4) "Due date" means the latest date on which a return is required to be made by a taxpayer, including any extensions under section 193.062, F.S., unless context of rule indicates otherwise.

(5) "Electronic data interchange" or "EDI" means any transfer of taxpayer records in approved digital format, using suitable encryption technology to maintain confidentiality.

(6) "Electronic return filing" means the electronic transfer of return data or extension request generated by the taxpayer and transmitted to a data collection center.

(7) "Electronic return" or "electronic format" means a digital transfer of all information required by the Form DR-405, Tangible Personal Property Tax Return, as currently prescribed by the Department, or substitute forms of the Form DR-405 which have been approved by the Department.

(8) "Receipt number" means the verification code generated by the EDI system which acknowledges the received communication of return information or extension request.

(9) "Taxpayer security code" means a confidential authorization code, or password, assigned to each taxpayer which uniquely identifies the taxpayer and allows only the taxpayer, the taxpayer's fiduciary or authorized agent of the taxpayer to communicate return information or extension request to the data collection center. Taxpayer security codes assigned are part of the return, are confidential, and shall not be the same as the parcel or account identification number assigned by the property appraiser which are part of the public records.

(10) "Trace number" means the verification code generated by the EDI system which uniquely identifies the received communication of return information or extension request and can be used for later retrieval.

Specific Authority 193.052, 213.06(1) FS. Law Implemented 193.047, 193.052, 193.062, 193.072, 193.073, 193.074 FS. History--New

12D-16.030 Communication of Return Information in Electronic Format.

(1) Except as otherwise provided by this rule, any notice, return of information, application form, or completed application form that is required or permitted under this rule to be exchanged between a property appraiser and the taxpayer or between a property appraiser and an agent or fiduciary designated by the taxpayer may be delivered in an electronic format if the property appraiser and taxpayer agree to the terms specified under this rule.

(2) Taxpayers who participate in an EDI program implemented by the property appraiser shall use one of the following means of communicating return information or extension requests to the property appraiser.

(a) Computer-to-computer communication of information over a direct link to a data collection center maintained by the property appraiser.

(b) Communication of information indirectly through a third party data collection center having the ability to guarantee the confidentiality of taxpayer data and subject to the same confidentiality requirements as the property appraiser.

(3) This rule is not intended to prohibit the use of any direct method of electronic transfer of information which ensures that all tangible personal property required to be identified by the taxpayer is properly listed.

Specific Authority 193.052, 213.06(1) FS. Law Implemented 193.047, 193.052, 193.062, 193.072, 193.073, 193.074 FS. History--New

12D-16.040 Taxpayer Information and Identity.

(1) The property appraiser's EDI system may be a service provider identified by the property appraiser as the appropriate data collection center must be used by taxpayers who elect to submit electronic returns.

(2) The property appraiser will make available a notice to taxpayers and an Electronic Data Interchange Transfer Authorization and Agreement Form (DR-599, an official form incorporated by reference in Rule 12D-16.002, F.A.C.) to be used to remit electronic returns. When completed and filed, this form shall constitute part of the EDI return.

(3) The taxpayer must complete and sign the Form DR-599 and it must be received by the property appraiser by the date the property appraiser specifies using such form.

(a) The information required to be provided by the taxpayer on this form includes:

1. Business name;
2. Business mailing address;

3. Taxpayer's Federal Employer Identification Number or Social Security Number, whichever is most appropriate;

4. Contact person (title and telephone number);

5. Name and signature of person authorized to sign returns;

6. Name of any agent or fiduciary who returns property information on behalf of the taxpayer and the capacity under which the agent or fiduciary is acting.

(c) The form must specify the medium of communication to be used by the EDI system; the type of communication covered and the means for protecting the security of any electronically submitted information. The form may address other matters relevant to the method of communication between the property appraiser and the taxpayer. The form, together with EDI filings, shall constitute the return information of the taxpayer and shall be confidential.

(4) The property appraiser shall assign a confidential taxpayer security code directly to the taxpayer to be used by the taxpayer when communicating return information or extension requests to the data collection center. This number shall be provided to the taxpayer upon receipt of the Form DR-599, at the latest.

(5) Use of the EDI return method by a taxpayer will be conditioned upon the taxpayer's written agreement to provide return information to the data collection center as provided in these rules.

(6) The Form DR-599 will be in effect from year to year except as follows. The taxpayer may revoke the form where the taxpayer desires to discontinue EDI. The property appraiser may reserve the right to revoke the EDI return filing privilege of any taxpayer who: does not consistently transmit error-free information; substantially varies from the requirements and specifications of these rules; repeatedly failed to make timely return transfers; or, repeatedly fails to provide required data records with the EDI transfer. Additionally, the property appraiser shall have the right to revoke the EDI privilege for any reason he or she deems sufficient which jeopardize the integrity of the system.

Specific Authority 193.052, 213.06(1) FS. Law Implemented 193.047, 193.052, 193.062, 193.072, 193.073, 193.074 FS. History--New

12D-16.050 Acknowledgment to Taxpayer.

Methods by which the taxpayer will be provided with an acknowledgment may include, but are not limited to:

(1) Acknowledgment may be made at time EDI is received by the property appraiser, such that the property appraiser's EDI system sends an electronic confirmation number or trace number to the taxpayer after receipt of a successful transmission by the data collection center.

(2) The property appraiser may mail a paper acknowledgment to the taxpayer.

Specific Authority 193.052, 213.06(1) FS. Law Implemented 193.047, 193.052, 193.062, 193.072, 193.073, 193.074 FS. History--New

12D-16.060 Uniform Format for all Counties.

(1) The acceptable file structure of the return shall be as described in Electronic Data Interchange TPP Return File Structure Form (DR-594, an official form incorporated by reference in Rule 12D-16.002, F.A.C.), which is an electronic facsimile of Form DR-405. The property appraiser may accept data sent in another file structure approved by the department pursuant to s. 195.022, F.S., which may include a file structure specified in a format described in subsection (2) of this rule.

(2)(a) The property appraiser must accept data sent in flat file ASCII delimited format.

(b) The property appraiser may accept data sent in other formats agreed to by the property appraiser including, but not limited to, the transaction set for the return data described in the American Standards Committee x12 Group Transaction Set, Number 813, Electronic Filing of Tax Return Data, Version 4010, or later.

(3)(a) If the taxpayer has timely filed Form DR-599, the taxpayer may request an extension of the April 1 return due date by EDI. Any such request must be made by EDI to the data collection center by the date specified by the property appraiser. The request shall include the following information, in the following file structure, blanks delimited, in a format stated in subsection (2):

<u>Data Element:</u>	<u>Number of Characters</u>
<u>TIP number.</u>	<u>15</u>
<u>Tax ID number.</u>	<u>15</u>
<u>FEI Number.</u>	<u>15</u>
<u>Name.</u>	<u>40</u>
<u>Reason for any extension beyond 30 days.</u>	<u>400</u>

(b) The property appraiser shall provide confirmation on granting any extension from April 1 that exceeds 30 days.

Cross reference: Rule 12D-8.005, F.A.C.

Specific Authority 193.052, 213.06(1) FS. Law Implemented 193.047, 193.052, 193.062, 193.072, 193.073, 193.074 FS. History--New

12D-16.080 Procedures for Transfer.

(1) An acknowledgment will be issued at the conclusion of the successful transfer of EDI return information or extension request for each return or extension request filed. This number provides a means of verifying receipt of the successful transmission and serves as receipt for the delivery of the return or extension request. The property appraiser shall maintain either this number or a trace number as a record of the transfer, for later retrieval.

(2) Electronic transfers which are not received by the property appraiser on or before the due date of the return will constitute late returns and the applicable late filing penalties shall apply.

(3) If a taxpayer does not receive an acknowledgment, the return information or extension request shall not be considered filed.

Cross Reference: Rule 12D-8.005, F.A.C.

Specific Authority 193.052, 213.06(1) FS. Law Implemented 193.047, 193.052, 193.062, 193.072, 193.073, 193.074 FS. History--New

12D-16.090 Due Date: General Provisions.

(1) To be considered timely, taxpayers who remit return information through an EDI system must initiate the transfer so that the information is received on or before the due date of the return as specified under section 193.062, F.S. If the due date on which the taxpayer is required to complete an EDI return falls on a Saturday, Sunday, or official Federal or State holiday, the taxpayer must complete the transfer no later than the following business day in order for the return to be considered timely filed, or alternatively file a standard paper return.

(2) The EDI method of transfer does not change any current filing requirements for tax returns. If the EDI transfer is not timely made or the tax return required is not filed by the due date, the provisions for late filing penalties under section 196.062, F.S. shall apply, except as provided in these rules.

(3) The provisions of Rule 12D-8.005, F.A.C., shall govern the compromise and settlement of any penalty assessed due to the late filing of an electronically filed return after the due date.

Specific Authority 193.052, 213.06(1) FS. Law Implemented 193.047, 193.052, 193.062, 193.072, 193.073, 193.074 FS. History--New

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
Community Release Programs	33-601.602
Placement of Inmates into Community Release Programs	33-601.606

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify applicable definitions, update applicable forms, and establish relevant procedures. The effect is to provide and clarify definitions of terms applicable to community release programs and placement therein; update and provide relevant forms; establish procedures relating to community release and placement therein; and establish criteria for placement in and termination from community release programs.

SUBJECT AREA TO BE ADDRESSED: Community Release Programs.

SPECIFIC AUTHORITY: 945.091 FS.

LAW IMPLEMENTED: 945.091 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: Giselle Lylen Rivera, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.602 Community Release Programs.

~~(1) Purpose. This rule sets forth guidelines to be utilized in the extension of the limits of confinement, specifically the Community Release Programs.~~

~~(1)(2) Definitions.~~

~~(a) Community Release – Any program which allows inmates to work at paid employment or participate in education, training, or substance abuse treatment programs in a work release community ~~correctional~~ center, contract community work release facility, or community contract facility, or voluntarily work with a public or nonprofit agency in the community.~~

~~(b) Community Work Release – The community release program which allows inmates to work at paid employment in the community while continuing as inmates of the facility where they are confined.~~

~~(c) No change.~~

~~(d) Community Volunteer Service – An activity which allows inmates housed at a work release community ~~correctional~~ center or contract facility to voluntarily work with a governmental or nonprofit agency in the community.~~

~~(e) No change.~~

~~(f) Non-Advanceable Release Date – Those sentences in which the earliest release date can not be reduced by the application of discretionary gain time.~~

~~(g) Inmates – For purposes of this rule, the term “inmates” refers to adults and youthful offenders in the department’s custody.~~

~~(h) Center Work Assignment – Inmates assigned to community correctional centers to serve in a support capacity in the areas of maintenance, food service, and transportation and to provide services in the public works under the provisions of rule 33-601.202.~~

~~(i) Approving Authority – The term “approving authority” refers to the Secretary of the Department of Corrections, or his designee, who for the purpose of this rule shall be the select exempt status employee who has oversight responsibility of a community correctional center, or the Bureau Chief for Community Residential Programs.~~

~~(j) Correctional Officer Major – The chief correctional officer charged with the responsibility of the daily operation of a community correctional center.~~

~~(1)(k) Net earnings – Gross pay less withholding tax, social security deductions, and any legally required court ordered civil deductions.~~

~~(l) Extenuating circumstances – Factors identified in a particular case which suggest that, in spite of some indications to the contrary, an inmate has become a viable candidate for the community release program due to his or her overall adjustment.~~

(m) State Classification Office – a staff member at the central office level who is responsible for the review of inmate classification decisions. Duties include approving or rejecting Institutional Classification team (ICT) recommendations.

~~(3) Policy Statement.~~

~~(a) The department shall allow selected inmates to leave the principal places of their confinement for a prescribed period of time not accompanied by a custodial agent, by authorizing the placement of these inmates in community release programs.~~

~~(b) All rules and policies of the department apply to inmates in community release programs. The approving authority shall have authority to remove inmates from community release programs whenever the approving authority determines that removal is in the best interest of the safety and security of the public, the department, or the inmate.~~

~~(c) The decision as to which inmates shall be allowed to leave the principal places of their confinement shall be based upon criteria listed in (6) of this rule.~~

~~(d) Inmate participation in the community release programs shall be voluntary. Inmates who participate in the community release programs shall at all times be considered in the custody of the department.~~

~~(4) Objectives of Extending the Limits of Confinement. The objectives are to contribute to the total rehabilitation of the inmate by any of the following means:~~

~~(a) Ease the transition from incarceration into the community.~~

~~(b) Place the inmate in employment which may be retained after release.~~

~~(c) Contribute restitution to the victim of the inmate’s crime and pay any court ordered payments.~~

~~(d) Permit the inmate to contribute towards the inmate’s own support and the support of the inmate’s family, thus reducing costs to public agencies.~~

~~(e) Help determine the inmate’s readiness for release.~~

~~(f) Preserve and strengthen family and community ties.~~

~~(g) Permit the inmate to develop or maintain occupational skills.~~

~~(h) Participate in programs that will assist the inmate in becoming a law abiding and productive citizen upon release.~~

~~(5) Community Release Ineligibility Criteria. The following inmates shall be ineligible to participate in community release programs:~~

~~(a) Any inmate convicted of sexual battery pursuant to s. 794.011 F.S.;~~

~~(b) Any inmate convicted of escape pursuant to s. 945.092 F.S.~~

~~(c) Absent extenuating circumstances, the following inmates shall be ineligible to participate in community release programs:~~

1. Inmates who have been terminated from a community release program on their current commitment for a rule violation or disciplinary action. Inmates removed pursuant to 33-601.602(13)(c) shall be ineligible for return to a community release program unless they successfully complete recommended substance abuse programs or are deemed appropriate for return by the substance abuse or mental health counselor prior to successful completion of the program.

2. Inmates who are serving more than their third commitment to prison, including commitments in any other state or federal correctional agency, and who have been given the opportunity to participate in a community release program during a previous commitment.

3. Any inmate found guilty of a rule 33-601.314 4-1, violation for escape within the last 5 years.

(d) No inmate can participate in community work release, center work assignment or study release if he or she has ever refused to participate in Tier II, Tier III, or Tier IV programs, unless subsequently completing a comparable treatment program.

(6) Eligibility Criteria.

(a) Participation in community release programs is not a right, but a privilege which must be earned by the inmate.

(b) Inmates who are within the last 36 months of confinement are eligible for consideration for participation in the center work assignment, community Tier IV, study release program unless they are serving a sentence which includes a non-advanceable release date or a current commitment of 1st, 2nd, or 3rd degree murder or attempt; then they shall be considered for participation when within 15 months of their earliest release date.

(c) Inmates who are within the last 24 months of confinement will be considered for participation in the community work release program, (paid employment) unless serving a sentence which includes a non-advanceable release date, or a current commitment of 1st, 2nd, or 3rd degree murder or attempt; then they shall be within 12 months of their earliest release date.

(d) In addition to these requirements inmates must meet the following criteria:

1. The inmate is minimum custody;
2. The objectives specified in 33-601.602(4) will be served;
3. The best interests for the safety and security of the community and department will be served;
4. There is cause to believe that the inmate will honor the trust bestowed upon him or her;
5. The inmate has remained disciplinary report free for 90 days as outlined on form DC4-840.

(e) The department shall consider the following factors in assessing an inmate for community work release:

1. The inmate's overall adjustment to incarceration;

2. The inmate's attitude, behavior, and motivation towards successful re-entry into society;

3. Program participation by the inmate within the institution;

4. The length of time which remains to be served by the inmate prior to expiration of sentence;

5. Community safety given the inmate's arrest history;

6. Community safety given the circumstances of the inmate's current and prior convictions; and

7. Additional criteria as specified on Form DC4-840, Checklist for Transfers to Community Residential Facilities.

(f) Any inmate who has a detainer filed against him or her shall be ineligible for community release unless:

1. The detaining authority has, in writing, not objected to the inmate's placement and furlough participation in the program; or

2. It can be established that the detainer would be withdrawn upon the payment of restitution, fines, or court costs and it appears likely that the inmate will earn sufficient funds in order to pay the restitution, fines or court costs within the time frame that the inmate is participating in the program.

(g) Inmates shall serve at least 90 days with the Department of Corrections on their current commitments prior to placement in the community work release program.

(h) Priority will be given to those inmates with the least amount of time remaining to serve, providing all other considerations are equal.

(7) Requirements and General Considerations.

(a) Except as limited in this rule, the limits of confinement for community release will be extended in area and in time to the degree necessary to allow the inmate to travel to the community release destination, accomplish the purpose for which the release was authorized, and return to the facility. The limits will be specified in writing and the inmate will be advised of the limits prior to the community release.

(b) Community work release, study release or Community Tier IV approval will only be granted after initial recommendation by the inmate's facility, and final decision by the appropriate approving authority, based upon (6) of this rule. If the inmate is disapproved at the facility, or by the approving authority, the inmate shall be advised in writing the reason for the decision.

(c) A DC4-840 shall be completed on each inmate recommendation for community release, except that any inmate currently housed at a community correctional center or community based Tier IV facility in community work assignment or Tier IV status going to community work release status need not have a DC4-840 completed.

~~(d) Upon request, when an inmate is approved for community work release, the approving authority shall notify the state attorney, victim or personal representative of the victim of such approval within 30 days of the approval of the community release recommendation.~~

~~(2)(8) Inmate Conduct While On Community Release.~~

(a) During the inmate orientation process, inmates will be instructed of the following conduct requirements. Upon completion of the orientation program, the inmate shall be given a Certificate of Orientation, Form DC4-837. Form DC4-837 is incorporated in (16) of this rule.

1. through 10. No change.

(b) No change.

(c) Every inmate assigned to a community release facility shall immediately, upon arrival, sign a Letter of Notice, Form DC4-866, or the inmate shall be terminated from the program. The inmate shall be furnished a copy of the Letter of Notice and must agree to abide by the conditions of the Letter of Notice. Form DC4-866 is incorporated by reference in (16) of this rule.

(d) The work release community correctional center probation officer shall complete a Personalized Program Plan for Community Correctional Centers, Form DC4-838, on all inmates assigned to the work release community correctional center within 14 days of receipt of the inmate at the center. Form DC4-838 is incorporated by reference in (16) of this rule. The completed personalized program plan shall be signed by the inmate, the classification correctional probation officer and the correctional officer major. Once the personalized program plan is signed, it shall be given to the staff member assigned to work with the inmate. Any changes in the personalized program plan shall be discussed with the inmate and shall be documented on Form DC4-838A, Personalized Program Plan – Modification Plan. Form DC4-838A is incorporated by reference in (16) of this rule. The inmate's progress towards achieving the goals of the personalized program plan shall be reviewed bi-weekly with the inmate. The outcome of each review shall be documented on Form DC4-838B, Personalized Program Plan – Monthly Progress Review. Form DC4-838B is incorporated by reference in (16) of this rule. Staff are authorized to schedule subsequent progress reviews upon request of the inmate.

(e) When the inmate is ready for release a Transition Release Plan, Form DC4-838C, shall be completed in order to assist the inmate in his or her release plans. Form DC4-838C is incorporated in (16) of this rule.

~~(3)(9) Community Study Release.~~

(a) No change.

1. The inmate meets all criteria outlined in this rule and Rule 33-601.606;

2. ~~The objectives specified in 33-601.602(4) will be served;~~

~~2.3. The conditions regarding the financial assistance, placement and time constraints, and aptitude are satisfied;~~

~~3.4. If the inmate has detainers filed against him or her, the detaining authority must not object to the inmate's participation in the community study release program in writing; and;~~

~~4.5. The inmate has not been convicted of any murder, manslaughter, sexual battery, robbery, burglary, arson, aggravated assault, aggravated battery, kidnapping, escape, breaking and entering with attempt to commit a felony, aircraft piracy, or any attempt to commit the listed crimes if the program requires attendance at any state university or community college.~~

(b) through (f) No change.

(g) ~~The state classification office approving authority for community correctional centers~~ shall have the authority to approve all requests for Community Study Release, ensuring that the criteria specified in this rule are met.

~~(4)(10) Center Work Assignment (CWA).~~ Upon request of the inmate, the inmate shall be considered for placement in a center work assignment, providing:

(a) The inmate meets all criteria outlined in this rule and Rule 33-601.606;

~~(b) The objectives specified in 33-601.602(4) will be served;~~

~~(b)(e)~~ The inmate meets criteria specified on Form DC4-840, Checklist for Transfers to Work Release Centers, sections A and B. Form DC4-840 is incorporated by reference in (16) of this rule.

~~(5)(11) Community Tier IV.~~ Upon request of the inmate, they will be considered for placement in the community Tier IV program providing:

(a) through (b) No change.

~~(c) The objectives specified in 33-601.602(4) will be served.~~

~~(6)(12) Status Changes of Center Work Assignment, Community Tier IV, Or Paid Employment Status Inmates At Community Residential Facilities.~~ The approving authority shall have the authority to approve all status changes for inmates in the Community Release Program utilizing the criteria set forth in this rule and in Rule 33-601.606, and consistent with the safety and security of the public.

~~(13) Termination From Community Release:~~

~~(a) The approving authority shall consider and have the authority to terminate an inmate from community release if:~~

~~1. The approving authority, following placement of the inmate in a community release program, receives any information concerning the inmate which would impact adversely on the safety and security of the community;~~

~~2. The inmate engages in conduct that causes the approving authority to believe that the inmate will not honor the trust bestowed upon him or her;~~

3. The approving authority determines that it is not in the best interest of the safety and security of the public, the department or the inmate to continue the inmate in the program;

4. Based on actions and behavior, the inmate is not amenable to the status changes allowed in 33-601.602(12).

(b) Any time an inmate housed in a community release facility cannot be located, and a concerted effort has failed to locate the inmate, a BOLO (Be On the Lookout For) shall be requested and the inmate shall automatically be terminated from community release in the interest of public safety. Once located, the inmate shall be transferred to a secured facility. If, following investigation, it is determined that the inmate did not escape, as defined in s. 945.091(4), F.S., the approving authority for community correctional centers shall reinstate the inmate unless circumstances exist in which reinstatement would present a risk to security and public safety.

(c) Any inmate residing at a community release facility who tests positive for drugs or alcohol shall be immediately terminated from the program and placed into administrative confinement at a major institution. After the inmate is secured in confinement, the correctional officer major of the community facility shall ensure that the disciplinary process is initiated and completed.

(d) When an inmate is removed from a community residential program and placed in a secure facility, the inmate shall be terminated from the community release program.

(e) Upon the termination of an inmate from the community release program, reasons for the termination will be placed in the inmate's file and a copy of said reasons shall be forwarded to the Bureau of Community Residential Programs via electronic mail.

~~(7)(14)~~ Employment.

(a) through (e) No change.

(f) The prospective employer shall sign an Employer Work Release Agreement, Form DC4-826. Form DC4-826 is incorporated by reference in (16) of this rule. Inmates engaged in paid employment are not considered an employee of the state or the department while engaging in or traveling to and from such employment.

(g) through (h) No change.

(i) Facility personnel shall visit the inmate's place of employment for new employers within the first five working days to verify employment. Documentation of on-site employment verification shall be placed in the inmate's file by utilizing Form DC4-832, Employment Contacts. Form DC4-832 is incorporated by reference in (17) of this rule.

(j) through (l) No change.

~~(8)(15)~~ Clothing and Equipment.

(a) through (b) No change.

~~(9)(16)~~ Transportation.

(a) through (b) No change.

(c) In order to ensure that inmates are not working long distances from the center, the approving authority for community correctional centers shall establish maximum boundaries for employment sites by center geographic location. The maximum boundaries shall not exceed one hour travel time to the employment site from the facility unless an exception has been granted. Any exceptions must be reviewed and approved on a case by case basis by the approving authority for community correctional centers, who shall assess whether the rehabilitative benefit to the inmate outweighs risks to public safety. In making the assessment, the factors listed in 33-601.602(9)(16)(b) shall be taken into account.

~~(10)(17)~~ Disbursement of Earnings.

(a) through (g) No change.

(h) A work releasee who is receiving Worker's Compensation or sick pay shall pay subsistence fees commensurate with the rate set forth in subparagraph (d) (3) above based on the amount of compensation received, less any legally required payroll deductions.

(i) through (k) No change.

(l) Any requests for special withdrawal shall be completed on Form DC2-101, Special Withdrawal. Form DC2-101 is incorporated in (16) of this rule.

~~(11)(18)~~ Restitution.

(a) through (d) No change.

(e) Restitution requirements shall be recorded on Form DC4-803A, Monetary Reimbursement Agreement. Form DC4-803A is incorporated in (16) of this rule.

~~(12)(19)~~ Advance of Funds. The Department of Corrections is authorized to advance monies up to \$75.00 from the Inmate Welfare Fund for an inmate who needs money for clothing, equipment, tools, transportation or incidental expenses in order to begin working at paid employment. The financial plan for the disbursement of the inmate's earnings prepared, as provided in 33-601.602(10)(17) shall provide for the repayment of any such advancement of monies from the inmate's earnings. If the inmate's employment is terminated or if for any other reason the advancement of monies is not repaid from the inmate's earnings, the advancement of monies remains a personal obligation of the inmate and, after suitable proceedings to ensure due process, other sources of funds available to the inmate shall be taken to the extent possible to satisfy the advancement of monies. Any property the inmate has with the department shall be taken to satisfy the debt, provided that before any property is taken, the inmate shall be given a hearing before the classification team to determine the fact and the amount of the debt. The inmate shall be given 24 hours written notice of such hearing. The inmate shall be allowed to present relevant evidence and argument. All or part of the discharge gratuity as provided in Rule 33-601.502 shall be taken, but only if the Department of Corrections finds that such action will not jeopardize the inmate's ability to transition himself into the community.

~~(13)(20)~~ Citizen Committees. The correctional officer major of a work release community correctional center shall establish committees of volunteer citizens in the various communities of the state to assist the Department of Corrections by:

(a) through (e) No change.

~~(14)(21)~~ Program Facilities.

(a) No change.

(b) Inmates participating in the community release programs will be housed in a work release community correctional center or contract facility;

(c) No change.

~~(15)(22)~~ Records Required. The department shall keep a record of the following:

(a) through (d) No change.

~~(16)(23)~~ Forms. The following forms are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) DC2-101, Special Withdrawal Form, effective December 7, 1997.

(b) DC4-803A, Monetary Reimbursement Restitution Agreement, effective December 7, 1997.

(c) DC4-822, Center Work Assignment, effective December 7, 1997.

(d) DC4-826, Employer's Community Work Agreement, effective December 7, 1997.

(e) DC4-832, Employment Contacts, effective December 7, 1997.

(f) DC4-837, Certificate of Orientation, effective December 7, 1997.

(g) DC4-838, Personalized Program Plan for Work Release Centers, effective December 7, 1997.

(h) DC4-838A, Personalized Program Plan – Modification Plan, effective December 7, 1997.

(i) DC4-838B, Personalized Program Plan – Monthly Progress Review, effective December 7, 1997.

(j) DC4-838C, Transition Release Plan, effective December 7, 1997.

(k) ~~DC6-127~~ ~~DC4-840~~, Checklist for Transfers to Community Residential Facilities, effective December 7, 1997.

(l) DC4-866, Letter of Notice, effective December 7, 1997.

~~(m) DC4-874A, Inmate Driver Agreement, effective December 7, 1997.~~

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History--New 12-7-97, Amended 4-13-98, 10-20-98, Formerly 33-9.023, Amended

33-601.606 Placement of Inmates into Community Release Programs.

(1) Definitions.

(a) Center Work Assignment (CWA) – refers to an inmate assignment to a work release center to serve in a support capacity.

(b) Institutional Classification Team (ICT) refers to a team at the institutional level consisting of the warden or assistant warden, classification supervisor and chief of security who are responsible for making work, program, housing, and inmate status decisions at a facility and for making other recommendations to the state classification office.

(c) Pre-Work Release Transition Program refers to the department's 100-hour transitional skills program which prepares inmates for employment and re-entry into society prior to an inmate being assigned to work release. The program covers thirteen modules including goal setting, problem solving, social situations, emotional control, job hunting, pre-employment skills, keeping a job, money management, wellness, sexual responsibility and parenting, domestic violence, continuing education, special needs issues and community re-entry support. The program is provided by an OPS teacher position in conjunction with a local community college.

(d) State Classification Office (SCO) refers to a staff member at the central office level who is responsible for inmate classification decisions. Duties include approving or rejecting institutional classification team recommendations.

(e) Work Release refers to the community residential program for incarcerated inmates, which allows them to work at paid employment in the community while continuing as inmates of the facility where they are confined.

(2) Eligibility and Ineligibility Criteria.

(a) An inmate is ineligible for community release programs if he has:

1. Current or prior convictions for sexual battery covered in s. 794.011, F.S.

2. Current or prior convictions for escape covered by s. 945.092, F.S. or had a disciplinary report for escape within the last five years.

3. Been terminated from work release, community-based residential substance abuse program or center work assignment for disciplinary reasons during his current commitment.

4. Been incarcerated four or more times in any state or federal correctional facility.

5. Refused to complete substance programs Tier II, III, or IV.

6. A felony detainer.

7. A misdemeanor detainer, unless it can be established by the inmate's classification officer that the detainer would be withdrawn upon payment of restitution, fines or court ordered obligations and it appears that the inmate will earn sufficient funds to pay the obligation that has caused the detainer.

(b) In order to be eligible for community release programs an inmate must:

1. Be in minimum custody.

2. Be in Department of Corrections custody for 90 days prior to placement.

3. Be disciplinary report free for at least 90 days prior to placement.

4. Be within 18 months of his earliest release date if the inmate is earning discretionary gain time, or be within 12 months of his earliest non-advanceable release date for CWA or community based residential substance abuse program.

5. Be within 12 months of his earliest release date if the inmate is earning discretionary gain time or be within 7 months of his earliest non-advanceable release date for work release, or pre-work release programs.

(3) Reasons For Removal From CWA, Work Release and Community-Based Residential Substance Abuse Programs.

(a) The inmate violates any laws, rules or procedures or tests positive for drugs or alcohol.

(b) Any information is received concerning the inmate that is determined will adversely impact on the safety and security of the inmate, department, or the community.

(c) There is reason to believe that the inmate will not honor the trust bestowed upon him.

(4) Process for Removal from CWA, Work Release, and Community Based Residential Substance Abuse Programs.

(a) When an inmate is removed from CWA, work release or a community based residential substance abuse program and placed in a secure facility, the inmate shall be terminated from the program.

(b) Upon the termination of an inmate from CWA, work release, or a community based residential substance abuse program, the Termination Report, Form EF6-009 will be given to the ICT who shall approve or disapprove the termination. Form EF6-009 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(c) If disapproved, the inmate shall be reinstated to his previous work release status by the ICT. If the ICT determines that there is a need to transfer the inmate to a different work release facility, the ICT shall forward the request to the SCO for approval.

(d) If approved by the ICT, the termination shall be forwarded to the SCO who shall approve or disapprove the termination.

(e) If disapproved by the SCO, the SCO shall ensure that the inmate is returned to his or her previous work release status.

(5) Escape From CWA, Work Release Or Community Based Residential Substance Abuse Program.

(a) Any time an inmate cannot be located at his authorized location, a BOLO (Be On the Lookout For)/Warrant shall be requested and the inmate's assignment shall be terminated in the interest of public safety.

(b) Once located, the inmate shall be transferred to a secure facility.

(c) If, following investigation, it is determined that the inmate did not escape, as defined in s. 945.091(4), F.S., procedures as outlined in Rule 33-601.606(4) shall be followed in order to reinstate the inmate to work release.

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History--New _____

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
Inmate Visiting – Definitions	33-601.713
Inmate Visiting – General	33-601.714
Visiting Application Initiation Process	33-601.715
Visiting Record Management	33-601.716
Visiting Denial	33-601.717
Review of Request for Visiting Privileges	33-601.718
Visiting by Former and Current Department and Contractor Employees	33-601.719
Sex Offender Visiting Restrictions	33-601.720
Visiting Operations	33-601.721
Visiting Schedule	33-601.722
Visiting Check-In Procedures	33-601.723
Visiting Attire	33-601.724
Permissible Items for Visitors	33-601.725
Visitor Searches	33-601.726
Visitor Conduct	33-601.727
Inmate Visiting Appearance, Search, and Conduct	33-601.728
Termination of Visits	33-601.729
Visiting Check-Out Procedures	33-601.730
Suspension of Visiting Privileges	33-601.731
Reinstatement of Suspended Visiting Privileges	33-601.732
Visiting – Special Status Inmates	33-601.733
Visiting – Close Management Inmates	33-601.734
Visiting – Disciplinary Confinement, Protective Management, and Administrative Confinement	33-601.735
Non-Contact Visiting	33-601.736
Special Visits	33-601.737
Visiting – Forms	33-601.738

PURPOSE AND EFFECT: The purpose of the proposed rules is to provide definitions for terms and forms applicable to visiting, to establish procedures relating to visiting. The effect

is to: define applicable terms; provide applicable forms; establish the duties of Department staff with regard to visiting, visiting procedures, visitors and visiting records; to establish procedures for visiting applications, entry and exit into facilities, and visiting schedules; establish criteria for denial of visiting; and to establish guidelines for eligibility of visitors and inmates with regard to status, attire, conduct and permissible items.

SUBJECT AREA TO BE ADDRESSED: Visiting.

SPECIFIC AUTHORITY: 20.315, 944.09, 944.115, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.115, 944.23, 944.8031 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.701 Visiting – Authority of the Secretary.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 10-8-76, Formerly 33-5.01, Amended 6-20-85, 5-13-87, 3-8-98, Formerly 33-5.001, Repealed.

33-601.702 Posting of Visiting Policies.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History–New 10-8-76, Formerly 33-5.02, Amended 6-20-85, 3-8-98, Formerly 33-5.002, Repealed.

33-601.703 Visiting Records.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History–New 10-8-76, Formerly 33-5.03, Formerly 33-5.003, Repealed.

33-601.704 Visiting – Inmates in Special Status.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 10-8-76, Formerly 33-5.04, Amended 6-20-85, 3-8-98, 10-7-98, Formerly 33-5.004, Repealed.

33-601.705 Refusal of Visit by Inmate.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History–New 10-8-76, Formerly 33-5.05, Amended 6-20-85, 3-8-98, Formerly 33-5.005, Repealed.

33-601.706 Inmate's Visitors List.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 10-8-76, Formerly 33-5.06, Amended 10-6-83, 6-20-85, 3-12-86, 9-6-93, 3-8-98, Formerly 33-5.006, Repealed.

33-601.707 Visiting Denial.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 10-8-76, Formerly 33-5.07, Amended 10-6-83, 6-20-85, 3-12-86, 1-28-98, 3-8-98, Formerly 33-5.007, Repealed.

33-601.708 Visiting Procedures and Conditions.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 386.204, 386.205, 944.09, 944.23 FS. History–New 10-8-76, Amended 10-6-83, 6-20-85, Formerly 33-5.08, Amended 3-12-86, 4-16-95, 3-8-98, 6-29-98, Formerly 33-5.008, Repealed.

33-601.709 Non-Contact Visiting.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 6-15-98, Formerly 33-5.0081, Repealed.

33-601.710 Special Visits.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History–New 10-6-83, Formerly 33-5.10, Amended 6-20-85, 3-12-86, 3-8-98, Formerly 33-5.010, Repealed.

33-601.713 Inmate Visiting – Definitions.

(1) “Authorized Adult” refers to an approved visitor eighteen years or older who has notarized authorization to escort a minor and represent the minor’s parent or legal guardian should the minor need to be questioned or searched for visiting purposes.

(2) “Automated Visiting Record (AVR)” refers to a computer subsystem of the Offender Based Information System (OBIS) that automates visitor facility entry and exit.

(3) “Central Visiting Authority (CVA)” refers to the section within the Bureau of Classification and Central Records responsible for the management of inmate visiting procedures, visiting records, and fact-based decisions on visiting requests.

(4) “Emancipated Minor” refers to a visitor seventeen years of age or younger who furnishes written proof of emancipation and attaches a copy to the Request for Visiting Privileges, Form DC6-111A. Form DC6-111A is incorporated by reference in Rule 33-601.738.

(5) “Institutional Classification Team (ICT)” refers to the team responsible for making local classification decisions as defined in rule and procedure. The ICT shall be comprised of the warden or assistant warden who shall serve as chairperson, classification supervisor, chief of security, and other members as necessary when appointed by the warden or designated by rule.

(6) “Immediate Family” refers to an inmate’s spouse, children, parents, brothers, sisters, grandparents, great grandparents, grandchildren, stepbrothers, stepsisters, stepparents, foster parents, stepchildren, half brothers, half sisters, brothers-in-law, sisters-in-law, mothers-in-law, fathers-in-law, and sons and daughters in law.

(7) “Minor” refers to any visitor seventeen years of age or younger who must visit in the company of a parent, legal guardian, or authorized adult who is an approved visitor.

(8) “Non-Contact Visiting” at authorized institutions refers to visual visiting where a structural barrier is used to prevent the inmate and visitor from any form of physical contact, but allows verbal communication.

(9) “Suspension” refers to the suspension of visiting privileges for an inmate or visitor, to include the current and any future incarcerations.

(10) “Regular Visit” refers to any approved visit between an inmate and any persons on the inmate’s visiting record that occurs on scheduled visiting days and hours.

(11) “Approved Visitor” refers to any person who is approved by the CVA to visit an inmate and whose approval is documented in the inmate visiting record.

(12) “Request for Visiting Privileges” refers to Form DC6-111A, which must be fully completed by all prospective visitors twelve years of age and older and forwarded to the CVA for resolution.

(13) “Scheduled Visiting Days” refers to the specific days and times an inmate is authorized to visit. This is normally Saturday and Sunday, from 9:00 AM until 3:00 PM, Eastern Standard Time (8:00 AM – 2:00 PM Central Standard Time).

(14) “Special Status Inmate” refers to an inmate who is not in the general population but is in a special classification status as outlined in 33-601.733 that shall prohibit or restrict visiting based upon the status.

(15) “Special Visit” refers to an authorized visit on a day, at a time or for a duration of time other than an inmate’s regularly scheduled visiting days, or with a person not listed in the inmate’s approved visiting record.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.714 Inmate Visiting – General.

(1) Inmate visiting is a privilege, not a guaranteed right of either the inmate or the visitor. Inmates are not assigned to specific institutions solely for the convenience of visiting privileges.

(2) All visitors are subject to Department rules, procedures, technical instructions and restrictions imposed as a condition of admittance and the directions of institutional staff while on institutional grounds.

(3) The warden, assistant warden, or duty warden is authorized to deny or terminate a visit if any of its aspects are disruptive or violate rules, procedures, instructions, restrictions, orders, or directions. Any violation shall subject the visitor to suspension of visiting privileges by the CVA and the inmate to disciplinary action.

(4) Positioning of Policies.

(a) To ensure that all visitors are aware of s. 944.47, F.S., governing contraband, the warden shall post the statute in a conspicuous place at the entrance to the institution or facility.

(b) The warden shall display the visiting rule, procedures, and any technical instructions in a manner that allows visitors to read them before they begin the institutional visiting entry process.

(5) The CVA shall publish a departmental visitor’s information handbook that shall include statutes, rules, procedures, and instructions relating to visiting. The warden shall ensure that a new visitor receives a copy of the handbook. These handbooks are not authorized in the visiting area.

(6) Inmates shall be allowed to file grievances regarding those requests for visiting privileges that are disapproved or suspended by the CVA. Grievances concerning CVA actions shall be filed directly with the Office of the Secretary, bypassing the informal grievance step and the formal grievance filed at the institutional level. Grievances concerning institutional actions shall not be filed directly with the Secretary.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.715 Visiting Application Initiation Process.

(1) During the reception process, classification staff shall develop and maintain a computerized list of the inmate’s immediate family members for placement on the automated visiting record. Placement of a name on the automated visiting record in and of itself is not approval to visit.

(2) The inmate shall be given up to fifteen copies of the Request for Visiting Privileges, Form DC6-111A, and Visitor Information Summary, Form DC6-111B, within 24 hours after arrival. Form DC6-111B is incorporated by reference in Rule 33-601.738. The inmate shall be responsible for sending the forms to each family member or friend twelve years of age or older, whom the inmate wishes to be placed in his or her approved visiting record. Minors eleven years of age and younger are not required to submit a Request for Visiting Privileges, Form DC6-111B.

(a) Only visitors approved pursuant to rule 33-601.718 shall be allowed to visit.

(b) The prospective visitor shall be required to complete a Form DC6-111A, Request for Visiting Privileges, by filling in each line or inserting “NA” (not applicable) where appropriate.

(c) The applicant shall provide a social security number for identification purposes for obtaining the visitor’s criminal history and to be used as the identification number for the automated visiting record.

1. Failure to provide a social security number shall result in denial of the visiting request.

2. As part of the automated visiting record, the social security number may become public record.

(3) The CVA shall conduct criminal history background checks on all applicants 18 years of age or older requesting visiting privileges. A criminal history background check shall be conducted on an applicant 17 years old or younger if information on the application indicates that it is prudent to do so.

(4) Upon transfer to a permanent institution or facility, each inmate shall be provided with a visitor information letter containing visiting information specific to that institution or facility to be mailed, at the inmate's expense, to each approved visitor.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New

33-601.716 Visiting Record Management.

(1) The CVA shall develop and maintain computerized inmate-visiting records.

(2) Department staff shall document all requests for visits, recommendations of the warden or the ICT, decisions made with regard to visiting and pertinent comments on the automated visiting record.

(3) No more than fifteen people, twelve years of age or older, including family and non-family members, are allowed on an inmate's visiting record.

(4) Inmates shall be permitted to remove or request to add visitors to their inmate visiting records by completing a Remove/Add Visitor Request, Form DC6-111C, provided by institutional classification staff. Form DC6-111C is incorporated by reference in rule 33-601.738. Additions to the visiting record shall be allowed at any time, up to the limit of fifteen approved visitors. Deletions shall only be permitted every six months.

(5) A person who requests placement on an inmate's visiting record shall be referred to the inmate concerned.

(6) A visitor shall not be permitted to be on more than one inmate's visiting record unless they are immediate family members.

(7) A visitor shall be on only one non-immediate family member inmate's visiting record.

(8) An approved visitor who is on the visiting list of an immediate family member inmate and a non-immediate family member inmate may visit only one inmate on the same day.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New

33-601.717 Visiting Denial.

(1) Visitors shall not be denied visiting because of disability, race, creed, color, or national origin of the inmate or visitor. Visits shall not be denied based on the ideas or opinions held or expressed by the inmate or visitor or for any reason unrelated to security, good order, or rehabilitative objectives of the institution.

(2) The CVA shall have authority to refuse to approve visiting for applicants with prior negative visiting behavior based on the security threat to the institution, nature of the behavior, and the elapsed time since the incident. Denial of visiting shall be permanent if the prospective visitor was involved in, or assisted in, an escape or attempted escape from any correctional facility.

(3) Visiting shall be denied if the visitor advocates or has advocated violence or the violation of any law or rule or is a danger to the security and good order of the institution.

(4) Visiting shall be denied during a declared emergency.

(5) Any person shall be subject to denial of permission to visit based upon the following criteria:

(a) The introduction or attempted introduction of contraband into any facility;

(b) Assisting or attempting to assist an escape or escape attempt from any facility;

(c) The nature and extent of the individual's criminal record, consideration of which includes:

1. Felony convictions, withholds of adjudication and criminal history dispositions in any jurisdiction. If the disposition of a felony arrest is not reflected, the disposition shall not be ascertained prior to completion of the review of the visiting request unless circumstances suggest additional clarification is prudent;

2. Community supervision and prior incarceration in any jurisdiction.

3. Former department employment, contract employment or volunteer work with a documented history that raises security concerns;

4. Commission of serious or repeated violations of departmental rules or procedures during a previous visit within the past five years;

5. Either the inmate or potential visitor gave false or misleading information to obtain visiting privileges within the past five years;

6. The individual is a victim of an inmate's current or prior offense with consideration of the nature of the inmate's offense, the extent of the victimization and the relationship of the victim to the inmate;

7. The individual is a co-defendant of the inmate in a current or prior offense;

8. Other factors related to the security, order or effective management of the institution.

(6) The inmate's immediate family members shall be subject to denial of visiting based on the following:

(a) The potential visitor's criminal conviction or rule violation history or a reasonable suspicion supported by specific, objective facts that suggest the visit would further criminal activity or rule violations.

(b) The family member is a victim of the inmate's current or prior offense, or

(c) The family member is a co-defendant in the inmate's current or prior offense.

(7) A department volunteer or intern shall not be approved for visiting at an institution or facility to which he or she is assigned. Following termination or assignment to another facility, visitation at the former institution or facility shall not occur until twelve months have elapsed.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.718 Review of Request for Visiting Privileges.

(1) In approving or disapproving visiting privileges, CVA staff shall review the Request for Visiting Privileges, Form DC6-111A, and shall consider all factors related to the security, order or effective management of the institution.

(a) Prior criminal records shall not automatically result in disapproval of visiting. The nature, extent, and recentness of the criminal convictions combined with the person's relationship to the inmate shall affect approval or disapproval.

(b) CVA staff shall evaluate a person's criminal history and visiting background using the CVA Visitor Screening Matrix, Form DC6-111D, to consider whether the applicant:

1. Has prior felony convictions;
2. Has prior incarcerations, probation, parole, community control, or other forms of community supervision;
3. Has been convicted of any new felony convictions within five years of release from incarceration.
4. Is under community supervision for minimum of one year and additionally:
 - a. Complies with all conditions of supervision, and
 - b. Submits a written authorization of the supervising correctional probation officer with the Request for Visiting Privileges;
5. Has a history of past negative department visiting behavior; and
6. Other factors such as security threat group involvement or ex-employee status.

(c) Form DC6-111D is incorporated by reference in Rule 33-601.738.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.719 Visiting By Former and Current Department and Contractor Employees.

(1) Former Department and Contractor Employees. The CVA shall consider approving former department employees and former employees of a contractor who was under contract with the department for visiting privileges under the following circumstances:

- (a) Employment termination is more than twelve months;
- (b) During employment the applicant did not have a documented incident of any of the following:
 1. Revealing or discussing security plans or procedures with inmates,
 2. Security breaches or rule violations,
 3. A personal relationship with an offender,
 4. Problems which affected the security, order or effective management of the institution, or
 5. Leaving employment under adverse conditions.

(c) Visiting shall not occur in the facility where the visitor was employed, unless five years have elapsed since the applicant left employment.

(2) Current Department and Contractor Employees. The CVA shall consider approving current department employees and employees of a contractor currently under contract with the department for visiting privileges under the following conditions:

(a) The employee is a member of the inmate's immediate family;

(b) The employee has not violated the conditions stipulated in (1) of this rule;

(c) The employing warden, warden of the institution housing the inmate to be visited, circuit administrator (community corrections Staff), regional director (regional office staff), and Director of Institutions (central office staff), have approved the visit in writing.

(d) Visiting shall not occur in the facility where the visitor is employed.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.720 Sex Offender Visiting Restrictions.

(1) An inmate shall not be authorized to visit with any person seventeen years of age or younger:

(a) If the inmate has a current or prior conviction under:

1. Chapter 794, F.S. – sexual battery,
2. Chapter 800, F.S. – lewdness; indecent exposure,
3. Chapter 827, F.S. – abuse of children,
4. Chapter 847, F.S. – obscene literature; profanity, or

(b) The offense reveals that the inmate committed or attempted to commit aggravated child abuse or attempted to commit a sex act on or in the presence of, or against a person fifteen years old or younger.

(c) A plea of nolo contendere followed by a withhold of adjudication does not constitute a conviction under s. 944.09(1)(n), F.S.

(d) Current and prior convictions from other jurisdictions comparable to the offenses listed above, also serve as a basis for imposing visiting restrictions.

(e) Only the judge who issued an order imposing visitation restrictions may modify those restrictions.

(2) A warden, with a recommendation from the CVA supervisor, is authorized to approve a visit between a minor who is accompanied by an authorized adult and an inmate who meets the criteria in (1) above if visiting is not restricted by court order and the warden determines the visit to be in the minor's best interest. Factors to be considered are:

(a) A request for consideration from a professional certified or licensed counselor, from the community, acting in the interest of the minor, or an evaluation by the counselor of the impact on the minor of such visits or the lack of visits,

(b) The duration and frequency of prior visits without adverse incidents.

(c) A psychological evaluation of the inmate as to the danger presented to the minor and any continuing issues regarding visits with the minor.

(d) The availability of non-contact visiting facilities at the institution, and

(e) Other factors related to the safety and best interest of the minor.

(3) The warden shall provide documentation required in 33-601.720(2) above to the CVA supervisor who shall recommend approval or denial to the warden.

(4) The warden, with a recommendation from the CVA supervisor, is authorized to modify the visiting status if factors materially affecting the visiting privilege decision change. Modification of privileges and court modifications of previously imposed visiting restrictions shall be documented in the AVR by institutional staff.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.721 Visiting Operations.

(1) Each institution shall provide a visiting area that facilitates both indoor and outside visiting and is adequately staffed to maintain security and safety.

(2) Staff shall conduct a comprehensive contraband search of the visiting area and the visitor parking lot before and after visiting.

(3) Inmates shall be required to conduct visits in a separately designated visiting area as determined by the warden, assistant warden, or duty warden when visiting in the regular visiting area poses a threat to security, safety, or good order of the institution or any person.

(4) Wardens shall require non-contact visits when a contact visit poses a threat to security or good order of the institution.

(5) Smoking shall be permitted only in an outdoor smoking area designated by the warden.

(6) Staff shall minimize interaction with the inmate or their visitors unless the inmates or visitors are violating rules or procedures or are being disruptive.

(7) All visiting area staff shall participate in a minimum of four hours of annual training specific to operations of the visiting park and visiting in general.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.722 Visiting Schedule.

(1) Regular visitors shall be allowed to visit between 9:00 AM and 3:00 PM Eastern Standard Time (EST) – 8:00 AM and 2:00 PM Central Standard Time CST each Saturday and Sunday.

(a) Institutions shall initiate the visiting registration process at 8:15 AM EST and 7:15 AM CST.

(b) Visitors shall not be processed after 2:00 PM EST and 1:00 PM CST.

(c) Regular visiting shall occur when the holidays of July Fourth, Thanksgiving Day, and Christmas Day fall on a weekday.

(2) Where unusual circumstances occur, the warden shall be authorized to allow an inmate additional visiting hours for a regular or special visitor. The exception will be based on such factors as great travel distance or infrequency of visits.

(3) The warden shall request exceptions to regular visiting days, hours, and numbers of visitors when facilities are limited based on fire safety standards for capacity. The secretary shall approve or disapprove the request for exception.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.723 Visiting Check-In Procedures.

(1) Only five approved visitors, 12 years of age or older, at any time may visit an inmate in the visiting area. Children 11 years old and younger do not count against the five approved visitors.

(2) A visitor's initial check-in shall take place in a location that minimizes weather exposure and provides restrooms.

(3) Visitors shall be required to register for visiting through the automated visiting record. The failure to do so or providing false information shall result in denial or termination of the visit and suspension of visiting privileges.

(4) All visitors twelve years of age or older must present a valid form of picture identification for visiting registration. Acceptable forms of identification are identification cards that contain a photograph, current address, and date of birth and physical characteristics of the individual.

(5) A visitor seventeen years old or younger who cannot furnish proof of emancipation must be accompanied during a visit by an approved parent, legal guardian, or authorized adult and must remain under the supervision of that adult at all times. An authorized non-parental adult accompanying a visiting minor must provide a notarized document of guardianship.

(6) Upon completion of visitor registration, the approved visitors shall exchange his or her valid identification for a numbered visitor's badge.

(a) Visitors shall not exchange the issued numbered badge with any non-Department of Corrections personnel.

(b) An ultra-violent hand stamp will be used as a secondary method of visitor verification. The stamp will be applied and viewed at registration.

(7) Should a visitor find it necessary to leave the visiting park prior to completion of the visit, the visitor shall not depart until institutional staff have verified the identity of the visitor and the presence and location of the inmate being visited. The

visitor will not be allowed reentry unless approved by the shift supervisor or the duty warden. If reentry is approved, the visitor will proceed through the check-in procedure as required in this rule.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.724 Visitor Attire.

Persons desiring to visit shall be fully clothed including shoes. Small hats such as baseball caps, religious coverings, or surgical caps are permissible attire. Visitors shall not be admitted to the visiting area if they are dressed in revealing attire. The warden, assistant warden or duty warden shall be the final decision authority and shall assist in resolving inappropriate attire situations. Inappropriate attire includes:

- (1) Halter tops or other bra-less attire.
- (2) Underwear type tee shirts.
- (3) Tank tops.
- (4) Fish net shirts.
- (5) Skin tight clothing or spandex clothing.
- (6) Clothes made with see-through fabric unless a non-see-through garment is worn underneath.
- (7) Dresses, skirts, or Bermuda-length shorts more than three inches above the knee, or
- (8) Any article of clothing with a picture or language which presents a potential threat to the security or order of the institution.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.725 Permissible Items for Visitors.

(1) Visitors shall be allowed to bring only authorized items listed into any department facility. Entry shall be denied if the visitor attempts to enter the institution or facility while possessing any unauthorized item or any authorized item in more than the approved amounts. Authorized items include:

(a) One unopened pack of cigarettes and one lighter (bic-type lighters and matches are prohibited); however, smoking materials are not permitted if a designated outside smoking area is not available.

(b) A vehicle key.

(c) Up to \$25.00, in \$1.00 and \$5.00 denominations only, per visitor, regardless of age, to purchase snacks and beverages from visiting park canteens or vending machines. All snacks and beverages shall be purchased and consumed in the visiting area.

(d) One numbered visitor's badge;

(e) Prescription medications. The department reserves the right to prohibit individuals from bringing any medication into the facility that may pose a threat to the inmate population or institutional security. A visitor requiring medical injections must leave the institution for such purposes, but shall be allowed to return. The visitor shall not be allowed to bring

needles or syringes into any department facility or leave them on the grounds of any department institution facility under any circumstances.

1. Visitors taking prescription medications are allowed only the dosage necessary for the visiting period.

2. Each prescription medication brought into any institution or facility must be in its original prescribed container. The use of one container for different types of medication will not be allowed.

3. Each container must have a clearly readable prescription label that shows:

a. The type of medication,

b. The dosage requirements, and

c. The individual's name for whom the medication was prescribed.

(f) Feminine hygiene items enclosed in the original individual wrapping may be carried into the visiting park in a small pouch or bag.

(g) Hairbrush and comb.

(h) Visitors with authorized infants and small children shall be allowed to bring in:

1. Five diapers, three clear plastic baby bottles or two sippy cups for toddlers, and three clear jars of baby food with the original seal intact;

2. Baby wipes or towelettes, provided they are in a clear plastic bag;

3. An infant or baby carrier for each infant. Baby carriers are subject to search before entry into the institution and visitors shall be required to remove the infant from each carrier during the search.

4. One set of infant clothing.

(2) A visitor who brings any item not listed above that is not considered contraband or illegal, or who brings more than the permissible amounts of authorized items, shall be required to find a secure location to store the items for the duration of their visit.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.726 Visitor Searches.

(1) Visitors shall be subject to search upon entering and exiting the institution. Refusal of either search shall result in denial of the current and future visits.

(2) Authorized visitor searches include:

(a) Search of the interior and exterior of any hand carried item.

1. Staff shall accomplish this search in a manner that does not damage or destroy the item or impair its use.

2. If the item would be damaged, destroyed or impaired by the search, the visitor shall not be allowed to bring the item into the institution.

(b) Careful search by touching of the visitor's hair and scalp;

(c) Visual inspections of the ears, nose, and mouth without the insertion of any instruments or the officer's fingers;

(d) Removal of and searching inside the visitor's hat, shoes and gloves;

(e) Removal of any clothing such as scarves, overcoats, or sweaters worn over a visitor's first layer of exterior clothing, and a search by visual inspection and touching of the interior and exterior and pockets of such clothing;

(f) After removal of outer clothing, careful search by visual inspection and by touching of the visitor's first layer of clothing generally worn over one's underwear;

(g) Careful search by touching of clothing worn next to the body such as stockings or socks, using sufficient pressure to detect contraband items;

(h) Searches with metal detection devices;

(i) K-9 searches; and

(j) Drug ion scanner searches.

(3) The visitor shall be instructed to sign an Unclothed Body Search Consent, Form DC1-803, if specific factual reasons support the suspicion that contraband is concealed on a visitor's person, and this suspicion is not resolved by a less intrusive search. Form DC1-803 is incorporated by reference in 33-601.738 of this rule.

(a) The warden, assistant warden, or duty warden must approve strip searches. Approval shall be given only after careful evaluation of the asserted factual grounds that justify the search. The visit shall be denied if the visitor refuses to give written consent to the strip search.

(b) The visitor shall also be asked to sign a Consent to or Notification for Search, Form DC1-804, if reasons exist to search the visitor's vehicle. Form DC1-804 is incorporated by reference in rule 33-601.738. Visiting shall be denied if the visitor refuses to give written consent to search the vehicle.

(4) Security staff of the same sex as the visitor must conduct strip searches.

(5) Visitor body cavity searches are not authorized. If less intrusive searches do not resolve the suspicions, visiting will be denied.

Specific Authority 20,315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New

33-601.727 Visitor Conduct.

(1) Visitors must conduct themselves in accordance with the following requirements while on department property.

(a) There shall be no loitering;

(b) Visitors shall not take any article whatsoever from the visiting area or the grounds of the institution (e.g., gifts from inmates or inmates' excess personal property items) without prior authorization from the warden, assistant warden, or duty warden.

(c) Visitors are prohibited from using cameras on department property without the express consent of the warden. The warden is authorized to approve camera use on a case-by-case basis when the warden determines that it would not be detrimental to the security and order of the institution.

1. Visitors shall not photograph any part of the institution's physical structure, buildings, fences, staff, visitors, or inmates.

2. Areas in which the general public is prohibited from taking photographs shall be clearly posted and identified in the institution's visitor information.

(d) Visitors shall not possess, introduce, or attempt to introduce contraband or illegal items into any department institution or facility. Violations shall result in the suspension of visiting privileges by the CVA. Contraband items not of an illegal nature shall be seized by staff when found and shall be returned only on the approval of the duty warden.

(e) Under no circumstances shall any department employee offer or be allowed to keep any item for the visitor.

(f) Visitors shall not walk or drive along the perimeter road or on the grounds of the institution except in those areas designated for inmate visitor parking;

(g) Visitors shall not play vehicle radios loudly while on department property;

(h) Visitors shall not yell or exhibit loud, boisterous, threatening language or disorderly behavior while on department property;

(i) Visitors shall keep accompanying children orderly during their visit so as not to disturb other inmates and visitors. If the visitor is unable to control his or her children, the visit shall be terminated and the visitor and children shall be escorted out of the institution or facility.

(j) Visitors shall not visit with any inmate except the inmate the visitor was admitted to visit or with any other visitor.

(k) A visitor shall not under any circumstances leave an unattended child or animal in any vehicle or elsewhere on department property while visiting.

(l) Visitors shall not give to or receive from the inmate any item of any description unless authorization is first obtained from the warden, assistant warden, or duty warden. The only exceptions are food and beverage items purchased by visitors from vending machines or canteens and photographs purchased through the inmate photo project. The visitor may pass the food or beverage only to the inmate he or she is visiting. The visitor shall not give cash or currency directly to an inmate.

(m) Visitors may briefly (five seconds) embrace and kiss the inmate to be visited once at the beginning and end of visit.

1. A visitor and inmate may hold hands if visiting park staff can observe the holding of hands.

2. Small children of the inmate or of the visitor may be held by the inmate.

3. No other forms of affection or physical contact between visitors is authorized.

(2) Visitors shall be allowed to attend institutional church services and other special programs if consistent with security considerations.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.728 Inmate Visiting Appearance, Search, and Conduct.

(1) During visiting, inmates shall wear a clean uniform consisting of the following department issued items:

(a) Blue shirt

(b) Tee shirt worn beneath the blue shirt. A sweat shirt may be worn instead during cold weather.

(c) Blue trousers

(d) Belt

(e) Socks and underwear

(f) Brogans or tennis shoes unless authorization (medical pass) carried on the inmate's person allows an exception to the footwear.

(g) ID card in accordance with 33-602.101(9)(h).

(2) Inmates shall be strip-searched before and after visiting. Staff will conduct searches in accordance with rule 33-602.204.

(3) Inmates shall not visit with anyone other than their authorized visitors.

(4) The inmate shall not pass items to another inmate or to a visitor or accept items from another inmate or a visitor except as specified in 33-601.727(1)(l).

(5) Inmates shall not be loud, boisterous, threatening, or disorderly during a visit or while in the visiting area.

(6) Inmates may briefly (five seconds) embrace and kiss each visitor once at the beginning and end of each visit.

(a) Inmates may hold their small children or the children of their visitors.

(b) Inmates and their visitors may hold hands if the holding of hands can be observed by visiting park staff.

(c) No other forms of affection or physical contact between inmates is visitors are authorized.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.729 Termination of Visits.

(1) A warden, assistant warden, or duty warden shall be authorized to deny or terminate a visit for the following reasons:

(a) The visitor is or appears to be under the influence of drugs or alcohol;

(b) The visitor refuses or fails to produce a valid photographic identification or falsifies identifying information;

(c) Visiting space is limited;

(d) The inmate has already received his or her authorized visits and has departed the visiting area;

(e) The visitor is disruptive or the children accompanying the visitor are disruptive;

(f) The visitor is not on the inmate's approved visiting list;

(g) The visitor, having been admitted to visit one inmate, attempts to visit another inmate that he or she is not authorized to visit;

(h) The inmate refuses to visit with the visitor;

(i) The visitor does not and can not meet dress requirements for visitors;

(j) Emergency situations as declared by the warden or duty warden;

(k) A determination that the visit may jeopardize the security or safety of staff, inmates, others, or the institution;

(l) After completing a visit with one inmate, the visitor leaves the institution and attempt to re-enter to visit with a different inmate; or

(m) The visitor violates visitor's conduct standards in Rule 33-601.727.

(2) Before considering termination of a visit in progress due to violation of or failure to comply with any establish rule or procedure, the warden, assistant warden or duty warden shall first attempt less severe alternatives when applicable, including verbal warnings to the inmate and visitor about improper conduct.

(3) Reconsideration for Visitation.

(a) A visitor denied visiting by the warden, assistant warden, or duty warden shall be permitted to ask the CVA to mediate the matter using local or institutional telephone access for this purpose. The CVA employee will either inform the visitor of his or her agreement with the decision of the duty warden or shall contact the facility on behalf of the visitor. The final decision shall rest with the warden, assistant warden, or duty warden.

(b) A visitor initially denied permission to visit for reasons other than for possession or attempted introduction of contraband and who corrects the problem causing the denial shall be granted visiting if not otherwise precluded by rule and if the inmate is not in the process of visiting with others.

(4) The warden, assistant warden or duty warden shall ensure that the inmate is notified of the denial of his or her visitor's admission and the reasons as soon as possible.

(5) An inmate who does not wish to receive a visit can refuse the visit.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.730 Visiting Check-Out Procedures.

(1) When an inmate ends the visit, all of the inmate's visitors shall be required to depart the visiting park immediately.

(2) Upon completion of the visit the visitors shall not be cleared to leave the visiting park until the inmate with whom they visited is accounted for by institutional staff.

(3) Upon departure from the visiting park, each visitor shall be verified by visitor badge number and shall then proceed to the visitor registration area.

(4) At the registration area, each visitor shall turn in his or her numbered badge to the officer. The officer shall verify the identity of the visitor by physically comparing the picture identification. The picture identification will be returned to the visitor.

(5) Additional verification shall be obtained by viewing the ultra-violent stamp on the visitor's hand.

(6) Each visitor shall be logged out on the automated visiting record.

(7) No more than five adult visitors shall be allowed in the registration area at any time during checkout.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New

33-601.731 Suspension of Visiting Privileges.

(1) Suspension of an inmate's visiting privileges shall be considered by the ICT as a management tool independent of any disciplinary action taken pursuant to rules 33-601.301 through 33-601.314.

(2) Suspension of an inmate's visiting privileges as a management tool by the ICT is available as a management tool by the ICT when an inmate is found guilty of the following offenses:

(a) Refusing to participate or is removed from a mandatory program due to negative behavior. The inmate shall be suspended from receiving visits for three months beginning with the next visiting period following the removal or refusal.

(b) Possessing any firearms, dangerous weapons, explosives or explosive devices;

(c) Criminal activity, serious rule violations, repeated visiting rule or procedure infractions or security breach.

(3) Suspension of an inmate's visiting privileges as a management tool by the ICT for the following disciplinary offenses are limited to a two-year period when inmate is found guilty of:

(a) Committing or engaging in sexual misconduct (i.e. nudity, sexual acts with or without others, willful exposure of private body parts, or soliciting sexual acts from others).

(b) Possessing drugs or money.

(c) Possession of any article or instrument that aids in escape or attempted escape.

(4) Suspension of an inmate's visiting privileges as a management tool by the ICT for the following disciplinary offenses are limited to three months for a first offense, six months for a second offense and two years for a third or subsequent offense when an inmate is found guilty of possession of any of the following contraband or illegal items:

(a) Any intoxicating beverages.

(b) Any cellular phone or recording devices, or

(c) Any pager.

(5) Suspension of an inmate's visiting privileges shall be considered by the ICT as a management tool when an inmate is rated "unsatisfactory" for the work or program performance rating, including part-time assignment or security assessment and shall be considered for suspension of visits privileges for three months beginning with the month the rating was entered and running consecutively for each unsatisfactory rating

(6) The ICT shall consider suspending the inmate's visiting privileges for each subsequent offense described in 33-601.731(1) through (5).

(7) Suspension of Visitor's Visiting Privileges.

(a) A visitor's visiting privileges shall be suspended by the CVA when the visitor:

1. Is found in possession of an illegal drug (controlled substances) when entering or exiting any department facility, or is found passing, attempting to pass, accepting, or attempting to accept such items to or from an inmate.

2. Is found in possession of a firearm or explosive device, articles, or instrument, or is found attempting to pass or passing such items to an inmate. Staff will secure the weapons for the law enforcement officers.

3. Assists, facilitates, aids or abets an inmate to escape or attempt to escape or is found passing or attempting to pass to an inmate any item or instrument that is capable of being used to aid in effecting or attempting an escape. Local law enforcement shall be called in this instance.

a. All visiting privileges of the escapee shall be suspended upon his or her return to department's custody.

b. Visiting privileges shall be suspended pending completion of the Inspector General's investigation if an attempted escape is alleged.

4. For criminal activity, serious rule violations repeated visiting rule or procedure infractions or any security breach.

(b) Visiting privileges shall be suspended by the CVA for a mandatory period of two years when the visitor:

1. Refuses to be questioned or consent to a pat or strip-search;

2. Attempts to pass or passes money to an inmate;

3. Is found in possession of intoxicating beverages when entering any department facility, or found passing or attempting to pass such items to an inmate;

4. Is found in possession of any article or instrument capable of being used to aid in effecting or attempting an escape. Local law enforcement shall be called in these instances.

5. Violates visitor conduct standards in Rule 33-601.727(1)(k) or (l).

(c) Visitors found in violation of visitor conduct standards as outlined in Rule 33-601.727(1)(a)-(j) shall have visiting privileges suspended by the CVA for a mandatory period of one year.

(8) The warden shall have the discretion to recommend to the CVA a period of suspension for less than the mandatory period of suspension by considering the type of violation and the impact of the violation on the overall security or safety of the institution. The warden shall set forth the justification for less than the mandatory period of suspension in the recommendation to the CVA.

Specific Authority 20,315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New

33-601.732 Reinstatement of Suspended Visiting Privileges.

(1) The warden shall approve or deny requests for reinstatement of an inmate's suspended visiting privileges. The inmate shall submit a written request for reinstatement to the warden on Form DC3-005, Inmate Request.

(a) Reinstatement of privileges suspended for more than two years shall only be considered after two years from imposition.

1. The warden shall review the request, render a final decision and notify the inmate concerned.

2. Should the inmate be denied reinstatement, the inmate may not make another request for one year from the last decision requesting reinstatement.

(b) Reinstatement of privileges suspended for two years or less shall not be considered for reinstatement for a period of one year. Should the inmate be denied, the inmate may not make another request for six months from the last decision requesting reinstatement.

(c) Early reinstatement of suspensions of one year or less shall not be considered for reinstatement until at least six months from the date of suspension. Should the inmate be denied reinstatement, the inmate may not make another request.

(2) The CVA shall approve or deny requests for reinstatement of a visitor's suspended visiting privilege. The visitor, or inmate on behalf of the affected visitor, shall submit a written request for reinstatement of privileges to the CVA supervisor. The visitor for whom the reinstatement is being considered shall submit a Request for Visiting Privileges, Form DC6-111A, if the suspension has been for longer than six months.

(a) Reinstatement of privileges suspended for more than two years shall only be considered after two years from imposition.

1. The CVA supervisor shall review the request, render a final decision and notify the visitor concerned.

2. Should the visitor be denied reinstatement, the inmate or suspended visitor may not make another request for one year from the last decision requesting reinstatement.

(b) Reinstatement of privileges suspended for two years or less shall not be considered for reinstatement for a period of one year. Should the visitor be denied reinstatement the inmate or suspended visitor may not make another request for six months from the last decision requesting reinstatement.

(c) Early reinstatement of suspensions of one year and under shall not be considered for reinstatement until at least six months from the date of suspension. Should the visitor be denied reinstatement, the inmate or suspended visitor may not make another request.

Specific Authority 20,315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New

33-601.733 Visiting – Special Status Inmates.

(1) Inmates in special statuses are not considered inmates with regular visiting privileges and must have special approval to visit. Inmates in special classification statuses shall be prohibited or restricted from regular visiting due to adverse impacts on security and orderly institutional operation.

(a) During initial reception periods, inmates awaiting transfer to their initial permanent facility shall not be permitted visits. The warden, assistant warden or duty warden has authority to grant exceptions if the inmate remains at the reception center more than 45 days and the CVA has approved the visitors.

(b) In death row, maximum management, close management, disciplinary confinement, administrative confinement, or protective management status, inmates shall have visiting privileges as outlined in rules 33-601.734 through 33-601.736.

(c) Inmates hospitalized in a DC infirmary or non-correctional medical facility shall not have visiting privileges except as described in (3) and (4) below.

(d) Inmates in the youthful offender basic training program shall be allowed visiting in accordance with Rule 33-506.207.

(2) Upon placement in a special classification status where visiting privileges are prohibited or restricted, the warden shall ensure:

(a) That inmates are provided the opportunity to notify at least three approved visitors of the prohibition or restriction before the next scheduled visiting day if the situation permits the inmate to do so, or

(b) That staff makes visitor notifications if the inmate is unable to make them.

(c) Notification of placement in a special classification status shall take place at the inmate's expense.

(3) Requests for visiting exceptions in special situations such as prolonged hospitalization, serious medical conditions or terminal illnesses shall be reviewed by the warden and chief

health officer who shall render a decision on a case-by-case basis. The regional director shall be informed in high risk or high profile cases before allowing visiting.

(4) An inmate housed in a community hospital shall not be permitted visits except as authorized by the warden and chief health officer on a case by case basis.

(5) A death row or maximum management inmate shall be allowed to receive non-contact visits from approved visitors in accordance with 33-602.306(5) and 33-601.820.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New _____.

33-601.734 Visiting – Close Management Inmates.

(1) Visits for CM I and CM II inmates shall be non-contact visits. The warden shall determine the level of supervision and restraint for visits with inmates in CM III status on a case-by-case basis.

(2) CM I.

(a) Inmates are eligible to receive a non-contact visit after completing ninety days of satisfactory adjustment in CM I status and maintaining a clear disciplinary record since assignment to CM I.

(b) CM I inmates are eligible for another visit after each subsequent 90-day period in which a clear disciplinary record is maintained, providing security or safety concerns do not preclude a visit. CM I inmates are eligible for a maximum of four visits per year.

(c) CM I inmates placed into disciplinary status are not eligible for visiting until ninety days following release from disciplinary status or the conclusion of the disciplinary hearing, if a penalty other than disciplinary confinement was imposed.

(3) CM II.

(a) Inmates are eligible to receive a non-contact visit after completing sixty days of satisfactory adjustment in CM II status and maintaining a clear disciplinary record since assignment to CM II status.

(b) CM II inmates are eligible for another visit after each subsequent 60-day period in which a clear disciplinary record and satisfactory adjustment are maintained, provided security or safety concerns do not preclude a visit. CM II inmates are eligible for a maximum of six visits per year.

(c) CM II inmates placed in disciplinary status are not eligible for visiting until sixty days following release from disciplinary status or the disciplinary action, if a penalty other than disciplinary confinement was imposed.

(d) Inmates moved from CM I to CM II shall receive credit toward visiting for clear disciplinary record and time served in CM I.

(4) CM III.

(a) CM III inmates are eligible to receive a visit after completing sixty days of satisfactory adjustment in CM III and maintaining a clear disciplinary record since assignment to CM III.

(b) CM III inmates are eligible for another visit after each subsequent 30 day period in which a clear disciplinary record and satisfactory adjustment is maintained if security or safety concerns do not preclude a visit. A CM III inmate is eligible for a maximum of eleven visits per year.

(c) CM III inmates placed in disciplinary status are not eligible for visiting until thirty days following release from disciplinary status or the disciplinary action, if a penalty other than disciplinary confinement was imposed.

(5) Time spent in any status other than close management status shall not count towards completion of the period required prior to visiting. For example, if a CM I inmate serves thirty days and then enters a medical status for thirty days, he must complete another sixty days in CM I status prior to consideration for a visit.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New _____.

33-601.735 Visiting – Disciplinary Confinement, Protective Management, and Administrative Confinement Inmates.

(1) Disciplinary confinement inmates shall not be permitted visits other than legal visits unless exceptions are made by the warden, assistant warden or duty warden for emergencies.

(2) Protective Management. Inmates shall have a minimum of two hours a week for visiting under the following conditions:

(a) Visiting shall take place in a separate facility from the general population if a separate facility is available;

(b) If a separate facility is not available, the warden, assistant warden or duty warden shall schedule visiting at a time or day different than that for general population inmates.

(c) The warden, assistant warden or duty warden is authorized to limit or deny the visit based upon the degree of threat to the inmate. The warden, assistant warden or duty warden shall determine whether the visit shall be contact or non-contact.

(d) The warden is authorized to approve special visits as provided in 33-601.737.

(3) Administrative Confinement.

(a) Inmates in administrative confinement shall be permitted visits with the approval of the warden, assistant warden or duty warden based on the best interest of all concerned.

(b) Visits shall be denied for inmates who are a threat to institutional security.

(c) The warden, assistant warden or duty warden shall determine if non-contact visits are appropriate for inmates in administrative confinement status.

(d) The warden, assistant warden, or duty warden shall notify the control room in writing when approval is given in advance of the visitor arriving at the institution.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.736 Non-contact Visiting.

(1) When the ICT determines that non-contact visiting is necessary in order to maintain the security and good order of the institution, the ICT shall make a recommendation to the warden who shall approve or disapprove the recommendation.

(2) The ICT shall consider the following factors in determining whether to place an inmate in non-contact status:

(a) Whether the inmate is a threat to the security of the institution,

(b) The inmate's and his or her visitors' past behavior during visiting,

(c) The inmate's disciplinary history involving drugs, contraband, violence, or visiting policy violations occurring during visiting,

(d) Evidence or criminal intelligence reports that an inmate has possessed, sold, or transferred drugs or alcohol,

(e) Whether the inmate has a confirmed membership in a security threat group, and

(f) A positive drug or alcohol urine test.

(3) The ICT shall review non-contact visiting status a minimum of every 6 months to evaluate whether changes are necessary based upon the following:

(a) The seriousness of the incident or circumstances resulting in placement in non-contact status,

(b) The inmate's history of repeated placement on non-contact status,

(c) The inmate's overall adjustment history since placement in non-contact status, and

(d) The inmate's disciplinary pattern within the last year related to drugs, contraband involvement, violence, or visiting rule violations.

(4) The warden shall ensure that there is sufficient space for non-contact visiting based on space available and allowable visitors.

(a) Non-contact visits shall be scheduled for one two-hour visit per week unless an emergency exists or security concerns dictate otherwise.

(b) Non-contact visits shall be limited to a maximum of four adult visitors and as many children as can be accommodated at a time.

(c) More than four visitors can be allowed to visit on a given day, but visiting will be on a rotating basis during the two-hour period.

(d) Inmates are responsible for notifying visitors of their placement on non-contact visiting status.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.737 Special Visits.

(1) The warden, assistant warden, or duty warden is authorized to approve special visits, impose special conditions for visiting outside of the regular visiting schedule, and to make exceptions to the number of visitors allowed.

(2) Before approving a special visit for any person who is not in the inmate's approved visiting record, institutional staff shall obtain a criminal history on the prospective visitor.

(3) The CVA Visitor Screening Matrix, Form DC6-111D shall be used to evaluate the proposed visitor's criminal record and visiting background in determining approval or disapproval of the special visiting request. Form DC6-111D is incorporated by reference in rule 3-601.738.

(4) Requests for a special visit shall be made by the inmate on the Inmate Request, Form DC3-005 and shall be submitted no less than five workdays in advance of the requested visit. Individuals requesting special visits shall be referred to the inmate who they wish to visit. The warden, assistant warden or duty warden shall approve or deny the request by the next working day after receipt. If it can be conclusively established that circumstances prevented the visitor from requesting a special visit within the five-day period, the warden, assistant warden, or duty warden shall consider the request for a special visit. The inmate shall be responsible for notifying individuals approved for a special visit.

(5) A visitor who has been denied a special visit by the warden, assistant warden or duty warden may request that the CVA mediate on his or her behalf. A local or institution telephone shall be used for this purpose if the visitor is on institutional property. The CVA shall either advise the visitor that the warden's, assistant warden's or duty warden's decision is appropriate or speak to the denying authority on behalf of the visitor. However, the final decision will rest with the approving authority.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New

33-601.738 Visiting – Forms.

The following forms are hereby incorporated by reference. A copy of any of these forms is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(1) DC1-803, Unclothed Body Search Consent, effective

(2) DC1-804, Consent to or Notification for Search, effective

(3) DC6-111A, Request for Visiting Privileges, effective

(4) DC6-111B, Visitor Information Summary, effective
_____.

(5) DC6-111C, Remove/Add Visitor Request, effective
_____.

(6) DC6-111D, CVA Visitor Screening Matrix, effective
_____.

Specific Authority 944.09, 944.115, 944.23 FS. Law Implemented 944.09, 944.115, 944.23, 944.8031 FS. History—New
_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Minimum Flows and Levels
RULE CHAPTER NO.: 40E-8

PURPOSE AND EFFECT: The purpose and effect of the rule development is to establish minimum flows and levels for Lake Okeechobee, the Everglades (which includes the freshwater regions of Everglades National Park, Water Conservation Areas, and the Holeyland and Rotenberger Wildlife Management Areas), the Biscayne Aquifer in Southeastern Florida, the Loxahatchee River, the St. Lucie River, the Lower West Coast Aquifers, and the Caloosahatchee River, in accordance with Chapter 373, Florida Statutes.

SUBJECT AREAS TO BE ADDRESSED: Minimum flows and levels.

SPECIFIC AUTHORITY: 373.042, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATE, TIME, AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m. – 12:00 Noon, August 15, 2000

PLACE: Stephen P. Clark Government Center, 111 N. W. 1st Street, 18th Floor, Room 18-3, Miami, FL 33128

TIME AND DATE: 10:00 a.m. – 12:00 Noon, August 16, 2000

PLACE: City of Stuart, City Commission Chambers, 121 S. W. Flagler Ave., Stuart, FL 34994, (561)288-5312

TIME AND DATE: 10:00 a.m. – 12:00 Noon, August 24, 2000

PLACE: Lee County Extension Service, 3406 Palm Beach Blvd., Ft. Myers, FL 33916, (941)338-3232

TIME AND DATE: 10:00 a.m. – 12:00 Noon, August 25, 2000

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical issues contact, Scott Burns (internet: sburns@sfwmd.gov), or Cecile Ross (internet: cross@sfwmd.gov) at South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045. For procedural issues contact: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm

Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6294 or (561)682-6294 (internet: jjenniso@sfwmd.gov). Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, at (561)682-6206 at least two business days in advance to make appropriate arrangements.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLES:	RULE NOS.:
Examination for Licensure	61G3-16.001
Examination Requirements	61G3-16.0010
Reexamination	61G3-16.002
Examination Review Procedure	61G3-16.003
Foreign Language Examination	61G3-16.0041
Manner of Application	61G3-16.008
Supervised Practice Exception	61G3-16.010

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

SUBJECT AREA TO BE ADDRESSED: Examination for Licensure; Examination Requirements; Reexamination; Examination Review Procedure; Foreign Language Examination; Examination or Restricted Licensure; Endorsement; Manner of Application; Supervised Practice Exception.

SPECIFIC AUTHORITY: 476.064(4), 476.114(2),(3), 476.134, 455.217, 455.217(2), 455.217(1)(b), 476.144(5), 476.184(2), 10. FS.

LAW IMPLEMENTED: 476.114(2),(3) 476.134, 455.217(2),(5), 455.217(1)(b), 476.144(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 IS: Julie Baker, Executive Director, Barbers' Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLE: Barbershop Requirements
 RULE NO.: 61G3-19.011

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

SUBJECT AREA TO BE ADDRESSED: Barbershop Requirements.

SPECIFIC AUTHORITY: 476.064(4) FS.

LAW IMPLEMENTED: 476.184 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julie Baker, Executive Director, Barbers' Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLES: Collection and Payment of Fees
 RULE NOS.: 61G3-20.001

Application Fee for Licensure through Examination or Endorsement 61G3-20.002

Examination Review Fee 61G3-20.0075

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

SUBJECT AREA TO BE ADDRESSED: Collection and Payment of Fees; Application Fee for Licensure Through Examination or Endorsement; Reexamination Fee; Examination Review Fee.

SPECIFIC AUTHORITY: 476.064(4), 476.192, 476.213(2), 455.217(2) FS.

LAW IMPLEMENTED: 455.213(2), 476.192, 476.114(3), 476.192, 455.217 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julie Baker, Executive Director, Barbers' Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE TITLE: Exemption of Spouses of Members of
 RULE NO.: Armed Forces from License

Renewal Requirements 61G8-17.005

PURPOSE AND EFFECT: The Board recommends text be stricken from this rule due to lack of statutory provisions.

SUBJECT AREA TO BE ADDRESSED: Exemption of Spouses of Members of Armed Forces from License Renewal Requirements.

SPECIFIC AUTHORITY: 455.02(2), 470.005 FS.

LAW IMPLEMENTED: 455.02(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Madeline Smith, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Qualification Program for Special Inspectors
 RULE NO.: of Threshold Buildings

61G15-35.003

PURPOSE AND EFFECT: The Board proposes to create a new Chapter entitled "Responsibility Rule of Professional Engineers Providing Threshold Building Inspection", numbered 61G15-35. Within this chapter, a new rule will be promulgated, numbered 61G15-35.003, which will address the qualification program for special inspectors of threshold buildings.

SUBJECT AREA TO BE ADDRESSED: Qualification Program for Special Inspectors of Threshold Buildings.

SPECIFIC AUTHORITY: 471.008, 471.021 FS.

LAW IMPLEMENTED: 471.021 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP 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 IS: Dennis Barton, Executive Director, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings.

(1) The minimum qualifying criteria for Special Inspectors of Threshold Buildings, also referred to as Threshold Inspectors, established by the Board shall be as follows:

(a) Proof of current registration in good standing as a registered professional engineer whose principal practice is structural engineering in the State of Florida.

(b) Three years of experience in performing structural field inspections on threshold type buildings.

(c) Two years of experience in the structural design of threshold type buildings. For the purpose of these criteria, structural design shall mean the design of all structural components of the building and shall not be limited to specific structural components only, such as foundations, prestressed or post-tensioned concrete, etc.

(d) Experience in the structural inspection and/or design of at least three threshold type buildings. This experience must be within the ten calendar years preceding submission of the application.

(e) Self-certification as to the competency of the applicant to perform structural inspections on threshold buildings.

(2) All registered professional engineers who are certified Special Inspectors and on the Roster of Special Inspectors maintained by the Department of Community Affairs, pursuant to Rule 9B-3.043, F.A.C., as of June 30, 2000 shall be qualified pursuant to this rule and shall continue to be certified Special Inspectors of threshold buildings.

(3) Applications.

(a) The application for Special Inspector, Form FBPE/TBI/2000-01 is hereby incorporated by reference, effective _____ . Copies of Form FBPE/TBI/2000-01 may be obtained from the Board by writing to the Florida Board of Professional Engineers, c/o Florida Engineers Management Corporation, 1208 Hays Street, Tallahassee, Florida 32301, or by downloading it from the internet web site www.fbpe.org.

(b) All applications for certification as a Special Inspector shall be submitted to the Board on Form FBPE/TBI/2000-01 by mailing to the address listed above.

(c) Applications shall contain the following basic information pertaining to the applicant:

- 1. Name;
- 2. Address;
- 3. Phone number;

4. Florida registration number;

5. Educational and experience dates and sufficient description of each to clearly demonstrate that the minimum qualification criteria has been met;

6. Name and address of current employer.

7. Letters of recommendation from three registered professional engineers whose principal practice is structural engineering in the State of Florida, one of whom must be certified as a Special Inspector;

8. The signature, date and seal by the applicant attesting to the competency of the applicant to perform structural inspections on threshold buildings; and

9. Completed form FBPE/TBI/2000-01.

(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications may be approved, rejected or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall set forth the reasons for such rejection.

(4) Temporary Certification. Professional engineers who have been granted temporary registration in Florida pursuant to the provisions of Section 471.021, F.S., may also be granted temporary certification as a Special Inspector provided the criteria set forth in these rules have been met. Such temporary certification shall be limited to work on one specific project in this state for a period not to exceed one year.

(5) Roster of Special Inspectors. The Board shall maintain a roster of all persons certified as Special Inspectors pursuant to the criteria established in these rules and the law. The roster shall be made available to interested parties upon request. The roster shall be updated on a continuing basis and additions or deletions to the latest published roster may be verified by contacting the Florida Board of Professional Engineers, c/o Florida Engineers Management Corporation, 1208 Hays Street, Tallahassee, Florida 32301.

Specific Authority 471.008, 471.021 FS. Law Implemented 471.021 FS. History—New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLE: Disciplinary Guidelines
 RULE NO.: 61G18-30.001
 PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text with regard to the penalties to be imposed for certain violations pursuant to Section 474.213(1), Florida Statutes, as well as violations of the Practice Act.
 SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

SPECIFIC AUTHORITY: 455.2273(1) FS.

LAW IMPLEMENTED: 455.2273, 474.213, 474.214 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Madeline Smith, Executive Director, Board of Veterinary Medicine, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G18-30.001 Disciplinary Guidelines.

(1) When the Board finds an applicant or licensee whom it regulates under Chapter 474, Florida Statutes, has committed any of the acts set forth in Section 474.213(1), Florida Statutes, which are felonies of the third degree as well as violations of the Practice act, it shall issue a final order imposing appropriate penalties, using the following disciplinary guidelines.

(a) Practicing veterinary medicine in this State unless a person holds an active license to practice veterinary medicine pursuant to Chapter 474, Florida Statutes.

In the case of an applicant, the usual action of the Board shall be to request the Department issue a Cease and Desist Order, which will remain in effect until licensure is granted, plus an administrative fine of three thousand dollars (\$3,000.00) ~~one thousand dollars (\$1,000.00)~~ and, upon eligibility for licensure, imposition of a one year probationary period.

In the case of a non-licensed veterinarian practicing veterinary medicine in the State of Florida the Board shall request that the Department issue a Cease and Desist Order and an administrative fine of three thousand dollars (\$3,000.00) ~~one thousand dollars (\$1,000.00)~~ plus one year's probation if the subject should become licensed in the State of Florida.

In the case of a non-veterinarian practicing veterinary medicine in the State of Florida the Board shall request that the Department issue a Cease and Desist Order and an administrative fine of three thousand dollars (\$3,000.00) ~~one thousand dollars (\$1,000.00)~~ for each count.

(b) No change.

(c) Presenting as one's own license the license of another.

The usual action of the Board shall be to request that the Department issue a Cease and Desist Order, and an administrative fine of five thousand dollars (\$5,000.00) ~~one thousand dollars (\$1,000.00)~~ and, upon issuance of licensure, imposition of a one year probationary period.

(d) Giving false or forged evidence to the Board or member thereof, for the purpose of obtaining a license.

In the case of an applicant, the usual action of the Board shall be denial of licensure. The usual action of the Board in the case of a licensee shall be to impose a penalty of a five thousand dollar (\$5,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine and revocation of any license obtained based on false or forged evidence.

(e) Using or attempting to use a veterinarian's license which has been suspended or revoked.

In the case of an applicant, the usual action shall be denial of licensure and to request the Department issue a Cease and Desist Order. The usual action of the Board in the case of a licensee shall be to impose revocation if the subject's license has been suspended and an administrative fine of five thousand dollars (\$5,000.00). ~~one thousand dollars (\$1,000.00).~~

(f) Knowingly employing unlicensed persons in the practice of veterinary medicine.

The usual action of the Board shall be to impose a penalty of one (1) year probation and a three thousand dollar (\$3,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine.

(g) Knowingly concealing information relative to a violation of Chapter 474, Florida Statutes.	The usual action of the Board shall be to impose a penalty of six (6) months probation and a <u>one thousand dollar (\$1,000.00)</u> five hundred dollar (\$500.00) administrative fine.	practice veterinary medicine.	<u>two thousand dollar (\$2,000.00)</u> one thousand dollar (\$1,000.00) administrative fine and suspension followed by probation up to revocation.
(h) Obtaining or attempting to obtain a license by fraud	Revocation or denial of licensure plus an administrative fine of <u>five thousand dollars (\$5,000.00)</u> , one thousand dollars (\$1,000.00)	(d) Making or filing a report or record which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records shall include only those which are signed in the capacity of a licensed veterinarian.	The usual action of the Board shall be to impose a penalty of a one (1) year suspension followed by probation for a period of one year and an administrative fine of <u>three thousand dollars (\$3,000.00)</u> one thousand dollars (\$1,000.00) per count or violation.
(i) Selling or offering to sell a diploma conferring a degree in veterinary medicine or a license to practice veterinary medicine in this state.	A fine of <u>five thousand dollars (\$5,000.00)</u> one thousand dollars (\$1,000.00) and revocation.	(e) Advertising goods or services in a manner which is fraudulent, false, deceptive, or misleading in form or content.	In the case of violations, which are not resolved by the Board's rule concerning minor violations, the usual action of the Board shall be to impose a <u>one thousand dollar (\$1,000.00)</u> five hundred dollar (\$500.00) administrative fine.
(2) When the Board finds an applicant, or licensee, or permittee whom it regulates under Chapter 474, Florida Statutes, has committed any of the acts set forth in Section 474.214(1), Florida Statutes, it shall issue a Final Order imposing appropriate penalties which are set forth in 474.214(2), Florida Statutes, using the following disciplinary guidelines: and include revocation of license and a fine of up to one thousand dollars (\$1,000.00) per offense.	(a) Attempting to procure, or procuring, a license to practice veterinary medicine <u>or a permit to own and operate a veterinary establishment</u> , by bribery, by fraudulent representation or by error of the Department or the Board. (b) No change.	(f) Violating a statute or administrative rule regulating practice under this chapter or chapter 455 or a lawful disciplinary order <u>or subpoena</u> of the Board or the Department.	The usual action of the Board shall be to impose a penalty of one (1) year probation and a <u>two thousand dollar (\$2,000.00)</u> one thousand dollar (\$1,000.00) administrative fine. <u>In the case of a subpoena or disciplinary order, the usual action shall be to impose a period of suspension and a four thousand dollar (\$4,000.00) administrative fine.</u>
(c) Being convicted or found guilty, regardless of an adjudication, of a crime in any jurisdiction which directly relates to the practice of veterinary medicine or the ability to	In the case of an applicant, the usual action of the Board shall be denial of licensure. The usual action of the Board in the case of a licensee <u>or permittee</u> shall be to impose a penalty ranging from a		

(g) No change.

In the case of a licensed veterinarian being found late in payment of renewal fees, the veterinarian shall have thirty days from receipt of official notice from the Department of Business and Professional Regulation to become current in payment of fees to the Department and pay an administrative fine of five hundred dollars (\$500.00) ~~one hundred dollars (\$100.00)~~. If the delinquent veterinarian does not respond to the Department within the above mentioned thirty days, the Board shall request that the Department issue a Cease and Desist Order, which shall remain in effect until license renewal fees and an administrative fine of one thousand dollars (\$1,000.00) ~~five hundred dollars (\$500.00)~~ are paid.

(h) through (i) No change.

(j) Knowingly maintaining a professional connection or association with any person who is in violation of the provisions of Chapter 474, Florida Statutes, or the rules of the Board.

The usual action of the Board shall be to impose a penalty of a two thousand dollar (\$2,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine to be followed by probation.

(k) Paying or receiving kickbacks, rebates, bonuses, or other remuneration for receiving a patient or client or for referring a patient or client to another provider of veterinary services or goods. In construing this section, the Board shall deem that a referral to an entity with which the veterinarian has a contractual relationship, for the sale of non-veterinary, non-medical pet food or pet supplies, does not constitute a kickback, so long as the client is aware of the relationship.

The usual action of the Board for those violations not disposed of by the Board's rule concerning minor violations shall be to impose a penalty of a one (1) year probation and a one thousand dollar (\$1,000.00) administrative fine for each count.

(l) Performing or prescribing unnecessary or unauthorized treatment.

The usual action of the Board shall be to impose a penalty ranging from a reprimand to a one year probationary period with a two thousand dollar (\$2,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine.

(m) Engaging in fraud in the collection of fees from consumers or any person, agency, or organization paying fees to practitioners.

The usual action of the Board shall be to impose a penalty of a suspension followed by probation for a period of one year and a three thousand dollar (\$3,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine.

(n) Attempting to restrict competition in the field of veterinary medicine other than for the protection of the public.

The usual action of the Board shall be to impose a penalty of probation for a period of one year and a two thousand dollar (\$2,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine and revocation of the veterinarian's license to practice in the State of Florida if this violation is repeated.

(o) Fraud, deceit, negligence, incompetency, or misconduct in the practice of veterinary medicine.

The usual action of the Board shall be to impose a penalty ranging from probation for a period of one year and a two thousand dollar (\$2,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine to revocation of the veterinarian's license to practice in the State of Florida.

(p) Being convicted of a charge of cruelty to animals.

The usual action of the Board shall be to impose a penalty of suspension followed by probation for a period of one year and a four thousand dollar (\$4,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine.

(q) Permitting or allowing another to use a veterinarian's license for the purpose of treating or offering to treat sick, injured, or afflicted animals.

The usual action of the Board shall be to impose a penalty of a suspension and a three thousand dollar (\$3,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine followed by probation for a period of one year.

(r) Being guilty of incompetence or negligence by failing to practice veterinary medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent veterinarian as being acceptable under similar conditions and circumstances.

The usual action of the Board shall be to impose a penalty of probation for a period of one year and a two thousand dollar (\$2,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine.

(v) through (w) No change.
(x) Refusing to permit the Department to inspect the business premises of the licensee during regular business hours.

The usual action of the Board shall be to impose a penalty of a two thousand dollar (\$2,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine, unless circumstances legally justify such action by the veterinarian.

(s) Willfully making any misrepresentations in connection with the inspection of food for human consumption.

The usual action of the Board shall be to impose a penalty of a suspension followed by probation for a period of one year and a four thousand dollar (\$4,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine.

(y) Using the privilege of ordering, prescribing, or making available medicinal drugs or drugs defined in Chapter 465, or controlled substances as defined in Chapter 893, for use other than for the specific treatment of animal patients for which there is a documented veterinarian/client/patient relationship. Pursuant thereto, the veterinarian shall:

For violations involving medicinal drugs or drugs defined in Chapter 465 the usual action of the Board shall be to impose a penalty of suspension followed by probation for a period of one year and a two thousand dollar (\$2,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine. For violations involving controlled substances ~~medicinal drugs~~ as defined in Ch. 893, the usual action of the Board shall be to impose a penalty of suspension or revocation and a four thousand dollar (\$4,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine.

(t) Fraudulently issuing or using any false health certificate, vaccination certificate, test chart, or other blank form used in the practice of veterinary medicine relating to the presence or absence of animal diseases or transporting animals or issuing any false certificate relating to the sale of products of animal origin for human consumption.

The usual action of the Board shall be to impose a penalty of a suspension followed by probation for a period of one year and a three thousand dollar (\$3,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine.

- 1. Have sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal, which means that the veterinarian is personally acquainted with the keeping and the caring of the animal and has recent contact with the animal or has made medically appropriate and timely visits to the premises where the animal is kept.
- 2. through 3. No change.

(u) Engaging in fraud or dishonesty in applying, treating, or reporting on tuberculin, diagnostic, or other biological tests.

The usual action of the Board shall be to impose a penalty of a suspension followed by probation for a period of one year and a three thousand (\$3,000.00) dollar ~~one thousand dollar (\$1,000.00)~~ administrative fine.

<p>(z) Providing, prescribing, ordering, or making available for human use medicinal drugs or drugs as defined in Chapter 465, controlled substances as defined in Chapter 893, or any material, chemical, or substance used exclusively for animal treatment.</p>	<p>For violations involving medicinal drugs or drugs defined in Chapter 465 the usual action of the Board shall be to impose a penalty of a suspension for a period of one year followed by one (1) year probation and a <u>two thousand dollar \$2,000.00</u> one thousand dollar (\$1,000.00) administrative fine. For violations involving controlled substances as defined in Chapter 893 the usual penalty will be revocation.</p>	<p>(ff) Prescribing or dispensing legend drugs drug as defined in Chapter 465, including any controlled substance, inappropriately or in excessive or inappropriate period of quantities.</p>	<p>The usual action of the Board shall be to impose a penalty of a <u>two thousand dollar (\$2,000.00)</u> one thousand dollar (\$1,000.00) administrative fine and probation for a one year.</p>
<p>(aa) Failing to report to the Department any person the licensee knows to be in violation of Chapter 474, Florida Statutes, or the rules of the Board or Department.</p>	<p>The usual action of the Board shall be issuance of a reprimand <u>and a fine of five hundred dollars (\$500.00).</u></p>	<p>(gg) Practicing or offering to practice beyond the scope permitted by law.</p>	<p>The usual action of the Board shall be issuance of a reprimand plus six months probation, <u>a fine of one thousand dollars (\$1,000.00)</u>, and investigative costs.</p>
<p>(bb) Violating any of the requirements of Chapter 499, F.S., the Florida Drug and Cosmetic Act; 21 U.S.C. ss. 301-392, the Federal Food, Drug, and Cosmetic Act; 21 U.S.C. ss. 821 et seq., the Comprehensive Drug Abuse Prevention and Control Act of 1970, more commonly known as the Federal Drug Abuse Act; or Chapter 893, F.S.</p>	<p>The usual action of the Board shall be to impose a penalty of probation for a period of one year and an administrative fine of <u>two thousand dollars (\$2,000.00)</u> one thousand dollars (\$1,000.00).</p>	<p>(hh) Delegating professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that such person is not qualified by training, experience, or licensure to perform them.</p>	<p>The usual action of the Board shall be to impose a penalty of a <u>one thousand five hundred dollar (\$1,500.00)</u> five hundred dollar (\$500.00) administrative fine plus six months probation and investigative costs.</p>
<p>(cc) No change.</p>		<p>(ii) Presigning blank prescription forms.</p>	<p>The usual action of the Board shall be suspension of the veterinarian's license, an administrative fine of <u>two thousand dollars (\$2,000.00)</u>, one thousand dollars (\$1,000.00) and probation for one year plus investigative costs.</p>
<p>(dd) Failing to perform any statutory or legal obligation placed upon a licensee.</p>	<p>The usual action of the Board shall be issuance of a reprimand, <u>and fine of one thousand dollars (\$1,000.00).</u></p>	<p>(jj) through (ll) No change.</p>	
<p>(ee) Failing to keep contemporaneously written medical records as required by rule of the Board.</p>	<p>The usual action of the Board shall be issuance of a reprimand plus six months probation, <u>a fine of one thousand five hundred dollars (\$1,500.00)</u> and investigative costs.</p>	<p>(mm) Failing to maintain accurate records or reports as required by this chapter or by federal or state laws or rules pertaining to the storing, labeling, selling, dispensing, prescribing, and administering of controlled substances.</p>	<p>The usual action of the Board shall be an administrative fine of <u>one thousand five hundred dollars (\$1,500.00)</u> five hundred dollars (\$500.00).</p>
		<p>(nn) Failing to report a change of address to the Board within 60 days thereof.</p>	<p>The usual action of the Board shall be <u>an administrative fine of five hundred dollars (\$500.00)</u>.</p>

(oo) Failure of the responsible veterinarian or permittee to report a change of premises ownership or responsible veterinarian within 60 days thereof.

The usual action of the Board shall be an administrative fine of five hundred dollars (\$500.00).

(pp) Failing to give the owner of a patient, before dispensing a written prescription when requested.

The usual action of the Board shall be an administrative fine of one dollars (\$1,000.00).

(3) When the Board finds an applicant, ~~or~~ licensee, or permittee whom it regulates under Chapter 474, Florida Statutes, has committed any of the acts set forth in Section 455.227(1), Florida Statutes, it will issue a Final Order imposing appropriate penalties within the ranges recommended in the following disciplinary guidelines:

(a) Misleading, deceptive, untrue, or fraudulent representations in the practice of veterinary medicine.

The usual action of the Board will be to impose a penalty ranging from suspension followed by one (1) year probation and a two thousand dollar (\$2,000.00) ~~one thousand dollar (\$1,000.00)~~ administrative fine to revocation.

(b) Intentionally violating any rule adopted by the Board or the Department.

The usual action of the Board will be to impose an administrative fine of two thousand dollars (\$2,000.00) ~~one thousand dollars (\$1,000.00)~~.

(c) through (d) No change.

(e) The license has been obtained by fraud or material misrepresentation of a material fact.

The usual action of the Board will be revocation of the license and an administrative fine of four thousand dollars (\$4,000.00) ~~one thousand dollars (\$1,000.00)~~.

(f) No change.

(g) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee.

The usual action of the Board will be an administrative fine of two thousand dollars (\$2,000.00).

(h) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession.

The usual action of the Board will be to impose a penalty ranging from suspension followed by one year probation and payment of an administrative fine of three thousand dollars (\$3,000.00) to revocation.

(i) Exercising influence on the patient or client for the purpose of financial gain of the license or a third party.

The usual action of the Board will be an administrative fine of three thousand dollars (\$3,000.00).

(4) No change.

(5) Penalties imposed by the Board pursuant to subsections (1), (2) and (3) above may be imposed in combination or individually, and are as follows:

(a) No change.

(b) imposition of an administrative fine not to exceed five thousand dollars (\$5,000.00) ~~one thousand dollars (\$1,000)~~ for each count or separate offense;

(c) through (f) No change.

(g) denial of an application for licensure or a permit to own and operate a veterinary establishment; and

(h) No change.

(6) through (7) No change.

Specific Authority 455.2273(1) FS. Law Implemented 455.2273, 474.213, 474.214 FS. History--New 12-8-86, Amended 5-27-91, Formerly 21X-30.001, Amended 8-18-94, 5-13-96,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NUMBER: 00-15R

RULE CHAPTER TITLE: State Revolving Fund Loan Program

RULE CHAPTER NO.: 62-503

PURPOSE AND EFFECT: The rule revision to be developed would enable the funding of additional stormwater and wastewater management systems under the State Revolving Fund Loan Program. The rule revisions to be developed would expand on those recently noticed under this same Docket Number 00-15R. The previously noticed rule development addressed the funding of projects from future loan repayments of existing loans under the State Revolving Loan Fund Program. The Program provides financial assistance in the form of low-interest loans to local governments for planning, design, construction, and technical services associated with construction and start-up of facilities. The additional rule revisions to be developed would address funding projects using the proceeds of a bond sale. The program is authorized by Section 403.1835, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: State Revolving Loan Fund Program Rules for loans for stormwater and wastewater management facilities.

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

SPECIFIC AUTHORITY: 403.1835 FS.

LAW IMPLEMENTED: 403.1835 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Don Berryhill, Bureau of Water Facilities Funding, MS #3505, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 00-36R

RULE CHAPTER TITLE: Contaminant Cleanup Criteria

RULE CHAPTER NO.: 62-777

PURPOSE AND EFFECT: Rule development for amendments to the Contaminant Cleanup Criteria rules, Chapter 62-777, FAC., to include a rule development workshop and risk impact statement meeting.

SUBJECT AREA TO BE ADDRESSED: The Department of Environmental Protection proposes to amend the Contaminant Cleanup Criteria rules, Chapter 62-777, Florida Administrative Code. The proposed amendments will modify certain existing contaminant cleanup target levels applicable to the cleanup of petroleum, drycleaning solvent, and brownfield contaminated sites as well as modify cleanup target levels for treatment of contaminated soils. The modifications are the result of recommendations from the Methodology Focus Group and the Contaminated Soils Forum. The recommendations were based on changes to exposure factors affecting but not limited to the following topics: Surface Area, Adherence Factors, Dermal Absorption, and GI Absorption. The Department anticipates that a concise risk impact statement will be prepared for the proposed Chapter 62-777 which will explain the risk to the public health addressed by the proposed amendments and shall identify and summarize the source of the scientific information used in evaluating that risk.

SPECIFIC AUTHORITY: 376.3071, 376.81, 376.3078 FS.

LAW IMPLEMENTED: 376.3071, 376.81, 376.3078 FS.

A RULE DEVELOPMENT WORKSHOP TO DISCUSS THE PROPOSED RULE CHAPTER AND THE RISK IMPACT STATEMENT FOR THE PROPOSED RULE CHAPTER WILL BE HELD AT THE TIME, DATE AND PLACE SHOW BELOW:

TIME AND DATE: August 30, 2000 beginning at 9:00 a.m. and continuing that day until completion, but not later than 5:30 p.m.

PLACE: Department of Environmental Protection, 2400 Blair Stone Road, Room 609, Twin Towers Office Building, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND THE RISK IMPACT STATEMENT IS: Roger B. Register, Department of Environmental Protection, Bureau of Waste Cleanup, Mail Station 4505, Twin Towers, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)488-0190 or at the e-mail address: roger.register@dep.state.fl.us.

A copy of the meeting agenda or other announcements are available and may be obtained by calling or writing the contact person named above, or an electronic copy may be obtained at the Internet address:

<http://www.dep.state.fl.us/dwm/programs/brownfields>

An electronic copy of the preliminary rule text and tables may be obtained at the Internet address: <http://fdep.ifas.ufl.edu>.

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel, (850)487-1855 or 1(800)955-8771 (TDD), at least seven days before the meeting.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 00-35R

RULE CHAPTER TITLE: Brownfields Cleanup Criteria Rule

RULE CHAPTER NO.: 62-785

PURPOSE AND EFFECT: Rule development for amendments to the Brownfields Cleanup Criteria rules, Chapter 62-785, FAC., to include a rule development workshop and risk impact statement meeting.

SUBJECT AREA TO BE ADDRESSED: The Department of Environmental Protection is proposing to amend the Brownfields Cleanup Criteria rules, Chapter 62-785, Florida Administrative Code. The proposed amendments would apply to cleanup of sites within designated brownfield areas. The amendments are the result of changes made during the 2000 Florida Legislature. Specifically, the department's rule must prescribe a risk-based corrective action (RBCA) process that is iterative and that tailors site rehabilitation tasks to site-specific conditions and risks. Modifications are proposed to the existing rule to further clarify the RBCA process. Additionally, the statute requires changes to the existing rule when the use of alternative cleanup target levels (ACTLs) are approved at a brownfield site. The statute specifies that when ACTLs are approved at a brownfield site that institutional controls are not required if certain criteria are met. The Department anticipates that a concise risk impact statement will be prepared for the proposed amendments to Chapter 62-785 which will explain the risk to the public health addressed by the proposed amendments and shall identify and summarize the source of the scientific information used in evaluating that risk.

SPECIFIC AUTHORITY: 376.81 FS.

LAW IMPLEMENTED: 376.81 FS.

A RULE DEVELOPMENT WORKSHOP TO DISCUSS THE PROPOSED RULE AMENDMENTS AND THE RISK IMPACT STATEMENT FOR THE PROPOSED RULE AMENDMENTS WILL BE HELD AT THE TIME, DATE AND PLACE SHOW BELOW:

TIME AND DATE: 9:00 a.m., August 30, 2000 beginning at and continuing that day until completion, but not later than 5:30 p.m.

PLACE: Department of Environmental Protection, 2400 Blair Stone Road, Room 609, Twin Towers Office Building, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND THE RISK IMPACT STATEMENT IS: Roger B. Register, Department of Environmental Protection, Bureau of Waste Cleanup, Mail Station 4505, Twin Towers, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)488-0190 or at the e-mail address: roger.register@dep.state.fl.us.

A copy of the preliminary rule text, meeting agenda or other announcements are available and may be obtained by calling or writing the contact person named above, or an electronic copy may be obtained at the Internet address:

http://www.dep.state.fl.us/dwm/programs/brownfields

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel at (850)487-1855 or (800)955-8771 (TDD), at least seven days before the meeting.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: RULE NO.:

Colonic Irrigation Application Deadline 64B7-25.0011

PURPOSE AND EFFECT: The Board proposes to review the existing text of this rule.

SUBJECT AREA TO BE ADDRESSED: Colonic Irrigation Application Deadline.

SPECIFIC AUTHORITY: 480.041(4)(b) FS.

LAW IMPLEMENTED: 480.041(4)(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: William Buckhalt, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: RULE NO.:

Citations 64B7-30.004

PURPOSE AND EFFECT: The Board proposes to review the existing text of this rule.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 455.617 FS.

LAW IMPLEMENTED: 455.617 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: William Buckhalt, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C09, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:

Continuing Education Credit for Physicians 64B8-13.007
Volunteering To Take FMLE

PURPOSE AND EFFECT: The Board intends to develop a new rule to address continuing education credit for those licensed physicians who successfully complete the Florida Medical Licensure Examination (FMLE), scheduled to be administered by the Department as part of the FMLE Comparison Study.

SUBJECT AREA TO BE ADDRESSED: Continuing education credit.

SPECIFIC AUTHORITY: 455.564(6) FS.

LAW IMPLEMENTED: 455.564(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

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

Section II Proposed Rules

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLE: Quarterly Report Filing Requirements
 RULE NO.: 3D-40.022

PURPOSE AND EFFECT: The purpose of the rule is to prescribe the procedure for filing the quarterly reports required by Sections 494.004(6) and 494.0067(9), F.S., that identify those persons who became or ceased being an associate of the business during the previous quarter.

SUMMARY: Each mortgage lender, correspondent mortgage lender and mortgage lender pursuant to the saving clause, that was licensed prior to March 31, 2000, is required to file a quarterly report before April 1, 2000 and within 30 days of each subsequent calendar. Each mortgage lender, correspondent mortgage lender, and mortgage lender pursuant to the saving clause, that was licensed after March 31, 2000, is required to file a quarterly report within 30 days of the end of the calendar quarter in which the license was issued. The quarterly report may be submitted in writing or electronically to the Department’s website.

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: 494.0011(2), 494.004(6), 494.0067(9) FS.

LAW IMPLEMENTED: 494.004(6), 494.0067(9) 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., August 21, 2000
 PLACE: Room 550, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bob Tedcastle, Financial Administrator, Division of Securities and Finance, Room 550, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9500

THE FULL TEXT OF THE PROPOSED RULE IS:

3D-40.022 Quarterly Report Filing Requirements.

(1) Each mortgage brokerage business, correspondent mortgage lender, mortgage lender, and mortgage lender licensed pursuant to the savings clause, that was licensed with the Department on or before March 31, 2000, shall file an

initial quarterly report on or before April 30, 2000 as required by subsection 494.004(6), F.S., and subsection 494.0067(9), F.S. Thereafter, a quarterly report shall be filed as required by subsection 494.004(6), F.S., and subsection 494.0067(9), F.S., within 30 days of the end of each calendar quarter.

(2) Each mortgage brokerage business, correspondent mortgage lender, mortgage lender and mortgage lender licensed pursuant to the savings clause, that becomes licensed with the Department after March 31, 2000, shall file an initial quarterly report within 30 days of the end of the calendar quarter in which the original license is issued, and thereafter shall file a quarterly report as required by subsection 494.004(6), F.S., and subsection 494.0067(9), F.S.

(3) The report may be filed electronically on Form DBF-MX-QR-E by accessing the Department’s website at www.dbf.state.fl.us, or the report may be filed on Form DBF-MX-QR in a typed format. Forms DBF-MX-QR and DBF-MX-QR-E are hereby incorporated by reference and are available from the Department of Banking and Finance, Division of Securities and Finance, 101 East Gaines Street, Tallahassee, Florida 32399-0350.

(4) All reports, written or electronic, shall be received by the Department in Tallahassee within thirty (30) days after the last day of each calendar quarter. If the 30th day falls on a weekend or official holiday such reports will be considered timely received on the next business day.

(5) If a correct initial report or correct quarterly report thereafter is not timely received (incidental and isolated clerical errors or omissions shall not be considered a violation) as required by subsection 494.004(6), F.S., or subsection 494.0067(9), F.S., the penalty shall be the issuance of a “notice of noncompliance” for the first offense. Any subsequent finding of a violation of this rule shall be a fine of \$500. The penalty for any intentional violations of this rule shall be a fine of \$500 and suspension of the license.

Specific Authority 494.0011(2), 494.004(6), 494.0067(9) FS. Law Implemented 494.004(6), 494.0067(9) FS. History—New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bob Tedcastle, Financial Administrator, Division of Securities and Finance

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 30, 2000

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLE: Financial Statements and Reports
 RULE NO.: 3E-300.002

PURPOSE AND EFFECT: The purpose of the proposed amendments is to eliminate, in most instances, the requirement for dealers that are current members of the National Association of Securities Dealers to file financial statements with the Department.

SUMMARY: Dealer applicants or registrants who are current members of a securities association registered pursuant to Section 15A of the Exchange Act and which requires financial reports to be filed with such exchange do not have to file such financial reports with the Department.

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 FS.

LAW IMPLEMENTED: 517.081, 517.12 FS.

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

TIME AND DATE: 10:00 a.m., August 21, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David Haynes, Financial Examiner/Analyst Supervisor, Division of Securities and Finance, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULE IS:

3E-300.002 Financial Statements and Reports.

(1) through (2) No change.

(3) Requirements for Dealers

(a) Every dealer applicant, unless exempted under paragraphs (3)(b) or (3)(e) of this Rule, shall file financial statements as of a date within ninety (90) days prior to the date of filing for registration, ~~which~~ These financial statements need not be audited provided that there shall also be filed audited financial statements as of said applicant's most recent fiscal year end.

(b) Those dealer applicants which have been in operation for a period of time less than twelve (12) months, and for whom an audited financial statement has not been prepared or is not available, shall be permitted to file unaudited financial statements provided the following conditions are met:

1. Such financial statements are as of a date within thirty (30) days prior to the date of filing for registration, and are prepared in accordance with the provision of paragraphs (2)(b), (2)(d) and (3)(c) of this Rule; and

2. Such applicant is effectively registered with the Securities Exchange Commission or National Association of Securities Dealers, Inc.

(c) No change.

(d) The Department shall deem those financial statements and reports, prepared and filed in accordance with the provisions of SEC S.E.C. Rule 17a-5 (17 CFR 240.17a-5) and SEC S.E.C. Rule 17a-10 (17 CFR 240.17a-10) (as such provisions existed on March 1, 1999), to be in compliance with, and fulfill the requirements of, this Rule as applicable to a dealer.

(e) The financial statements and reports required by subparagraphs (a) through (e) ~~and~~ (d) are not required to be filed with the Department, unless specifically requested by the Department, by a dealer applicant or registrant if the dealer registrant is a current member of a securities association registered pursuant to Section 15A of the Exchange Act and such association requires financial reports to be filed with it.

(4) through (7) No change.

Specific Authority 517.03 FS. Law Implemented 517.081, 517.12 FS. History--New 12-5-79, Amended 9-20-82, Formerly 3E-300.02, Amended 6-28-93, 11-22-93, 12-24-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Haynes, Financial Analyst/Examiner Supervisor, Division of Securities and Finance

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 30, 2000

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLES:	RULE NOS.:
Application for Registration as a Dealer, Issuer/Dealer, or Investment Adviser	3E-600.001
Application for Registration as Associated Person	3E-600.002
Central Registration Depository System	3E-600.0091
Notice of Civil, Criminal or Administrative Action	3E-600.010
Licenses to be Displayed	3E-600.018

PURPOSE AND EFFECT: The purpose of the proposed amendments is to revise the registration process to allow broker dealers that can evidence current membership in the

National Association of Securities Dealers ("NASD") to file the appropriate forms and fees with the Department through the Central Registration Depository ("CRD").

SUMMARY: Dealers that are current members of the NASD will no longer be required to designate a qualifying principal. Current NASD members and persons registered with the NASD will electronically file disciplinary updates through the CRD. Responses to requests for additional information made by the Department will be filed directly with the Department. The proposed amendments will also eliminate the requirement for registrants to display licenses evidencing registration with the Department.

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

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

SPECIFIC AUTHORITY: 517.03(1), 517.12 FS.

LAW IMPLEMENTED: 517.12, 517.1205, 517.161 FS.

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

TIME AND DATE: 10:00 a.m., August 21, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: David Haynes, Financial Examiner/Analyst Supervisor, Division of Securities and Finance, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULES IS:

3E-600.001 Application for Registration as a Dealer, Issuer/Dealer, or Investment Adviser.

(1)(a) Applications for initial and renewal registration of dealers, issuer/dealers, and investment advisers shall be filed on the forms prescribed by the Department in Rule 3E-301.002(7), F.A.C., and shall include all information required by such forms, any other information the Department may require, and payment of the statutory fees required by Sections 517.12(10) and 517.131, F.S. Except as otherwise provided in Rule 3E-600.0091, F.A.C., the Department shall deem an application to be received at such time as it and the appropriate fee have been date-stamped by the cashier's office of the Department of Banking and Finance. For dealers that are members of the National Association of Securities Dealers (NASD), such application shall be filed with the Department through the Central Registration Depository (CRD) of the NASD in accordance with Rule 3E-600.0091, F.A.C.

(b) A complete application must include the following exhibits or forms that are appropriate for the type of registration requested:

1. For registration as a dealer or issuer/dealer, a Uniform Application for Broker-Dealer Registration, Form BD (Revised 7/99). For dealers that are members of the NASD, such application shall be filed with the Department through the CRD in accordance with Rule 3E-600.0091, F.A.C. For registration as an investment adviser, a Uniform Application for Investment Adviser Registration, Form ADV (Revised 1/99);

2. Statutory fee in the amount required by Section 517.12(10), F.S.;

3. A Uniform Application for Securities Industry Registration or Transfer, Form U-4 (Revised 8/99), to register at least one principal as set forth in Rule 3E-600.002, F.A.C. Evidence of current membership as a dealer with the NASD shall satisfy this requirement. ~~For any dealer that is a member of the National Association of Securities Dealers ("NASD"), the application for registration of a principal shall be filed with the Central Registration Depository ("CRD") System as set forth in Rule 3E-600.002, F.A.C. However, such dealer must in conjunction with filing its Form BD with the Department provide the Department written notification of the principal's name, CRD number, and social security number;~~

4. Financial statements and reports required under Rules 3E-300.002, 3E-600.015, 3E-600.016, and 3E-600.017, F.A.C.;

5. Proof of SEC effective registration with the Securities and Exchange Commission (SEC). Where required by Section 517.12(16), F.S., applicants for registration as a dealer shall also provide the Department with proof of insurance coverage by the Securities Investor Protection Corporation. Evidence of current membership as a dealer with the NASD shall satisfy this requirement;

6. through 8. No change.

9. When specifically requested by the Department, a copy of the ~~a~~Articles of incorporation and ~~a~~Amendments thereto, ~~or~~ if a ~~p~~Partnership, a copy of the ~~p~~Partnership ~~a~~Agreement, ~~or~~ if a limited liability company, a copy of the articles of organization.

(2) If the information contained in any application for registration as a dealer or investment adviser or in any amendment thereto, becomes inaccurate for any reason, the dealer or investment adviser shall promptly file an amendment on the Form BD or the Form ADV, respectively, correcting such information. For applicants and registrants that are a members of the NASD, each such amendment, including those required by Rule 3E-600.007, F.A.C., shall be filed with the Department through the CRD system. All other applicants and registrants shall file such amendments, including those required by Rule 3E-600.007, F.A.C., directly with the Department.

(3) through (4) No change.

Specific Authority 517.03(1), 517.12(6) FS. Law Implemented 517.12(6),(7), 517.1205 FS. History--New 12-5-79, Amended 9-20-82, Formerly 3E-600.01, Amended 7-29-90, 8-1-91, 6-16-92, 1-11-93, 11-14-93, 4-30-96, 6-22-98, 5-10-00.

3E-600.002 Application for Registration as Associated Person.

(1)(a) Applications for initial, reaffiliation, and renewal registrations of a principal or agent shall be filed on Form U-4, Uniform Application for Securities Industry Registration or Transfer (Revised 8/99), which is hereby incorporated by reference, and shall include all information required by such form, any other information the Department may require, and payment of the statutory fees required by Section 517.12(10), F.S. Except as otherwise provided in Rule 3E-600.0091, F.A.C., the Department shall deem an application to be received at such time as it and the appropriate fee have been date-stamped by the cashier's office of the Department of Banking and Finance. For dealers that are a members of the National Association of Securities Dealers ("NASD"), such application shall be filed with the Department through the Central Registration Depository ("CRD") of the NASD in accordance with Rule 3E-600.0091, F.A.C.

(b) A complete initial application must include the following exhibits or forms that are appropriate for the type of registration requested:

1. Uniform Application for Securities Industry Registration or Transfer, Form U-4 (Revised 8/99). As used on the Form U-4, the term "Office of Employment Address" shall mean the location where the person seeking registration will regularly conduct business on behalf of the dealer or investment adviser. For dealers that are a members of the NASD, such application shall be filed with the Department through the CRD ~~Central Registration Depository~~ of the NASD.

2. through 3. No change.

4. Evidence of examinations/disqualifications set forth in Rule 3E-600.005(2), F.A.C.

5. No change.

Specific Authority 517.03(1), 517.12(6) FS. Law Implemented 517.12(6),(7),(10) FS. History--New 9-20-82, Formerly 3E-301.02, Amended 10-15-86, 10-4-88, 6-24-90, 7-29-90, 10-14-90, 8-1-91, 6-16-92, 6-28-93, 11-14-93, 3-13-94, 4-30-96, 12-29-96, 6-22-98.

3E-600.0091 Central Registration Depository System.

Wherever the Rules of this Department require the filing of applications, fees, and other documents with the Department, in lieu thereof, all dealers ~~registered with this state~~ who are members of the National Association of Securities Dealers, Inc. (NASD) shall file such items as hereinafter specifically provided:

(1) All NASD member dealers requesting initial registration, renewal or termination of registration in this state shall file the appropriate Form BD or BDW and the assessment

fee required by Sections 517.12(10) or (11), F.S., with the Central Registration Depository System ("CRD") of the NASD. However, responses to requests by the Department for additional information shall be filed directly with the Department.

~~(2)(4) All NASD member dealers registered in this state requesting initial registration, renewal, reaffiliation or termination of an associated person of such member dealer shall file the appropriate Form U-4 or U-5 and the assessment fee required by Sections 517.12(10) or (11), F.S. Florida Statutes, with the Central Registration Depository System (CRD) of the National Association of Securities Dealers (NASD). However, requests for additional information shall be filed directly with the Department when requested by the Department.~~

~~(3)(2) Any application for registration as an associated person of an NASD member dealer filed with the Department via the CRD shall be deemed received by the Department on the date designated in the "Status Date" field on the line notated "FL" with a "Registration Status" of "pending" as indicated on the CRD "Registrations with Current Employers" screen indicated on the CRD ST-ALL screen as the "pending since" date on the line notated "FL".~~

~~(4)(3) Any application for registration as a dealer filed with the Department via the CRD shall be deemed received by the Department upon receipt of the Form BD and the application fee. The application fee shall be deemed received by the Department on the "payment date" reflected on the CRD "disbursement detail" report. TAT REGISTRATIONS—Except as otherwise provided herein, a dealer who is a member of the NASD and who has signed an undertaking with the NASD for participation in the Temporary Agent Transfer ("TAT") program may register associated persons with the Department pursuant to the TAT program provided that the associated person is eligible and qualifies for registration through the TAT program and provided further that the dealer has timely complied with all requirements of the TAT program with respect to the associated person's registration.~~

~~(a) Except as provided herein, the effective date of a TAT registration shall be the date indicated on the Central Registration Depository ("CRD") ST-ALL screen as the "Conditional On" date on the line notated "FL". No person seeking registration as a manager or a resident agent in charge of a branch office located in Florida shall act in the capacity of manager or resident agent in charge of a branch office located in Florida while the CRD ST-ALL screen indicates a "Conditional" registration on the line notated "FL".~~

~~(b) Any associated person who has applied for registration pursuant to the TAT program and whose TAT registration expires for failure to comply with the requirements of the TAT program or whose registration is terminated based upon ineligibility to register pursuant to the TAT program, agrees that in return for the privilege of utilizing the expedited~~

registration provisions afforded by the TAT program such person waives the applicability of the provisions of Section 120.60, F.S., to any temporary registration obtained pursuant to the TAT program and such person further agrees to voluntarily terminate any registration obtained through the TAT program which registration has expired or been terminated by the NASD for the reasons stated above. In lieu of filing a Form U-5 with the Department to effectuate a termination under these circumstances, the associated person and the Department agree that notice by the NASD that the associated person's TAT registration has expired or terminated after a conditional period without such person's registration being immediately notated in the CRD as "APPROVED", shall be accepted by the Department as notice of voluntary termination of the associated person's registration with the Department and such notice shall be considered an effective termination pursuant to Rule 3E-600.008. Such voluntary termination shall be effective the date the NASD notifies the Department through the CRD system that the TAT registration has expired or been terminated, notwithstanding the associated person's failure to file a Form U-5 with the Department.

(e) Any applicant who attempted to register with the Department through the TAT program and who failed to comply with the requirements of the TAT program and thereby voluntarily terminated the registration temporarily granted may file an application for registration with the Department pursuant to the provisions of Rule 3E-600.002.

(d) It shall be considered a violation of Section 517.301(1)(e), Florida Statutes, for any dealer or associated person to execute or file an application with the Department for registration pursuant to the TAT program when the applicant is ineligible for registration pursuant to the TAT program. Persons under examination or investigation by the Department shall be ineligible for registration through the TAT program.

(e) The Department may deny the use of the TAT program to any associated person that is the subject of an investigation or examination by the Department if the Department has reason to believe that such person has or is about to violate any provision of Chapter 517, Florida Statutes, or the Rules promulgated thereunder. Whenever the Department exercises its discretion pursuant to this section, it shall notify the associated person or the dealer of the Department's decision to deny use of the TAT program to the associated person. Upon receiving notice from the Department, either orally or in writing, of the Department's denial of use of the TAT program, such person agrees to voluntarily terminate any temporary registration granted to such person by the Department and to pursue any registration still desired by filing an application in accordance with the provisions of Rule 3E-600.002. In lieu of filing a Form U-5 with the Department to effectuate a termination under these circumstances, the associated person and the Department agree that such person's TAT registration will be deemed to have been voluntarily terminated by such

person effective the earlier of: (1) notice by the NASD that the associated person's TAT registration has expired after a conditional period without such person's registration being immediately notated "APPROVED", or (2) the date the NASD determines such person is ineligible for registration pursuant to the TAT program. Upon the earlier of these two dates, such associated person shall have been deemed to have voluntarily terminated its registration with the Department and the Department shall consider such termination effective termination pursuant to Rule 3E-600.008 notwithstanding the associated person's failure to file a Form U-5 with the Department.

Specific Authority 517.03, 517.12(15) FS. Law Implemented 517.12(10),(11),(15) FS. History--New 8-29-83, Formerly 3E-600.091, Amended 8-1-91, 6-16-92, 4-30-96, _____.

3E-600.010 Notice of Civil, Criminal or Administrative Action.

(1) through (2) No change.

(3) Any applicant or registrant in this state who is a member of the National Association of Securities Dealers, Inc. ("NASD") shall file such notifications with the Department through the Central Registration Depository ("CRD") of the NASD in accordance with Rule 3E-600.0091, F.A.C. However, responses to requests by the Department for additional information shall be filed directly with the Department.

Specific Authority 517.03 FS. Law Implemented 517.12(6), (12), 517.161 FS. History--New 12-5-79, Amended 9-20-82, Formerly 3E-600.10, Amended _____.

3E-600.018 Licenses to be Displayed.

Specific Authority 517.03 FS. Law Implemented 517.12(1),(11) FS. History--New 12-5-79, Formerly 3E-600.18, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
David Haynes, Financial Analyst/Examiner Supervisor,
Division of Securities and Finance

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

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: June 8, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 30, 2000

PUBLIC SERVICE COMMISSION

DOCKET NO. 000418-PU

RULE TITLE: Recovery of Economic Development Expenses
RULE NO.: 25-6.0426
PURPOSE AND EFFECT: To incorporate the criteria for determining a recoverable economic development expense originally established by the Department of Commerce (DOC), which were repealed by the Office of Tourism, Trade, and Economic Development after DOC was abolished.

SUMMARY: Rule 25-6.0426 addresses the recovery of economic development expenses for public electric utilities. The rule provides that electric utilities shall be allowed to recover prudently incurred economic development expenses that are consistent with the criteria in subsection (7) and that do not exceed the monetary limitations in subsection (3). The rule also requires economic development expenditures to be included in each utility's earnings surveillance report. In addition, the rule states the procedure for changing the level of recovery of economic development expenses. Investor-owned electric utilities are allowed to recover 95 percent of economic development expenses from their ratepayers. Shareholders pay the remaining five percent.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement was prepared.

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

SPECIFIC AUTHORITY: 288.035(3), 350.127(2) FS.

LAW IMPLEMENTED: 288.035 FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6245

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.0426 Recovery of Economic Development Expenses.

(1) Pursuant to Section 288.035, Florida Statutes, the Commission shall allow a public utility to recover reasonable economic development expenses subject to the limitations contained in subsections ~~(3)(2)~~ and ~~(4)(3)~~, provided that such expenses are prudently incurred and are consistent with the criteria established in subsection (7) by Rules 8E-15.001, 8E-15.002, and 8E-15.003, Florida Administrative Code.

(2) Definitions

(a) "Economic Development" means those activities designed to improve the quality of life for all Floridians by building an economy characterized by higher personal income, better employment opportunities, and improved business access to domestic and international markets.

(b) "Economic development organization" means a state, local, or regional public or private entity within Florida that engages in economic development activities, such as city and

county economic development organizations, chambers of commerce, Enterprise Florida, the Florida Economic Development Council, and World Trade Councils.

(c) "Trade show" means an exhibition at which companies, organizations, communities, or states advertise or display their products or services, in which economic development organizations attend or participate to identify potential industrial prospects, to provide information about the locational advantages of Florida and its communities, or to promote the goods and services of Florida companies.

(d) "Prospecting mission" means a series of meetings with potential industrial prospects at their business locations with the objectives of convincing the prospect that Florida is a good place to do business and offers unique opportunities for that particular business, and encouraging the prospect to commit to a visit to Florida if a locational search is pending or in progress.

(e) "Strategic plan" means a long-range guide for the economic development of a community or state that focuses on broad priority issues, is growth-oriented, is concerned with fundamental change, and is designed to develop and capitalize on new opportunities.

(f) "Recruitment" means active efforts to encourage specific companies to expand or begin operations within Florida.

~~(3)(2)~~ Prior to each utility's next rate change enumerated in subsection ~~(6)(5)~~, the amounts reported for surveillance reports and earnings review calculations shall be limited to the greater of (a) the amount approved in each utility's last rate case escalated for customer growth since that time, or (b) 95 percent of the expenses incurred for the reporting period so long as such does not exceed the lesser of 0.15 percent of gross annual revenues or \$3 million.

~~(4)(3)~~ At the time of each utility's next rate case and for subsequent rate proceedings enumerated in subsection ~~(6)(5)~~ the Commission will determine the level of sharing of prudent economic development costs and the future treatment of these expenses for surveillance purposes.

~~(5)(4)~~ Each utility shall report its total economic development expenses as a separate line item on its income statement schedules filed with the earnings surveillance report required by Rule 25-6.1352, Florida Administrative Code. Each utility shall make a line item adjustment on its income statement schedule to remove the appropriate percentage of economic development expenses incurred for the reported period consistent with subsections ~~(3)(2)~~ and ~~(4)(3)~~.

~~(6)(5)~~ Requests for changes relating to recovery of economic development expenses shall be considered only in the context of a full revenue requirements rate case or in a limited scope proceeding for the individual utility.

(7) All financial support for economic development activities given by public utilities to state and local governments and organizations shall be pursuant to a prior written agreement. Recoverable economic development expenses shall be limited to the following:

(a) Expenditures for operational assistance, including:

1. Planning, attending, and participating in trade shows;

2. Planning, conducting, and participating in prospecting missions designed to encourage the location in Florida of domestic and foreign companies;

3. Providing financial support to economic development organizations to assist with their economic development operations;

4. Providing financial support to economic development programs or initiatives identified or developed by Enterprise Florida, Inc.;

5. Participating in joint economic development efforts, including public-private partnerships, consortia, and multi-county regional initiatives;

6. Participating in downtown revitalization and rural community developmental programs;

7. Supporting state and local efforts to promote small and minority-owned business development efforts; and

8. Supporting state and local efforts to promote business retention and expansion activities.

(b) Expenditures for assisting state and local governments in the design of strategic plans for economic development activities, including:

1. Making financial contributions to state and local governments to assist strategic planning efforts; and

2. Providing technical assistance, data, computer programming, and financial support to state and local governments in the design and maintenance of information systems used in strategic planning activities.

(c) Expenditures of marketing and research services, including:

1. Assisting state and local governments and economic development organizations in marketing specific sites for business and industry development or recruitment;

2. Assisting state and local governments and economic development organizations in responding to inquiries from business and industry concerning the development of specific sites within the utility's service area;

3. Providing technical assistance, data, computer programming, and financial support to state and local governments in the design and maintenance of geographic information systems, computer networks, and other systems used in marketing and research activities;

4. Providing financial support to economic development organizations to assist with their research and marketing activities;

5. Sponsoring publications, conducting direct mail campaigns, and providing advertising support for state and local economic development efforts;

6. Participating in cooperative marketing efforts with economic development organizations;

7. Helping state and local businesses identify suppliers, markets, and sources of financial assistance;

8. Helping economic development organizations identify specific industries and companies for targeting and recruitment;

9. Working with economic development organizations to identify businesses in need of help for expansion, going out of business, or at risk of leaving the area;

10. Providing site and facility selection assistance, including lists of commercial or industrial sites, computer databases, toll-free telephone numbers, maps, photographs, videos, and other activities in cooperation with economic development organizations; and

11. Supporting state and local efforts to promote exports of goods and services, and other international business activities.

Specific Authority 288.035(3), 350.127(2) FS. Law Implemented 288.035 FS. History—New 7-17-95, Amended 6-2-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elisabeth Draper, Division of Economic Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 11, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 26, No. 16, April 21, 2000

PUBLIC SERVICE COMMISSION

DOCKET NO. 000418-PU

RULE TITLE: Recovery of Economic Development Expenses

RULE NO.: 25-7.042

PURPOSE AND EFFECT: To incorporate the criteria for determining a recoverable economic development expense originally established by the Department of Commerce (DOC), which were repealed by the Office of Tourism, Trade, and Economic Development after DOC was abolished.

SUMMARY: Rule 25-7.042 addresses the recovery of economic development expenses for public natural gas utilities. The rule provides that natural gas utilities shall be allowed to recover prudently incurred economic development expenses that are consistent with the criteria in subsection (7) and that do not exceed the monetary limitations in subsection (3). The rule also requires economic development expenditures to be included in each utility's earnings surveillance report. In addition, the rule states the procedure for changing the level of recovery of economic development expenses. Investor-owned

natural gas utilities are allowed to recover 95 percent of economic development expenses from their ratepayers. Shareholders pay the remaining five percent.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement was prepared.

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

SPECIFIC AUTHORITY: 288.035(3), 350.127(2) FS.

LAW IMPLEMENTED: 288.035 FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6245

THE FULL TEXT OF THE PROPOSED RULE IS:

25-7.042 Recovery of Economic Development Expenses.

(1) Pursuant to Section 288.035, Florida Statutes, the Commission shall allow a public utility to recover reasonable economic development expenses subject to the limitations contained in subsections ~~(3)(2)~~ and ~~(4)(3)~~, provided that such expenses are prudently incurred and are consistent with the criteria established in subsection (7) by Rules 8E-15.001, 8E-15.002, and 8E-15.003, Florida Administrative Code.

(2) Definitions

(a) “Economic Development” means those activities designed to improve the quality of life for all Floridians by building an economy characterized by higher personal income, better employment opportunities, and improved business access to domestic and international markets.

(b) “Economic development organization” means a state, local, or regional public or private entity within Florida that engages in economic development activities, such as city and county economic development organizations, chambers of commerce, Enterprise Florida, the Florida Economic Development Council, and World Trade Councils.

(c) “Trade show” means an exhibition at which companies, organizations, communities, or states advertise or display their products or services, in which economic development organizations attend or participate to identify potential industrial prospects, to provide information about the locational advantages of Florida and its communities, or to promote the goods and services of Florida companies.

(d) “Prospecting mission” means a series of meetings with potential industrial prospects at their business locations with the objectives of convincing the prospect that Florida is a good place to do business and offers unique opportunities for that particular business, and encouraging the prospect to commit to a visit to Florida if a locational search is pending or in progress.

(e) Strategic plan” means a long-range guide for the economic development of a community or state that focuses on broad priority issues, is growth-oriented, is concerned with fundamental change, and is designed to develop and capitalize on new opportunities.

(f) Recruitment” means active efforts to encourage specific companies to expand or begin operations within Florida.

~~(3)(2)~~ Prior to each utility's next rate change enumerated in subsection ~~(6)(5)~~, the amounts reported for surveillance reports and earnings review calculations shall be limited to the greater of (a) the amount approved in each utility's last rate case escalated for customer growth since that time, or (b) 95 percent of the expenses incurred for the reporting period so long as such does not exceed the lesser of 0.15 percent of gross annual revenues or \$3 million.

~~(4)(3)~~ At the time of each utility's next rate case and for subsequent rate proceedings enumerated in subsection (5) the Commission will determine the level of sharing of prudent economic development costs and the future treatment of these expenses for surveillance purposes.

~~(5)(4)~~ Each utility shall report its total economic development expenses as a separate line item on its income statement schedules filed with the earnings surveillance report required by Rule 25-7.1352, Florida Administrative Code. Each utility shall make a line item adjustment on its income statement schedule to remove the appropriate percentage of economic development expenses incurred for the reported period consistent with subsections ~~(3)(2)~~ and ~~(4)(3)~~.

~~(6)(5)~~ Requests for changes relating to recovery of economic development expenses shall be considered only in the context of a full revenue requirements rate case or in a limited scope proceeding for the individual utility.

(7) All financial support for economic development activities given by public utilities to state and local governments and organizations shall be pursuant to a prior written agreement. Recoverable economic development expenses shall be limited to the following:

(a) Expenditures for operational assistance, including:

1. Planning, attending, and participating in trade shows;

2. Planning, conducting, and participating in prospecting missions designed to encourage the location in Florida of domestic and foreign companies;

3. Providing financial support to economic development organizations to assist with their economic development operations;

4. Providing financial support to economic development programs or initiatives identified or developed by Enterprise Florida, Inc.;

5. Participating in joint economic development efforts, including public-private partnerships, consortia, and multi-county regional initiatives;

6. Participating in downtown revitalization and rural community developmental programs;

7. Supporting state and local efforts to promote small and minority-owned business development efforts; and

8. Supporting state and local efforts to promote business retention and expansion activities.

(b) Expenditures for assisting state and local governments in the design of strategic plans for economic development activities, including:

1. Making financial contributions to state and local governments to assist strategic planning efforts; and

2. Providing technical assistance, data, computer programming, and financial support to state and local governments in the design and maintenance of information systems used in strategic planning activities.

(c) Expenditures of marketing and research services, including:

1. Assisting state and local governments and economic development organizations in marketing specific sites for business and industry development or recruitment;

2. Assisting state and local governments and economic development organizations in responding to inquiries from business and industry concerning the development of specific sites within the utility's service area;

3. Providing technical assistance, data, computer programming, and financial support to state and local governments in the design and maintenance of geographic information systems, computer networks, and other systems used in marketing and research activities;

4. Providing financial support to economic development organizations to assist with their research and marketing activities;

5. Sponsoring publications, conducting direct mail campaigns, and providing advertising support for state and local economic development efforts;

6. Participating in cooperative marketing efforts with economic development organizations;

7. Helping state and local businesses identify suppliers, markets, and sources of financial assistance;

8. Helping economic development organizations identify specific industries and companies for targeting and recruitment;

9. Working with economic development organizations to identify businesses in need of help for expansion, going out of business, or at risk of leaving the area;

10. Providing site and facility selection assistance, including lists of commercial or industrial sites, computer databases, toll-free telephone numbers, maps, photographs, videos, and other activities in cooperation with economic development organizations; and

11. Supporting state and local efforts to promote exports of goods and services, and other international business activities.

Specific Authority 288.035(3), 350.127(2) FS. Law Implemented 288.035 FS. History—New 7-17-95, Amended 6-2-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Shevie Brown, Division of Competitive Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 11, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 26, No. 16, April 21, 2000

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Miscellaneous Provisions
RULE CHAPTER NO.: 40E-7

RULE TITLES: Access to Management Areas; Closures
Hunting; Possession and Use of Firearms
Special Use Licenses
RULE NOS.: 40E-7.523
40E-7.527
40E-7.534

Establishment of South Florida Water Management District Management Areas
Open to the Public 40E-7.538

PURPOSE AND EFFECT: The proposed rule concerns revision so the document entitled, "Public Use Guide for Designated Land Management Areas" (PUG). This document is incorporated by reference in Rule 40E-7.520, FAC. The proposed revisions provide that lands acquired by the District under the Save Our Rivers and Preservation 2000 programs are made available to the public for recreational use and enjoyment, while protecting natural resources and ecosystems. Regulations concerning the use of certain existing management areas are to be amended and new management areas are to be added, and others may be deleted.

SUMMARY: The proposed changes to the PUG are to include the addition of new management areas, areas to be designated at Public Use Areas under a management agreement with the Florida Fish and Wildlife Conservation Commission, and to update information in the Special Provisions governing the use of these management areas.

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

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

SPECIFIC AUTHORITY: 373.019, 373.044, 373.113, 373.1395, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.056, 373.069, 373.079, 373.083, 373.103, 373.119, 373.139, 373.1395, 373.1401, 373.59 FS.

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

TIME AND DATE: 9:00 a.m., September 14, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Janetta Worth, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6640 or (561)682-6640 (internet: jworth@sfwmd.gov). Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made. Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, at (561)682-6206 at least two business days in advance to make appropriate arrangements

THE FULL TEXT OF THE PROPOSED RULES IS:

40E-7.523 Access to Management Areas; Closures.

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

(c) When necessary, in the District's judgement based upon available information at the time, on a temporary, seasonal or permanent basis to protect natural, historic or archaeological resources. Such closures, to the extent they exceed thirty (30) days, shall require advance public notice and approval by the Governing Board.

(c) through (3) No change.

Proposed Effective Date: January 1, 2001

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.119, 373.139, 373.59 FS. History--New 5-24-94, Amended 1-1-01.

40E-7.527 Hunting; Possession and Use of Firearms.

(1) Consistent with Chapter 790, F.S., and other applicable provisions of local, state and federal law, such as the rules and regulations of the Florida Fish and Wildlife Conservation Game and Fresh Water Fish Commission and the United States Department of Interior, Fish and Wildlife Service, hunting, unlawful possession, discharge, and use of firearms, archery equipment, trapping devices and the releasing of free-running hunting dogs are prohibited on management areas unless the land is opened as a public hunting area and these uses are authorized in the specific public hunting area regulations.

(2) Public hunting on management areas is administered by the Florida Fish and Wildlife Conservation Game and Fresh Water Fish Commission, or the U.S. Department of the Interior, Fish and Wildlife Service in cooperation with the District. If a management area is included in a public hunting area, it shall be posted as prescribed by Chapter 810, F.S. Management areas currently established as public hunt areas are noticed in the Public Use Guide.

(3) Public hunting areas shall only be established on management areas with approval of the Board. Board approval shall be given at a public meeting, which shall be advertised as required by Chapter 120, F.S. The District may enter into management agreements with the entity to be responsible for managing the public hunting on the management area. Agreements between the District and the Florida Fish and Wildlife Conservation Game and Fresh Water Fish Commission or the United States Fish and Wildlife Service are considered to be authorizations to remove designated game species. The agreements will be available at the District headquarters for review by the public.

Proposed Effective Date: January 1, 2001

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.1401, 373.59, 790, 810.09 FS. History--New 5-24-94, Amended 9-10-98, 1-1-01.

40E-7.534 Special Use Licenses.

(1) No change.

(2) A Special Use Application and License shall be submitted to the District on Form #0830. Upon receipt of a properly completed Special Use Application and License Form #0830, the District's Department of Land Stewardship Management shall issue Special Use Licenses on a first come first served basis until the daily quota established by the District for that activity is reached.

(3) No change.

(4) Persons wishing to obtain a Special Use License, when required by the District, may apply in person, call, or write to request a copy of Special Use Application and License Form #0830 from the District at the following:

(a) ~~Land Stewardship Division~~

Department of Land Stewardship Management

South Florida Water Management District

Post Office Box 24680

3301 Gun Club Road

West Palm Beach, FL 33416-4680

Telephone: (516)686-8800 or Florida WATS 1(800)432-2045, or

(b) From the applicable service center as set forth in the special provisions for the specific management area.

(5) No change.

(6) No change.

(7) Special Use Licenses shall be issued by the District's Land Stewardship Division in accordance with the provisions of this section, for the purpose of providing mobility impaired persons the opportunity to use motorized vehicles to access portions of the management areas not otherwise open to motorized vehicles. Licenses for this purpose will be issued upon request, including proof of mobility impairment, as long as the requested use will not adversely impact the resource, impair the safety and welfare of the user, interfere with the reasonable use by others, or result in substantial financial obligations by the District to accommodate the user.

Proposed Effective Date: January 1, 2001

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.139, 373.59 FS. History—New 5-24-94, Amended 9-10-98, 1-1-01.

40E-7.538 Establishment of South Florida Water Management District Management Areas Open to the Public. The South Florida Water Management District does hereby establish the following areas as Management Areas that are open to the public under the General and Specific Rules of the District, and under Regulations and Ordinances of cooperating management entities.

(1) Tibet Butler Management Area located in Orange County.

(a) Public use of the management area is governed primarily by Regulations of the Orange County Parks and Recreation Department and Orange County Ordinance.

(b) District Public Use Rules are supplemental to Regulations of the Orange County Parks and Recreation Department and Orange County Ordinance.

(2) Shingle Creek Management Area located in Orange County.

(a) Persons may enter the management area from the Marriott Vista trail head and from Shingle Creek.

(b) Access to the management area is permitted only during daylight hours.

(c) Overnight camping is permitted only when in the possession of a Special Use License.

(d) Airboating is prohibited.

(e) Horseback riding is prohibited.

(f) Hunting is prohibited.

(3) Lake Marion Creek Management Area located in Osceola and Polk Counties.

(a) Public use of the management area is governed primarily by Regulations of the Florida Fish and Wildlife Conservation Commission.

(b) District Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

(c) Persons may enter the management area at designated access points off County Road 580, Horseshoe Creek Road, and Adair Court.

(d) Bicycling is permitted only when in the possession of a Special Use License.

(e) Overnight camping is permitted only when in the possession of a Special Use License.

(f) Airboating is prohibited.

(g) Horseback riding is prohibited.

(4) Lake Walk-In-Water Management Area located in Polk County.

(a) Public use of the management area is governed primarily by Polk County Ordinance.

(b) The District's Public Use Rules are supplemental to Polk County Ordinance.

(5) Lower Reedy Creek Management Area located in Osceola and Polk Counties.

(a) Lake Russell Management Unit.

1. Public use of the management area is governed primarily by Rules of the Osceola County School Board and Osceola County Ordinance.

2. District Public Use Rules are supplemental to Rules of the Osceola County School Board and Osceola County Ordinance.

3. Camping is permitted only when in the possession of a Special Use License.

4. Airboating is prohibited.

5. Hunting is prohibited.

6. Vehicular travel is permitted only on the entrance roadway, or as authorized by Special Use License.

(b) Rough Island North and South and Johnson Island Units.

1. Hunting is prohibited beyond the blue District Management Area signs.

2. Airboating is prohibited beyond the blue District Management Area signs.

3. Foot travel only is permitted beyond the blue District Management Area signs.

4. The use or occupancy of existing buildings, structures, and related improvements is prohibited unless designated as a public use facility.

5. Horseback riding is permitted only when in the possession of a Special Use License.

6. Notwithstanding provisions i through iv above, public access is prohibited within the posted areas generally located above the divergence of Reedy Creek and the Dead River. Public access to Rough Island North is permitted from August 15 to February 15 only between the hours of 6:00 a.m. to 9:00 p.m. Users of this area must be in possession of a Special Use License, which can be obtained from the District's Orlando Service Center at 1(800)250-4250 (see 40E-7.534 of the General Rules and Regulations). A quota of fifty (50) annual licenses has been established by the District for public access to Rough Island North.

(6) Upper Reedy Creek Management Area

(a) Intercession City Management Unit

1. Hunting is prohibited.
2. Airboating is prohibited.
3. Overnight camping is prohibited.
4. Horseback riding is prohibited.
5. Bicycling is prohibited.

(b) Poinciana Management Unit.

1. Public use of the management area is governed primarily by Rules of the Osceola County School Board and Osceola County Ordinance.

2. District Public Use Rules are supplemental to Rules of the Osceola County School Board and Osceola County Ordinance.

3. Hunting is prohibited.
4. Airboating is prohibited.
5. Overnight camping is prohibited.
6. Horseback riding is prohibited.
7. Bicycling is prohibited.

(7) Catfish Creek Management Area located in Polk County.

(a) Persons may enter the management area from Lake Hatchineha.

(b) Hunting is permitted and regulated by state law and regulations of the Florida Fish and Wildlife Conservation Commission.

(c) Airboating is prohibited only within upland hammock areas and is regulated by state law and Polk County ordinance.

(d) Horseback riding is allowed when in the possession of a Special Use License.

(8) Lake Kissimmee Management Area located in Osceola and Polk Counties.

(a) Hunting:

1. Is prohibited in Ike Hammock and from improved roadways in the Gardner-Cobb Marsh Unit.

2. Is prohibited in the Drasdo and Lightsey Units beyond the blue District Management Area signs.

(b) Airboating:

1. Is prohibited on or across improved roadways or within hammock areas, except that airboats may cross the main grade at the designated crossing points, in the Gardner Cobb Marsh Unit.

2. Is prohibited in the Drasdo and Lightsey Units beyond the blue District Management Areas signs.

(c) Horseback riding is allowed when in the possession of a Special Use License.

(d) Motorized vehicles other than airboats are prohibited.

(e) Bicycling is authorized in the management area.

(f) The use or occupancy of existing buildings, structures, and related improvements is prohibited unless designated as a public use facility.

(9) Lower Kissimmee River Management Area located in Polk, Osceola, Highlands, Glades, and Okeechobee Counties.

(a) KICCO Management Unit

1. Public use of the management area is governed primarily by Wildlife Management Area Type I Regulations of the Florida Fish and Wildlife Conservation Commission.

2. District Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

(b) Hickory Hammock Management Unit.

1. Public use of the management area is governed primarily by Wildlife Management Area Type I Regulations of the Florida Fish and Wildlife Conservation Commission.

2. District Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

3. Persons may enter the management area from the Kissimmee River and from designated public access points at public roadways.

4. Airboating is prohibited within posted safety zones and beyond the blue District Management Area signs.

5. Camping is permitted only when in the possession of a Special Use License.

6. Motorized vehicles are prohibited except on named and numbered roads or as authorized by the District and/or the Florida Fish and Wildlife Conservation Commission during Special Opportunity hunts.

(c) Pool A-East, Pool C, Pool D, Pool E, and Paradise Run Management Units.

1. Public use of the management area is governed primarily by Public Use Area Regulations of the Florida Fish and Wildlife Conservation Commission.

2. District Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

3. Persons may enter the management area from the Kissimmee River and from designated public access points at public roadways.

4. Hunting is prohibited within posted safety zones.

5. Airboating is prohibited within posted safety zones and beyond the blue District Management Area signs.

6. Camping is permitted only in designated camping areas from February 1 through August 31 of each year.

7. Horseback riding is permitted only when in the possession of a Special Use License.

8. Bicycling is permitted only when in the possession of a Special Use License.

9. Motorized vehicles other than airboats are prohibited except on named and numbered roads as authorized by the District and/or the Florida Game & Fresh Water Fish Commission during Special Opportunity hunts.

10. The use or occupancy of existing buildings, structures, and related improvements is prohibited unless designated as a public use facility.

(10) Kissimmee Prairie Ecosystem Management Area located in Okeechobee County.

(a) Public use of the management area is governed by Regulations of the Florida Department of Environmental Protection.

(b) District Public Use Rules are supplemental to Regulations of the Florida Department of Environmental Protection.

(11) South Fork St. Lucie River Management Area located in Martin County.

(a) Persons may enter the management area on foot from the South Fork of the St. Lucie River.

(b) Overnight camping at the canoe landing is permitted when in the possession of a Special Use License.

(c) Hunting is prohibited.

(d) Horseback riding is prohibited.

(e) Airboating is prohibited.

(f) The use of motorized vehicles is prohibited.

(12) Loxahatchee River Management Area located in Palm Beach and Martin Counties.

(a) Northwest Fork Management Unit.

1. Public use of the management area is governed by Regulations of the Florida Department of Environmental Protection for Jonathan Dickinson State Park.

2. District Public Use Rules are supplemental to Regulations of the Florida Department of Environmental Protection.

3. Hunting is prohibited.

4. Horseback riding is prohibited.

5. Airboating is prohibited.

6. The use of motorized vehicles is prohibited.

7. Bicycling is prohibited.

8. Overnight camping is prohibited.

(b) Riverbend Management Unit.

1. Public use of the management area is governed primarily by Regulations of the Palm Beach County Parks and Recreation Department and Palm Beach County Ordinance.

2. District Public Use Rules are supplemental to Regulations of the Palm Beach County Parks and Recreation Department and Palm Beach County Ordinance.

(13) West Jupiter Wetlands Management Area located in Martin and Palm Beach Counties.

(a) Persons may enter the management area on foot at the designated access point off state road 706 (Indiantown Road).

(b) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

(c) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

(d) Airboating is prohibited.

(e) Hunting is prohibited.

(f) Horseback riding is prohibited.

(g) Camping is allowed only on the rim of the spoil bank on the south side of the canal.

(h) Swimming, bathing and boating are prohibited in the canals.

(i) Canoeing is allowed only in the interior ponds.

(14) DuPuis Management Area located in Martin and Palm Beach Counties.

(a) Public use of the management area is governed primarily by Regulations of the Florida Fish and Wildlife Conservation Commission.

(b) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

(c) The use or possession of saddle animals is restricted to the equestrian center, designated equestrian trails, and named or numbered roads.

(d) Use of the Dupuis Management Area is restricted during hunting periods authorized by Florida Fish and Wildlife Conservation Commission. Call ahead for current conditions and information on special events.

(e) Airboating is prohibited.

(f) Frogging is prohibited.

(g) Motorized vehicles, horse buggies and bicycles are allowed on named and numbered roads and designated parking areas only.

(h) The use of off road vehicles is restricted to the designated disabled hunt in accordance with Commission Regulations.

(i) User registration is required to enter and use the DuPuis Management Area. Self-serve registration stations are located at the designated entry points: gates 1, 2, and 3.

(j) No dogs allowed on Dupuis except as authorized by the Florida Fish and Wildlife Conservation Commission.

(k) Camping at the family campsite:

1. Is only allowed at designated campsites.

2. Only tent camping or tent popup camping is allowed.

3. 8 people in 2 vehicles are allowed per campsite.

4. Generators are not allowed.

(l) A group campsite is available by Special Use License, call (561)924-5310 for information.

(m) Camping is not allowed at Governor House.

(15) Strazzulla Marsh Management Area located in Palm Beach County.

(a) Public use of the management area is governed primarily by Regulations of the United States Fish and Wildlife Service.

(b) The District's Public Use Rules are supplemental to Regulations of the United States Fish and Wildlife Service.

(16) Terrytown Management Area located in Palm Beach County.

(a) Public use of the management area is governed primarily by Regulations of the Florida Fish and Wildlife Conservation Commission.

(b) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

(17) Everglades Buffer Strip Management Area located Broward County.

(a) Persons may enter the management area on foot from U.S. Highway 27 or along the existing FP&L access road at the north end of the area.

(b) Overnight camping is prohibited.

(c) Hunting is prohibited.

(d) Motorized vehicles are prohibited.

(e) Airboating is prohibited.

(f) Horseback riding is prohibited.

(18) Southern Glades Management Area located in Dade County.

(a) Public use of the management area is governed primarily by Regulations of the Florida Fish and Wildlife Conservation Commission.

(b) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

(19) Crew Marsh Management Area located in Lee and Collier Counties.

(a) Public use of the management area is governed primarily by Regulations of the Florida Fish and Wildlife Conservation Commission.

(b) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

(c) Persons may enter and exit the management area each day between sunrise and sunset from any established trailhead off State Road 850 (Corkscrew Road).

(d) Overnight camping is permitted at the designated primitive campsite when in the possession of a Special Use License from the District (See 40E-7.534) or as authorized by Florida Fish and Wildlife Conservation Commission. A quota of twenty (20) persons per night has been established by the District for use of the designated campsites. A copy of the special use license must be displayed in a readily visible location within the licensee's vehicle while parked on the management area.

(e) Airboating is prohibited.

(f) The use or possession of saddle animals is restricted to designated equestrian trails.

(g) Boating, other than kayaking and canoeing, is prohibited.

(h) Dogs must be on a leash and under control of the owner at all times.

(i) Bicycles are prohibited.

(j) Hunting is restricted to hunting periods authorized by the Florida Fish and Wildlife Conservation Commission.

(20) Bird Rookery Swamp Management Area located in Collier County.

(a) Public use of the management area is governed primarily by Regulations of the Florida Fish and Wildlife Conservation Commission.

(b) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

(c) Persons may enter the management area on foot at the west end of NW 43 Avenue, Collier County.

(d) Airboating is prohibited.

(e) Boating, other than kayaking and canoeing, is prohibited.

(21) Okaloocoochee Slough Management Area located in Hendry County.

(a) Public use of the management area is governed primarily by Regulations of the Florida Division of Forestry.

(b) The District's Public Use Rules are supplemental to Regulations of the Florida Division of Forestry.

(22) Six Mile Cypress Management Area located in Lee County.

(a) Public use of the management area is governed primarily by Regulations of the Lee County Parks and Recreation Department and Lee County Ordinance.

(b) The District's Public Use Rules are supplemental to Regulations of the Lee County Parks and Recreation Department and Lee County Ordinance.

(23) Nicodemus Slough Management Area located in Glades County.

(a) Persons may enter the management area each day between sunrise and sunset; nighttime activities other than those specified in Special Provision 23(c) below are prohibited.

(b) Overnight camping is prohibited.

(c) Airboating and frogging are permitted on the management area. Airboaters operating on the management area must be in possession of a Special Use License. A quota of five airboats per day has been established by the District. A copy of the Special Use License must be displayed in a readily visible location within the licensee's vehicle while parked on the management area.

(d) Hunting is prohibited.

(e) Horseback riding is prohibited.

(f) The use of motorized vehicles is restricted to the designated access site.

Proposed Effective Date: January 1, 2001

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.139, 373.59 FS. History—New 1-1-01.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Fred Davis, Director, Department Land Stewardship, Water Resource Operations

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 25, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLE: License Renewal Fee Waivers
RULE NO.: 61-5.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to implement the amendment made to section 455.219(1), Florida Statutes, passed during the 2000 Legislative Session in section 8 of chapter 2000-356, Laws of Florida (Senate Bill 1016). This amendment authorizes the Department to adopt rules which provide for the waiver of license renewal fees for professions which meet the statutory criteria.

SUMMARY: The proposed rule provides a one-time waiver for all, or a portion thereof, of the license renewal fee collected during a two year period for the following professions: electrical contracting, employee leasing, harbor piloting, real estate appraisers, veterinary medicine, certified public accountancy, architecture and interior design, auctioneering, real estate brokers and salespersons, landscape architecture, and surveying and mapping.

SPECIFIC AUTHORITY: 455.219(1) FS.

LAW IMPLEMENTED: 455.219(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tom Thomas, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

THE FULL TEXT OF THE PROPOSED RULE IS:

61-5.005 License Renewal Fee Waivers.

(1) Pursuant to section 455.219(1), Florida Statutes, the Department of Business and Professional Regulation has determined, based on long-range estimates of the revenue required to implement all provisions of law relating to the regulation of professions, that certain professions have an excess of trust fund moneys required to cover the functions necessary to regulate those professions. These professions, as

outlined in subsections (2), (3), and (4) below, are therefore eligible to receive a waiver of license renewal fees for a period not to exceed two years. This is a one-time waiver and is available only in the two year period following the effective date of this rule.

(2) The full renewal fee for licensees of professions named in this subsection renewing their license in the two year period following the effective date of this rule is waived. The following professions covered by this subsection are:

(a) electrical contracting, regulated pursuant to part II of chapter 489, F.S., and whose renewal fees are set in Rule 61G6-8.001, F.A.C.;

(b) employee leasing, regulated pursuant to part XI of chapter 468, F.S., and whose renewal fees are set in Rule 61G7-5.001, F.A.C.;

(c) harbor piloting, regulated pursuant to chapter 310, F.S., and whose renewal fees are set in Rule 61G14-14.004, F.A.C.;

(d) real estate appraisers, regulated pursuant to part II of chapter 475, F.S., and whose renewal fees are set in Rule 61J1-2.001, F.A.C.; and

(e) veterinary medicine, regulated pursuant to chapter 474, F.S., and whose renewal fees are set in Rules 61G18-12.005 and 61G18-12.009, F.A.C.

(3) One half of the full renewal fee for licensees of professions named in this subsection renewing their license in the two year period following the effective date of this rule is waived. The following professions covered by this subsection are:

(a) certified public accountancy, regulated pursuant to chapter 473, F.S., and whose renewal fees are set in Rule 61H1-31.001, F.A.C.;

(b) architecture and interior design, regulated pursuant to part I of chapter 481, F.S., and whose renewal fees are set in Rules 61G1-17.001, 61G1-17.002, and 61G1-17.003, F.A.C.;

(c) auctioneering, regulated pursuant to part VI of chapter 468, F.S., and whose renewal fees are set in Rule 61G2-3.005, F.A.C.; and

(d) real estate brokers and salespersons, regulated pursuant to part I of chapter 475, F.S., and whose renewal fees are set in Rule 61J2-1.011, F.A.C.

(4) One fourth of the full renewal fee for licensees of professions named in this subsection renewing their license in the two year period following the effective date of this rule is waived. The following professions covered by this subsection are:

(a) landscape architecture, regulated pursuant to part II of chapter 481, F.S., and whose renewal fees are set in Rule 61G10-12.009, F.A.C.; and

(b) surveying and mapping, regulated pursuant to chapter 472, F.S., and whose renewal fees are set in Rule 61G17-8.0011, F.A.C.

(5) For renewals covered by this rule, the separate five dollar unlicensed activity fee collected pursuant to section 455.2281, F.S., must still be paid at the time of renewal by all licensees. Further, this rule does not waive any additional fees owed at the time of renewal, such as late renewal or penalty fees.

(6) This rule becomes effective on October 1, 2000.

Specific Authority 455.219(1) FS. Law Implemented 455.219(1) FS. History--New 10-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Thomas, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cynthia A. Henderson, Secretary, Department of Business and Professional Regulation

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 26, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE CHAPTER TITLE: General
RULE TITLE: License Fees

RULE CHAPTER NO.: 61C-1
RULE NO.: 61C-1.008

PURPOSE AND EFFECT: The purpose of this rule development is to modify the fee amounts for the inspection service of temporary public food service establishments and other vendors participating in 1 to 3 day temporary food service events and 4 through 30 day temporary food service events. Additionally, the division seeks to modify the fee amount for plan review services.

SUMMARY: These rules affect the licensure of all temporary public food service establishments and other vendors operating at temporary food service events and any planned new construction or remodeled public food service establishment. The proposed fee increase amounts reflect the actual cost to the division to perform these services.

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

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

SPECIFIC AUTHORITY: 509.032(6), 509.251 FS.

LAW IMPLEMENTED: 509.013, 509.032(2)(e), 509.032(3)(c), 509.251 FS.

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

TIME AND DATE: 10:00 a.m. (EST), Monday, August 21, 2000

PLACE: Secretary's Conference Room, Room 259, The Johns Building, 725 South Bronough Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Lee M.Cornman, Management Review Specialist, (850)488-9263. 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 IS: Lee M. Cornman, Management Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012, telephone (850)488-9263

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-1.008 License Fees.

(1) through (4) No change.

(5) Amount of License Fee – Public Food Service Establishment. The license fee for a public food service establishment shall be in accordance with the following schedule exclusive of the categories of fee adjustments set forth in rule 61C-1.008(1) and (3):

(a) Nonseating:

1.

	BASIC FEE	SERVICE TYPE FEE	EPIDEMIOLOGICAL FEE	HEP FEE	TOTAL FEE
Permanent	\$175	\$0	\$10	\$6	\$191
Mobile Food Dispensing Vehicle	\$140	\$135	\$14	\$6	\$295
Catering	\$140	\$55	\$10	\$6	\$211

2.

	BASIC FEE	EPIDEMIOLOGICAL FEE	HEP FEE	TOTAL FEE
Temporary Public Food Service Establishments and Vendors				
1-3 Day events	\$77 32	\$2	\$6	\$85 40
4 through 30-day events	\$95 65	\$4	\$6	\$105 75
Vending Machines	\$10	\$1	\$6	\$17

3. Theme Park Food Carts

No. of Carts	Basic Fee	Capacity Fee	Epidemiological Fee	HEP Fee	Total Fee
1-5	\$140	\$55	\$10	\$6	\$211
6-10	\$140	\$65	\$10	\$6	\$221
11-15	\$140	\$85	\$11	\$6	\$242
16-20	\$140	\$105	\$12	\$6	\$263
21-25	\$140	\$125	\$13	\$6	\$284
26 or more	\$140	\$145	\$14	\$6	\$305

(b) Seating:

No. of Seats	Basic Fee	Capacity Fee	Epidemiological Fee	HEP Fee	Total Fee
1-49	\$140	\$55	\$10	\$6	\$211
50-149	\$140	\$65	\$10	\$6	\$221
150-249	\$140	\$85	\$11	\$6	\$242
250-349	\$140	\$105	\$12	\$6	\$263
350-499	\$140	\$125	\$13	\$6	\$284
500 or more	\$140	\$145	\$14	\$6	\$305

(c) Plan review fees shall be \$150 ~~75~~; variance review process fees shall be:

1. Routine – \$150; and
2. Emergency – \$300.

(6) No change.

Specific Authority 509.032(6), 509.251 FS. Law Implemented 509.013, 509.032(2)(e), 509.032(3)(c), 509.251, 509.302(3) FS. History—New 7-31-79, Revised 9-1-80, Formerly 7C-1.08, Amended 5-10-89, 9-10-89, 10-31-89, 4-3-90, 12-31-90, 9-11-91, 2-27-92, 7-6-9, 8-23-92, 11-4-92, 4-4-93, Formerly 7C-1.008, Amended 9-20-93, 12-22-93, 6-29-95, 10-9-95, 9-25-96, 5-11-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lee M. Cornman, Management Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cynthia A. Henderson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Exemption of Spouses of Members of Armed Forces from License Renewal Requirements

RULE NO.: 61G19-9.0015

PURPOSE AND EFFECT: The Board determined it is necessary to promulgate a new rule to address a spouse's exemption from license renewal if married to a member of the Armed Forces.

SUMMARY: This new rule sets the criteria of license renewal if the applicant is the spouse of a member of the Armed Forces.

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: 455.02 FS.

LAW IMPLEMENTED: 455.02 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-9.0015 Exemption of Spouses of Members of Armed Forces 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 shall be exempt from all licensure renewal provisions under these rules during such absence. The licensee must show satisfactory proof to the Board of the absence and the spouse's military status.

Specific Authority 455.02 FS. Law Implemented 455.02 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Building Code Administrators and Inspectors Board
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Building Code Administrators and
 Inspectors Board
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: July 13, 2000
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: June 16, 2000

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Clinical Laboratory Personnel
 RULE NO.: 64B3-2.002
 PURPOSE AND EFFECT: The Board proposes to update the
 existing rule text.

SUMMARY: The purpose of the rule amendments is to update
 the rule text with regard to the definition of "technician".

SUMMARY OF STATEMENT OF ESTIMATED
 REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 483.805(4), 483.811(4) FS.

LAW IMPLEMENTED: 483.035(1), 483.803, 483.811(3),(4)
 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
 PROPOSED RULE IS: Joe Baker, Jr., Executive Director,
 Board of Clinical Laboratory, 4052 Bald Cypress Way, Bin
 #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-2.002 Clinical Laboratory Personnel.

(1) through (3) No change.

(4) Technician means a person qualified as a technician
 pursuant to the Board's rules who practices the profession and
may perform tests classified as highly complex pursuant to 42
CFR 493.17 (September 7, 1999), incorporated by reference
herein, only when under direct supervision of a licensed
technologist, supervisor, or director unless the technician meets
the minimum qualifications contained in 42 CFR 493.1489
(September 7, 1999), incorporated by reference herein, and the
requirements contained in Rule 64B3-5.004(5) under direct
supervision and fulfills the responsibilities specified in Rule
 64B3-5.004(7).

(5) through (7) No change.

Specific Authority 483.805(4), 483.811(4) FS. Law Implemented 483.035(1),
 483.803, 483.811(3),(4) FS. History--New 11-4-93, Formerly 61F3-2.002,
 Amended 11-21-94, 7-12-95, 5-15-96, Formerly 59O-2.002, Amended
 3-19-98, 12-13-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Clinical Laboratory Personnel
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Board of Clinical Laboratory
 Personnel
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: April 27, 2000
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: June 9, 2000

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Technician
 RULE NO.: 64B3-5.004
 PURPOSE AND EFFECT: The Board proposes to update the
 existing rule text.

SUMMARY: The rule defines the "Responsibilities of
 Technicians".

SUMMARY OF STATEMENT OF ESTIMATED
 REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 483.805(4), 483.811(2), 483.823
 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809,
 483.811(2), 483.815, 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
 PROPOSED RULE IS: Joe Baker, Jr., Executive Director,
 Board of Clinical Laboratory, 4052 Bald Cypress Way, Bin
 #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.004 Technician.

(1) through (5) No change.

(6) Responsibilities of Technicians. The technician shall:

(a) Perform tests classified as highly complex pursuant to
42 CFR 493.17 (September 7, 1999), incorporated by reference
herein, only when under direct supervision of a licensed
technologist, supervisor, or director unless the technician meets
the minimum qualifications contained in 42 CFR 493.1489
(September 7, 1999), incorporated by reference herein and the
requirements contained in Rule 64B3-5.004(5) perform
procedures under direct supervision.

(b) through (f) No change.

Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History--New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.004, Amended 5-26-98, 9-20-98, 9-20-98, 1-11-99, 8-31-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 9, 2000

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: RESPONSIBILITIES OF TECHNICIANS RULE NO.: 64B3-13.004

PURPOSE AND EFFECT: The purpose of the rule is to provide procedures relating to technicians.

SUMMARY: The rule provides procedures for technicians.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.800, 483.813, 483.823, 483.825 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory, 4052 Bald Cypress Way Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-13.004 Responsibilities of Technicians.

(1) The technician shall:

(a) Perform tests classified as highly complex pursuant to 42 CFR 493.17 (September 7, 1999), incorporated by reference herein, only when under the direct supervision of a licensed technologist, supervisor, or director unless the technician meets the minimum qualifications set forth in 42 CFR 493.1489 (September 7, 1999), incorporated by reference herein and the requirement contained in Rule 64B3-5.004(5) Perform testing

~~only when under direct supervision of a licensed technologist, supervisor or director except when provided otherwise by rule of the Board.~~

(b) No change.

~~(e) Not perform any test designated as highly complex as defined in 42 CFR 493.10 and 493.17 incorporated by reference unless directly supervised by a licensed technologist, licensed supervisor or director.~~

~~(c)(d)~~ Perform only those tests authorized by the director.

~~(d)(e)~~ Follow the clinical laboratory's procedures for specimen handling and processing, test analyses, reporting and maintaining records of patient test results.

~~(e)(f)~~ Notify a licensed technologist or supervisor whenever test systems are not within the clinical laboratory's defined acceptable levels of performance.

~~(f)(g)~~ Participate in proficiency testing samples and ensure that these samples are tested in the same manner as patient specimens.

~~(g)(h)~~ Adhere to the clinical laboratory's quality control policies and document quality control activities, instrument and procedural calibrations and maintenance performed.

~~(h)(i)~~ Be capable of identifying problems that may adversely affect test performance or reporting of test results and immediately notify a licensed technologist or supervisor.

~~(i)(j)~~ Document all corrective actions taken when test systems deviate from the clinical laboratory's established performance specifications.

~~(j)(k)~~ Follow the directives of directors, supervisors or technologists while exercising their duties and responsibilities.

~~(k) Shall not perform clinical laboratory testing classified as highly complex pursuant to 42 CFR 493.17 (September 7, 1999), incorporated by reference, unless the technician meets the minimum qualifications contained in 42 CFR 493.1489 (September 7, 1999), incorporated by reference.~~

~~(m) In the specialty of Cytology, in addition to the above responsibilities, the technician shall:~~

~~1. Perform only preparatory work and shall not screen any cytological smears.~~

~~2. Perform preparatory work only under direct supervision.~~

Specific Authority 483.805(4) FS. Law Implemented 483.800, 483.813, 483.823, 483.825 FS. History--New 12-6-94, Amended 3-28-95, 7-12-95, Formerly 590-13.004, Amended 1-27-00.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 9, 2000

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE TITLES: DEFINITIONS 64E-4.002
 EXEMPTIONS 64E-4.003

PURPOSE AND EFFECT: The purpose and effect of these proposed rules is to exempt from registration and regulation Class IIIA laser devices.

SUMMARY: These proposed rules exempt Class IIIA laser devices from registration and regulation. These devices do not pose a health risk sufficient to require regulation.

SPECIFIC AUTHORITY: 501.122(2) FS.

LAW IMPLEMENTED: 501.122(2)(a), (c) 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., August 22, 2000

PLACE: 4042 Bald Cypress Way, Room 210J, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: William A. Passetti, Chief, Bureau of Radiation Control, (850)487-1004

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-4.002 Definitions.

As used in these rules:

(1) through (12) No change.

(13) "Class III laser" means any laser which permits human access to laser radiation above the accessible emission limits of Class I lasers and Class II lasers but below the accessible emission limits of Class IIIa and IIIb lasers. Class III lasers are separately designated as Class IIIa or Class IIIb. Class IIIa lasers are those lasers with an emission duration greater than 3.8×10^{-4} seconds and in the wavelength range greater than 400 nanometers but less than or equal to 710 nanometers ~~with an irradiance of less than or equal to 2.5×10^{-3} watts cm^{-2}~~ and with a radiant power of less than or equal to 5×10^{-3} watts. Class IIIb laser designation is given to all other Class III lasers as defined above.

Specific Authority 501.122(2) FS. Law Implemented 501.122(1) FS. History—New 9-6-84, Amended 5-7-96, 12-12-96, Formerly 10D-89.102, Amended

64E-4.003 Exemptions.

The following are exemptions for laser products which are not deemed to have the degree of hazard which would warrant registration and regulation.

(1) All Class I, Class II, ~~and~~ Class IIA, and Class IIIA laser products, except for those that allow access to other classes of laser radiation during servicing, are exempted from registration, provided that the laser product is maintained as a Class I, Class II, ~~or~~ Class IIA, or Class IIIA laser product throughout its useful life.

Specific Authority 501.122(2) FS. Law Implemented 501.122(2)(a),(c) FS. History—New 9-6-84, Amended 12-12-96, Formerly 10D-89.103, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: William A. Passetti

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sharon Heber, Dr.P.H.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 31, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2000

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER TITLE: DRINKING WATER SYSTEMS RULE CHAPTER NO.: 64E-8
 RULE TITLES: RULE NOS.:

New Limited Use Public Water System Construction 64E-8.002
 New Private and Multi-Family System Construction 64E-8.003
 Limited Use System Operating Permits 64E-8.004
 Water Quality Standards and Monitoring 64E-8.006
 Prohibited Acts 64E-8.010
 Services Provided 64E-8.011
 Cross-Connection Control 64E-8.013

PURPOSE AND EFFECT: These rules are being amended to reflect that current standards in the installation methodology of private and multi-family drinking water wells preclude the need for concrete pads for these smaller flow wells. Some minor glitches are also being corrected.

SUMMARY: Section 64E-8.003(2), requiring concrete aprons for private and multi-family wells is being deleted. Glitches in sections 64E-8.002(2)(b)2., 64E-8.004(4)(a), 64E-8.006(5), 64E-8.010(2), 64E-8.011(1), and 64E-8.013(2) are being corrected.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None 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, 381.0062, 403.862 FS.

LAW IMPLEMENTED: 381.006, 381.0062, 403.862 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., Monday, August 21, 2000
 PLACE: 4042 Bald Cypress Way, Conference Room 225Q, Tallahassee, Florida

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the department at least seven days before the hearing by contacting the Bureau of Water Programs, (850)245-4240. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pepe Menendez, Bureau of Water Programs, HSEW, 4052 Bald Cypress Way, Bin #C-22, Tallahassee, FL 32399-1742, phone (850)245-4240

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-8.002 New Limited Use Public Water System Construction.

- (1) through (2)(b)1. No change.
- 2. Public drinking water supply wells servicing buildings or premises ~~that serve water systems~~ having total sewage flows greater than 2,000 gallons per day shall be placed no closer than 200 feet from on-site sewage treatment disposal systems (OSTDS's); public drinking water supply wells servicing buildings or premises ~~water systems~~ having total sewage flows of less than or equal to 2,000 gallons per day shall be placed no closer than 100 feet from OSTDS's based upon flows in Table I, rule 64E-6.008.
- 3. through (11) No change.

Specific Authority 381.0011(4),(13), 381.006, 381.0062(1),(3)(a),(6), 403.862(1)(f) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1),(2), 381.0062(1),(2),(3), 403.862(1)(f) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.025, Amended 1-26-98, 1-24-00, _____.

64E-8.003 New Private and Multi-Family System Construction.

- (1) No change.
- ~~(2) Private and multi-family water systems must construct a two-foot square concrete apron four inches thick centered on the well.~~
- ~~(2)(3)~~ No person shall construct or alter a multi-family water system without approval on Form DH 4093, 8/97; an applicant must complete and submit Form DH 4092B, 9/97, to the county health department with:
 - (a) Two sets of site plans drawn to scale and two sets of a construction plan, each drawing must be a minimum 8.5 × 11 inches and of sufficient clarity for reproduction; and
 - (b) A \$40 processing fee.

~~(3)(4)~~ Construction approval will be granted if the system meets the criteria in rules 64E-8.002(4), (5) and (6) and 64E-8.003(1).

~~(4)(5)~~ The applicant shall analyze the water per rule 64E-8.006(2)(d) and (e) and provide a copy of the results to the department. These results shall not exceed the MCL's in rule 64E-8.006.

~~(5)(6)~~ The department shall inspect to determine that the system has been constructed in compliance with the approved plans. Re-inspection requests must be accompanied by a \$25 fee.

~~(6)(7)~~ If the inspection and laboratory results are satisfactory, the department shall authorize operation using Form DH 4093.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1),(3)(a) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1),(2), 381.0062(1),(3), 403.862(1)(f) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.026, Amended 1-26-98, 1-24-00, _____.

64E-8.004 Limited Use System Operating Permits.

- (1) through (3) No change.
- (4) A satisfactory sanitary survey conducted by the department in the last twelve months shall assure that:
 - (a) Setbacks in rule 64E-8.002 are met, except that a system supplied by a well constructed prior to January 1, 1993 ~~1972~~ that is between 50 and 100 feet from an OSTDS shall be permitted without a variance if:
 - 1. the well was constructed and approved as a potable water well;
 - 2. both the well and the OSTDS were permitted and approved at the time of construction for the proposed and existing use, and the OSTDS is otherwise in compliance with rule chapter 64E-6, F.A.C.;
 - (b) through (6) No change.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1),(3)(a),(6) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1),(2), 381.0062, 403.862(1)(f) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.027, Amended 1-26-98, 1-24-00, _____.

64E-8.006 Water Quality Standards and Monitoring.

- (1) through (4) No change.
- (5) Monitoring by Supplier – Rule chapter 62-524, F.A.C., precludes all persons, except department staff, from sampling water systems for initial compliance with delineated area listed chemical MCL's within DEP delineated areas. For initial clearance, the department shall charge the supplier \$50 for each delineated area chemical sampling site visit, \$50 for delineated area clearance processing, and each laboratory analysis fee required ~~in rule 64E-8.012~~, for the particular contaminant(s).

Specific Authority 403.862(1)(f), 381.0011(4),(13), 373.309, 381.006, 381.0062(1),(3)(a), 381.0202(3) FS. Law Implemented 381.0012, 381.0061, 381.0067, 373.309(1)(e)6., 381.006(1),(2), 381.0062, 403.862(1)(f), 381.0202(3) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.029, Amended 1-26-98, 1-24-00, _____.

64E-8.010 Prohibited Acts.

The following are prohibited:

- (1) Failure to conduct required sampling or testing, or falsification of results.
- (2) Intentionally or otherwise introducing a contaminant determined to pose a health hazard into a Limited Use, Multi-family, or Private Water System or its source.
- (3) Failure to meet schedules for compliance or corrective actions.
- (4) Failure to conduct required public notification or corrective action.
- (5) Impersonating a department employee.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1),(3)(a) FS. Law Implemented 381.0012, 381.0025, 381.0061, 381.0067, 381.006(1)-(2), 381.0062, 403.862(1)(f) FS. History—New 1-1-93, Amended 8-20-96, Formerly 10D-4.033, Amended 1-26-98, _____.

64E-8.011 Services Provided.

- (1) Any person who submits to the Department of Health water, soil, air and other samples for chemical, microbiological, and radiochemical analyses for compliance with federal, state and local regulations shall pay to the department the fee required for such analysis ~~as prescribed by section 64E-8.012 of this rule~~. Fees shall be paid in advance to the state laboratory(ies).
- (2) No change.

Specific Authority 381.0011(13), 381.0202, 403.862 FS. Law Implemented 381.0202, 403.862 FS. History—New 1-1-95, Formerly 10D-4.100, Amended _____.

64E-8.013 Cross-Connection Control.

- (1) Cross-connections as defined in 64E-8.001(5) are prohibited.
- (2) Any cross-connection involving a limited use, multi-family, or private water system shall be corrected using the methods established within "Recommended Practice for Backflow Prevention and Cross-Connection Control", American Water Works Association Manual M14, Second Edition, 1990, American Water Works Association, 6666 West Quincy Avenue, hereby incorporated by reference.

Specific Authority 381.0011(4),(13), 381.006, 381.0062(1),(3)(a), 403.862(1)(f) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1)-(2), 381.0062(1)-(3), 403.862(1)(f) FS. History—New 1-26-98, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pepe Menendez, Bureau of Water Programs, HSEW, 4052 Bald Cypress Way, Bin #C-22, Tallahassee, FL 32399-1742, Phone (850)245-4240
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Bart Bibler, Chief, Bureau of Water Programs, HSEW, 4052 Bald Cypress Way, Bin #C-22, Tallahassee, FL 32399-1742
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 18, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 5, 2000

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

Board of Regents

RULE NO.: RULE TITLE:
 6C-6.001 Admissions

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. The amendments to Rule 6C-6.001, were noticed and published in Vol. 25, No. 51, issue of the Florida Administrative Weekly, on December 23, 1999.

As a result of the public hearing, amendments were adopted in paragraphs (2) and (3). In Rule 6C-6.001, paragraph (2), the second sentence is revised, as follows: "If determined ~~not~~ to be in the best interest of the university to deny admission to admit an applicant because of past misconduct, the university may do so."

In paragraph (3), the sentence is revised by adding the phrase "equal educational opportunity and." The sentence reads, as follows: "The Board affirms its commitment to equal educational opportunity and to increasing student diversity in each of the state universities."

Further, in the History note, in Law Implemented, Section 240.209(4), (5)(a) F.S. should be added.

Following Board of Regents and State Board of Education approval of these rules, a rule challenge was filed.

On July 12, 2000, the Administrative Law Judge issued his order, upholding the validity of the amendments to Rule 6C-6.001, with the exception of the proposed deletion of Rule 6C-6.001(10)(e)6. That last provision is now re-instated, and the following paragraphs are renumbered.

Rule 6C-6.001, as amended, is revised to read as follows:

6C-6.001 Admissions.

(1) Based on minimum standards adopted by the Board, through rule, the universities shall establish the criteria by rule for the admission of students.

(2) In the admission of students, the universities shall take into consideration the applicant's academic ability, and may also consider creativity, talent, and character. If determined ~~not~~ to be in the best interest of the university to deny admission to admit an applicant because of past misconduct, the university may do so.

(3) The Board affirms its commitment to equal educational opportunity and to increasing student diversity in each of the state universities.

~~(4)(3)~~ Applicants denied admission shall be given notice of denial within a reasonable period of time following the decision. Upon the applicant's written request, the university shall provide the reasons for the rejection in writing.

~~(5)(4)~~ Each student accepted for admission shall, prior to registration, submit on a form, provided by the institution, a medical history signed by the student. Documentation of appropriate immunization for measles and rubella is required. Proof of immunization must be provided. This shall be a minimum requirement, and institutions may require in addition such other evidence of examination as they may determine necessary. Where physician examinations or certificates are required, they must be signed by a doctor of medicine or a doctor of osteopathy. The universities reserve the right to refuse registration to any student whose health record or report of medical examination indicates the existence of a condition which may be harmful to members of the university community.

~~(6)(5)~~ The universities may return to the applicant without action any application and fees received after the closing date for applications designated by each institution in its official calendar.

~~(7)(6)~~ False or fraudulent statements – In addition to any other penalties which may be imposed an individual may be denied admission or further registration, and the universities may invalidate college credit for work done by a student at an SUS institution and invalidate the degree based upon such credit if it finds that the applicant has made false or fraudulent or incomplete statements in his application, residence affidavit, or accompanying documents or statements in connection with, or supplemental to, his application for admission to, or graduation from one of the SUS institutions.

~~(8)(7)~~ Students may be required to have immunizations and to have undergone diagnostic procedures prior to registration.

~~(9)(8)~~ Each university shall provide registration opportunities for admitted transfer students that allow these students access to high demand courses comparable to that provided to native students.

~~(10)(9)~~ Each university shall provide orientation programs for first-time-in-college and transfer students.

~~(11)(10)~~ Enrollment limitations – The Board shall establish a plan for the enrollment of the State University System, consistent with the Strategic Master Plan.

(a) The Board shall recommend each budget cycle to the Legislature an enrollment plan in which ~~each university's~~ future State University System FTE enrollment shall be specified by level.

(b) The Board will establish an assigned FTE enrollment plan limit for each university for each fiscal period. This assigned FTE enrollment plan limit will be based upon the enrollment plan described in (a) and upon the funding decisions of the Legislature. ~~This assigned FTE enrollment~~

~~limit will constitute the maximum enrollment within five percent for that fiscal period. If actual student credit hour productivity exceeds funded enrollment, course enrollment in subsequent terms shall be controlled by the university and may be reduced by limiting admission of new students, limiting course loads of enrolled students and/or other measures as may be necessary to stay within funded enrollment levels.~~

(c) Each university shall establish, by rule, procedures and criteria to manage limit enrollments to meet to be within five percent (above and below) of planned enrollment, established pursuant to (b) above. These rules shall not be inconsistent with Board rules.

(d) Programs at the University of Florida and the University of South Florida in the Health Centers receive separate appropriations from the Legislature; therefore, students enrolled in such programs will be excluded from the above enrollment limitations.

(e) Upper level programs registered as limited access programs with the Board and the Articulation Coordinating Committee (competitive admission due to limited space or other resources, or due to higher standards) and rules limiting enrollment as provided in (c) above shall observe the following guidelines in the selection of students for the spaces available in the program:

1. There will be a documented justification for the program to be classified as limited access. This documentation should be submitted by the university requesting limited access to the Board for review and approval at least 6 months prior to the start of limiting access to the program. Annually, each university will reevaluate the need to continue to classify the program as limited access. The university will report to the Board by October 1 of each year a list of all limited access programs, the minimum admissions standards for each program, the reasons the program is designated as limited access, and a copy of the most recent review demonstrating the need for retention of limited access status. ~~An annual report shall include for each limited access program the following categories, by race and gender. The number of applicants, the number of applicants granted admission, the number of applicants who are granted admission and enroll, the number of applicant denied admission and the number of applicants neither granted admission nor denied admission (no action taken). Each category shall be reported by type of student, including the following subcategories, native students (students who started at the university as first-time-in-college student with less than 12 semester hours of transfer credit), community college Associate in Arts degree transfer students. Each category and subcategory shall further be reported according to the number of students who meet the minimum eligibility requirements for admission to the program and the number of students who do not meet the minimum eligibility~~

requirements for admission to the program. Programs assigned limited access status will be reviewed by the Board in the course of its cyclical systemwide program review process.

2. All criteria shall be approved by the Board and registered with the Articulation Coordinating Committee prior to implementation.

3. Any criteria used to select students shall not discriminate against community college transfers with Associate in Arts degrees from Florida public community colleges in favor of SUS students who are applying for admission or plan to continue enrollment after the completion of 60 semester credits at the lower division level.

4. Any criteria used to select students shall be appropriate indicators of academic ability, creativity or talent to perform required work within the program and of the potential for success.

5. Any criteria used shall be publicized in catalogues, counseling manuals, and other appropriate publications in accordance with Rule 6A-10.024(14)(13), FAC, with sufficient time for prospective students to adjust programs to meet criteria.

6. Where necessary to achieve established equal access enrollment goals, up to ten percent of the students may be admitted to a limited access program with different criteria.

7. Each university shall advise students who meet the minimum requirements for admission to the upper division of a state university, but are denied admission to limited access programs, of the availability of similar programs at other State University System institutions and the admissions requirements of such programs.

8. Associate in Arts degree graduates from Florida community colleges and university students who have successfully completed 60 or more credit hours of course work and met the requirements of Section 240.107, Florida Statutes, shall receive priority over out-of-state students for admission to limited access programs.

(f) The Board may declare certain degree programs as limited access programs, upon request by a university. In the case of programs for which prerequisite courses are required for admission, the prerequisites, and grades for the prerequisite courses determined acceptable by the program, by themselves, will not cause a program to be declared limited access. That is, if all the applicants completing the prerequisite courses, with any specified grade requirement, are admitted to the program, the program need not be designated a limited access program. Associate in Arts graduates from Florida public community colleges and universities who have not completed prerequisite courses for a given major shall be admitted to a university in order to complete those prerequisite courses, after which program admission can be determined. University degree programs may be declared as limited access programs for the following reasons:

1. The number of students who have met all the requirements for admission to the university and to the program is in excess of available resources (examples are: space, equipment or other instructional facilities; clinical facilities; adequate faculty to meet acceptable student-faculty ratios; fiscal or other resource limitations). In the case of such programs, selection for admissions shall be competitive. The selection criteria shall be determined by the program, recognizing that the standards applied to the criteria may vary from term to term depending on the number of student spaces available and the quality of the applicant pool. The selection criteria shall be published in the university catalogue along with the standards used for admissions decisions at the time the catalogue is published.

2. The program is of such a nature (normally in the fine or performing arts) that applicants must demonstrate through an audition or submission of a portfolio that they already have the minimum skills necessary for them to benefit from the program.

3. The program is of such a nature that in order to demonstrate potential for success in the program, applicants must attain a grade point average (GPA) and/or other standard (e.g. standardized test scores) that are above those required for admission to the university offering the program. [Note: Teacher preparation programs are mandated by Section 240.529, F.S., to maintain certain admission requirements, and, therefore, will be classified and reported as limited access programs only if enrollment is limited for reasons (e.g. limited resources) that exceed statutory requirements. Teacher preparation programs will be monitored for compliance with requirements of Subsection 240.529(3), F.S., through a report which is separate from the limited access reports.

4. When an institution has exceeded its upper-level FTE enrollment limit as assigned by the Legislature by more than five percent, programs which have not normally been designated as limited access programs may need to limit enrollment. If the institution's actual student credit hour productivity exceeds the institution's funded enrollment to this extent, the institution may take corrective actions in subsequent terms such as limiting admission of new students into upper level programs, limiting course loads of enrolled students and/or other measures as may be necessary to stay within funded enrollment levels. Florida community college Associate in Arts graduates and university students who have successfully completed 60 credit hours of course work and met the requirements of Section 240.107, Florida Statutes, shall receive priority for admission to such limited access programs over out-of-state and transfer students from private institutions.

Specific Authority 240.209(1), ~~(3)(c)~~ FS. Law Implemented 240.209(1), (3)(s), ~~(4)(5)(a)~~, 240.227(8), 240.233, 240.2097, 240.529, 240.271 FS. History—Formerly 6C-2.41, 11-18-70, Amended and Renumbered 12-17-74, Amended 1-6-76, 7-13-77, 3-21-82, 12-13-83, 8-11-85, Formerly 6C-6.01, Amended 8-31-86, 4-9-87, 1-7-91, 9-15-91, 11-27-95, 8-12-96, _____.

DEPARTMENT OF EDUCATION

Board of Regents

RULE NO.: RULE TITLE:
 6C-6.002 Entering Freshmen
 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. Rule 6C-6.002 was noticed for amendment, which was published in Vol. 25, No. 51, issue of the Florida Administrative Weekly, on December 23, 1999.

As a result of the public hearing, amendments were adopted in paragraph (3)(c), deleting “fine/performing arts talent and athletic talent,” and adding “special talents.”

Paragraph (3)(c) is revised to read, in relevant part, as follows: “A student applying for admission who does not meet these requirements may be eligible for admission through a student profile assessment which considers additional factors, including but not limited to, the following: family educational background, socioeconomic status, graduate of a low performing high school, international baccalaureate program graduate, geographic location and special talents.” In the History note, in Law Implemented, Sections 240.209(4),(5)(a), F.S. are added.

Following Board of Regents and State Board of Education approval of this rule, a rule challenge was filed.

On July 12, 2000, the Administrative Law Judge issued his order, upholding the validity of the amendments to Rule 6C-6.002, as proposed. No further changes to the rule were made.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER NO.: RULE CHAPTER TITLE:
 9B-3 Florida Building Commission –
 Operational Procedures
 RULE NO.: RULE TITLE:
 9B-3.047 State Minimum Building Codes
 Adopted

NOTICE OF CANCELLATION AND RESCHEDULING

The date and time of the rulemaking hearing on proposed rule 9B-3.047 previously scheduled for August 7, 2000, in Orlando, as noticed in the Notice of Proposed Rulemaking published in Vol. 26, No. 28 of the FAW on July 14, 2000, has been canceled and rescheduled as follows:

PURPOSE AND EFFECT: Implements legislative directive to establish criteria for fiscal impact statements and incorporates legislative criteria for modifications and amendments.

TIME AND DATE: 8:00 a.m., August 21, 2000

PLACE: Hyatt Orlando, 6375 West Irlo Bronson Memorial Highway, Kissimmee, Florida

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Mo Madani, Planning Manager, Codes & Standards, 2555

Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Suncom 277-1824, 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).

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: RULE TITLE:
 9B-3.047 State Building Codes Adopted
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the Florida Building Code (section titles in parentheses), as adopted by reference in the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 7, February 18, 2000, issue of the Florida Administrative Weekly:

HEARING: If requested pursuant to 120.54(3)(c), F.S., a hearing on the proposed changes will be held as follows:

TIME AND DATE: 8:00 a.m., August 21, 2000

PLACE: Hyatt Orlando, 6375 West Irlo Bronson Memorial Highway, Kissimmee, Florida

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Mo Madani, Planning Manager, Codes & Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Suncom 277-1824, 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).

To request a hearing or a copy of the full text of the proposed changes in legislative format, contact Mo Madani, Planning Manager, Codes & Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Suncom 277-1824. 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).

Volume I-A – Building

Chapter 1, Administration

The following Sections are Deleted from the Code:

- 102, (Building Department); 103, (Powers and duties of the building department); 107, (Test); 108, (Severability); 109, (Violations and penalties); 110, (Unsafe building abatement); 111, (High velocity hurricane zone, general); 112, (High velocity hurricane zone, purpose); 113, (High velocity hurricane zone, scope); 114, (High velocity hurricane zone, application to existing buildings); 115, (High velocity hurricane zone, Maintenance of buildings and property); 116, (High velocity hurricane zone, Building official, assistant building official, chief inspectors, plans examiners and

inspectors); 117, (High velocity hurricane zone, unsafe buildings); 118, (High velocity hurricane zone, board of rules and appeals); 119, (High velocity hurricane zone, alternate materials and types of construction); 120, (High velocity hurricane zone, violations and penalties); 121, (High velocity hurricane zone, permits required); 122, (High velocity hurricane zone, application); 123, (High velocity hurricane zone, plans and specifications); 124, (High velocity hurricane zone, examination of plans); 125, (High velocity hurricane zone, permit fees); 126, (High velocity hurricane zone, compliance); 127, (High velocity hurricane zone, Inspections); 128, (High velocity hurricane zone, inspection reports); 129, (High velocity hurricane zone, site clearing); 130, (High velocity hurricane zone, certificate of occupancy); 131, (High velocity hurricane zone, fees); 132, (High velocity hurricane zone, review or structural submittal); 133, (High velocity hurricane zone, statement of inspection); 104.4.4, (Public right of way); 105.3, (Inspection Service); 124.10.2, (Moving of buildings and structures).

The following Sections are Amended in the Code:

101, (General); 104, (Permits); 105, (Inspections); 106, (Certificates); 103.2.1, (Right of entry); 103.4.4, (Revocation of permits); 104.1.1, (Permit application (When required, Exception 2)); 104.2.7, (Termite Treatment Certificate); 104.4.4, (Public right of way); 104.6.1.4, (Permit intent); 104.6.3, (Plans); 105.1, (Existing building inspections); 105.3, (Inspection service); 105.4, (Inspections prior to issuance of Certificate of Occupancy or Completion); 105.13, (Threshold Building Inspection); 117.6.3, (Notice of Violation).

The following Sections are Added in the Code:

104.3.2, (Plan Approval by Architect or Engineer); 104.3.1.1, (Minimum Plan Review); 104.6.2, (Permit Issued based on affidavit).

Chapter 2, Definitions

The following Sections are Amended in the Code:

202, (Level of Exit Discharge); 202, (Street); 202, (Day Care Home); 202, (Building Code Compliance).

Chapter 3, Occupancy Classification

The following Sections are Amended in the Code:

301.2, (Occupancy or use categories); 305.1.2, (Scope); 308, (Hazardous Occupancy); 310.1, (Scope); 313, (Day-Care Occupancy); 301.2, (Occupancy or use categories).

The following Section is Added in the Code:

304.2.3, (Restaurants Classified Mercantile).

Chapter 4, Special Occupancy

The following Section is Deleted from the Code:

412.10.4, (Flood plain management).

The following Sections are Amended in the Code:

403.1.3.1, (Special construction requirements); 403.2.8, (Proscenium opening); 407.2.1, (Storage and dispensing areas (general)); 407.2.3.2, (Spill control); 409.2.12, (Automatic fire detection); 411.5, (Repair garages); 412.1.1, (Scope); 412.10.1,

(Scope); 415.3, (Automatic Sprinkler System); 418.5, (Location and construction types); 418.7.1, (Detection and alarm); 418.9, (Flexible plan and open plan buildings).

The following Sections are Added in the Code:

Table 418.5, (Day-care location and type construction); 422, (Occupancy provisions for birthing centers); 423, (Occupancy provisions for public education facilities); 424, (Occupancy provisions for public swimming pools); 424.2, (Pool covers, drains and vacuum breaking devices); 425, (Occupancy provisions for public lodging establishments); 426, (Occupancy provisions for public food service establishments); 427, (Occupancy provisions for crisis stabilization units); 428, (Occupancy provisions for manufactured buildings); 429, (Occupancy provisions for boot camps); 430, (Occupancy provisions for mausolea and columbarium).

Chapter 5, General Building Limitations

The following Section is Amended in the Code:

Table 500, (Allowable heights and areas).

Chapter 7, Fire Resistant Materials and Construction

The following Sections are Amended in the Code:

704.1.2, (Accessory offices in Group S and F occupancies); Table 704.2.4, (Fire resistance ratings in exit access corridors).

Chapter 9, Fire Protection Systems

The following Sections are Amended in the Code:

903.7.2.4, (Sprinkler Systems); 904.2.3, (Hose Connections for stages greater than 1,000 sq ft); 903.7.1, (Group M occupancies); 903.7.7, (Group R-4 Residential Care/assisted Living occupancies).

Chapter 10, Means of Egress

The following Sections are Amended in the Code:

1001.2, (Alterations); Table 1003.1, (Minimum Occupant Load); 1003.2.5, (Headroom); 1003.2.7, (Changes in Level); Table 1004, (Various egress issues); 1005.1, (Boiler, incinerator, furnace and mechanical equipment rooms); 1005.2, (Dead-End pockets); 1005.4, (Emergency escape openings); 1006.1.4, (Unusable space within exit enclosures); 1006.2.2, (Exit stairways); 1007.5, (Handrails); 1007.5.4, (Handrail gripping surfaces); 1007.8.2, (Spiral Stairways); 1007.5.2, (Spiral Stairways); 1007.8.5, (Alternating tread stairways); 1012.1.1, (Doors general); 1012.1.11 (Stair enclosure door hardware); 1012.2 (Power operated doors); 1012.2.1, (Manual operation and signage of powered doors) 1012.6.1, (Delayed egress locks); 1013.1, (Ramps in means of egress); 1013.7, (Handrails); 1014.1, (Exterior means of egress); 1016, (Egress signage); 1018, (Special egress requirements); 1019.7.2, (Group A occupancy door hardware); 1019.10.2.7, (Minimum clear width of aisles in existing buildings); 1019.10.5, (Aisles, stairs and ramps); 1019.11, (Grandstands, bleachers and reviewing stands); 1019.11.4 (Aisles in bleachers); 1019.11.9.3, (Rows of seats served by aisles or doorways); 1021, (Egress requirements in Group E occupancies); 1024.1.3, (Egress door locks in Group I

occupancies); 1025.4, (Path of travel); 1027.2.1, (Common path of travel); 1028.1, (Egress door hardware); 1029, (Boiler, furnace, and mechanical equipment rooms).

The following Sections are Added in the Code:

1012.2.3, (Self closing doors); 1020.4, (Common path of travel); 1022.5, (Common path of travel).

Volume I-B – Building:

Chapter 12, Interior Environment

The following Section is Amended in the Code:

1203.2, (Room dimensions).

Chapter 13, Energy Efficiency

The following Section is Deleted from the Code:

101.5.6, (Exempt buildings).

The following Sections are Amended in the Code:

103.1.1.2.2, (Multifamily residential); 202, (Definitions, Worst Case); 400.3.ABCD.3, (Forms); 400.3.A, (Method A forms); 400.3.B, (Method B forms); 400.3.C, (Method C forms); 400.3.D, (Method D forms); Table 4-1, (Index); 401.2.AB, (Calculation procedures); 401.2.AB.3, (Solar heat gain coefficients); 407.2A.1, (Thermal energy storage systems); 410.1.ABCD.3.0.7,3, (Mastic closures); 410.1.ABCD.3.3, (Flexible duct systems, non-metal); 415.1.D, (Prescriptive requirements); 600.3.ABC.3, (Forms); 600.3.ABC.3.2, (Form 600D); 600.3.A, (Method A forms); Table 6-1, (Index); 600.3.B, (Method B forms); 600.3.C, (Method C forms); 601.1.C.1, (Additions); 601.2.A.2, (Glass types and multipliers); 607.1.A.5, (White roof credit); 608.2.A.3.1, (Attic radiant barriers); 610.1.ABC.3.0.7, (Approved closure systems); Appendix B Section 2.1.2, (Fenestration assemblies); Appendix B, 5.1.5, (Envelope); Appendix C, 2.1, (Glass multipliers); Appendix D, (Forms 600A, 600C, 400C); Appendix D, (Forms 400A, and B, and the FLA/COM); Appendix D, (Forms 600B); Appendix D, (Forms 600A, and the FLA/RES computer program).

Chapter 14, Exterior Wall Covering

The following Section is Amended in the Code:

1406.4, (Metal shingles).

Chapter 15, Roof Assemblies and Rooftop Structures

The following Sections are Amended in the Code:

1512.4.3, (Continuous roofing system/metal roof shingle); 1512.4.3.2, (Application); 1513.1, (Metal roof shingle); 1514.2, (Flashings); 1514.2.3, (Metal flashing and terminations); 1515.5, (Ridge vents); 1515.4, (Impact resistance); 1518.2.2, (Endearments); 1519.5.1, (Base sheet attachment on wood decks); 1519.5.2, (Mechanical attachment); 1519.7.3, (Steel deck); 1521.8, (steel decks); 1526.6.3.2.4, (Metal shingle); 1523.6.5.2.3, (Mechanically fastened); 1523.6.2, (Continuous roofing systems); 1523.6.3, (Liquid applied membranes systems); 1523.6.5.2.11.1, (Roof tile nails and fasteners); 1524.1, (Scope); 1525, (Uniform Permit Application);

(TAS) 109-A; Testing Application Standard (TAS) 121-95, Standard Requirements for Testing and Approval of Roofing Adhesives, Mastics and Coatings; Subsection 1 (Scope);

Roofing Application Standard (RAS) No. 150;

Testing Application Standard (TAS) 123-95, Standard Requirements for Mortar Used in Mortar Set Tile Systems, Standard Requirements for Approval; Subsection 5.3 (Standard Requirements for Approval);

Testing Application Standard (TAS) 123-95 – Appendix “A”, Standard Requirements of Tile Adhesive Used to Repair or Supplement Tile Attachment, Rejection and Reinspection; Subsection 10.2 (Rejection and Reinspection);

Testing Application Standard (TAS) 124-95, Bell Chamber Test Results; (Test Information, and Data Recording Sheet);

Testing Application Standard (TAS) 124-95, Bonded Pull Test Results, Data Recording Sheet;

Testing Application Standard (TAS) 140-95, Standard Requirements for Non-Fibred Roof and Foundation Coatings; Subsections 2 (Reference Documents) and 3 (Terminology & Units);

Testing Application Standard (TAS) 141-95, Standard Requirements for Coal TAR (Cutback) Roof Coating, Brushing Consistency; Subsection 3 (Terminology & Units);

Testing Application Standard (TAS) 201-94, Impact Test Procedures; Subsection 3 (Terminology) and 6 (Major components);

Testing Application Standard (TAS) 202-94, Criteria for Testing Impact & Non Impact Resistant Building Envelope Components Using Uniform Static Air Pressure; Subsections 6 (Apparatus) 9 (Format of Test), and 12 (Additional Testing);

Testing Application Standard (TAS) 203-94, Criteria for Testing Products Subject to Cyclic Wind Pressure Loading; Subsections 4 (Significance and Use), 6 (Procedure) and 13 (Additional Testing);

Roofing Application Standard (RAS) No. 106 (title change);

Roofing Application Standard (RAS) No. 109; Subsections 4 (General Requirements), 17 (Coatings), and 18 (Coating Testing);

Roofing Application Standard (RAS) No. 109-A, Detail Drawings;

Roofing Application Standard (RAS) No. 111, Standard Requirements for Attachment of Perimeter Woodblocking and Metal Flashing; Subsection 4.4 (Flashing Gages);

Roofing Application Standard (RAS) No. 113, Standard Requirements for Job Site Mixing of Roof Tile Mortar; Subsection 3 (Job Site Mortar Mix Application);

Roofing Application Standard (RAS) No. 115, Standard Procedures for Asphaltic Shingle Installation; Subsections 8 (Valleys) and 9 (Flashing);

Roofing Application Standard (RAS) No. 117, Standard Requirements for Bonding or Mechanical Attachment of Insulation Panels and Mechanical Attachment of Anchor

and/or Base Sheets to Substrates; Subsections 1 (Scope), 3 (Insulation General), 6 (Lightweight Insulating Concrete) and 11 (Architectural Appearance Applications);

Roofing Application Standard (RAS) No. 137, Standard Requirements for Mechanical Attachment of Single-Ply Roof Coverings to Various Substrates; Subsection 5 (Single-Ply Membrane Attachment);

Testing Application Standard (TAS) 100-95, Test Procedure for Wind and Wind Driven Rain Resistance of Discontinuous Roof Systems; Subsection 4 (Significance and Use) is amended;

Testing Application Standard (TAS) 101-95, Test Procedure for Static Uplift Resistance of Mortar or Adhesive Set Tile Systems; Subsections 2 (Referenced Documents) and 4 (Significance and Use);

Testing Application Standard (TAS) 102-95, Test Procedure for Static Uplift Resistance of Mechanically Attached, Rigid Roof Systems; Subsection 2 (Referenced Documents);

Testing Application Standard (TAS) 102(A)-95, Test Procedure for Static Uplift Resistance of Mechanically Attached, Clipped, Rigid, Roof Systems; Subsection 2 (Referenced Documents);

Testing Application Standard (TAS) 105-98, Test Procedure for Field Withdrawal Resistance Testing (Appendix A);

Testing Application Standard (TAS) 108-95, Test Procedure for Wind Tunnel Testing of Air Permeable, Rigid, Discontinuous Roof Systems; Subsection 3 (Terminology & Units);

Testing Application Standard (TAS) 110-2000, Testing Requirements for Physical Properties of Roof Membranes, Insulation, Coatings, and Other Roofing Components;

Testing Application Standard (TAS) 111(A)-95, Test Procedure for Roof Edge Termination Performance; Subsection 1 (Scope);

Testing Application Standard (TAS) 114-95, Test Procedures for Roof System Assemblies in the High Velocity Hurricane Zone Jurisdiction, Table of Contents, Subsection 2 (Referenced Documents);

Testing Application Standard (TAS) 114-95 – Appendix “C”, Test Procedure for Simulated Uplift Pressure Resistance of Roof System Assemblies; Subsection 7 (Interpretation of Results);

Testing Application Standard (TAS) 114-95 – Appendix “D”, Test Procedure for Simulated Uplift Pressure Resistance of Adhered Roof System Assemblies; Subsection 7 (Interpretation of Results);

Chapter 16, Structural Loads

The following Section is Deleted from the Code:

1607, (Earthquake).

The following Sections are Amended in the Code:

Figure 1606.2, (Main Wind Force Loading Diagram); 1606.1.1, (Determination of wind loads); 1606.1.4.5, (Definitions, wind borne debris region); 1606.1.6, (Basic wind

speed); 1606.1.8, (Exposure category); 1609.4.3, (Load reduction); 1617.9, (Load combination); 1626.4, (Construction assemblies deemed to comply with Section 1626).

Chapter 17, Structural Test and Inspections

The following Section is Amended in the Code:

1707.4.2, (Exterior windows and glass doors).

Chapter 18, Foundations and Retaining Walls

The following Sections are Amended in the Code:

1804.6.1.2, (Foundation walls, concrete and masonry); 1816.1, (Soil treatment); 1816.1.1, (Soil treatment); 1816.1.2, (Soil treatment); 1816.1.3, (Soil treatment); 1816.1.4, (Soil treatment); 1816.1.5, (Soil treatment); 1816.1.6 (Soil treatment); Table 1819.6, (Allowable Lateral Pressure); 1819.7.2.1, (Nonconstrained); 1822.1.15, (Efficiency of the pile group).

Chapter 19, Concrete

The following Sections are Deleted from the Code:

1912, (Seismic); 1916.7.4, (Insulated concrete form wall construction); Table 1916.7.4a, (Insulated concrete form wall construction); Table 1916.7.4b, (Insulated concrete form wall construction).

The following Sections are Amended in the Code:

1909.3, (Joints); 1926.3.2, (Reinforcement tolerance); 1929.2, (Sampling and testing cement and aggregate); 1929.3, (Surface preparation).

Chapter 21, Masonry

The following Sections are Deleted from the Code:

Table 2111.1.6, (Maximum unbraced heights); 2115, (Seismic).

The following Sections are Amended in the Code:

2107.2, (Lateral support); 2111.1.6, (Bracing of masonry); 2116.2, (Concrete bearing ledge).

Chapter 22, Steel

The following Section is Deleted from the Code:

2203.2, (Seismic).

Chapter 23, Wood

The following Sections are Amended in the Code:

2305.1.2, (Fireblocking); 2307.5, (Joists supporting partitions); 2308.1.2, (Exterior wall framing.); 2309.6, (Access to attic space); 2314.4.10, (Underwriters Laboratories, Inc.); 2318.1.4, (Sills and base plates).

Chapter 24, Glass and Glazing

The following Sections are Deleted from the Code:

Figure 2411.2, (Minimum Thickness of Glazing); Table 2411.2, (Resistance factors for glazing); 2412.5.2, (Shelf angles and ties).

The following Sections are Amended in the Code:

2410.5, (Product Approval for Cladding and Glazing); 2411.2, (Fixed glass in exterior walls); 2411.2.1.2, (Glazing); 2411.2.1.1, (Limits of size of glass).

Chapter 26, Plastic

The following Section is Amended in the Code:

2603.4.1.9, (Garage doors).

Chapter 27, Electrical Systems

The following Section is Deleted from the Code:

2703, (Modifications to NFPA 70).

Chapter 31, Special Construction

The following Section is Amended in the Code:

In section 3101.3.2, (Flood resistant construction).

Chapter 35, Reference Standards

The following Sections are Added in the Code:

In section 3502, (Standard practice for bracing masonry walls under construction); In section 3503, (Council for masonry wall bracing); In section 3503, (FEMA – Region IV).

Volume II – Plumbing:

Chapter 4, Fixtures, Faucets and Fixture Fittings

The following Sections are Amended in the Code:

Table 403.1, (Fixture quantities); 417.5.2, (Pans).

Chapter 6, Water Supply and Distribution

The following Sections are Amended in the Code:

611, (Water treatment units); 607.1, (Hot water requirements); 607.2.1, (Piping insulation); Table 607.1, (Piping insulation).

Volume III – Mechanical:

Chapter 3, General Regulations

The following Section is Amended in the Code:

305.4, (Piping support spacing).

Chapter 5, Exhaust Systems

The following Section is Amended in the Code:

504.6.2, (Exterior termination dryer exhaust).

Volume IV – Fuel Gas:

Chapter 3, General Regulations

The following Section is Amended in the Code:

301.1, (Scope).

Chapter 4, Gas Piping Installations

The following Sections are Amended in the Code:

402 (25), (LP gas); 402 (26), (LP gas); 402 (34), (LP gas).

STATE BOARD OF ADMINISTRATION

RULE NO.:	RULE TITLE:
19-8.013	Revenue Bonds Issued Pursuant to Section 215.555(6), Florida Statutes

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 26, No. 25, June 23, 2000, issue of the Florida Administrative Weekly:

In subsection (2), the definition at paragraph (m) will now read as follows:

(m) The "Balance of the Fund as of December 31" of any Contract Year or "the Balance" means the total fund equity, as of December 31 of that contract year, in the Florida Hurricane Trust Fund maintained and administered by the Board, to

which is added: any losses, including loss adjustment expense, paid to Participating Insurers prior to December 31 for a Covered Event occurring in that contract year; and any unpaid losses, including loss adjustment expense, for that contract year as reported on the Fund's financial statement as of December 31, and from which is subtracted: any projected amounts budgeted for administration for the then current state fiscal year; the amount of mitigation funds required to be expended for the current contract year, and reserved for prior contract years, pursuant to Section 215.555(7)(c), Florida Statutes; any reinsurance recovered prior to December 31, and recoverable as of December 31, for that contract year; and any obligations expected to be paid with bonding proceeds or receipts from Emergency Assessments.

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-602.301	Death Row – General
33-602.302	Death Row – Definitions
33-602.303	Death Row Facilities
33-602.304	Death Row – Review Responsibilities
33-602.305	Death Row – Restraint and Escort Requirements
33-602.306	Death Row – Conditions and Privileges
33-602.307	Death Row Records
33-602.308	Transportation of Death Row Inmates
33-602.309	Inmates with Active Death Warrant

NOTICE OF CANCELLATION

Notice is hereby given that the public hearing for the above referenced rules as published in Vol. 26, No. 24, June 16, 2000, issue of the Florida Administrative Weekly, has been cancelled. A notice rescheduling the hearing will be published in a future issue of the Florida Administrative Weekly.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.:	RULE TITLE:
61G19-11.001	Probable Cause Panel

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 25, June 23, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee and from the Board meeting held on July 13, 2000.

Subsection (1) shall now read:

61G19-11.001 Probable Cause Panel.

(1) The determination whether probable cause exists to believe that a violation of Part XII, Chapter 468, or Chapter 455, F.S., has occurred, shall be made by a majority vote of the probable cause panel.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-44.003
RULE TITLE: Disciplinary Guidelines
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 5, February 4, 2000 issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee and from the Board meeting held on June 2, 2000.

Subsection (1) shall now read as follows:

(1) Purpose. The legislature created the Board and the Council to assure protection of the public from persons who do not meet minimum requirements for safe practice or who pose a danger to the public. Pursuant to Section 455.627, Florida Statutes, the Board provides within this rule disciplinary guidelines upon applicants or licensees whom it regulates under Chapter 468, Part X, Florida Statutes. The purpose of this rule is to notify applicants and licensees of the ranges of penalties which will routinely be imposed unless the Board finds it necessary to deviate from the guidelines for the stated reasons given within this rule. Each range includes the lowest and highest penalty and all penalties falling between. The purposes of the imposition of discipline are to punish the applicants or licensees for violations and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants or licensees from violations.

Subsection (4) shall now read as follows:

VIOLATION	RECOMMENDED RANGE OF PENALTY
(d) Action taken against license by another jurisdiction (468.518(1)(d))	(d) From imposition of discipline comparable to that which would have been imposed if the substantive violation had occurred in Florida to suspension or denial of license until it is unencumbered in the other jurisdiction and an administrative fine from \$100.00 to \$1,000.00. Evaluations shall be required to determine the need for referral to PRN.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-2.002
RULE TITLE: Educational Requirements
NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 25, No. 45, November 12, 1999, issue of the Florida Administrative Weekly. The changes are in response to comments provided by the staff of the Joint Administrative Procedures Committee. Subsections (1) and (3) of the rule shall now read as follows:

(1) Candidates for licensure or provisional licensure as a speech-language pathologist or audiologist shall submit to the Board an official transcript or transcripts to evidence the receipt of a master's degree or doctoral degree with a major emphasis in speech-language pathology or audiology from an institution of higher learning which, at the time the applicant was enrolled and graduated, was accredited by an accrediting agency recognized by the Council on Post-Secondary Accreditation or from an institution which is publicly recognized as a member in good standing with the Association of Universities and Colleges of Canada. If the transcript submitted pursuant to this section does not, at the time it is submitted, reflect that the applicant has the required master's degree or doctoral degree, the Board will not accept the transcript as evidence of such degree unless it is accompanied by Form DOH/SLPA/CONFERRAL CERT./REVISED 11/99, Certificate of Conferral Of Masters Degree Or Doctoral Degree Form SPA-2D, which is incorporated herein by reference, effective _____, and can be obtained from the Board of Speech-Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. An applicant who graduated from a program at a university or college outside of the United States or Canada shall present documentation of the determination of equivalency to programs accredited by the council on post-secondary accreditation in order to qualify.

(3) The applicant shall also have completed a minimum of 300 clock hours of supervised clinical practice, with at least 200 of said hours in the area of licensure. The supervised clinical practice shall be completed within the training institution or in one of its cooperating programs. The supervised clinical practices shall include:

(a) For the speech-language pathologist, hours in evaluation in children and adults, evaluation and treatment of language disorders in children and adults, and hearing

disorders as required by an accredited institution or an institution with equivalent curricula. Experience in both evaluation and management shall be gained within each area.

(b) For the audiologist, hours in auditory assessment, habilitation and rehabilitation, and speech pathology as required by an accredited institution or an institution with equivalent curricula.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Speech-Language Pathology and Audiology/MQA, 4052 Bald Cypress Way, Bin #C-08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-2.004
RULE TITLE: Professional Employment Experience
NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 25, No. 43, October 29, 1999, issue of the Florida Administrative Weekly. The changes are in response to comments provided by the staff of the Joint Administrative Procedures Committee. The introductory paragraph of this rule shall read as follows:

Every applicant for licensure as a speech-language pathologist or audiologist with a doctoral degree who meets the requirements of Section 468.1155, F.S., and can demonstrate experience in the doctoral program that includes one year clinical work experience is deemed to meet the nine months of full time professional employment. Every applicant for licensure as a speech-language pathologist or audiologist with a masters degree shall demonstrate to the Board, prior to licensure, nine (9) months of full-time professional employment or the equivalent in part-time professional employment, pertinent to the license being sought.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Speech-Language Pathology and Audiology/MQA, 4052 Bald Cypress Way, Bin #C-08, Tallahassee, Florida 32399-3258

**Section IV
Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game 311 Specifics
RULE NO.: 53ER00-31

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game 311, "FORTUNE COOKIE™" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prize winners and the number and size of prizes in the game.

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:

53ER00-31 Instant Game 311 Specifics.

(1) Name of Game. Instant Game Number 311, "FORTUNE COOKIE™."

(2) Price. FORTUNE COOKIE™ Lottery tickets sell for \$1.00 per ticket.

(3) FORTUNE COOKIE™ Lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning FORTUNE COOKIE™ Lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any FORTUNE COOKIE™ Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The "YOUR NUMBERS" play symbols and play symbol captions in FORTUNE COOKIE™ are as follows:

INSERT SYMBOLS

(5) The "LUCKY NUMBERS" play symbols and play symbol captions in FORTUNE COOKIE™ are as follows:

INSERT SYMBOLS

(6) The prize symbols and prize symbol captions in FORTUNE COOKIE™ are as follows:

INSERT SYMBOLS

(7) The “LUCKY FORTUNE” bonus symbol and FORTUNE COOKIE™ messages in FORTUNE COOKIE™ are incorporated herein by reference and may be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, FL 32399-4011.

(8) Determination of Prize Winners. The holder of a ticket having any number exposed in the “YOUR NUMBERS” play area that matches either number in the “LUCKY NUMBERS” play area shall be entitled to the corresponding prize amount shown for that number, or if TICKET is shown as the corresponding prize, shall be entitled to a prize of a \$1.00 ticket.

(9) The holder of a ticket having a “bridge” symbol exposed in the “LUCKY FORTUNE” play area shall be entitled to a prize of the sum of all four prize amounts exposed in the prize play area.

(10) Prize amounts which may appear in the play area are: \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$6.00, \$10.00, \$25.00, \$100, \$250, \$1,000 and \$4,000.

(11) Number and Size of Prizes. The value, number of prizes, and odds of winning in Instant Game Number 311 are as follows:

MATCH ANY OF YOUR NUMBERS TO EITHER OF THE LUCKY NUMBERS TO WIN PRIZE SHOWN OR GET A BRIDGE SYMBOL AND WIN ALL 4 PRIZES WITH PRIZES OF:

TICKET	WIN	NUMBER IN 56 POOLS OF 180,000 TICKETS PER POOL	ODDS
\$1	\$1	1,209,600	1 in 8.33
\$2	\$2	974,400	1 in 10.34
\$1 x 4 (bridge symbol)	\$4	268,800	1 in 37.50
\$4	\$4	168,000	1 in 60.00
\$1 x 3 + \$2 (bridge symbol)	\$5	67,200	1 in 150.00
\$1 + \$2 x 2	\$5	33,600	1 in 300.00
\$2 + \$3	\$5	33,600	1 in 300.00
\$5	\$5	33,600	1 in 300.00
\$1 + \$2 x 2 + \$5 (bridge symbol)	\$10	16,800	1 in 600.00
\$2 x 2 + \$6	\$10	16,800	1 in 600.00
\$5 x 2	\$10	16,800	1 in 600.00
\$10	\$10	16,800	1 in 600.00
\$5 x 3 + \$10 (bridge symbol)	\$25	34,384	1 in 293.16
\$25	\$25	11,200	1 in 900.00
\$25 x 4 (bridge symbol)	\$100	840	1 in 12,000.00
\$100	\$100	840	1 in 12,000.00
\$250 x 4 (bridge symbol)	\$1,000	8	1 in 1,260,000.00
\$1,000 x 4 (bridge symbol)	\$4,000	4	1 in 2,520,000.00
\$4,000	\$4,000	4	1 in 2,520,000.00

(12) The over-all odds of winning any prize in Instant Game Number 311 are 1 in 3.43.

(13) For reorders of Instant Game Number 311, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

(14) By purchasing a FORTUNE COOKIE™ Lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

Specific Authority 24.105(10)(a),(b),(c), 24.109(1) FS. Law Implemented 24.105(10)(a),(b),(c), 24.109(1) FS. History—New 7-17-00.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: July 17, 2000

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game 313 Specifics
 RULE NO.: 53ER00-32

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game 313, “UFO DOUGH” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prize winners and the number and size of prizes in the game.

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:

53ER00-32 Instant Game 313 Specifics.

(1) Name of Game. Instant Game Number 313, “UFO DOUGH.”

(2) Price. UFO DOUGH Lottery tickets sell for \$1.00 per ticket.

(3) UFO DOUGH Lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning UFO DOUGH Lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any UFO DOUGH Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The prize symbols and prize symbol captions in UFO DOUGH are as follows:

INSERT SYMBOLS

(5) Determination of Prize Winners.

(a) The holder of a ticket having three like amounts exposed in the play area shall be entitled to a prize of the amount shown, or if three “TICKET” symbols are exposed in the play area, shall be entitled to a prize of a \$1.00 ticket. Prize

amounts which may appear in the play area are: \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$500, \$3,000.

(b) The holder of a ticket having an "alien head" symbol exposed in the play area shall be entitled to a prize of \$10.

(6) Number and Size of Prizes. The value, number of prizes, and odds of winning in Instant Game Number 313 are as follows:

GET:	WIN	NUMBER IN 42 POOLS OF 240,000 TICKETS PER POOL	ODDS
3-TICKET's	\$1 TICKET	1,142,400	1 in 8.82
3-\$1's	\$1	571,200	1 in 17.65
3-\$2's	\$2	369,600	1 in 27.27
3-\$3's	\$3	235,200	1 in 42.86
3-\$4's	\$4	168,000	1 in 60.00
3-\$5's	\$5	67,200	1 in 150.00
3-\$10's	\$10	33,600	1 in 300.00
Alien Head	\$10	67,200	1 in 150.00
3-\$20's	\$20	33,600	1 in 300.00
3-\$25's	\$25	9,702	1 in 1,038.96
3-\$50's	\$50	2,100	1 in 4,800.00
3-\$100's	\$100	966	1 in 10,434.78
3-\$500's	\$500	42	1 in 240,000.00
3-\$3,000's	\$3,000	5	1 in 2,016,000.00

(7) The over-all odds of winning any prize in Instant Game Number 313 are 1 in 3.73.

(8) For reorders of Instant Game Number 313, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

(9) By purchasing a UFO DOUGH Lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

Specific Authority 24.105(10)(a),(b),(c), 24.109(1) FS. Law Implemented 24.105(10)(a), (b), (c), FS. History--New 7-17-00.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: July 17, 2000

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs has received a Petition for Waiver dated July 11, 2000, from the City of Fort Myers. The waiver request is for North Colonial Greenway Trailhead. The petitioner seeks a waiver from the literal and technical interpretation of the aspect of Rule 9K-4.0031(9), Fla. Admin. Code, which results in a violation of the principles of fairness.

A copy of the Petition, which has been assigned the number DCA00-WAI-228, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on June 20, 2000, the Florida Public Service Commission received a Petition from BellSouth Public Communications, Inc. (Docket No. 000763-TC), seeking waiver of Rule 25-24.515(13), Florida Administrative Code. The rule requires that all pay telephone stations allow incoming calls to be received. The location of the pay telephone stations is as follows: Groovin' Noovin's Food, 4515 Mobile Hwy., Pensacola, FL 32506. Comments on this Petition should be filed with the Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, within 14 days of publication of this notice. A copy of the Petition may be obtained from the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850, or by calling (850)413-6770.

For additional information, contact Lee Fordham, Division of Legal Services, at 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6226.

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received three petitions from Sprint-Florida, Incorporated, filed July 3, 2000, in Docket No. 000815-TC, seeking waiver from Rule 25-24.515(13), Florida Administrative Code. This rule requires that all pay telephone stations must allow incoming calls to be received at all times, with the exception of those located at hospitals, schools, and locations specifically exempted by the Commission. The pay telephone stations may be identified as follows: telephone number (850)664-0589 located at Creative Mindz Learning Academy, 625 Lovejoy Road, Ft. Walton Beach, Florida 32547 and telephone numbers (850)862-1596 and (850)664-0589 located at Six Brothers Market, 727 Mayflower Avenue, Ft. Walton Beach, Florida 32547. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice. A copy of the petition can be obtained from the Division of Records and Reporting.

For additional information, please contact Lilja Dandelake, Division of Legal Services, at the above address or telephone (850)413-6199.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on July 10, 2000, two petitions from Brown & Root Services, Inc., site #37-8519449, seeking a waiver of certain record keeping and documentation requirements of 376.3071, Florida Statutes. OGC case number 00-1405 has been assigned to the petition regarding Initial Remedial Action and Contamination program tasks. OGC case number 00-1404 has been assigned to the petition regarding Remedial Action Plan program task.

Copies may be received from, and written comments submitted to: Inguna Varoslavane-Callahan, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Comments must be received no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

The Board of Psychology hereby gives notice that it has received a petition, filed on July 14, 2000, from Naomi Jacobs, Ph.D. seeking a waiver of Rule 64B19-11.005(1)(b), Florida Administrative Code. Petitioner requests the Board accept her postdoctoral supervised hours over a fifty-hour, ten-month period rather than a forty-hour, twelve-month period as required in the Rule.

The Board will address this matter at its regularly scheduled board meeting which will be held September 8-9, 2000 at 9:00 a.m., at Crowne Plaza Hotel, 950 N. W. Lejeune Road, Miami, Florida 33126, (305)446-9000.

Comments on this petition should be filed with Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, Board of Psychology, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE OF CORRECTION – The Board of Psychology hereby gives notice of this correction to the Notice of Petition for Waiver and Variance that was recently published in the June 9, 2000 issue of the Florida Administrative Weekly, Vol. 26, No. 23.

Petitioner Timothy Spruill, Ed.D. is seeking a waiver of Rule 64B19-11.003(5) requesting the Board for an extension of time from seven (7) to nine (9) years to complete the program. This request represents a permanent waiver of the above rule.

Comments on this petition should be filed with the Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, Board of Psychology, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

Section VI
Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Board of Directors of the **Central West Florida Preservation, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 9, 2000, 2:00 p.m.

PLACE: The Dade City Women’s Club, 37922 Palm Avenue, Dade City, FL 33525

PURPOSE: General Business Meeting.

A copy of the agenda may be obtained by writing: Tampa Regional Office, 1802 East 9th Avenue, Tampa, Florida 33605. Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request special assistance.

The **Department of State** announces a public meeting of the Florida State Historical Records Advisory Board which all interested persons are invited:

DATE AND TIME: August 23, 2000, 9:00 a.m. – 12:00 p.m.

PLACE: Hollywood Beach Cultural and Community Center, 2711 S. Ocean Dr., Hollywood, Florida

PURPOSE: To discuss the Board’s 2000-2004 Strategic Plan and State Historical Records Grant Program.

For further information contact: Mr. Jim Berberich, Coordinator, Florida State Historical Records Advisory Board, Department of State, Bureau of Archives and Records Management, R. A. Gray Building, Tallahassee, Florida 32399-0250, telephone number (850)487-2073, Suncom 277-2073.

Pursuant to Chapter 286.26, Florida Statutes, any persons with handicaps wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF BANKING AND FINANCE

The **Unclaimed Property Advisory Board** announces a public Board Meeting and all persons are invited to attend.

DATE AND TIME: August 15, 2000, 10:00 a.m. – 3:00 p.m.
 PLACE: Radisson Riverwalk Hotel, 1515 Prudential Drive, Jacksonville, FL, (904)396-5100
 PURPOSE: Regular Board Meeting.

A copy of the agenda may be obtained by contacting: Anne Bodiford, Administrative Assistant I, Unclaimed Property Program Office, Fletcher Bldg., 101 E. Gaines St., Room 330-A, Tallahassee, FL 32399-0350, telephone number (850)410-9923, fourteen days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Anne Bodiford, (850)410-9923, at least 48 hours before the meeting. If you are hearing or speech impaired, contact Anne Bodiford via the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a regular business meeting of the Florida Coordinating Council on Mosquito Control to which all persons are invited.

DATE AND TIME: August 8, 2000, 10:00 a.m.
 PLACE: The Doyle Conner Bldg., 1911 S. W. 34th Street, Gainesville, Florida 32608, (352)372-3505
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Welcome and Introductions; Approval of Minutes from Previous Meeting; General Comments and Business Items, to include: Report from the Subcommittee on Managed Marshes; Discussion on Aerial Spray Research needs; Discussion on Label Language; Other items to be announced.

Questions and Comments may be directed to: T. Wayne Gale, Chief and Chairman, Bureau of Entomology and Pest Control, (850)410-0728.

The **Forestry Arson Alert Association**, Inc. announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, August 9, 2000, 6:00 p.m.
 PLACE: Conference Room, Best Western, 7900 US Hwy 1, Port St. Lucie, FL, (561)878-7600
 PURPOSE: To consider the following agenda items: 1) Arson rewards; 2) Budget; 3) Prevention Items; 4)New Business.

A copy of the agenda may be obtained by writing: Mr. L. Earl Peterson, Division of Forestry, 3125 Conner Blvd., Tallahassee, Florida 32399-1650, Telephone (850)488-6111.

The Florida **Department of Agriculture and Consumer Services** announces a meeting of the Florida Alligator Marketing and Education Advisory Committee.

DATE AND TIME: August 9, 2000, 9:30 a.m.

PLACE: Fruit and Vegetable Association, Conference Room, 4401 East Colonial Drive, Orlando, FL
 PURPOSE: To discuss marketing and educational activities beneficial to the Florida alligator industry.

A copy of the agenda can be obtained by contacting: Phyllis McCranie, 2051 E. Dirac Drive, Tallahassee, FL 32310-3760, (850)488-0163.

If special accommodations are needed to attend this meeting because of disability please contact Phyllis McCranie as soon as possible.

DEPARTMENT OF EDUCATION

The State of Florida, Board of Regents, on behalf of **Florida A & M University**, Florida A & M University College of Law Site Selection hereby gives the following notice. A public meeting will be held:

DATE AND TIME: Monday, August 7, 2000, TBA
 PLACE: Florida A & M University, Tallahassee, FL
 PURPOSE: To review proposals submitted for the future Florida A & M University college of law site.
 Specific details regarding time, place and agenda for meetings related to the selection process can be obtained from: Mr. Samuel J. Houston, Director, Facilities Planning and Construction, Florida A & M University, Plant Operations Facility, Building A, 2400 Wahnish Way, Ste. 100, Tallahassee, FL 32307, Phone (850)599-3197, Fax (850)561-2289.

This information will be available upon request from the office listed above no later than 5:00 p.m., Monday, July 31, 2000.

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: Friday, August 11, 2000, 1:00 p.m.
 PLACE: Wilson Music Building, Auditorium, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop relating to 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 N. San Marco Avenue, St. Augustine, FL 32084-2799, (904)823-4000.

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 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, August 12, 2000, 9:00 a.m.

PLACE: Wilson 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 including a workshop on rule 6D-5.003, Other Personnel.

A copy of the agenda may be obtained by writing: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, (904)827-4000.

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 Colleges System** announces a conference call of the Foundation for Florida's Community Colleges, Inc., Board of Directors to which all persons are invited.

DATE AND TIME: August 10, 2000, 10:00 a.m. – 11:00 a.m.

PLACE: Dial-in Numbers: (850)488-0979 or Suncom 278-0979

PURPOSE: Regular business meeting of the Board of Directors.

NOTE: If you need special services to attend the meeting or need additional information write: Division of Community Colleges, 325 West Gaines Street, Suite 1314, Tallahassee, Florida 32399-0400.

DEPARTMENT OF COMMUNITY AFFAIRS

The Florida **Department of Community Affairs** announces a meeting of the Governor's Growth Management Study Commission to which all interested parties are invited:

DATE AND TIME: Wednesday, August 9, 2000, 8:30 a.m.

PLACE: Orange County Convention Center, 9800 International Drive, Orlando FL 32819

PURPOSE: This is the first meeting of the Growth Management Study Commission. The Commission will deal with organizational issues and hear from invited speakers.

A copy of the agenda may be obtained by contacting: Tammy Anderson, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-4545.

Any person requiring special accommodation at the meeting because of a disability or physical impairment should contact Tammy Anderson at least seven days before the date of the meeting.

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 **Department of Community Affairs** announces a meeting of the Community Services Block Grant (CSBG) Advisory Committee, and a public hearing to receive input from all interested parties on the CSBG State Administrative Plan for federal fiscal year (FFY) 2001 to which all interested persons are invited.

MEETING: CSBG ADVISORY COMMITTEE

DATE AND TIME: Tuesday, August 15, 2000, 9:00 a.m. – Noon

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Randal Kelley Training Center, Room 305, Tallahassee, Florida 32399-2100, Telephone (850)488-7541

PURPOSE:

- To review the CSBG Program State Administrative Plan for FFY 2001.
- To hear and discuss the Farmworkers Study Group's report related to the CSBG funding formula.
- To finalize the Advisory Committee's recommendations to the Department regarding the CSBG funding formula.
- To discuss the merger of the CSBG Program Advisory Committee with the Weatherization Policy Advisory Committee and the Community Development Block Grant Advisory Committee.

PUBLIC HEARING FOR THE CSBG STATE PLAN FOR FFY 2001

DATE AND TIME: Tuesday, August 15, 2000, 1:30 p.m. – 3:30 p.m.

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Randal Kelley Training Center, Room 305, Tallahassee, Florida 32399-2100, Telephone (850)488-7541

PURPOSE: To obtain input and recommendations from the public and interested parties concerning the State Administrative Plan for FFY 2001 which will be submitted to the United States Department of Health and Human Services.

A copy of the state plan and agenda may be obtained by calling or writing: Department of Community Affairs, Hilda S. Frazier, Planning Manager, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, by fax at (850)488-2488 or by appearing in person at the agency headquarters.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a record of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Any person requiring a special accommodation at this public hearing because of a disability or physical impairment should contact the community assistance section, (850)488-7541, at least five calendar days prior to the hearing. If you are hearing impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The **Criminal Justice Professionalism Program** announces the following meeting dates and times for the Criminal Justice Standards and Training Commission and Commission-related meetings: The Quarterly Criminal Justice Standards and Training Commission meeting, Training Center Directors' Committee and Plenary meetings, Probable Cause Determination Hearings, Executive Planning Committee Meeting, and presentation of Officer Discipline Cases for final disposition. These meetings are held to discuss issues relating to standards, training, certification, de-certification, record management for law enforcement, correctional, and correctional probation officers, and issues concerning certification and recertification of Commission-certified criminal justice training schools. All parties are invited to attend.

Regional Training Council Meeting

DATE AND TIME: Tuesday, August 8, 2000, 1:00 p.m.

Training Center Directors' Committee Meetings

DATE AND TIME: Tuesday, August 8, 2000, 4:00 p.m.

Training Center Directors' Plenary Meeting

DATE AND TIME: Wednesday, August 9, 2000, 8:30 a.m.

Probable Cause Determination Hearings

DATE AND TIME: Wednesday, August 9, 2000, 8:30 a.m.

Executive Planning Committee Meeting

DATE AND TIME: August 9, 2000, 2:00 p.m.

Criminal Justice Standards and Training Commission meeting business agenda

DATE AND TIME: Thursday, August 10, 2000, 8:30 a.m. – 1:00 p.m.

Officer Disciplinary Proceedings

DATE AND TIME: Thursday, August 10, 2000, 1:00 p.m. – Open

DATE AND TIME: Officer Disciplinary Proceedings, Friday, August 11, 2000, 8:30 a.m. – Open

PLACE: Marriott at Sawgrass, 1000 TPC Boulevard, Ponte Vedra Beach, FL 32082, Telephone number for hotel reservations, (904)285-7777

PURPOSE: To discuss standards and training for criminal justice officers, certification and decertification of criminal justice officers, final agency action on officer discipline cases, and certification and re-certification of Commission-certified criminal justice training schools.

COMMISSION MEETING AGENDAS: A copy of the August 2000 Commission Meeting agenda may be obtained by contacting Donna Hunt, (850)410-8615, and a copy of the Officer Discipline Agenda may be obtained by contacting Brenda Presnell, (850)410-8648. If you wish to write the Commission for a copy of the above referenced agendas, please write: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Donna Hunt or Brenda Presnell. If you wish to call or write for a copy of the Training Center Directors' Association agenda, please write or call: Training Center Director Association Chairman Ed Mandt, (954)475-6788, Broward Community College, Criminal Justice Institute, 3501 Southwest Davie Road, Fort Lauderdale, FL 33314.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact Donna Hunt, (850)410-8615, at least two (2) weeks prior to the meeting.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 2, 2000, 8:30 a.m.

PLACE: E. R. Graham Bldg., 4th Floor, Training Room, 1350 N. W. 12th Avenue, Miami, 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 two working days prior to the proceeding at the address given on the notice, telephone (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a staff workshop in the following docket, to which all interested persons are invited.

DOCKET NO. 000121-TP – Investigation into the Establishment of Operations Support Systems Permanent Performance Measures for Incumbent Local Exchange Companies.

DATE AND TIME: August 8, 2000, 9:30 a.m.

PLACE: Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: The purpose of the workshop is to collect comments from interested parties concerning Docket No. 000121-TP – Investigation into the Establishment of Operations Support Systems Permanent Performance Measures for Incumbent Local Exchange Companies. Participants should be prepared to offer comments on the following questions:

1. Does the Commission have the authority to establish, in advance, a generic enforcement mechanism provision which would be inserted in interconnection agreements in the event negotiations on this provision fail?
2. Does the adoption of an enforcement mechanism provision by the Commission constitute the awarding of damages?
3. What should be the objectives of an enforcement mechanism?
4. For purposes of evaluating ILEC performance in the context of an interconnection agreement, how should any Commission established enforcement mechanism be structured conceptually?
 - a. Frequency of monitoring?
 - b. Time frame to be evaluated?
 - c. Level of disaggregation across metrics and offerings?
 - d. How should items a, b, and c above be balanced to provide statistical significance for metrics with a small number of observations per reporting period?
 - e. Automatic penalties for noncompliance?
5. For purposes of evaluating ILEC performance in the aggregate, how should the Commission's enforcement mechanism be structured conceptually?
 - a. Frequency of monitoring?
 - b. Time frame to be evaluated?
 - c. Level of disaggregation across metrics and offerings?
 - d. How should items a, b, and c above be balanced to provide statistical significance for metrics with a small number of observations per reporting period?
 - e. Automatic vs. case-by-case fines for noncompliance?
6. How should the dollar value of penalties be determined?
7. Should there be a cap on penalty amounts and if so, how should that cap be determined?
8. How and when should consequences be escalated?
9. How should extraordinary events be handled?

PRESENTATIONS: At the August 8, 2000, workshop, participants will be allowed to make oral presentations regarding the establishment of permanent performance metrics for Operations Support Systems. The presentations may not exceed 30 minutes. Those wishing to make presentations should forward a brief summary of the presentation to Tim Vaccaro, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, by 5:00 p.m. on August 1, 2000. Summaries may also be provided via facsimile, (850)413-6182 or may be e-mailed to tvaccaro@psc.state.fl.us. The summary should indicate who will make the presentation and how long the presentation is expected to last. An agenda for the workshop will then be established and distributed to all parties and interested persons on August 7, 2000. The agenda may also be obtained by writing to the Director, Division of Records and Reporting, at the address previously noted. In view of the time limitations of this workshop, parties are strongly encouraged to consider working together to consolidate presentations to the extent possible. It should be noted that the time allowed for presentations may be reduced depending upon the number of participants wishing to make presentations.

JURISDICTION: Jurisdiction is vested in this Commission pursuant to Chapter 364, Florida Statutes. The workshop will be governed by the provisions of that Chapter and Rules 25-22 and 28-106, Florida Administrative Code.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the workshop. Any person who is hearing or speech impaired, should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a Commission workshop concerning the efforts to form a Regional Transmission Organization.

DATE AND TIME: August 10, 2000, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To allow presentations to the Commission by the FLARTO Working Groups regarding the status of their efforts supporting the formation of a Regional Transmission Organization for Florida. Any interested person may present information regarding these efforts.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the workshop. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 000262-TP – Petition by BellSouth Telecommunications, Inc. for Section 252(b) arbitration of a resale agreement with NOW Communications, Inc.

DATE AND TIME: August 14, 2000, 9:00 a.m.

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a hearing to be held in the following dockets, to which all interested persons are invited.

Docket No. 990884-TP – Request by Orlando Telephone Company for approval of arbitration concerning complaint against Sprint-Florida, Incorporated regarding enforcement of interconnection agreement.

DATE AND TIME: August 14, 2000, 10:30 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 request by Orlando Telephone Company for approval of arbitration concerning complaint against Sprint-Florida, Incorporated regarding enforcement of interconnection agreement, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on February 28, 2000. All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, FAC. Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or

speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: August 15, 2000, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Rule 25-22.002, FAC.), by contacting the Division of Records and Reporting, (850)413-6770 or writing to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: August 15, 2000, Immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

PURPOSE: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Commission through the Florida Relay Service by using the following numbers: 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

The Florida **Public Service Commission** announces a hearing to be held in the following dockets, to which all interested persons are invited.

Docket No. 990696-WS – Application for original certificates to operate water and wastewater utility in Duval and St. Johns Counties by Nocatee Utility Corporation.

Docket No. 992040-WS – Application for certificates to operate a water and wastewater utility in Duval and St. Johns Counties by Intercoastal Utilities, Inc.

DATES AND TIME: August 16, 17 and 18, 2000, 10:00 a.m.

PLACE: Clarion Hotel Banquet Room, 1300 Ponce DeLeon Blvd., St. Augustine, Florida

PURPOSE: To permit parties to present testimony and exhibits relative to the applications for original certificates to operate water and wastewater utility in Duval and St. Johns Counties by Nocatee Utility Corporation and Intercoastal Utilities, Inc., and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on July 12, 2000. All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, FAC. Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting at (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

REGIONAL PLANNING COUNCILS

The **Northeast Florida Regional Planning Council**, Comprehensive and Project Planning Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: August 3, 2000, 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: August 3, 2000, 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: August 3, 2000, 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 **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 2, 2000, 11:00 a.m.

PLACE: 631 North Wymore Road, Suite 1000, Maitland, Florida 32801 (Please call (407)623-1075, Ext. 304, to confirm date, time and place)

PURPOSE: Regional Study Committee Meeting, discussion points for the meeting will include but not be limited to: the role of the Planning Council in the study, funding, physical location of the study group, budget issues and the implementation of the study once it is complete.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751.

The District XI, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 16, 2000, 10:00 a.m.

PLACE: Key Largo Fire Station, MM 98.5, East Shore Drive and US 1, Northbound, Key Largo, Florida

PURPOSE: To discuss the LEPC's ongoing regional hazardous materials activities for FY 2000-2001; to discuss the development of an emergency response plan for the school systems in the region; and to discuss implementation options for the FY 2001 project activities program.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, or by calling (954)985-4416 in Broward, Suncom 473-4416 and 1(800)985-4416, for area codes 305, 561 and 407.

The Florida District X **Local Emergency Planning Committee** announces the following meetings to which all persons are invited.

DATES AND TIME: September 28, 2000; November 16, 2000, 10:00 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Florida District X Local Emergency Planning 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 Florida District X LEPC with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and

that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces the following meetings of the Council's Overall Economic Development Program Committee to which all persons are invited:

DATES AND TIME: August 10, 2000; September 14, 2000; October 12, 2000; November 9, 2000; December 14, 2000, 2:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Treasure Coast Regional Planning Council Overall Economic Development Program Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: September 15, 2000, 9:30 a.m.

PLACE: Howard Johnson's Motor Lodge, 950 U.S. Highway One, Stuart, Florida

GENERAL SUBJECT MATTER: To conduct the monthly meeting of the Council.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: August 8, 2000, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

PURPOSE: Board Meeting – to consider District business and conduct public hearings on regulatory and land acquisition matters.

Public hearing in accordance with Section 373.59, F.S., concerning the proposed purchase of the Nekoosa Packaging Corporation/Lake City Wellfield Tract, 2,300 acres +/-, Columbia County, with funds from the Preservation 2000 Trust Fund; also the proposed purchase of the Foley Land and Timber Company/Perry Wastewater Tract, 550 Acres +/-, Taylor County, with funds from the Water Management Lands Trust Fund.

DATE AND TIME: August 8, 2000, following Board Meeting

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

PURPOSE: Board Workshop on Land Management and the Land Acquisition and Management Plan.

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 public meetings and hearings to which all persons are invited:

MEETING: PERSONNEL COMMITTEE

DATE AND TIME: Tuesday, August 8, 2000, 9:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

PURPOSE: Discussion of Personnel Committee agenda items followed by committee recommendations to be approved by the full Governing Board.

MEETING: GOVERNING BOARD

DATE AND TIME: Tuesday, August 8, 2000, 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.

MEETING: FINANCE COMMITTEE

DATE AND TIME: Wednesday, August 9, 2000, 8:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

PURPOSE: Discussion of Finance Committee agenda items followed by committee recommendations to be approved by the full Governing Board.

MEETING: GOVERNING BOARD MEETING AND PUBLIC HEARING

DATE AND TIME: Wednesday, August 9, 2000, following Finance Committee

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 these meetings 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 and hearings is requested to advise the District at least 48 hours before the 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 **South Florida Water Management District** announces a public hearing required under Sections 373.59 and 373.139, Florida Statutes, to which all interested parties are invited:

Governing Board Meeting

DATE AND TIME: August 10, 2000, 8:50 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: The acquisition/disposal of certain lands contained within the Save Our rivers Land Acquisition and Management Plan which lands are further described as follows: Consider the Disposal of Structures, Improvements and Nursery Stock on thirteen parcels in the 8.5 Square Mile Area, referred to as SFWMD Tract Nos. GE-311-409, GE-311-467, GE-317-959, GE-317-969, GE-319-903, GE-322-706, GE-327-438, GE-328-624, GE-328-635, GE-328-657, GE-328-824, GE-328-829 and GE-328-862, lying in Sections 11, 22, 27, 28 and 29, Township 55 South, Range 38 East, Miami-Dade County.

Additional information concerning specific parcels or interests can be obtained from Blair R. LittleJohn, III, South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680, (561)686-8800.

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.

DEPARTMENT OF VETERANS' AFFAIRS

The Florida **Commission on Veterans' Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 4, 2000, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Conference Room E, Building 3, Tallahassee, FL 32308

PURPOSE: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Nancy Schiellerd, 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 **State Long-Term Care Ombudsman Council** announces the following calls to which all persons are invited:

DATES AND TIMES: Thursday, August 3, 2000, 2:00 p.m.; Friday, August 4, 2000, general session, 8:30 a.m.

PLACE: Sheraton Suites Tampa Airport, 4400 West Cypress Street, Tampa, Florida, Telephone (814)873-8675

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program. You may contact the office of the Long-Term Care Ombudsman, (850)488-6190 for more information.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 21, 2000, 8:30 a.m.

PLACE: Tampa Marriott Waterside, 700 S. Florida Avenue, Tampa, Florida

PURPOSE: Special public follow-up meeting of the task force established by the Department of Elder Affairs to identify issues and recommend strategies for addressing the shortage of certified nursing assistants in nursing homes.

For information, contact Gail LaRosa, (850)414-2071.

Any person requiring special accommodation at the meeting because of disability or physical impairment should contact Gail LaRosa, (850)414-2071 (Voice) or (850)414-2001 (TTY), at least five business days prior to the meeting.

The free CNA task force meeting is being held during the annual conference of the Florida Council on Aging. Attendees wishing to register for the FCOA conference can call (850)222-8877.

A copy of the agenda may be attained by contacting: Gail LaRosa, (850)414-2071.

The **State Long-Term Care Ombudsman Council** announces a public meeting for all districts in Florida to which all persons are invited.

DATE AND TIME: August 24, 2000, 9:00 a.m.

CITY: District One, Pensacola, FL

DATE AND TIME: August 16, 2000, 10:00 a.m.

CITY: District Two, Blountstown, FL

DATE AND TIME: August 17, 2000, 12:30 p.m.

CITY: District Three-A, Gainesville, FL

DATE AND TIME: August 10, 2000, 1:00 p.m.

CITY: District Three-B, Ocala, FL

DATE AND TIME: August 15, 2000, 12:00 Noon

CITY: District Four, St. Augustine, FL

DATE AND TIME: August 17, 2000, 1:30 p.m.

CITY: District Five A, Largo, FL

DATE AND TIME: August 10, 2000, 1:30 p.m.

CITY: District Five B, New Port Richey, FL

DATE AND TIME: August 15, 2000, 10:00 a.m.

CITY: District Six, Tampa, FL

DATE AND TIME: August 3, 2000, 12:30 p.m.

CITY: District Seven, Orlando, FL

DATE AND TIME: August 1, 2000, 11:00 a.m.

CITY: District Eight, Ft. Myers, FL

DATE AND TIME: August 21, 2000, 2:30 p.m.

CITY: District Nine, West Palm Beach, FL

DATE AND TIME: August 8, 2000, 1:30 p.m.

CITY: District Ten, Plantation, FL

DATE AND TIME: August 15, 2000, 1:15 p.m.

CITY: District Eleven-South, S. Miami, FL

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

CITY: District Eleven-North, N. Miami, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program.

You may contact the State Long-Term Care Ombudsman Office, (850)488-6190, for further information.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the District 6 Managed Care Ombudsman Committee to which all interested parties are invited.

DATE AND TIME: Tuesday, August 2, 2000, 10:00 a.m. – 12:00 Noon

PLACE: AHCA Building, Suite 220, North Park Center, 6800 North Dale Mabry Highway, Tampa, FL 33614-3979, (813)871-7800

PURPOSE: Regular monthly meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact us, (850)414-1833, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Attention: Annette Lewis-Howard, Agency for Health Care Administration, Bureau of Consumer Protection, 2727 Mahan Drive, Ft. Knox, Building 1, 2nd Floor, Tallahassee, FL 32308.

The **Agency for Health Care Administration** announces a meeting of the District 10 Managed Care Ombudsman Committee to which all interested parties are invited.

DATE AND TIME: Wednesday, August 9, 2000, 9:30 a.m. – 11:30 a.m.

PLACE: AHCA Building, Room 195, 1400 West Commercial Boulevard, Fort Lauderdale, FL 33309, (954)202-3200

PURPOSE: Regular monthly meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact us, (850)414-1833, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Attention: Annette Lewis-Howard, Agency for Health Care Administration, Bureau of Consumer Protection, 2727 Mahan Drive, Ft. Knox, Building 1, 2nd Floor, Tallahassee, FL 32308.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 9, 2000, 1:00 p.m. – 3:00 p.m.

PLACE: Rohde State Office Building, 401 N. W. 2nd Avenue, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Information will be provided about the federal Ticket to Work and Work Incentives Improvement Act of 1999 and a feasibility and cost study that the Agency for Health Care Administration has been directed to conduct.

A copy of the agenda may be obtained by calling: Ms. Wanda Johnson, (850)922-4497, by faxing a request to Ms. Wanda Johnson, (850)414-1914, by email to Wanda Johnson, johnsonw@fdhc.state.fl.us or requesting a copy by mail from Ms. Wanda Johnson, Agency for Health Care Administration, 2308 Killearn Center Boulevard, Tallahassee, Florida 32308.

Persons with disabilities who require assistance to participate in the meeting are requested to contact Ms. Wanda Johnson, (850)922-4497, by August 7.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 10, 2000, 1:00 p.m. – 3:00 p.m.

PLACE: Center for Independent Living, 720 N. Denning Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Information will be provided about the federal Ticket to Work and Work Incentives Improvement Act of 1999 and a feasibility and cost study that the Agency for Health Care Administration has been directed to conduct.

A copy of the agenda may be obtained by calling: Ms. Wanda Johnson, (850)922-4497, by faxing a request to Ms. Wanda Johnson, (850)414-1914, by email to johnsonw@fdhc.state.fl.us or requesting a copy by mail from Ms. Wanda Johnson, Agency for Health Care Administration, 2308 Killearn Center Boulevard, Tallahassee, Florida 32308.

Persons with disabilities who require assistance to participate in the meeting are requested to contact Ms. Wanda Johnson, (850)922-4497, by August 7.

DEPARTMENT OF MANAGEMENT SERVICES

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Monday August 7, 2000, 2:00 p.m.

PLACE: Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149. The meet-me telephone number is (850)410-0968 or Suncom 210-0968

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the commission. Items to be discussed will include general administrative issues.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, telephone (850)488-7082, Ext. 1036.

VERBATIM RECORD OF MEETING: If any person decides to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA Notice: Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1036 at least five working days prior to the meeting.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Wednesday August 9, 2000, 2:00 p.m.

PLACE: Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149. The meet-me telephone number is (850)410-0968 or Suncom 210-0968

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the commission. Items to be discussed will include general administrative issues.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, telephone (850)488-7082, Ext. 1036.

VERBATIM RECORD OF MEETING: If any person decides to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA Notice: Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1036, at least five working days prior to the meeting.

The Florida **Commission on Human Relations** announces a public deliberation to which all persons are invited.

DATE AND TIME: Thursday, August 10, 2000, 2:00 p.m.

PLACE: Ocala Hilton, State Room, 3600 S. W. 36th Avenue, Ocala, Florida 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will take final agency action in the matter of Pennington v. School Board of Lake County, FCHR Case No. 95-1294.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, telephone (850)488-7082, Ext. 1036.

VERBATIM RECORD OF MEETING: If any person decides to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA Notice: Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1036, at least five working days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces the following public meeting of the **Division of Hotels and Restaurants**, Historic Lodging Task Force which the public is invited to attend.

DATE AND TIME: Monday, August 14, 2000, 11:00 a.m. – 12:00 Noon

PLACE: The Department of Business and Professional Regulation, Secretary’s Conference Room #259, Johns Building, Second Floor, 725 South Bronough Street, Tallahassee, Florida 32301

PURPOSE: To discuss issues regarding Florida Statute 509.215 and the installation of a sprinkler system in an historic building.

If you need additional information, please contact: Mr. Ron Webb, Management Review Specialist, Office of Program Policy, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-1011 or call 1(800)749-6368 or (850)410-1495.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Mr. Ron Webb at 1(800)749-6368 or (850)410-1495, at least five calendar days prior to the meeting.

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIMES: Wednesday, August 9, 2000, 4:00 p.m.; Thursday, August 10, 2000, 8:00 a.m.; Friday, August 11, 2000, 8:00 a.m.

PLACE: Pier House Resort and Caribbean Spa, 1 Duval Street, Key West, Florida

PURPOSE: Committee, Disciplinary Actions and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Cathleen O’Dowd, (904)727-3689, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official probable cause panel meeting to which portions or all will be closed to the public.

DATE AND TIME: August 22, 2000, 1:00 p.m.

PLACE: Radisson Hotel Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida 32812

PURPOSE: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling Stacey Merchant, (850)921-7868.

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 Stacey Merchant, (850)921-7868. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based.

For further information, contact the Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official committee and general business meetings to which all persons are invited.

DATE AND TIME: August 23, 2000, 8:30 a.m. or shortly thereafter

PLACE: Radisson Hotel Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida 32812

PURPOSE: Committee and General Business Meetings of the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling Stacey Merchant, (850)921-7868.

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 Stacey Merchant, (850)921-7868. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based.

For further information, contact the Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Funeral Directors and Embalmers** announces the following meetings to which all parties are invited to attend.

DATE AND TIME: August 16, 2000, 2:00 p.m.

PURPOSE: Finance Committee meeting, Rules Committee meeting, immediately followed by Probable Cause Panel meeting, which portions may be closed to the public, agenda available on request.

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

PURPOSE: General Board and Business Meeting.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL, (954)527-2700

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Funeral Directors and Embalmers, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)488-8690, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation** announces the following meeting to be conducted by the Florida **Board of Landscape Architecture** (Board) via telephone conference call:

MEETING: Probable Cause Panel

DATE AND TIME: August 7, 2000, 11:00 a.m. – 1:00 p.m.

PLACE: Department of Business and Professional Regulation, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399, (850)921-6433, Suncom 291-6433

PURPOSE: To conduct an official meeting of the Probable Cause Panel of the Florida Board of Landscape Architecture. 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 the Department of Business and Professional Regulation, Board of Architecture and Interior Design, (850)488-6754, at least forty eight (48) hours prior to the meeting. If you are hearing or speech impaired, please call 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 Probable Cause Panel of the Florida **Real Estate Commission** will meet on:

DATE AND TIME: August 15, 2000, 1:30 p.m. or the soonest thereafter

PLACE: Suite 301, North Tower, 400 West Robinson Street, Orlando, Florida

Portions of the probable cause proceedings are not open to the public.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 9:00 a.m. – 4:00 p.m.) at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Real Estate Commission** (FREC) announces a meeting to which all persons are invited.

DATE AND TIME: August 16, 2000, 8:30 a.m.

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida

PURPOSE: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, Recovery Fund Claims, education issues, petitions for declaratory statement, and disciplinary actions.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such

purpose, upon which the appeal is based, may be required. Probable Cause Panel(s) may also meet during this session. Portions of the Probable Cause are not open to the public.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, Administration Office, P. O. Box 1900, Orlando, Florida 32802-1900.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public meeting, which will include a meeting of the 303(d) List Methodology Technical Advisory Committee, to which all interested persons are invited to discuss issues related to the development of a methodology to identify impaired waters for listing on the State's 303(d) list.

DATE AND TIME: Friday, August 4, 2000, 9:00 a.m. – 4:30 p.m.

PLACE: Winewood Complex, Building 4, 1313 Winewood Blvd., Tallahassee, Florida 32399

PURPOSE: To receive public input on the draft rule for the development of the methodology to identify impaired waters for inclusion on the State's 303(d) list pursuant to Section 403.067, Florida Statutes, and Section 303(d) of the federal Clean Water Act.

A copy of the agenda for the meeting may be obtained by writing: Mr. Jan Mandrup-Poulsen, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment Section, MS 3555, Tallahassee, Florida 32399-2400 or by calling him at (850)921-9488.

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

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Thursday, August 10, 2000, 7:00 p.m. (CDT)

PLACE: Big Lagoon State Recreation Area, Amphitheater, 12301 Gulf Beach Highway, Pensacola, Florida 32507

PURPOSE: To present and discuss locations of new beach access facilities for resource protection at Perdido Key State Recreation Area Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance of this meeting.

Any request for special accommodations can be made by writing to the Department of Environmental Protection, Division of Recreation and Parks, District 1 Administration, 4620 State Park Lane, Panama City, Florida 32408.

DEPARTMENT OF HEALTH

The **Board of Acupuncture** announces a meeting to be held by way of conference telephone hookup:

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

PLACE: Bill Buckhalt, Exec. Director, Tallahassee, FL, (850)921-6623, Suncom 291-6623

PURPOSE: To conduct general Board Business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Mr. William H. Buckhalt, Executive Director, Board of Acupuncture, Northwood Centre, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3256 or you may call (850)245-4161.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Penny L. Perkins, (850)245-4161, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Penny L. Perkins using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Acupuncture** will hold a Probable Cause Panel meeting to which all persons are invited:

DATE AND TIME: Wednesday, September 13, 2000, 11:00 a.m.

PLACE: The Airport Hilton, 5101 Blue Lagoon Drive, Miami, Florida 33126, (305)262-1000

PURPOSE: To review reconsideration cases.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: William H. Buckhalt, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, BIN #C06, Tallahassee,

Florida 32399-3256, or you may call (850)245-4161. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact William Buckhalt, (850)245-4161, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Mr. Buckhalt 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 Acupuncture** and Committees will hold the following Meeting to which all persons are invited:

DATE AND TIME: Wednesday, September 13, 2000, 11:00 a.m. – 9:00 p.m.

PLACE: The Airport Hilton, 5101 Blue Lagoon Drive, Miami, Florida 33126, (305)262-1000

PURPOSE: To conduct Board Business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Mr. William H. Buckhalt, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3256, or you may call (850)245-4161. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Penny Perkins, (850)245-4161, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Penny Perkins using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Nursing Home Administrators** announces a Telephone Conference for a Probable Cause Panel Meeting to which all interested persons are invited.

DATE AND TIME: August 21, 2000, 10:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, FL 32399, telephone (850)921-5400

PURPOSE: Probable Cause Panel Meeting where probable cause was previously found.

A copy of the agenda and any probable cause materials which are open to the public may be obtained by writing: Board of Nursing Home Administrators, 4052 Bald Cypress Way, BIN #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)245-4292, Ext. 3602, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

The **Board of Orthotists and Prosthetists** will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: Monday, July 31, 2000, 9:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida, at Meet Number (850)921-2530

PURPOSE: General Board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence form which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Sherra Causey, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

The **Department of Health, the Board of Psychology, Credentials Committee** announces a conference call of the committee to which all persons are invited:

DATE AND TIME: August 11, 2000, 8:00 a.m. or soon thereafter

PLACE: Numbers: Nonsuncom (850)488-5778, Suncom 288-5778

PURPOSE: For the consideration and review of applications for examination and licensure.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the board office, (850)245-4373.

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 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. 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 board with respect to any matter considered at the above-cited meeting or hearing, 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 to be based.

The **Department of Health, the Board of Psychology** announces a conference call of the board to which all persons are invited:

DATE AND TIME: August 14, 2000, 8:00 a.m. or soon thereafter

PLACE: Numbers: Nonsuncom (850)488-5778, Suncom 288-5778

PURPOSE: General business meeting and rules review.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the board office, (850)245-4373.

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 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. 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 Board with respect to any matter considered at the above-cited meeting or hearing, 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 to be based.

The **Department of Health, the Board of Respiratory Care** announces a conference call to which all persons are invited.

DATE AND TIME: August 22, 2000, 9:00 a.m. or soon thereafter

PLACE: Number: Nonsuncom (850)488-5778, Suncom 278-5778

PURPOSE: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the board office, (850)245-4372.

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 48 hours before the workshop/hearing/meeting by contacting the board office, (850)245-4372. 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 or hearing, 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 to be based.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The District 14, **Department of Children and Family Services** announces the following meetings to which all persons are invited. Community based care subcommittees will meet as follows:

MEETING: MANAGEMENT/ADMINISTRATIVE/READINESS SUBCOMMITTEE

DATE AND TIME: Thursday, August 3, 2000, 9:00 a.m.

PLACE: Polk County Board of County Commissioners' Administration Building, First Floor, Conference Room 139, Bartow, FL

PURPOSE: To plan the transition of child welfare services to community based care by researching and designing components for a model plan.

MEETING: FINANCE SUBCOMMITTEE

DATES AND TIME: Friday, August 4, 2000; Friday, August 18, 2000, 11:30 a.m.

PLACE: Polk County Board of County Commissioners' Administration Building, Fourth Floor, Conference Room 475, Bartow, FL

PURPOSE: To access current revenue, costs, start-up costs and develop revenue maximization plan.

MEETING: PR/MARKETING/ADVOCACY SUBCOMMITTEE

DATES AND TIME: Wednesday, August 2, 2000; Wednesday, August 16, 2000, 3:00 p.m.

PLACE: Polk County Board of County Commissioners' Administration Building, First Floor, Conference Room 139, Bartow, FL

PURPOSE: Develop a communications plan.

MEETING: TARGET POPULATIONS AND OUTCOMES SUBCOMMITTEE

DATES AND TIME: Wednesday, August 2, 2000; Wednesday, August 16, 2000, 1:30 p.m.

PLACE: Polk County Board of County Commissioners' Administration Building, First Floor, Conference Room 139, Bartow, FL

PURPOSE: To define mandated population, determine size and scope of target population and services, identify the data sources, and develop system performance standards related to access to services.

MEETING: SYSTEM OF CARE SUBCOMMITTEE

DATES AND TIME: Friday, August 11, 2000; Friday, August 25, 2000, 1:00 p.m.

PLACE: Polk County Board of County Commissioners' Administration Building, Fourth Floor, Conference Room 475, Bartow, FL

PURPOSE: To access current system strengths and weaknesses, analyze data and define care management policies.

MEETING: PROTECTIVE INVESTIGATIONS AND LEGAL SUBCOMMITTEE

DATES AND TIME: Monday, August 14, 2000; Monday, May 28, 2000, 1:30 p.m.

PLACE: Polk County Board of County Commissioners' Administration Building, First Floor, Conference Room 139, Bartow, FL

MEETING: ADVISORY COMMUNITY-BASED CARE STEERING COUNCIL

DATE AND TIME: Thursday, July 27, 2000, 3:00 p.m.

PLACE: Fort Meade Community Center, 10 S. W. Third Street, Fort Meade, FL

PURPOSE: To plan for community-based care in District 14.

For copies of the agenda, further information, or persons needing accommodations to participate in these conference call please contact, Patty Harrison, (941)619-4100, Extension 157, 1(800)342-0825 or (941)648-3337 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited.

COMMUNITY BASED CARE – ALLIANCE MEETING

DATE AND TIME: August 9, 2000, 8:30 a.m.

PLACE: Port St. Lucie Community Center, 9452 South U.S. 1, Port St. Lucie, Florida

For more information, please contact: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174.

The Family Preservation and Support Coalition Child Abuse and Neglect Prevention Committee, sponsored by the District 12, **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2000, 3:30 p.m.

PLACE: Children’s Advocacy Center, 344 South Beach Street, Daytona Beach, Florida

PURPOSE: Regular Business Meeting.

A copy of the agenda may be obtained by writing: Family Preservation and Support, Department of Children and Family Services, 210 North Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Lynn Kennedy.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Lynn Kennedy, (904)226-7826, at least 48 hours in advance of the meeting. (Hearing impaired please use Florida Relay 1(800)955-8771.)

The District 12, **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: July 25, 2000, 6:30 p.m.

PLACE: Bonner Elementary School, 868 George W. Engram Boulevard, Daytona Beach, Florida

PURPOSE: Regular Business Meeting.

A copy of the agenda may be obtained by writing: Family Preservation and Support, Department of Children and Family Services, 210 North Palmetto Avenue, Daytona Beach, Florida 32114-3284, Attn.: Jeff Miller.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Jeff Miller, (904)226-7826, at least 48 hours in advance of the meeting. Hearing impaired please use Florida Relay 1(800)955-8771.

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: There is no meeting scheduled for August, contact Person is Juel Kamke, (850)413-8217.

MEETING: Districts 5, 6 and 14 – Tampa Bay Area Refugee Task Force

DATE AND TIME: Tuesday, August 29, 2000, 9:30 a.m.

PLACE: INS Office, 5524 West Cypress Street, Tampa, FL 33607, contact Person is Kristin Holland, (813)637-3011

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 1, Room 303, Tallahassee, Florida 32399-0700.

MEETING: District 7/Orlando Refugee Task Force

DATE AND TIME: Wednesday, August 9, 2000, 9:30 a.m. – 11:30 a.m.

PLACE: Catholic Charities of Orlando, 1771 N. Samoran Blvd., Orlando, Florida, contact person is Juel Kamke, Phone (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: Juel Kamke, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 1, Room 303, Tallahassee, Florida 32399-0700.

MEETING: District 9/Palm Beach County Refugee Task Force
DATE AND TIME: Wednesday, August 16, 2000, 1:30 p.m. – 3:30 p.m.

PLACE: Naval and Marine Corps Reserve Center, 1227 Marine Drive, West Palm Beach, Florida, contact person is Bill Long, Phone (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: Bill Long, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 1, Room 303, Tallahassee, Florida 32399-0700.

MEETING: District 10/Broward County Refugee Task Force
DATE AND TIME: Tuesday, August 29, 2000, 9:00 a.m. – 12:00 p.m.

PLACE: First Lutheran Church, 441 N. E. 3rd Ave., Ft. Lauderdale, Florida 33301, contact person is Cheraka Thomas, Phone (850)414-0067

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: Cheraka Thomas, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 1, Room 303, Tallahassee, Florida 32399-0700.

MEETING: District 11/Miami Area Refugee Task Force

DATE AND TIME: Friday, August 11, 2000, 10:00 a.m. – 12:00 p.m.

PLACE: Lindsey Hopkins Technical Education Center, Faculty Dining Room 750, Northwest 20th Street, Miami, Florida 33127, contact person is Taddese Fessehaye, Phone (850)488-3791

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: Taddese Fessehayee, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 1, Room 303, 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.

The Florida **Department of Children and Family Services** announces the G. Pierce Wood Memorial Hospital Governing Body will meet:

DATE AND TIME: July 26, 2000, 3:00 p.m.

PLACE: G. Pierce Wood Memorial Hospital, Dogwood Conference Room, 5847 S. E. Highway 31, Arcadia, FL

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting of the Corporation, to which all interested persons are invited:

DATE AND TIME: Monday, August 7, 2000, 10:00 a.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Seltzer Room, Tallahassee, FL 32301

PURPOSE: To conduct a discussion of the set-aside needs of those developments that anticipate receiving HOPE VI and/or Front Porch Florida funding.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Debbie Moran, Business Process Analyst, 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/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings be made, which record include the testimony and evidence upon which the appeal is to be based.

NOTICE OF CHANGE – Notice of Board Committee Workshop and the Postponement of scheduled rule hearing Multifamily Bond Program, **Florida Housing Finance Corporation**. A Board Committee Rule Workshop will be held

to discuss issues relative to the development of the 2001 application and program requirements for the Multifamily Bond Program, as specified in Rule Chapter 67-21,FAC.

DATE AND TIME: August 10, 2000, 11:00 a.m.

PLACE: Hilton Key West Resort & Marina, 245 Front Street, Key West, Florida 33040, Phone (305)294-4086

The Florida Housing Finance Corporation hereby gives notice that the Rule Hearing for the 2001 Multifamily Mortgage Revenue Bond Program originally scheduled for August 18, 2000 has been postponed.

The person to contact regarding the proposed rule development is Bill Metler, Multifamily Bond Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329.

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact Debbie L. Moran at the above address. 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: August 10, 2000, 1:00 p.m.

Fiscal Committee; Guarantee Committee; Professional Services Selection Committee; Board Workshop/Meeting

PLACE: Hilton Key West Resort & Marina, 245 Front Street, Key West, Florida 33040, Phone (305)294-4086

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 acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.

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 authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
10. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
11. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
12. Consideration of all necessary actions with regard to the Multifamily Bond Program.
13. Consideration of approval of underwriters for inclusion on approved master list and teams.
14. Conduct a Board Committee Rule Workshop to discuss the current Rule Development process for the Multifamily Bond Program, Rule Chapter 67-21, FAC., Year 2001 Rule and Application Development.
15. Consideration of all necessary actions with regard to the HOME Rental Program.
16. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
17. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
18. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
19. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
20. Consideration of all necessary actions with regard to the Home Ownership Programs.
21. 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: Debbie L. Moran, Business Process Analyst, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Debbie L. Moran, 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: August 11, 2000, 9:00 a.m.

Fiscal Committee; Guarantee Committee; Professional Services Selection Committee; Board Workshop/Meeting

PLACE: Hilton Key West Resort & Marina, 245 Front Street, Key West, Florida 33040, Phone (305)294-4086

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 acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
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 authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
10. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
11. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
12. Consideration of all necessary actions with regard to the Multifamily Bond Program.
13. Consideration of approval of underwriters for inclusion on approved master list and teams.

14. Consideration of all necessary actions with regard to the HOME Rental Program.
15. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
16. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
17. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
18. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
19. Consideration of all necessary actions with regard to the Home Ownership Programs.
20. Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.

A copy of the agenda may be obtained by contacting: Debbie L. Moran, Business Process Analyst, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Debbie L. Moran, 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 **Fish and Wildlife Conservation Commission** announces a public workshop concerning food shrimp production in Biscayne Bay, to which all interested persons are invited:

DATE AND TIME: August 7, 2000, 6:00 p.m. – 8:00 p.m.

PLACE: Florida International University, Graham Center, 11200 S. W. 107th Avenue, Miami, Florida

PURPOSE: The purpose of this workshop is to receive public input regarding whether to change the food shrimp production season in Biscayne Bay from the present season of October 15 each year through May 15 of the following year to November 1 through May 31.

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.

For further information, contact Dr. Russell Nelson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

You are hereby notified that the **Advisory Council on Environmental Education** will meet on:

DATE AND TIME: Thursday, August 10, 2000, 10:00 a.m. – completion of business

PLACE: Second Floor, Auditorium, Farris Bryant Building, Tallahassee, Florida

PURPOSE: Selection of Grant Proposals for Funding.

SPECIAL NOTE: If an accommodation is needed for a disability in order to participate in this activity, please notify staff, (850)487-0123, at least seven (7) days prior to the activity. If you are hearing or speech impaired, please contact staff by calling (850)488-9542 (TDD).

The **Florida Fish and Wildlife Conservation Commission** announces a meeting of the Manatee Technical Advisory Council and invites the public to attend.

DATES AND TIMES: Thursday, August 17, 2000, 1:00 p.m. – 5:00 p.m.; Friday, August 18, 2000, 8:30 a.m. – 2:30 p.m.

PLACE: Department of Environmental Protection, 2600 Blair Stone Road, Twin Towers, Room 609, Tallahassee, FL 32301

PURPOSE: Manatee Technical Advisory Council Meeting.

A copy of the agenda may be obtained by writing: Angela Burt, Florida Fish and Wildlife Conservation Commission, Bureau of Protected Species Management (OES-BPS), 620 South Meridian Street, Tallahassee, Florida 32399 or by calling (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 seven (7) days before the meeting by contacting Angela Burt, (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.

FLORIDA PORTS FINANCING COMMISSION

The **Florida Ports Financing Commission** (FPFC) announces an emergency teleconference meeting in which all interested persons are invited to participate.

DATE AND TIME: July 31, 2000, 10:00 a.m. – 12:00 Noon

PLACE: Call In Number: 1(888)476-3752, Passcode 205408

PURPOSE: Election of Officers and General Business.

Information on the meeting may be obtained by contacting: Tara Vercellone, Florida Ports Council, 315 South Calhoun Street, Suite 712, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Tara Vercellone, (850)222-8028.

FLORIDA'S COMMISSION OF RESPONSIBLE FATHERHOOD

The Florida's Commission on Responsible Fatherhood announces the following meeting to which all interested parties are invited to attend.

DATES AND TIMES: August 7, 2000, 10:00 a.m. – 5:00 p.m.; August 8, 2000, 9:30 a.m. – 2:30 p.m.

PLACE: Embassy Suites, Miami International Airport, 3974 Northwest South River Drive, Miami, Florida 33142, Phone: (305)634-5000, Fax (305)635-9499

PURPOSE: Florida's Commission on Responsible Fatherhood will be having a public meeting and will take testimony on all issues concerning responsible fatherhood. Public Testimony will begin at 6 p.m. and will conclude at 7:00 p.m., August 7, 2000.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Ms. Anne Carpenter, Florida's Commission on Responsible Fatherhood, (850)488-4952, at least five calendar days prior to the meeting.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Loan Council announces a public meeting to which all persons are invited:

DATE AND TIME: August 10, 2000, 4:00 p.m.

PLACE: Fort Lauderdale/Broward County Convention Center, 1950 Eisenhower Boulevard, Fort Lauderdale, FL 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting: Jeannie Hagan, Acting Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The Sunshine State Governmental Financing Commission announces a public meeting, where all interested parties are invited:

DATE AND TIME: Friday, August 11, 2000, 11:00 a.m.

PLACE: Broward County Convention Center, 1950 Eisenhower Blvd., Room 217, Fort Lauderdale, FL

PURPOSE: Board of Directors Business Meeting.

Note: A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, (850)878-1874.

FLORIDA TELECOMMUNICATIONS RELAY

The Florida Telecommunications Relay, Inc. announces the annual membership meeting to be followed by a regular meeting of the Board of Directors.

DATE AND TIME: Monday, August 14, 2000, 1:00 p.m.

PLACE: 1311A Paul Russell Road, Tallahassee, Florida

PURPOSE: Annual membership meeting followed by a regular meeting of the Board of Directors. Note that the Board of Directors meeting will convene immediately after conclusion of the membership meeting.

A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1311B Paul Russell Road, Suite 101B, Tallahassee, FL 32301-4860. The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

ENTERPRISE FLORIDA

The Enterprise Florida, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Partner Council

DATE AND TIME: Wednesday, August 16, 2000, 10:00 a.m. – 1:30 p.m.

PLACE: Hyatt Hotel, Orlando International Airport, Orlando, Florida, (407)825-1235

PURPOSE: Enterprise Florida, Inc. Partner Council Workshop. If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Enterprise Florida, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Board of Directors

DATES AND TIMES: Wednesday, August 16, 2000, 4:00 p.m. – 6:00 p.m.; Thursday, August 17, 2000, 8:00 a.m. – 12:00 p.m.

PLACE: Hyatt Hotel, Orlando International Airport, Orlando, Florida, (407)825-1235

PURPOSE: Enterprise Florida, Inc. Board Meeting.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to the amended request filed February 11, 2000, on behalf of Cellucrete Corporation – Celcore R. Value. The request was assigned the number DCA99-DEC-368. This Declaratory Statement was issued July 12, 2000, and provides that utilization of the test method entitled “Lightweight Concrete Materials and Structural Systems for Water Tanks for Thermal Storage” is not authorized for calculation of R value for determination of Energy Code compliance and that the local jurisdiction is the appropriate entity to enforce that provision.

A copy of the Declaratory Statement may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF CITRUS

NOTICE IS HEREBY GIVEN that on July 10, 2000, the State of Florida, Department of Citrus, received a joint Petition to Initiate Rulemaking from the Florida Gift Fruit Shippers Association and the Florida Citrus Packers, co-operative associations whose memberships consists of packers of fresh Florida citrus and fresh (unpasteurized) Florida citrus juices, regulated under Chapter 601, Florida Statutes and Title 20, Florida Administrative Code. The petition requests that Title 20, Florida Administrative Code, be amended by adding a new chapter to provide standards and other regulatory criteria, relating specifically to the fresh squeezed juice segment of the Florida citrus industry.

A copy of the Petition may be obtained from: Joan B. Martin, Administrative Assistant, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on July 12, 2000 from Richard Adamson. Petitioner is a prisoner seeking amendment of 33-602.401.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on July 3, 2000 from Mark Osterback. Petitioner is a prisoner seeking amendment of 33-602.401(6).

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a declaratory statement in In Re: Petition for Declaratory Statement, Landmark Holiday Beach Condominium Association, Inc., Petitioner; Docket Number TD2000-025.

The declaratory statement provided, in summary, that Section 718.112(2)(b)3., Florida Statutes, is applicable to the facts and prohibit the use of an irrevocable proxy to vote in a timeshare condominium. The Division further declared that Sections 721.53(1)(c) and 718.106, Florida Statutes, would not prohibit Vacation Trust, pursuant to the terms of the Converting Owner’s Beneficiary Agreement, the Reciprocal Quitclaim Deed, the Trust Agreement and Assignment, from exercising the voting rights for the timeshare interest that has converted into the Vacation Club. However, the Trustee must exercise the voting rights in the manner prescribed by the condominium documents and Chapter 718, 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.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement in In Re: Petition for Declaratory Statement, William R. Martin, Member, Woodmere at Jacaranda Condominium Association, Inc., Petitioner.

The Petitioner requests an interpretation as to whether the association properly conducted meetings, whether the developer properly converted units identified as health care units into residential units, and whether the developer properly used association funds.

A copy of the Petition for Declaratory Statement, Docket Number CD2000-093, 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. Please refer all comments to Kathryn E. Price, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-2202.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the Board of Dentistry has received a Petition for Declaratory Statement, which was filed on July 12, 2000, by Geoffrey D. Smith, Esquire, on behalf of Petitioners, Dr. Carol A. Horkowitz and Mount Sinai Medical Center of Florida, Inc. Petitioners seek a declaratory statement from the Board which request that the Board interpret Rule 64B5-17.013(3), Florida Administrative Code, Section 466.0285 and Subsection 466.028(1)(h), Florida Statutes. More specifically, Petitioners request that the Board issue a Declaratory Statement advising the Petitioners as to whether the above-cited rule and statutory provisions will preclude Mount Sinai from employing, Dr. Horkowitz, and whether she will be able to continue her work at the center, and finally whether or not there is a basis for disciplinary action pursuant to Section 466.028(1)(h), Florida Statutes.

The Board will address this Petition at its regularly scheduled meeting which will be held on August 19, 2000, 8:00 a.m. or shortly thereafter, at The Crowne Plaza, 950 Northwest LeJeune Road, Miami, Florida 33126.

A copy of the Petition for Declaratory Statement may be obtained by writing: William H. Buckhalt, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3256.

**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:

Teachers Insurance and Annuity Association vs. Department of Insurance; Rule No.: 4-149.122(11); Case No.: 00-2578RP

Indian River Memorial Hospital vs. Agency for Health Care Administration; Rule No.: 59C-1.002(43), 59C-1.033; Case No.: 00-2692RX

Fred G. Warren vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Rule No.: 61D-6.002(1); Case No.: 00-2821RX

Florida Medical Association vs. Department of Health, Board of Acupuncture; Rule No.: 64B1-8.006; Case No.: 00-2667RP

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Florida Language, Speech and Hearing Association, Inc., d/b/a Florida Association of Speech-Language Pathologists and Audiologists, Inc. vs. Department of Education, State Board of Education; Rule Nos.: 6A-4.006(2)(b),(3)(c), 6A-4.01761, 6A-6.03012(5)(6); Case No.: 98-2567; Dismissed

NAAP, Inc., Through it's Florida Conference of Branches of NAACP, Mattie Garvin, on her own behalf and as mother of Keith Garvin, and Keith Garvin vs. Florida National Organization for Women, Inc. Intervenor and Florida Board of Regents and State Board of Education; Rule No.: 6C-6.001-.003; Case No.: 00-0952RP; Valid

Andrew C. Cupicha, Jamie T. Halscott, Dennis G. Spenkle II, Amy J. Florin and Laura A. Wharton, on their own behalves and on behalf of the Student Body of the University of Central Florida vs. University of Central Florida; Rule No.: 6C7-5.0041; Case No.: 00-1628RP; Dismissed

Dennis G. Sprenkle II, Amy J. Florin and Laura A. Wharton on behalf of the Student Body of the University of Central Florida, Andrew C. Cupicha and Jamie T. Halscott vs. University of Central Florida; Rule No.: 6C7-5.0041; Case No.: 00-2024RP; Dismissed

General Motors Acceptance Corporation vs. Department of Revenue; Rule No.: 12B-4.053(33)(e),(f); Case No.: 00-1406RX; Dismissed

General Motors Acceptance Corporation vs. Department of Revenue; Rule No.: 12B-4.053(34); Case No.: 00-1407RU; Dismissed

Friends of Lake Jesup vs. St. Johns River Water Management District; Rule No.: 40C-4; Case No.: 00-1203RP; Dismissed

Total Health Choice, Inc. vs. Agency for Health Care Administration; Rule No.: 59B-13.001(2); Case No.: 00-1900RP; Dismissed

Florida Academy of Cosmetic Surgery, Inc., Charles Graper, M.D., D.D.S., F.A.C.S., R. Gregory Smith, M.D. vs. Department of Health, Board of Medicine; Rule No.: 64B8-9.009(1)-(6); Case No.: 00-0743RP; Dismissed

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS

The State of Florida and The University of West Florida announce that Professional Services in the discipline of Architecture will be required for the Project listed below:

Project No. BR-708 Project and Location: Health, Leisure and Sports Facility, Fieldhouse Expansion and Renovation at The University of West Florida.

The selected firm will provide an Advanced Program Analysis, Design, Construction Documents and Contract Administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$500,000 and will be provided as part of Basic Services.

The project consists of design and construction of a new Health Leisure and Sports Facility comprising gymnasium space, classrooms, offices and support space. The new facility, as planned, will be approximately 107,000 gross square feet and 88,000 net assignable square feet.

Estimated cost of the new facility is \$10,700,000. This cost includes all site development, parking and site utilities.

The existing Fieldhouse (Building 54) will be renovated for Intercollegiate Athletics. The area to be renovated is approximately 55,500 gross square feet. The scope will include remodeling/renovating/upgrading locker rooms, offices, support areas, gym areas and mechanical and electrical systems.

Estimated cost for the renovation to Building 54 is \$3,050,000. The project will be phased as follows:

Phase I will be the construction of the new facility. Phase II, the renovation of Bldg. 54, will begin upon completion of Phase I. Design for both phases will be done simultaneously.

INSTRUCTIONS

Firms desiring to apply for consideration will submit a letter of application.

The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," revised September, 1999. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above on, or before, the requested date bound in the order listed above. Representative samples of related work should be included. The selection committee will review each applicant's proposal to determine its design ability with particular emphasis on a design services "team approach" including special expertise/experience relating to Health Leisure and Recreational Sports facilities. The scoring range for the PQS "design" category will be 0-5 points in addition to the shortlist interview scoring range of 0-20 for experience and ability. Applications which do not comply with the above instructions may be disqualified. Application information will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a

proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained by contacting:

Phillip D. Turner, Director
 Facilities Planning and Management
 Office of Facilities Planning and Management
 The University of West Florida
 11000 University Parkway
 Pensacola, Florida 32514
 (850)474-2938

Submittals must be received in the Office of Facilities Planning and Management, The University of West Florida, Building 90, by 4:00 p.m., central daylight time, on August 29, 2000.

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES – FOR ARCHITECTURE-ENGINEERING

The Florida School for the Deaf and the Blind (FSDB) announces that professional services are required for the project listed below.

PROJECT NUMBER: FSDB-20042000
 PROJECT NAME: New Vocational/High School Building
 PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799.
 SERVICES TO BE PROVIDED: Full Architecture and Engineering services. This building will be designed in one fiscal year and be constructed within three fiscal years.
 CONSTRUCTION BUDGET: \$8,652,000
 FSDB PROJECT MANAGER: Mary Rios, Campus Architect
 PHONE NUMBER: (904)827-2358
 RESPONSE DUE DATE: August 30, 2000, 3:00 p.m.

INSTRUCTIONS

Firms interested in being considered for this project must submit four (4) copies of their application with 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 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 a 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. Applicants are advised that plans and specifications for A/E projects may be reused.

Applications are to be sent or delivered to the Florida School for the Deaf and the Blind, Attn.: Mary Rios, 207 N. San Marco Ave., Building #27, St. Augustine, FL 32084-2799.

Applicants will be short-listed on September 8, 2000. Following the short-list selection a pre-interview workshop will be held on September 18, 2000, 11:00 a.m., for all short-listed firms. Interviews will be conducted on September 28, 2000. A final selection will be made after the interviews have taken place. Selections will be made in accordance with Chapter 287.055, Florida Statutes. The selected firm will be given official notice of selection results by FAX and/or mail.

The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building #27, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. – 4:00 p.m. beginning 24 hours after the selection. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the Florida Administrative Weekly.

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES

PROJECT NUMBER: FSDB-20042000
 PROJECT NAME: New Vocational/High School Building
 PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from construction management firms to provide Construction Management at Risk Services for a new Vocational/High School Building. The construction budget for this project is \$8,652,000. The project will consist of new construction and demolition that will take place over a three year period.

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 established by the Division of Building Construction.

Firms interested in being considered for this project must submit four 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 organization.
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.

Submit four copies of application to: The Florida School for the Deaf and the Blind, Attn.: Mary Rios, Campus Architect, Facilities Department, 207 North San Marco Avenue, Building 27, St. Augustine, FL 32084-2799.

To obtain packets containing the required submission documents, detailed submission instructions and project descriptions or to visit the site contact Mary Rios, Campus Architect, (904)827-2358.

Response Due Date: August 30, 2000, 3:00 p.m.

Firms will be short-listed on September 7, 2000. Following the short-list selection a Pre-interview workshop will be held on September 15, 2000, 11:00 a.m. for all short-listed firms. Interviews will be conducted on September 26, 2000. A final selection will be made after the interviews have taken place.

The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building #27, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. – 4:00 p.m. beginning 24 hours after each selection. Any protest of the selections must be made within 72 hours of the postings. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the Florida Administrative Weekly.

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES – FOR ARCHITECTURE-ENGINEERING

The Florida School for the Deaf and the Blind (FSDB) announces that professional services are required for the project listed below.

PROJECT NUMBER: FSDB-20042010

PROJECT NAME: Gore Hall/Vaill Hall Addition

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799.

SERVICES TO BE PROVIDED: Full Architecture and Engineering services.

CONSTRUCTION BUDGET: \$1,740,000

FSDB PROJECT MANAGER: Mary Rios, Campus Architect

PHONE NUMBER: (904)827-2358

RESPONSE DUE DATE: August 28, 2000, 3:00 p.m.

INSTRUCTIONS

Firms interested in being considered for this project must submit four (4) copies of their application with 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 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 a 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. Applicants are advised that plans and specifications for A/E projects may be reused.

Applications are to be sent or delivered to the Florida School for the Deaf and the Blind, Attn.: Mary Rios, 207 N. San Marco Ave., Building #27, St. Augustine, FL 32084-2799.

Applicants will be short-listed on September 5, 2000. Following the short-list selection a pre-interview workshop will be held on September 12, 2000, 11:00 a.m., for all short-listed firms. Interviews will be conducted on September 22, 2000. A final selection will be made after the interviews

have taken place. Selections will be made in accordance with Chapter 287.055, Florida Statutes. The selected firm will be given official notice of selection results by FAX and/or mail. The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building #27, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. – 4:00 p.m. beginning 24 hours after the selection. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the Florida Administrative Weekly.

**PUBLIC ANNOUNCEMENT FOR
CONSTRUCTION MANAGEMENT SERVICES**

PROJECT NUMBER: FSDB-20042010

PROJECT NAME: Gore Hall/Vaill Hall Addition.

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from construction management firms to provide Construction Management at Risk Services for an addition to Gore Hall and Vaill Hall. The construction budget for this project is \$1,740,000.00.

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 established by the Division of Building Construction.

Firms interested in being considered for this project must submit four 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 organization.
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.

Submit four copies of application to: The Florida School for the Deaf and the Blind, Attn.: Mary Rios, Campus Architect, Facilities Department, 207 North San Marco Avenue, Building 27, St. Augustine, FL 32084-2799.

To obtain packets containing the required submission documents, detailed submission instructions and project descriptions or to visit the site contact Mary Rios, Campus Architect, (904)827-2358.

Response Due Date: August 28, 2000, 3:00 p.m.

Firms will be short-listed on September 4, 2000. Following the short-list selection a Pre-interview workshop will be held on September 11, 2000, 11:00 a.m., for all short-listed firms. Interviews will be conducted on September 21, 2000. A final selection will be made after the interviews have taken place.

The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building #27, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. – 4:00 p.m. beginning 24 hours after each selection. Any protest of the selections must be made within 72 hours of the postings. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the Florida Administrative Weekly.

ADVERTISEMENT FOR BIDS

Notice, is hereby given that sealed bid proposals will be received by the School Board of Union County, 55 S. W. 6th Street, Lake Butler, Florida 32054, until 2:00 p.m., August 31, 2000, for the furnishing of all materials and labor for the following work: **UNION COUNTY HIGH SCHOOL GYNMASUIM REROOFING.**

BID OPENING DATE AND TIME: August 31, 2000, 2:00 p.m., local time

PLACE: School Board of Union County, 55 S. W. 6th Street, Lake Butler, Florida

PROPOSAL: Plans, Specifications, and Contract Documents may be examined and obtained from: The Office of Don R. Morgan, AIA, Post Office Drawer 1208, Keystone Heights, FL 32656, (352)473-1090, (352)473-0177 Fax

PURCHASING AGENT: J. T. Parrish, School Board of Union County, 55 S. W. 6th Street, Lake Butler, Florida, Telephone (904)496-4184, Fax (904)496-2580

(NOTE: Faxed quotations will not be considered. Sealed bids only)

Bids will be publicly opened and read aloud. Award, if in the best interest of the board, will be made at the next board meeting.

CONTRACT AWARD:

BID BOND: Each bid shall be accompanied by a bid bond or a cashier’s check, in the amount of five percent (5%) of the bid price, payable to the owner.

EQUAL OPPORTUNITY: The Union County School Board pledges itself to comply with the Civil Right's Act Of 1964 (PL 88-352) to assure that no person is denied employment or subjected to differential treatment on the grounds of race, color, religion, national origin or political affiliation.

DEPARTMENT OF COMMUNITY AFFAIRS

REQUEST FOR PROPOSALS

STATE AGENCY: Department of Community Affairs

RFP NUMBER: 00/01-1

RFP TITLE: Coastal Partnerships Initiative

RFP DATE OF ISSUANCE: Tuesday, August 1, 2000

DEADLINE FOR LETTER OF INTENT: Tuesday, August 29, 2000, 4:00 p.m., Eastern Daylight Savings Time

RFP DATE AND TIME OF CLOSING: Monday, October 2, 2000, 4:00 p.m., Eastern Daylight Savings Time

RFP RESPONSE OPENING DATE AND TIME: Tuesday, October 3, 2000, 1:00 p.m., Eastern Daylight Savings Time

PURPOSE: The purpose of this RFP is to solicit brief proposals for the Department of Community Affairs, Florida Coastal Management Program's (FCMP) "Coastal Partnerships Initiative," which may provide technical assistance, site designation, training, and/or financial assistance as grants of no more than \$25,000, except for small capital improvement or construction projects, which may not exceed \$50,000. This broad initiative seeks to develop partnerships in four specific initiative categories: remarkable coastal places, community stewardship, access to coastal resources, and working waterfronts. The FCMP intends for the Coastal Partnerships Initiative to inspire community action and to promote the protection and effective management of Florida's coastal resources. A number of brief proposals will be selected through the RFP process for further development, and the FCMP will then work with the selected respondents to determine the type and amount of assistance available. Those selected and developed projects will be included in the FCMP application to the National Oceanic and Atmospheric Administration for FY 2001-02 federal coastal management funds. Throughout the course of the projects, the FCMP will continue to work with the selected respondents and local communities in an active partnership.

RFP REQUEST: Requests for copies of the RFP should be addressed to Christine McCay, Department of Community Affairs, Florida Coastal Management Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)414-6562, Suncom 994-6562. Requests may also be faxed to Christine McCay, (850)487-2899 or sent via electronic mail to chris.mccay@dca.state.fl.us.

If an accommodation is needed in order to participate in this solicitation, please notify Christine McCay at the number listed above no later than August 14, 2000. 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)955-9771 (TDD).

SPACEPORT FLORIDA AUTHORITY

REQUEST FOR QUALIFICATIONS

The Spaceport Florida Authority seeks qualified vendors to support the design and production of marketing materials to support the expansion and diversification of Florida's space industry. One or more vendors may be selected to provide services on a task-order basis. The total value for any contract released through this process shall not exceed \$115,000. Materials to be developed may include, but not be limited to, one or more of the following:

- Themed brochures
- Advertisements
- Annual reports
- CD-ROM
- Website
- Generic design services
- Promotional items

Qualification Program shall be limited to ten (10) pages and should describe vendor experience in developing marketing materials for economic development and business organizations and/or federal, state and local governments. Vendors are encouraged to attach examples of work performed for other clients.

Proposals should be addressed to Mary Sharpe, Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920. Questions should be directed to Mary Sharpe, (321)730-5301, Extension 1108. Proposals must be received by C.O.B., August 10, 2000.

DEPARTMENT OF MANAGEMENT SERVICES

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: PBC-99062000

PROJECT NAME: South Bay Community Services Facility

PROJECT LOCATION: City of South Bay, Palm Beach County, Florida

SERVICES TO BE PROVIDED: Verify existing building program of approximately 18,500 gross square feet; Master site plan for initial temporary modular facility with building pad for permanent Headstart facility; full services A/E on building including site civil, landscape and offsite utility connections with a total construction budget of approximately \$2,850,000.00.

SAMAS CODE: Funding through Federal Grants and Palm Beach County

CLIENT AGENCY: Palm Beach County, Facilities Development and Operations

CLIENT AGENCY REPRESENTATIVE: Chauncey Taylor, II

DMS PROJECT MANAGER: Jere Lahey

DMS PROJECT MANAGER PHONE NO: (904)823-4570

RESPONSE FORMS: A package containing the necessary forms may be obtained by contacting Ruth Hart, Staff Assistant, Northeast Regional Office, (904)823-4570, Fax (904)823-4573, e-mail hartr@dms.state.fl.us

RESPONSE DUE DATE: August 29, 2000, 4:00 p.m., local time

Applications are to be sent to: Jere Lahey, Project Manager, Department of Management Services, Division of Building Construction, Northeast Regional Office, 100 Southpark Boulevard, Suite 308, St. Augustine, Florida 32086

DATE AND LOCATION OF SHORTLIST: September 1, 2000, 8:00 a.m. – 12:00 Noon, 3323 Belvedere Road, West Palm Beach, Florida

DATE AND LOCATION FOR INTERVIEWS: September 13, 2000, 8:00 a.m. – 12:00 Noon, 301 North Olive Road, West Palm Beach, Florida

Any changes to the above dates will be published on our web site, <http://fcn.state.fl.us/dms/dbc/opportun/index.html>

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 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. Applicants are advised that plans and specifications for A/E projects may be reused.

Selections will be made in accordance with Chapter 287.055, Florida Statutes. The selected firms will be given official notice of selection results by Fax and/or mail. Any protests of the selection must be made within 72 hours of the date of receipt. The selection results will also be published in the Florida Administrative Weekly and on our web site.

**NOTICE TO PROFESSIONAL CONSULTANTS
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
SERVICES FOR CONTINUING AREA CONTRACTS
AREA 2, CIVIL, WATER AND SEWER SERVICES**

The State of Florida, Department of Management Services, requests qualifications from firms to provide services as stated in Area 2, counties of Dixie, Franklin, Gadsden, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwannee, Taylor, Wakulla; and other counties as may be determined necessary by the owner. The firm selected under this Continuing Area Contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (fees) respectively, provided for in section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

RESPONSE DUE DATE: August 31, 2000, 5:00 p.m., local time

Applications are to be sent to Carole Nichols, Department of Management Services, Division of Building Construction, 4050 Esplanade Way, Suite 125A, Tallahassee, Florida 32399-0950, Telephone (850)487-2824, E-mail: nicholc@dms.state.fl.us

DATE AND LOCATION OF SHORTLIST: September 13, 2000, Department of Management Services, Division of Building Construction, 4050 Esplanade Way, Suite 115B, Tallahassee, Florida 32399-0950

DATE AND LOCATION OF INTERVIEWS: September 28, 2000, Department of Management Services, Division of Building Construction, 4050 Esplanade Way, Suite 115B, Tallahassee, Florida 32399-0950

Any changes to the above dates will be published on our web site, <http://fcn.state.fl.us/dms/dbc/opportun/index.html>

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 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. 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. Applicants are advised that plans and specifications for A/E projects may be reused.

Selections will be made in accordance with Chapter 287.055, Florida Statutes. The selected firms will be given official notice of selection results by Fax and/or mail. Any protests of the selection must be made within 72 hours of the date of receipt. The selection results will also be published in the Florida Administrative Weekly and on our web site,

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: BRAA-99065000

PROJECT NAME: Master Plan and Design for Additions to Boca Raton Airport

PROJECT LOCATION: Boca Raton, Florida

SERVICES TO BE PROVIDED: Develop a Master Plan for the Boca Raton Airport, and provide Design Services for Airport Improvements as determined by the Airport Authority, and as funding allows.

SAMAS CODE: Funds under Control of the Boca Raton Airport Authority

CLIENT AGENCY: Boca Raton Airport Authority

CLIENT AGENCY REPRESENTATIVE: Ken A. Day, Airport Manager

DMS PROJECT MANAGER: E. Tyler Upham, Telephone (904)615-6118

RESPONSE FORMS: A package containing the necessary forms for response, and a detailed description of the project may be obtained by contacting Ruth Hart, Administrative Assistant, Northeast Regional Office (904)823-4570, Fax (904)823-4573, e-mail hartr@dms.state.fl.us

RESPONSE DUE DATE: Monday, August 28, 2000, 4:00 p.m., local time

Applications are to be sent to Division of Building Construction, Department of Management Services, Northeast Regional Office, 100 Southpark Boulevard, Suite 308, St. Augustine, Florida 32086, ATTN.: Ruth Hart.

DATE OF SHORTLIST: Wednesday, September 6, 2000

DATE AND LOCATION FOR INTERVIEWS: Thursday, September 14, 2000, Boca Raton Airport Authority Offices.

Any changes to the above dates will be published on our web site, <http://fcn.state.fl.us/dms/dbc/oppportun/index.html>

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 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. Applicants are advised that plans and specifications for A/E projects may be reused.

Selections will be made in accordance with Chapter 287.055, Florida Statutes. The selected firms will be given official notice of selection results by Fax and/or mail. Any protests of the selection must be made within 72 hours of the date of receipt. The selection results will also be published in the Florida Administrative Weekly and on our web site.

DEPARTMENT OF HEALTH**INVITATION TO BID**

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF HEALTH, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO.: 98237000

SAMAS CODE: 64-30-1-000314-64200000-00-084093-99

PROJECT NAME AND LOCATION: GULF COUNTY HEALTH DEPARTMENT – PORT ST. JOE, FLORIDA

FOR: State of Florida, Department of Health

PRE-QUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489 and 633 of the Florida Statutes for licensure or certification must submit pre-qualification data of their eligibility. Submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department of Management Services for the current biennium (July 1 through June 30) of odd numbered years. Call (850)488-6233, for information on pre-qualification with the Department of Management Services. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004. A copy of rule requirements is included in the Instruction To Bidders under Article B-2 "Bidders Qualification Requirements and Procedures".

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not do the following:

1. May not submit a bid on a contract to provide any goods or services to a public entity.
2. May not submit a bid on a contract with a public entity for the construction or repair of a public building or public work.
3. May not submit bids on leases of real property to a public entity.
4. May not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity.
5. May not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PROJECT DESCRIPTION: A ONE STORY COUNTY HEALTH DEPARTMENT BUILDING CONTAINING 9,650 SQUARE FEET OF CLINIC AND EXAM SPACES AS WELL AS CONFERENCE ROOMS AND OFFICES. THIS BID REQUEST IS FOR PHASE ONE OF CONSTRUCTION ONLY. A FUTURE ADDITION OF APPROXIMATELY THE SAME SIZE WILL BE BID AT A FUTURE DATE WHEN FUNDING IS AVAILABLE.

PERFORMANCE BOND AND LABOR MATERIAL PAYMENT 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. If the construction contract award amount is more than \$100,000.00, a Performance and a Labor and Material Payment Bond SHALL be required.

MINORITY BUSINESS ENTERPRISES: In accordance with Florida Statutes, Chapter 287.042(4)(f)1., the Department of Health is encouraged to spend, as a "goal," twenty-one (21) percent of the monies actually expended for construction contractors with certified minority business enterprises. In the department's effort to see that this is accomplished, the Department of Health encourages minority businesses to participate in the bidding process including any bidders conferences, pre-solicitation or pre-bid meetings which are scheduled. The Department of Health further encourages contractors to utilize certified minority enterprises as subcontractors or sub-vendors whenever possible. Certified vendors are those firms certified by the State of Florida Minority Business Advocacy and Assistance Office, 2012 Capital Circle, S. E., Hartman Building, Suite 100, Tallahassee, Florida 32399-2152, telephone (850)487-0915.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: Wednesday, August 23, 2000, 2:00 p.m., local time

PLACE: Gulf County Health Department, Conference Room, 502 4th Street, Port St. Joe, Florida 32456-1776

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Addenda, Bidding Conditions, and Contractual Conditions, which may be examined and obtained from the following:

ARCHITECT-ENGINEER: Mr. Steve Jernigan, Architect, Bay Design Associates, 25 West Cedar Street, Suite 620, Pensacola, Florida 32501, Telephone (850)432-0706, Facsimile (850)433-0508, e-mail: Steve@baydesign.com

The above bidding documents will be available on or about July 28, 2000 AT THE ARCHITECTS OFFICE AND LOCAL PLAN ROOMS.

DEPOSITS: The cost per set of bid documents is \$150.00. The General Contractor can receive two (2) sets refundable. The Mechanical, Plumbing, and Electrical sub-contractors can receive one (1) set refundable. All other sub-contractors, vendors, manufacturers, etc. must purchase all documents requested.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted no later than 4:00 p.m., local time, on Wednesday, August 23, 2000, at the bid opening location. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21

of the Instructions To Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

NOTICE OF THE AVAILABILITY OF THE 2000-2001
FLORIDA STATE-APPROVED TRAUMA CENTER
LETTER OF INTENT PACKAGE

NAME OF AGENCY: Department of Health (DH)

PACKAGE TITLE: Florida State-Approved Trauma Center Letter of Intent Package

PURPOSE AND EFFECT: DH is mandated by Section 395.4025(2)(a), Florida Statutes, to notify Florida licensed acute care hospitals of their right to submit a Letter of Intent, DH Form 1840, to apply to become a State-Approved Trauma Center (SATC) or State-Approved Pediatric Trauma Referral Center (SAPTRC).

ELIGIBILITY: Florida licensed acute care hospitals are eligible to apply.

AUTHORITY: Section 395.4025(2)(a), Florida Statutes.

TO OBTAIN A PACKAGE: You may request a Letter of Intent package by telephone, fax, or mail, or in person.

Telephone: (850)245-4440 or Suncom 205-4440

Fax: (850)488-2512

Mail request to, or pick up in person at: Florida Department of Health, Bureau of Emergency Medical Services, Trauma Centers Program, 4052 Bald Cypress Way, Bin #C-18, Tallahassee, FL 32399-1738.

DEADLINE: Letters of Intent must be postmarked between September 1, 2000, and midnight, October 1, 2000.

CONTACTS: Dana Hood, Wanda Wannall or Susan McDevitt, (850)245-4440 or Suncom 205-4440.

P.O. # X00699

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Invitation To Negotiate

The Florida Department of Children and Family Services, District 7 (Brevard, Orange, Osceola and Seminole Counties), is requesting applications for placement and case management services for children in state care placed with relatives and non-relatives both in and out of the State of Florida.

District 7 is beginning the redesign of its system of care to increase and improve services to children and families in partnership with local communities.

Copies of the Invitation To Negotiate may be obtained from the Department of Children and Family Services, District 7, beginning 8:00 a.m., Monday, August 7, 2000. A mandatory prospective applicant's conference will be held on Tuesday, August 15, 2000, 9:00 a.m. at 400 W. Robinson Street, South Tower, Conference Room 1006, Orlando, Florida 32801. All applications must be received by the Department no later than

Friday, August 25, 2000, 5:00 p.m. Applications received after that time will not be considered. The Department will post a list of the qualified applicants with whom it will seek to negotiate on Wednesday, August 30, 2000; Thursday, August 31, 2000 and Friday, September 1, 2000. Certified Minority Business Enterprises are encouraged to participate in any offeror's conferences or pre-solicitation or pre-bid meetings which are scheduled. The Department reserves the right to reject any and all bids or ignore or correct minor irregularities when it is in the best interest of the state.

All invitations for negotiation, inquiries and submission of the applications for Placement and Case Management Services for Children Placed With Relatives and Non-relatives are to be directed in writing to the following: Lisa J. Felix, Human Services Program Manager, Department of Children and Family Services, District 7, 400 West Robinson Street, Suite S922, Orlando, Florida 32801, E-mail address: Lisa_Felix@dcf.state.fl.us

FISH AND WILDLIFE CONSERVATION COMMISSION

PUBLIC ANNOUNCEMENT FOR
PROFESSIONAL SERVICES FOR ENGINEERING

The Florida Fish and Wildlife Conservation Commission announces that professional services are required for a Civil Engineer to complete our permit renewal process for a Class "D" Wastewater Treatment Plant. The plant is located in the Commission's Everglades Youth Conservation Camp located in the J. W. Corbett Wildlife Management Area in West Palm Beach, FL.

The Engineer will be required to gather information to complete the application, prepare the FDEP application to operate a domestic wastewater treatment plant, prepare a capacity analysis report, prepare an operation and maintenance performance report, and to respond to any FDEP requests for information. The engineer awarded this contract shall be certified under s. 471.023, Florida Statutes to practice or to offer to practice engineering.

Applications are to be sent to: Barbie Levins, Rm. 364, 620 S. Meridian Street, Tallahassee, FL 32399-1600.

Project Number: FWC 00/01-05

Project Name: FL Department of Environmental Protection Permit for Wastewater Treatment Plant Everglades Youth Conservation Camp.

Project Location: 12100 Seminole Pratt Whitney Rd., J. W. Corbett Wildlife Management Area, West Palm Beach, FL

Project Coordinator for the Commission: Janice Kerber, (561)624-6929

Wastewater Plant Information Coordinator: Rim Bishop, Bishop Environmental Specialists, (561)627-2900, Ext. 314

Response Due Date: August 11, 2000, 2:00 p.m., (EDT)

The Shortlist Selection is currently scheduled for August 17, 2000

The results of this selection will be posted at: Florida Fish and Wildlife Conservation Commission, Attn.: Purchasing, Rm. 364, 620 S. Meridian Street, Tallahassee, FL 32399-1600 during regular working hours.

INSTRUCTIONS

Submit three copies of the following:

1. Letter of interest which indicates the firm’s qualifications, related experience, the firm’s ability to do the work and other pertinent data.
2. Current Professional Qualifications Supplement (PQS) Form
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.

Please provide 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 and references with phone numbers are requested to 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 shall be made in accordance with Chapter 287.055, Florida Statutes.

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.

Project General Information:

The Everglades Youth Conservation Camp located in the J. W. Corbett Wildlife Management Area maintains a Class “D” Wastewater Treatment Plant. Every five years we have to apply for a permit through the Palm Beach County Health Department. The permit renewal process must be completed by a civil engineer.

For more information about the plant, please contact Rim Bishop (above).

To arrange for a visit to see the project site, please contact Janice Kerber (above).

NASSAU COUNTY PUBLIC WORKS DEPARTMENT

**NOTICE TO PROFESSIONAL CONSULTANTS
ROADWAY DESIGN CONSULTANT SELECTION**

The Nassau County Public Works Department anticipates seeking professional consultant services on the projects listed in this advertisement. Shortlist consideration will be given to only those firms who are qualified pursuant to law and who have been prequalified by the Florida Department of

Transportation (Department) to perform the indicated MAJOR Type(s) of Work. Any firm not prequalified by the Department and desiring consideration for these projects must submit a complete Request for Qualification Package, available from the Contractual Services Office in Tallahassee, (850)414-4485, by the advertised Letter of Response deadline date.

FEDERAL DEBARMENT: By signing and submitting a Letter of Response, the consultant certifies that no principal (which includes officers, directors, or executives) is presently suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation on this transaction by any Federal Department or Agency.

SELECTION PROCEDURE: Department selection and contraction processes will be closely followed. The listed projects are covered by the selection process detailed in Rule Chapter 14-75, Florida Administrative Code, wherein at least three (3) firms will be shortlisted and requested to provide either written or oral technical proposals or both. After ranking of the consultants in accordance with Department procedures, the contract fee will be negotiated in accordance with Section 287.055, Florida Statutes.

RESPONSE PROCEDURE: Qualified consultants are encouraged to submit a Letter of Interest (LOI) for each project in which they are interested to the indicated person and address by 5:00 p.m. (EDT) on August 18, 2000. The LOI (original and three copies) **MUST BE TWO PAGES OR LESS IN LENGTH** and should at a minimum include the following information:

1. Project Name (as noted below)
2. Consultant’s name and address
3. Proposed responsible office for consultant
4. Contact person, phone number and Internet Email Address
5. Statement regarding prequalification of consultant and subconsultants in the noted type of work
6. Proposed key personnel and their proposed roles (do not include resumes)
7. Past similar projects completed by the consultant and key personnel
8. References to be contacted (FDOT Design Project Managers) relative to past similar projects

STANDARD NOTES: Normal Department Standard Notes, including the requirement for MBE/DBE subcontracting, are not applicable.

MAJOR WORK: 3.1 – Minor Highway Design

MINOR WORK: 4.1 – Minor Bridge Design

7.1 – Signing, Pavement Marking and Channelization

7.3 – Signalization

8.2 – Design Survey

9.1 – Soil Exploration

NASSAU COUNTY

CONTRACT: NC006-00

DESCRIPTION: Barnwell Road; Reconstruct 2.3 miles, 2 lane rural roadway
EST. CONSTRUCTION COST: \$1,000,000.00
PLANNED SHORTLIST DATE: September 1, 2000
PLANNED FINAL SELECTION DATE: November 1, 2000
RESPONSE DEADLINE: August 18, 2000

RESPOND TO: Ms. Dawn Stevenson, Contract Manager
Nassau County Department of Public Works
11 North 14th Street
Fernandina Beach, Florida 32034
(904)491-3609
(904)491-3611 (Fax)
NASSAU COUNTY

CONTRACT: NC007-00

DESCRIPTION: Lime Street; Reconstruct 0.5 miles, 2 lane rural roadway
EST. CONSTRUCTION COST: \$300,000.00
PLANNED SHORTLIST DATE: September 1, 2000
PLANNED FINAL SELECTION DATE: November 1, 2000
RESPONSE DEADLINE: August 18, 2000

RESPOND TO: Ms. Dawn Stevenson, Contract Manager
Nassau County Department of Public Works
11 North 14th Street
Fernandina Beach, Florida 32034
(904)491-3609
(904)491-3611 (Fax)
NASSAU COUNTY

CONTRACT: NC008-00

DESCRIPTION: S. Fletcher Ave. and Amelia Island Parkway turn lanes and traffic signalization
EST. CONSTRUCTION COST: \$400,000.00
PLANNED SHORTLIST DATE: September 1, 2000
PLANNED FINAL SELECTION DATE: November 1, 2000
RESPONSE DEADLINE: August 18, 2000

RESPOND TO: Ms. Dawn Stevenson, Contract Manager
11 North 14th Street
Fernandina Beach, Florida 32034
(904)491-3609
(904)491-3611 (Fax)
NASSAU COUNTY

CONTRACT: NC009-00

DESCRIPTION: Griffin Road, SR200 to CR 121, Estimated re-construction 4.25 miles, 2 lane rural roadway
EST. CONSTRUCTION COST: \$2,000,000.00
PLANNED SHORTLIST DATE: September 1, 2000
PLANNED FINAL SELECTION DATE: November 1, 2000
RESPONSE DEADLINE: August 18, 2000

RESPOND TO: Ms. Dawn Stevenson, Contract Manager
11 North 14th Street
Fernandina Beach, FL 32034
(904)491-3609
(904)491-3611 (Fax)

MARTIN COUNTY METROPOLITAN PLANNING ORGANIZATION

REQUEST FOR PROPOSAL

The Martin County Metropolitan Planning Organization is accepting proposals for RFP #118-00 to select a qualified firm for the purpose of serving as the Community Transportation Coordinator for Martin County, Florida, to coordinate trips for eligible transportation-disadvantaged passengers.

Copies of the Request for Proposal #118-00, are available on or after Monday, July 31, 2000, by submitting a written request to: Ms. Betsy Iverson, Purchasing Administrator, Martin County, 2401 S. E. Monterey Rd., Stuart, FL 34996, Fax number (561)288-5414. All information received in regard to this RFP must be sent to the above address.

There is no proposer's conference. Only written inquiries concerning the RFP will be accepted. Written inquiries must be submitted by 5:00 p.m., Eastern Time, Monday, August 21, 2000. The original unbound copy and seven (7) copies of each response to the RFP must be received by 2:00 p.m., Eastern Time, Tuesday, September 5, 2000, to the above name and address. Proposals must be submitted in full accordance with the requirements and mandatory criteria of the RFP.

The MPO reserves the right to: waive any technicalities; reject any and all proposals which are incomplete, conditional, or non-responsive; reject any or all proposals in whole or in part with or without cause; and accept the proposal which best serves the State and MPO.

Any person requiring special accommodations at the proposal opening because of a disability should fax a written request for same to Ms. Betsy Iverson, Purchasing Administrator, Martin County, 2401 S. E. Monterey Rd., Stuart, FL 34996, Fax number (561)288-5414, no later than five (5) days prior to the proposal opening. If you are hearing or voice impaired, please call (561)288-5940.

DEPARTMENT OF MILITARY AFFAIRS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS, LICENSED BY THE STATE OF FLORIDA, FOR THE CONSTRUCTION OF:
PROJECT NO: CFMO 990019
ACCOUNTING CODE: 2102065 18-1008 132G76.L1-252G S08125 8AKAA

PROJECT NAME AND LOCATION: MILES Warehouse, Camp Blanding Training Site, Starke, Florida 32091

FOR: Department of Military Affairs, State of Florida, Construction and Facility Management Office (CFMO), P. O. Box 1008, St. Augustine, FL 32085-1008

MINORITY PROGRAM: An MBE participation goal of 5% has been established for this project. The Bidder is required to meet or exceed MBE participation goals or make good faith effort to contract with certified Minority Business Enterprises. The Bidder is advised to review the contract documents immediately in order to schedule the necessary tasks to accomplish good faith efforts.

QUALIFICATIONS: Licensed State of Florida General Contractor. (See Bid document.)

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person, or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

BID SECURITY: If the bid proposal amount is \$100,000 or less, a bid security (5%) is not required.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and a Labor and Material Payment Bond are not required.

SEALED BIDS will be received, publicly opened and read aloud on:

DATE AND TIME: August 23, 2000, until 2:00 p.m., local time

PLACE: Robert F. Ensslin Armory, 2305 State Road 207, St. Augustine, Florida

PROPOSAL: Bids must be submitted to the Department of Military Affairs, CFMO, ATTN.: Mr. Kenneth Woodruff, 2305 State Road 207, St. Augustine, Florida 32086, (904)823-0288, in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions, and Contractual Conditions, which may be examined and obtained, as of July 21, 2000, from the:

ARCHITECT-ENGINEER: Metroplex Industries, Inc
2715 Oak Street
Jacksonville, Florida 32205
Telephone (904)384-8772
Point of Contact: Mr. William J.
(Bill) Flick, P. E., Senior Engineer

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted at the location where the bids were opened. In the event that the Bid tabulation and Notice of Award Recommendation can not be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS, LICENSED BY THE STATE OF FLORIDA, FOR THE CONSTRUCTION OF:

PROJECT NO: CFMO 200030

ACCOUNTING CODE: 2102065 18-1008 132G78.A1-2540 S08125 8AKAA

PROJECT NAME AND LOCATION: Armory Renovations, St. Petersburg National Guard Armory, St. Petersburg, FL

FOR: Department of Military Affairs, State of Florida, Construction and Facility Management Office (CFMO), P. O. Box 1008, St. Augustine, FL 32085-1008

MINORITY PROGRAM: An MBE participation goal has been established for this project. The Bidder is required to meet or exceed MBE participation goals or make good faith effort to contract with certified Minority Business Enterprises. The Bidder is advised to review the contract documents immediately in order to schedule the necessary tasks to accomplish good faith efforts.

QUALIFICATIONS: Reference Bid document.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person, or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

BID SECURITY: If the bid proposal amount is \$100,000 or less, a bid security (5%) is not required.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and a Labor and Material Payment Bond are not required.

A MANDATORY PRE-BID CONFERENCE will be held on August 23, 2000, 9:00 a.m., local time, at the St. Petersburg National Guard Armory, 3601 38th Ave., South, St. Petersburg, FL, telephone (727)893-2737.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: September 7, 2000, until 2:00 p.m., local time

PLACE: Renker Eich Parks Architects, 1609 9th Street, North, St. Petersburg, FL 33704-4203

PROPOSAL: Bids must be submitted to Renker Eich Parks Architects, 1609 9th Street, North, St. Petersburg, FL 33704-4203, in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions, and Contractual Conditions, which may be examined and obtained, as of August 7, 2000, from the:

ARCHITECT-ENGINEER: Renker Eich Parks Architects, 1609 9th Street, North, St. Petersburg, FL 33704-4203, Telephone (727)821-2986.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted at the location where the bids were opened. In the event that the Bid tabulation and Notice of Award Recommendation can not be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

CITY OF TREASURE ISLAND

NOTICE TO PROFESSIONAL CONSULTANTS

The City of Treasure Island (the City), with technical assistance and oversight provided by the Department of Transportation (the Department), is seeking professional services for performing a Project Development and Environmental (PD&E) Study for the proposed replacement of the three (3) Treasure Island Causeway Bridges. Shortlist consideration will be given to only those firms which are qualified pursuant to law and which have been pre-qualified by the Department to perform this type of Study along with Bridge and Roadway Design. Any firm not pre-qualified by the Department, that desires to be considered for this project must submit a completed Request for Qualification Package by the advertised Letter of Response Deadline Date. This package is available from the Department's Contractual Services Office in Tallahassee, (850)414-4485.

FEDERAL DEBARMENT: By signing and submitting a Letter of Response/Proposal, the Consultant certifies that no principle (which includes officers, directors or executives) is presently

suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal Department or Agency.

SELECTION PROCEDURE: This project is covered by the selection process detailed in the Rule Chapter 14-75, Florida Administrative Code, wherein at least three (3) firms will be shortlisted and requested to provide both written and oral proposals. After ranking the Consultants, the contract fee will be negotiated in accordance with Section 287.055, Florida Statutes.

Note: The estimated shortlist and final selection meeting dates are attached.

RESPONSE PROCEDURE: Qualified Consultants are encouraged to submit a letter of interest to the Treasure Island Department of Public Works, 120 108th Avenue, Treasure Island, FL 33706 by 3:30 p.m., Eastern time, August 11, 2000. The letter (original plus five (5) copies) MUST BE TWO PAGES OR LESS IN LENGTH and should include, at a minimum, the following information:

1. Project Name
2. Consultant's name and address
3. Proposed responsible office for the Consultant
4. Contact person, telephone number and Internet e-mail Address
5. Statement regarding pre-qualification of Consultant or proposed sub-consultants to perform PD&E Studies and Roadway/Bridge Designs
6. Proposed key personnel and their proposed roles (do not include resumes)
7. Sub-consultant(s) that may be used for this project
8. Indication as to whether the prime firm and/or the sub-consultant(s) are disadvantaged business enterprises (DBE)
9. A Bid Opportunity List should be included with the Letter of Interest (this will NOT be counted as a page for limitation purposes). This form may be downloaded from the Department's Form Menu.

MAJOR WORK: Project Development and Environmental Studies
Major Highway Design
Movable Span Bridge Design
Lighting
Signalization
Design Survey
Geotechnical Exploration Testing
Foundation Studies
Architect

DESCRIPTION: PD&E study for the replacement of the Treasure Island Causeway Bridge(s). The scope of the project will be determined after initial study by the selected Consultant.

MAXIMUM CONTRACT AMOUNT: To be negotiated.
 SPECIAL NOTES: Donald Hambidge, Treasure Island
 Director of Public Works, Project Manager, (727)547-4575,
 Ext. 252.
 PLANNED SHORT LIST DATE: August 25, 2000
 PLANNED FINAL SELECTION DATE: September 15, 2000
 RESPONSE DEADLINE: August 11, 2000
 RESPOND TO: Donald E. Hambidge, Director
 Department of Public Works
 120 108th Avenue
 Treasure Island, FL 33706
 (727)547-4575, Ext. 252

**Section XII
 Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application and/or other notice. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in 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., August 18, 2000):

APPLICATION FOR A NEW FINANCIAL INSTITUTION
 Applicant and Proposed Location: Premier Community Bank of Southwest Florida, 1111-24 Homestead Road, Lehigh Acres, Florida 33936

Correspondent: Brenda M. O'Neil, 4300 North Road, Fort Myers, Florida 33917

Received: July 14, 2000

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Knight-Ridder/Miami Herald Credit Union, One Herald Plaza, Miami, Florida 33132

Expansion Includes: Employer and employees of Innovative Marketing and Distribution who work in or are paid from Pompano Beach, Florida; and Employer and employees of Central Parking Corporation who work in or are paid from Miami, Florida.

Received: July 17, 2000

DEPARTMENT OF INSURANCE

DEPARTMENT OF INSURANCE
 OFFICE OF THE TREASURER
 BUREAU OF COLLATERAL SECURITIES
 PUBLIC DEPOSITS SECTION

 FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DI4-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DI4-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.
 THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THEY ARE LISTED UNDER THE STATE OF HOME OFFICE LOCATION. ONLY FLORIDA BRANCHES OF THESE INSTITUTIONS ARE ALLOWED TO HOLD FLORIDA PUBLIC DEPOSIT ACCOUNTS. **INSTITUTIONS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER AND ARE NOT ACCEPTING NEW PUBLIC DEPOSIT ACCOUNTS.** DEPOSITORIES WITHDRAWING FROM THE PROGRAM HAVE A STATED EFFECTIVE DATE OF WITHDRAWAL BESIDE THE NAMES AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE LISTED.

ALABAMA

BIRMINGHAM

AMSOUTH BANK
 COMPASS BANK
 REGIONS BANK
 SOUTHTRUST BANK, N.A.

MONTGOMERY

COLONIAL BANK

WARRIOR

THE BANK
BRANCHES OF THIS QPD CONDUCT BUSINESS IN
FLORIDA UNDER THE NAMES C & L BANK AND
EMERALD COAST BANK

CALIFORNIA

SAN FRANCISCO
CITIBANK, F.S.B.

FLORIDA

ALACHUA
FIRST NATIONAL BANK OF ALACHUA

APALACHICOLA
APALACHICOLA STATE BANK

ARCADIA
FIRST STATE BANK OF ARCADIA

AVENTURA
TURNBERRY BANK

BARTOW
CITRUS & CHEMICAL BANK
COMMUNITY NATIONAL BANK AT BARTOW

BELLE GLADE
BANK OF BELLE GLADE

BONIFAY
BANK OF BONIFAY

BRADENTON
AMERICAN BANK
FIRST BRADENTON BANK
FIRST NATIONAL BANK & TRUST

BRANDON
PLATINUM BANK

BROOKSVILLE
HERNANDO COUNTY BANK

CANTONMENT
CITIZENS & PEOPLES BANK, N.A.

CAPE CORAL
CAPE CORAL NATIONAL BANK
RIVERSIDE BANK OF THE GULF COAST

CARRABELLE
GULF STATE COMMUNITY BANK

CHIEFLAND
DRUMMOND COMMUNITY BANK

CLEARWATER
FIRST NATIONAL BANK OF FLORIDA
INTERVEST BANK

CLEWISTON
FIRST BANK OF CLEWISTON
FIRST FEDERAL SAVINGS BANK OF THE GLADES

COOPER CITY
FIRST WESTERN BANK

CORAL GABLES
BANKUNITED SAVINGS BANK
GIBRALTAR BANK, F.S.B.
METRO BANK OF DADE COUNTY
UNIBANK

CRAWFORDVILLE
CITIZENS BANK OF WAKULLA
WAKULLA BANK

CRESTVIEW
FIRST NATIONAL BANK OF CRESTVIEW

CRYSTAL RIVER
CRYSTAL RIVER BANK

DADE CITY
FIRST NATIONAL BANK OF PASCO

DAVIE
REGENT BANK

DESTIN
DESTIN BANK

DUNNELLON
DUNNELLON STATE BANK

ENGLEWOOD

ENGLEWOOD BANK
PENINSULA BANK

FERNANDINA BEACH

FIRST COAST COMMUNITY BANK

FORT LAUDERDALE

BANKATLANTIC, F.S.B.
EQUITABLE BANK
GATEWAY AMERICAN BANK OF FLORIDA
LANDMARK BANK, N.A.
SUNNILAND BANK

FORT MYERS

EDISON NATIONAL BANK

FORT PIERCE

HARBOR FEDERAL SAVINGS BANK
RIVERSIDE NATIONAL BANK OF FLORIDA

FORT WALTON BEACH

FIRST CITY BANK OF FLORIDA
FIRST NATIONAL BANK & TRUST

FROSTPROOF

CITIZENS BANK OF FROSTPROOF

GAINESVILLE

MERCHANTS & SOUTHERN BANK

GRACEVILLE

BANK OF JACKSON COUNTY
PEOPLES BANK OF GRACEVILLE

GROVELAND

PEOPLES STATE BANK OF GROVELAND

HAINES CITY

FIRST NATIONAL BANK OF POLK COUNTY

HALLANDALE

DESJARDINS FEDERAL SAVINGS BANK

HOMESTEAD

COMMUNITY BANK OF FLORIDA
FIRST NATIONAL BANK OF HOMESTEAD

HOMOSASSA SPRINGS

HOMOSASSA SPRINGS BANK

IMMOKALEE

FLORIDA COMMUNITY BANK

INDIANTOWN

FIRST BANK OF INDIANTOWN

INVERNESS

BANK OF INVERNESS

JACKSONVILLE

MARINE NATIONAL BANK OF JACKSONVILLE

KEY LARGO

TIB BANK OF THE KEYS

KEY WEST

FIRST STATE BANK OF THE FLORIDA KEYS

KISSIMMEE

FIRST NATIONAL BANK OF OSCEOLA COUNTY

LADY LAKE

CITIZENS FIRST BANK

LAKE CITY

CNB NATIONAL BANK
COLUMBIA COUNTY BANK
PEOPLES STATE BANK

LAKELAND

FLORIDAFIRST BANK

LAKE MARY

COMMUNITY NATIONAL BANK OF MID FLORIDA

LAKE WALES

AMERICAN BANK & TRUST OF POLK COUNTY

LAUDERHILL

UNION BANK OF FLORIDA

LEESBURG

FIRST FEDERAL SAVINGS BANK OF LAKE COUNTY

LIVE OAK

FIRST FEDERAL SAVINGS BANK OF FLORIDA

LONGWOOD

LIBERTY NATIONAL BANK

MADISON

MADISON COUNTY COMMUNITY BANK

MALONE

PCB, THE COMMUNITY BANK

MARATHON

FIRST NATIONAL BANK OF THE FLORIDA KEYS
MARINE BANK OF THE FLORIDA KEYS

MARCO ISLAND

CITIZENS COMMUNITY BANK OF FLORIDA

MAYO

LAFAYETTE COUNTY STATE BANK

MELBOURNE

BANK BREVARD

MIAMI

BAC FLORIDA BANK
CITY NATIONAL BANK OF FLORIDA
COCONUT GROVE BANK
COMMERCIAL BANK OF FLORIDA
*CONTINENTAL NATIONAL BANK OF MIAMI
EAGLE NATIONAL BANK OF MIAMI
EASTERN NATIONAL BANK
ESPIRITO SANTO BANK OF FLORIDA
EXECUTIVE NATIONAL BANK
GULF BANK
HAMILTON BANK, N.A.
HEMISPHERE NATIONAL BANK
INTERAMERICAN BANK, F.S.B.
INTERCREDIT BANK, N.A.
INTERNATIONAL BANK OF MIAMI, N.A.
INTERNATIONAL FINANCE BANK
MELLON UNITEDNATIONAL BANK
NORTHERN TRUST BANK OF FLORIDA, N.A.
OCEAN BANK
SOFISA BANK OF FLORIDA
TOTALBANK
TRANSATLANTIC BANK

MILTON

FIRST NATIONAL BANK OF FLORIDA

MONTICELLO

FARMERS & MERCHANTS BANK

MOUNT DORA

FIRST NATIONAL BANK OF MOUNT DORA

NAPLES

COMMUNITY BANK OF NAPLES, N.A.
FIFTH THIRD BANK, FLORIDA
FIRST NATIONAL BANK OF NAPLES
GULF COAST NATIONAL BANK

NEW SMYRNA BEACH

FRIENDS BANK

NICEVILLE

PEOPLES NATIONAL BANK OF NICEVILLE

NORTH LAUDERDALE

*SECURITY BANK, N.A.

NORTH MIAMI

KISLAK NATIONAL BANK

NORTH PALM BEACH

COMMUNITY SAVINGS, F.A.
PALM BEACH NATIONAL BANK & TRUST COMPANY

OAKLAND PARK

AMERICAN NATIONAL BANK

OCALA

FLORIDA CITIZENS BANK

OKEECHOBEE

BIG LAKE NATIONAL BANK

ORANGE CITY

FIRST COMMUNITY BANK

ORANGE PARK

CLAY COUNTY BANK

ORLANDO

BANK OF CENTRAL FLORIDA
CENTURY NATIONAL BANK
CITRUS BANK
SOUTHERN COMMUNITY BANK

OVIEDO

CITIZENS BANK OF OVIEDO

PAHOKEE

FIRST COMMUNITY BANK OF PALM BEACH COUNTY

PALATKA

FIRST FEDERAL BANK OF NORTH FLORIDA
PUTNAM STATE BANK

PALM BEACH

BANKERS TRUST FLORIDA, N.A.

PALM BEACH GARDENS

ADMIRALTY BANK

PALM COAST

CYPRESS BANK

PALM HARBOR

FLORIDA BANK OF COMMERCE
PEOPLES BANK

PANAMA CITY

BAY BANK & TRUST COMPANY
FIRST NATIONAL BANK NORTHWEST FLORIDA
PEOPLES FIRST COMMUNITY BANK

PEMBROKE PINES

POINTE BANK

PENSACOLA

BANK OF PENSACOLA
BANK OF THE SOUTH
FIRST AMERICAN BANK OF PENSACOLA, N.A.

PERRY

CITIZENS BANK OF PERRY

PORT ST. JOE

CITIZENS FEDERAL SAVINGS BANK OF PORT ST. JOE

QUINCY

QUINCY STATE BANK

ST. AUGUSTINE

BANK OF ST. AUGUSTINE
PROSPERITY BANK

ST. CLOUD

PUBLIC BANK

ST. PETERSBURG

MERCANTILE BANK
REPUBLIC BANK
UNITED BANK & TRUST COMPANY

SANTA ROSA BEACH

FIRST AMERICAN BANK OF WALTON COUNTY

SARASOTA

PROVIDENT BANK OF FLORIDA
WEST COAST GUARANTY BANK, N.A.

SEBRING

HIGHLANDS INDEPENDENT BANK

SOUTH MIAMI

FIRST NATIONAL BANK OF SOUTH MIAMI

STARKE

COMMUNITY STATE BANK OF STARKE

STUART

FIRST NATIONAL BANK & TRUST OF THE TREASURE
COAST
GULFSTREAM BUSINESS BANK

TALLAHASSEE

CAPITAL CITY BANK
FIRST BANK
FIRST SOUTH BANK
TALLAHASSEE STATE BANK

TAMPA

FIRST CITRUS BANK
FLORIDA BANK, N.A.
SOUTHERN EXCHANGE BANK

TRENTON

TRI-COUNTY BANK

UMATILLA

UNITED SOUTHERN BANK

VALPARAISO

VANGUARD BANK & TRUST COMPANY

VERO BEACH

INDIAN RIVER NATIONAL BANK

WAUCHULA

FIRST NATIONAL BANK OF WAUCHULA
WAUCHULA STATE BANK

WEST PALM BEACH

FIDELITY FEDERAL BANK & TRUST
GRAND BANK OF FLORIDA
REPUBLIC SECURITY BANK

WEWAHITCHKA

WEWAHITCHKA STATE BANK

WILLISTON

PERKINS STATE BANK

WINTER PARK

NATIONAL BANK OF COMMERCE

ZEPHYRHILLS

COMMUNITY NATIONAL BANK OF PASCO COUNTY

GEORGIA

ATLANTA

SUNTRUST BANK

DARIEN

SOUTHEASTERN BANK

LOUISIANA

NEW ORLEANS

WHITNEY NATIONAL BANK

MASSACHUSETTS

BOSTON

BOSTON BANK OF COMMERCE
BRANCHES OF THIS QPD CONDUCT BUSINESS IN
FLORIDA UNDER THE NAME PEOPLES BANK OF
COMMERCE

MINNESOTA

EDINA

INTER SAVINGS BANK, F.S.B.

NORTH CAROLINA

CHARLOTTE

BANK OF AMERICA, N.A.
FIRST UNION NATIONAL BANK

WINSTON-SALEM

WACHOVIA BANK, N.A.

OHIO

COLUMBUS

HUNTINGTON NATIONAL BANK

TENNESSEE

MEMPHIS

UNION PLANTERS BANK, N.A.

THE FOLLOWING IS A LIST OF INSTITUTIONS THAT
HAD A CHANGE SINCE THE LAST PUBLICATION OF
THIS REPORT.

AMERICAN BANK OF BRADENTON

BRADENTON
AMERICAN BANK OF BRADENTON CHANGED ITS
NAME TO AMERICAN BANK

C & L BANK

BRISTOL
MERGED WITH THE BANK (WARRIOR, ALABAMA).

CHARLOTTE STATE BANK

PORT CHARLOTTE
WITHDRAWN FROM THE PROGRAM EFFECTIVE
2/28/00.

EMERALD COAST BANK

PANAMA CITY BEACH
MERGED WITH THE BANK (WARRIOR, ALABAMA).

FIDELITY FEDERAL SAVINGS BANK OF FLORIDA

WEST PALM BEACH
FIDELITY FEDERAL SAVINGS BANK OF FLORIDA
CHANGED ITS NAME TO FIDELITY FEDERAL BANK &
TRUST

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No. DCA00-OR-231

In re: CITY OF KEY WEST LAND DEVELOPMENT
REGULATIONS ADOPTED BY CITY OF
KEY WEST ORDINANCE NO. 00-10

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat. (1999) and Chapter 28-36, Fla. Admin. Code, which require the Department to enter a final order approving or rejecting land development regulations adopted by the City of Key West, Florida. This Final Order approves City of Key West Ordinance No. 00-10 as set forth below.

FINDINGS OF FACT

1. The City of Key West, Florida is a state designated Area of Critical State Concern.

2. On July 3, 1997, the City of Key West adopted Ordinance No. 97-10 consisting of numerous changes to its Land Development Regulations in an attempt to fulfill the City's obligation as an Area of Critical State Concern. The Department reviewed Ordinance 97-10 and rejected several provisions of the ordinance pursuant to Final Order No. DCA97-286-FOI-OR. Among the provisions rejected were Secs. 2-8.1, 2-8.2B and 2-8.7 of Article VIII (which provided for reconstruction of nonconforming densities citywide for all types of residential and transient development) as inconsistent with the Principles for Guiding Development. The City of Key West and Robert/Richard Jabour filed administrative actions challenging the Department's rejection of these provisions, and which actions are currently pending before the Division of Administrative Hearings, DOAH Case Nos. 98-0065GM and 98-0067GM.

3. On June 12, 2000, the Department received for review City of Key West Ordinance 00-10 which was adopted by the City Commission of the City of Key West on June 7, 2000 ("Ord. 00-10"). Ord. 00-10 replaces Article VIII of the City of Key West Land Development Regulations in its entirety, as currently codified at Secs. 2-8.1 through 2-8.12 of the City of Key West Code (the "Code"); repealing Code Secs. 2-8.1 through 2-8.12 [noting that Code Secs. 2-8.1, 2-8.2B and 2-8.7 never became effective]; and adding new Code Secs. 2-8.1 through 2-8.7.

4. Section 1 of Ord. 00-10 repeals existing Code Secs. 2-8.1 through 2-8.12 in its entirety. Section 2 of Ord. 00-10 amends the title of Article VIII to read "Nonconforming Uses, Nonconforming Density, and Noncomplying Buildings or Structures." Section 3 of Ord. 00-10 adds new Code Sec. 2-8.1 for definitions and defines nonconforming use, nonconforming density, and noncomplying building or structure. Section 4 of Ord. 00-10 adds new Code Sec. 2-8.2 which states that the

intent of Ord. 00-10 is to permit nonconforming or noncomplying buildings, structures, uses or densities to be reconstructed, replaced, repaired, or maintained under certain expressed conditions. Section 5 of Ord. 00-10 adds new Code Sec. 2-8.3 which sets forth conditions for replacement or reconstruction, and makes distinctions between residential dwelling units, transient dwelling units, properties without dwelling units, mixed-use properties, and historic properties. Section 6 of Ord. 00-10 adds new Code Sec. 2-8.4 which sets forth conditions for repairs or maintenance. Section 7 of Ord. 00-10 adds new Code Sec. 2-8.5 regarding abandonment of nonconforming use. Section 8 of Ord. 00-10 adds new Code Sec. 2-8.6 concerning noncomplying lots or building sites of record. Section 9 of Ord. 00-10 adds new Code Sec. 2-8.7 establishing additional regulations applicable to the preceding sections. Section 10 of Ord. 00-10 contains a severability clause; Section 11 contains a conflict provision; and Section 12 provides an effective date.

5. Ord. 00-10 is consistent with and in furtherance of the City of Key West's Comprehensive Plan goals, objectives and policies regarding protecting the integrity of the City's Historic Preservation District and maintaining the City's supply of affordable housing units.

CONCLUSIONS OF LAW

1. The Department is required to approve or reject any and all land development regulations that are enacted, amended or rescinded by the City of Key West, a designated Area of Critical State Concern, within 60 days of receipt by the Department. §§ 380.05(6) and (11), Fla. Stat. (1999); and Chapter 28-36, Fla. Admin. Code.

2. The City of Key West is a state designated Area of Critical State Concern. § 380.05, Fla. Stat. (1999) and Chapter 28-36, Fla. Admin. Code.

3. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (1999). The regulations adopted by Ord. 00-10 are land development regulations, as defined by statute.

4. All land development regulations enacted, amended or rescinded by the City of Key West must be consistent with the Principles for Guiding Development set forth in Rule 28-36.003, Fla. Admin. Code (the "Principles"). See § 380.05(6), Fla. Stat. (1999); Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). In reviewing the land development regulations for consistency, the Principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

5. The Department has reviewed all provisions of Ord. 00-10 for consistency with the Principles. Ord. 00-10 strengthens the local government's capabilities for managing land use and development under Principle (a); protects the Key West Historical Preservation District pursuant to Principle (e);

and promotes the welfare and economy of Key West in furtherance of Principle (h). Rules 28-36.001(a), (e) and (h), Fla. Admin. Code. Accordingly, the Department has determined that Ord. 00-10 is consistent with the Principles as a whole. §§ 380.05(6) and (11), Fla. Stat. (1999).

WHEREFORE, IT IS ORDERED that Ord. 00-10 (which replaces Article VIII of the City's Land Development Regulations in its entirety) is found to be consistent with the Principles set forth in Rule 28-36.003, Fla. Admin. Code, as a whole, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/

J. THOMAS BECK, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below, by the method indicated, this ____ day of July, 2000.

/s/

Paula Ford
Agency Clerk

By U.S. Mail:
Honorable Jimmy Weekley
Mayor of City of Key West
P. O. Box 1409
Key West, FL 33041-1409

Cheryl Smith
City Clerk, City of Key West
P. O. Box 1409
Key West, FL 33041-1409

Ty Symroski
Planning Director, City of Key West
P. O. Box 1409
Key West, FL 33041-1409

Robert Tischenkel, Esq.
City Attorney, City of Key West
P. O. Box 1409
Key West, FL 33041-1409

Michael L. Browning, Esq.
402 Appelrouth Lane
Key West, FL 33040

By Hand Delivery or Interagency Mail:
Michael McDaniel, Growth Management Administrator, DCA Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office
Geoffrey T. Kirk, Assistant General Counsel, DCA Tallahassee

DCA Final Order No. DCA00-OR-229

In re: MONROE COUNTY LAND DEVELOPMENT REGULATIONS ADOPTED BY MONROE COUNTY ORDINANCE NO. 033-2000

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (1999), which

require the Department to enter a final order approving or rejecting land development regulations adopted by Monroe County. This Final Order approves Monroe County Ordinance No. 033-2000 as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a unit of government within the Florida Keys Area.

2. On June 15, 2000, the Department received for review Monroe County Ordinance No. 033-2000 which was adopted by the Monroe County Board of County Commissioners on May 17, 2000 ("Ord. 033-2000"). Ord. 033-2000 approved a request to amend the County's zoning map from Urban Residential Mobile Home (URM) to Urban Residential (UR) for certain properties described as Mandalay Subdivision, Key Largo, located in Section 6, Township 62 South, Range 39 East, the Northeasterly 325 Feet of Square 3 which runs 250 Feet between First and Second Street, Monroe County, Florida, at approximately Mile Marker 97.

3. Section 1 of Ord. 033-2000 adopts certain findings of fact and conclusions of law as set forth in the body of the ordinance. Section 2 of Ord. 033-2000 changes the zoning designation of the afore-described properties from Urban Residential Mobile Home (URM) to Urban Residential (UR). Section 3 of Ord. 033-2000 contains a severability provision.

4. Ord. 033-2000 is consistent with and furthers Policies 101.14.2, 102.3.2, 217.3.2 and Goal 601 of the County's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

1. The Department is required to approve or reject any and all land development regulations that are enacted, amended or rescinded by any unit of government in the Florida Keys Area of Critical State Concern within 60 days of receipt by the Department. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (1999).

2. Monroe County is a unit of government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (1999) and Rule 28-29.002 (superseding Chapter 27F-8, Fla. Admin. Code) and Chapter 28-30, Fla. Admin. Code.

3. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (1999). The regulations adopted by Ord. 033-2000 are land development regulations, as defined by statute.

4. All land development regulations enacted, amended or rescinded by Monroe County must be consistent with the Principles for Guiding Development (the "Principles"). § 380.0552(7), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). In reviewing the land development regulations for consistency, the Principles shall

be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions. § 380.0552(7), Fla. Stat. (1999).

5. The Department has reviewed all provisions of Ord. 033-2000 for consistency with the Principles and has determined that Ord. 033-2000 is consistent with the Principles as a whole. Ord. 033-2000 changes the land use designation of certain properties located within the Coastal High Hazard Area from a designation that allows mobile homes to a land use designation that prohibits mobile homes, and in furtherance of paragraphs (a), (k) and (l) of the Principles. §§ 380.0552(7)(a), (k), and (l), Fla. Stat. (1999).

WHEREFORE, IT IS ORDERED that Ord. 033-2000 is found to be consistent with the Principles found at § 380.0552(7), Fla. Stat. (1999), as a whole, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/

J. THOMAS BECK, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A

WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ____ day of July, 2000.

/s/

Paula Ford
Agency Clerk

By U.S. Mail:
Honorable Shirley Freeman
Mayor of Monroe County
500 Whitehead Street
Key West, Florida 33040

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Timothy J. McGarry, AICP
Director, Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

By Hand Delivery or Interagency Mail:
Michael McDaniel, Growth Management Administrator, DCA Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office
Geoffrey T. Kirk, Assistant General Counsel, DCA Tallahassee

DCA Final Order No. DCA00-OR-230
In re: MONROE COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY
MONROE COUNTY ORDINANCE NO. 034-2000

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (1999), which require the Department to enter a final order approving or rejecting land development regulations adopted by Monroe County. This Final Order approves Monroe County Ordinance No. 034-2000 as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a unit of government within the Florida Keys Area.

2. On June 13, 2000, the Department received for review Monroe County Ordinance No. 034-2000 which was adopted by the Monroe County Board of County Commissioners on May 18, 2000 ("Ord. 034-2000"). Ord. 034-2000 amends Section 9.5-120.4(b) of the County Code relating to the TRE (Transfer of ROGO Exemptions) program for off-site redevelopment.

3. Section 1 of Ord. 034-2000 sets forth procedures and requirements relating to the TRE (Transfer of ROGO Exemptions) program for off-site redevelopment. Section 2 of Ord. 034-2000 contains a severability provision. Section 3 of Ord. 034-2000 contains a superseding provision if any other ordinances or parts of ordinances are deemed in conflict with this ordinance. Section 4 of Ord. 034-2000 concerns filing the ordinance with the Florida Secretary of State Office, and Section 5 regards the transmittal of the ordinance to the Department for review.

4. Ord. 034-2000 provides a mechanism for over-density transient facilities to transfer units offsite which will result in and promote redevelopment without an increase in overall units. Ord. 034-2000 promotes affordable housing in Monroe County in furtherance of Policy 101.14.2, Policy 217.3.2, Goal 601, Objective 601.2, Objective 601.3 and Objective 601.6 of the County's 2010 Comprehensive Plan. Ord. 034-2000 provides criteria which ensures that when development rights are transferred from one site to another, the receiver site will be no more environmentally sensitive than the sending site. Additionally, the receiver site may not be located in a Velocity (V) zone, a coastal barrier resource system or offshore island/conservation land; the receiver site must be in close proximity to existing commercial centers; and the receiver site must receive an overall ROGO score that is equal to or greater than the overall ROGO score of the sender site pursuant to Sec. 9.5-122 of the County Code.

CONCLUSIONS OF LAW

1. The Department is required to approve or reject any and all land development regulations that are enacted, amended or rescinded by any unit of government in the Florida Keys Area of Critical State Concern within 60 days of receipt by the Department. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (1999).

2. Monroe County is a unit of government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (1999) and Rule 28-29.002 (superseding Chapter 27F-8, Fla. Admin. Code) and Chapter 28-30, Fla. Admin. Code.

3. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (1999). The regulations adopted by Ord. 034-2000 are land development regulations, as defined by statute.

4. All land development regulations enacted, amended or rescinded by Monroe County must be consistent with the Principles for Guiding Development (the "Principles"). §

380.0552(7), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). In reviewing the land development regulations for consistency, the Principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions. § 380.0552(7), Fla. Stat. (1999).

5. The Department has reviewed all provisions of Ord. 034-2000 for consistency with the Principles. Ord. 034-2000 strengthens local government's capabilities for managing land use and development under Principle (a). The criteria for the receiving site is a mechanism which protects shoreline and marine resources pursuant to Principle (b) and protects upland resources such as hammocks by guiding development to less sensitive sites in accordance with Principle (c). Ord. 034-2000 furthers Principle (d), (h) and (k) because it will promote redevelopment in close proximity to established commercial centers utilizing existing infrastructure and avoids the Coastal High Hazard Zone, off shore island, and conservation areas. Ord. 34-2000 furthers Principle (j) by promoting the availability of affordable housing. Accordingly, the Department has determined that Ord. 034-2000 is consistent with the Principles as a whole § 380.0552(7), Fla. Stat. (1999).

WHEREFORE, IT IS ORDERED that Ord. 034-2000 is found to be consistent with the Principles found at § 380.0552(7), Fla. Stat. (1999), as a whole, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/

J. THOMAS BECK, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

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INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below, by the method indicated, this ____ day of July, 2000.

/s/_____
Paula Ford
Agency Clerk

By U.S. Mail:
Honorable Shirley Freeman
Mayor of Monroe County
500 Whitehead Street
Key West, Florida 33040

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040
Timothy J. McGarry, AICP
Director, Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

By Hand Delivery or Interagency Mail:
Michael McDaniel, Growth Management Administrator, DCA Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office
Geoffrey T. Kirk, Assistant General Counsel, DCA Tallahassee

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-0101-002
DATE RECEIVED: July 14, 2000
DEVELOPMENT NAME: LAKE POWELL RESIDENTIAL GOLF COURSE

DEVELOPER/AGENT: Lake Powell Golf Development Ltd.
DEVELOPMENT TYPE: 28-24.023, 28-24.031, 28-24.026, FAC.
COUNTY LOCATION: Bay
LOCAL GOVERNMENT: Bay County

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-0601-001
DATE RECEIVED: July 14, 2000
DEVELOPMENT NAME: WAL-MART SUPERCENTER
DEVELOPER/AGENT: Walmart Stores East/Kimco Dev.
DEVELOPMENT TYPE: 28-24.031, FAC.
COUNTY LOCATION: Seminole
LOCAL GOVERNMENT: Sanford City

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

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, Enfield Classic Motorworks, intends to allow the establishment of Royal Enfield Motorcycles of Fort Lauderdale, as a dealership for the sale of Classic Motorworks and the Royal Enfield line of motorcycles, at 2140 E. Oakland Park Blvd., Fort Lauderdale (Broward County), Florida, on or after July 11, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Royal Enfield Motorcycles of Fort Lauderdale are: dealer operator and principal investor: William Cappucio, 1950 S. W. 56th Avenue, Plantation, Florida 33317.

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: Mr. Larry Sahagian, Enfield Classic Motorworks, 9 Third Street, N. W., Faribault, Minnesota 55021.

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, Mitsubishi Fuso Truck of America, Inc., intends to allow the establishment of Pro Maintenance Service, Inc., as a dealership for the sale of Mitsubishi Fuso FE, FG, FH, FK and FM model vehicles, at 4306 E. Columbus Drive, Tampa (Hillsborough County), Florida, on or after August 1, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Pro Maintenance Service, Inc. are as follows: Paul M. Messina, 4204 Cartnal Avenue, Tampa, Florida 33624; and Frank P. Messina, 501 Knights Run Avenue, Tampa, Florida 33602.

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: Deborah McTyre, Supervisor, Dealer Administration, Mitsubishi Fuso Truck of America, Inc., P. O. Box 464, 100 Center Square Road, Bridgeport, NJ 06014.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mitsubishi Motor Sales of America, Inc., intends to allow the establishment of Thompson MMS, Inc., d/b/a Thompson Mitsubishi, as a dealership for the sale of Mitsubishi vehicles, at 1950 Tamiami Trail, Punta Gorda (Charlotte County), Florida 33950, on or after November 1, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Thompson MMS, Inc., d/b/a Thompson Mitsubishi are: dealer operator and principal investor(s): Mr. Michael W. Thompson, 1846 Gulf Boulevard, Englewood, Florida 34224.

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: Fred W. Houser, Regional Business Development Manager, Mitsubishi Motor Sales of America, Inc., Southeastern Regional Office, 6499 Currin Drive, Orlando, Florida 32635-5211.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

**NOTICE OF HOSPITAL FIXED NEED POOLS FOR
ACUTE CARE HOSPITAL BEDS**

The Agency for Health Care Administration publishes bed need for acute care hospital beds pursuant to the provisions of Rules 59C-1.008 and 59C-1.038, FAC. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 3, Room 1217, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 14, 2000.

Any person who identifies any error in the published bed need must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs in the error, the bed need will be adjusted prior to or during the grace period for this cycle. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the bed need for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Acute Care Hospital Bed Need	
	Bed Need
District 1	
Subdistrict 1 (Escambia, Santa Rosa)	0
Subdistrict 2 (Okaloosa, Walton)	0
District 2	
Subdistrict 1 (Bay, Calhoun, Franklin, Gulf, Holmes, Jackson, Washington)	0
Subdistrict 2 (Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla)	0
District 3	
Subdistrict 1 (Columbia, Hamilton, Suwannee)	0
Subdistrict 2 (Alachua, Bradford, Dixie, Gilchrist, Lafayette, Levy, Union)	0
Subdistrict 3 (Putnam)	0
Subdistrict 4 (Marion)	0
Subdistrict 5 (Citrus)	0
Subdistrict 6 (Hernando)	0
Subdistrict 7 (Lake, Sumter)	0
District 4	
Subdistrict 1 (Nassau, part of Duval)	0
Subdistrict 2 (Baker, Clay, part of Duval)	0
Subdistrict 3 (Saint Johns, part of Duval)	0
Subdistrict 4 (Flagler, East Volusia)	0
Subdistrict 5 (West Volusia)	0
District 5	
Subdistrict 1 (West Pasco)	0

Subdistrict 2 (East Pasco)	0
Subdistrict 3 (North Pinellas)	0
Subdistrict 4 (South Pinellas)	0
District 6	
Subdistrict 1 (Hillsborough)	0
Subdistrict 2 (Polk)	0
Subdistrict 3 (Manatee)	0
Subdistrict 4 (Hardee)	0
Subdistrict 5 (Highlands)	0
District 7	
Subdistrict 1 (Brevard)	0
Subdistrict 2 (Orange)	0
Subdistrict 3 (Osceola)	0
Subdistrict 4 (Seminole)	0
District 8	
Subdistrict 1 (Charlotte)	0
Subdistrict 2 (Collier)	0
Subdistrict 3 (Desoto)	0
Subdistrict 4 (Glades, Hendry)	0
Subdistrict 5 (Lee)	0
Subdistrict 6 (Sarasota)	0
District 9	
Subdistrict 1 (Indian River)	0
Subdistrict 2 (St. Lucie, Martin)	0
Subdistrict 3 (Okeechobee)	0
Subdistrict 4 (North Palm Beach)	0
Subdistrict 5 (South Palm Beach)	0
District 10 (Broward)	0
District 11	
Subdistrict 1 (Dade)	0
Subdistrict 2 (Monroe)	0
Total Statewide	0
Purchase Order Number: S5900I00310	

**NOTICE OF PEDIATRIC CARDIAC
CATHETERIZATION PROGRAM
FIXED NEED POOL**

The Agency for Health Care Administration has projected a fixed need pool for pediatric cardiac catheterization programs for January 2003, pursuant to the provisions of Rules 59C-1.008 and 59C-1.032, FAC. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 3, Room 1217, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 14, 2000.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs in the error, the fixed need pool number will be adjusted prior to or during the grace period for this cycle. Failure to notify the agency of the error during this ten day time period will result in

no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Pediatric Cardiac Catheterization Program Net Need

	Net		Net	
Service Area	Need	Service Area	Need	
1	0	4	0	
2	0	5	0	
3	0	Total	0	

Purchase Order Number: S5900I00310

NOTICE OF HOSPITAL FIXED NEED POOLS FOR COMPREHENSIVE MEDICAL REHABILITATION BEDS

The Agency for Health Care Administration has projected a fixed bed need pool for comprehensive medical rehabilitation hospital beds for January 2006 pursuant to the provisions of Rules 59C-1.008 and 59C-1.039, FAC. Net bed need projections for comprehensive medical rehabilitation hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 3, Room 1217, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 14, 2000.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs in the error, the fixed need pool number will be adjusted prior to or during the grace period for this cycle. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Comprehensive Medical Rehabilitation Bed Need

	Net
	Adjusted
	Bed Need
District 1	0
District 2	0
District 3	0
District 4	0
District 5	0
District 6	0
District 7	0
District 8	0
District 9	0
District 10	0
District 11	0
Total Statewide	0

Purchase Order Number: S5900I00310

NOTICE OF HOSPICE PROGRAM FIXED NEED POOL

The Agency for Health Care Administration has projected a fixed need pool for hospice programs, defined in accordance with Sections 400.601-400.602, Florida Statutes (F.S.) and 408.031-408.045, F.S. Fixed need pool projections are for hospice programs planned for January 2002, pursuant to the provisions of Rule 59C-1.0355, Florida Administrative Code. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 14, 2000.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of the publication. If the agency concurs in the error, the fixed need pool number will be adjusted prior to or during the grace period for this cycle. Failure to notify the agency of the error during this ten day period waives a person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, F.S. In order to request a proceeding under Section 120.57, F.S., a request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Fort Knox, Building Three, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Hospice Program Net Need

Service Area	Net Need	Service Area	Net Need
District 1	0	Subdistrict 5A	0
Subdistrict 2A	0	Subdistrict 5B	0
Subdistrict 2B	0	Subdistrict 6A	0
Subdistrict 3A	0	Subdistrict 6B	1
Subdistrict 3B	0	Subdistrict 6C	0
Subdistrict 3C	0	Subdistrict 7A	0
Subdistrict 3D	0	Subdistrict 7B	0
Subdistrict 3E	0	Subdistrict 7C	0
Subdistrict 4A	0	Subdistrict 8A	0
Subdistrict 4B	0	Subdistrict 8B	0
Subdistrict 8C	0	Subdistrict 9C	0
Subdistrict 8D	0	District 10	0
Subdistrict 9A	0	District 11	0
Subdistrict 9B	0	Total	1

Purchase Order Number: S5900I00310

NOTICE OF FIXED NEED POOL FOR NEONATAL INTENSIVE CARE SERVICES FOR LEVEL II AND LEVEL III BEDS

The Agency for Health Care Administration has projected a fixed need pool for level II and level III neonatal intensive care unit services for January 2003, pursuant to the provisions of Rules 59C-1.008 and 59C-1.042, FAC. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 3, Room 1217, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 14, 2000.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs in the error, the fixed need pool number will be adjusted prior to or during the grace period for this cycle. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first

cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Fixed Need Pool Projections

Neonatal Intensive Care Level II & Level III Services

	Level II	Level III
	Net Need	Net Need
District 1	0	0
District 2	0	0
District 3	0	0
District 4	0	0
District 5	0	0
District 6	0	0
District 7	1	0
District 8	0	0
District 9	0	0
District 10	0	0
District 11	0	0
Statewide Total	1	0

Purchase Order Number: S5900I00310

NOTICE OF OPEN HEART SURGERY PROGRAM FIXED NEED POOL

The Agency for Health Care Administration has projected a fixed need pool for open heart surgery programs for January 2003, pursuant to the provisions of Rules 59C-1.008 and 59C-1.033, FAC. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 3, Room 1217, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 14, 2000.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs in the error, the fixed need pool number will be adjusted prior to or during the grace period for this cycle. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent

proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Adult Open Heart Surgery Program Net Need			
District	Net Need	District	Net Need
1	0	7	0
2	0	8	0
3	0	9	0
4	0	10	0
5	0	11	0
6	0	Total	0

Pediatric Open Heart Surgery Program Net Need			
Service Area	Net Need	Service Area	Net Need
1	0	4	0
2	0	5	0
3	0	Total	0

Purchase Order Number: S5900I00310

NOTICE OF HOSPITAL FIXED NEED POOLS FOR PSYCHIATRIC AND SUBSTANCE ABUSE BEDS

The Agency for Health Care Administration has projected fixed bed need pools for adult and children and adolescent psychiatric and adult substance abuse beds for January 2006 pursuant to the provisions of Rules 59C-1.008, 59C-1.040 and 59C-1.041, FAC. Net bed need projections for adult and children and adolescent psychiatric and adult substance abuse hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. A fixed need pool projection for children and adolescent substance abuse beds is not made because the administrative rule governing this service does not include a mathematical formula for the calculation of need. An applicant seeking approval for these types of beds must establish need in its application. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program

Office, Building 3, Room 1217, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 14, 2000.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs in the error, the fixed need pool number will be adjusted prior to or during the grace period for this cycle. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

	Psychiatric and Substance Abuse Net Bed Need		
	Adult Psychiatric Beds	Children & Adolescent Psychiatric Beds	Adult Substance Abuse Beds
	Net Adjusted Bed Need	Net Adjusted Bed Need	Net Adjusted Bed Need
District 1	0	0	0
District 2	0	0	0
District 3	0	0	0
District 4	0	0	0
District 5	0	0	0
District 6	0	0	0
District 7	0	0	0
District 8	0	0	0
District 9	0	0	0
District 10	0	0	0
District 11	0	0	0
Total Statewide	0	0	0

Purchase Order Number: S5900I00310

DEPARTMENT OF ENVIRONMENTAL PROTECTION**NOTICE OF FLORIDA CATEGORICAL
EXCLUSION NOTIFICATION**

The Florida Department of Environmental Protection has determined that the proposed construction at the City of Mexico Beach public water system in Mexico Beach, Florida, (DWFP0314 – City of Mexico Beach Water Facilities Plan.) of the upgrade to the existing water supply system will not adversely affect the environment. The total cost of the proposed facilities is estimated at \$2,824,000. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing: Jun Tabanguil, Bureau of Water Facilities Funding, Department of Environmental Protection, Mail Station #3505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

DEPARTMENT OF HEALTH

On July 17, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency SUSPENSION/RESTRICITON with regard to the license of CORA HAM license number RN 1651442. CORA HAM's last known address is 3520 56th Ave., North, St. Petersburg, FL 33714. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8), Florida Statutes (formerly Section 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 July 17, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency SUSPENSION/RESTRICITON with regard to the license of ERIN TROUP license number RN 1016522. ERIN TROUP's last known address is 1500 Tyringham Road, Eustis, FL 32726. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8), Florida Statutes (formerly Section 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 July 13, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency SUSPENSION/RESTRICITON with regard to the license of TODD LUBACZEWSKI license number PS 0032451. TODD LUBACZEWSKI's last known address is 7408 Orleans Avenue, Tampa, Florida 33604. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 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 January 28, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of SALAMA EL SOUKKARY, D.M.D. license number DN 12893. EL SOUKKARY's last known address is 417 Armada Road South, Venice, Florida. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 13, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency SUSPENSION with regard to the license of EMILIA BALODANO license number DN 0012123. EMILIA BALODANO last known address is 12921 Southwest 17th Terrace, Miami, Florida 33175. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 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.

Section XIII
Index to Rules Filed During Preceding Week

Section XIII					Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
RULES FILED BETWEEN July 10, 2000 and July 14, 2000					6C8-3.009	7/12/00	8/1/00	Newspaper	
					6C8-3.010	7/12/00	8/1/00	Newspaper	
					6C8-3.011	7/12/00	8/1/00	Newspaper	
Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	6C8-3.013	7/12/00	8/1/00	Newspaper	
					6C8-3.014	7/12/00	8/1/00	Newspaper	
					6C8-3.016	7/12/00	8/1/00	Newspaper	
DEPARTMENT OF INSURANCE					6C8-4.002	7/12/00	8/1/00	Newspaper	
4-170.004	7/10/00	7/30/00	26/11	26/22	6C8-4.003	7/12/00	8/1/00	Newspaper	
4-170.019	7/13/00	8/2/00	26/22		6C8-4.004	7/12/00	8/1/00	Newspaper	
					6C8-4.005	7/12/00	8/1/00	Newspaper	
DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES					6C8-4.007	7/12/00	8/1/00	Newspaper	
Division of Standards					6C8-4.008	7/12/00	8/1/00	Newspaper	
5F-2.001	7/11/00	7/31/00	26/22		6C8-4.009	7/12/00	8/1/00	Newspaper	
5F-2.014	7/11/00	7/31/00	26/22		6C8-4.010	7/12/00	8/1/00	Newspaper	
					6C8-4.013	7/12/00	8/1/00	Newspaper	
					6C8-4.015	7/12/00	8/1/00	Newspaper	
DEPARTMENT OF EDUCATION					6C8-4.017	7/12/00	8/1/00	Newspaper	
Board of Regents					6C8-4.020	7/12/00	8/1/00	Newspaper	
6C-1.0001	7/14/00	8/3/00	26/16		6C8-4.022	7/12/00	8/1/00	Newspaper	
6C-1.0005	7/14/00	8/3/00	26/16		6C8-5.001	7/12/00	8/1/00	Newspaper	
6C-1.001	7/14/00	8/3/00	26/16		6C8-5.002	7/12/00	8/1/00	Newspaper	
6C-1.002	7/14/00	8/3/00	26/16		6C8-5.010	7/12/00	8/1/00	Newspaper	
6C-1.004	7/14/00	8/3/00	26/16		6C8-6.002	7/12/00	8/1/00	Newspaper	
6C-1.005	7/14/00	8/3/00	26/16		6C8-6.003	7/12/00	8/1/00	Newspaper	
6C-1.0055	7/14/00	8/3/00	26/16		6C8-6.009	7/12/00	8/1/00	Newspaper	
6C-1.006	7/14/00	8/3/00	26/16		6C8-6.080	7/12/00	8/1/00	Newspaper	
6C-1.007	7/14/00	8/3/00	26/16		6C8-8.001	7/12/00	8/1/00	Newspaper	
6C-1.008	7/14/00	8/3/00	26/16		6C8-8.002	7/12/00	8/1/00	Newspaper	
6C-1.009	7/14/00	8/3/00	26/16		6C8-8.003	7/12/00	8/1/00	Newspaper	
6C-1.010	7/14/00	8/3/00	26/16		6C8-8.004	7/12/00	8/1/00	Newspaper	
6C-1.011	7/14/00	8/3/00	26/16		6C8-8.005	7/12/00	8/1/00	Newspaper	
6C-1.012	7/14/00	8/3/00	26/16		6C8-8.006	7/12/00	8/1/00	Newspaper	
6C-1.014	7/14/00	8/3/00	26/16		6C8-8.007	7/12/00	8/1/00	Newspaper	
6C-7.001	7/14/00	8/3/00	26/16	26/22	6C8-8.009	7/12/00	8/1/00	Newspaper	
6C-7.002	7/14/00	8/3/00	26/16		6C8-8.010	7/12/00	8/1/00	Newspaper	
					6C8-8.011	7/12/00	8/1/00	Newspaper	
University of Florida					6C8-9.001	7/12/00	8/1/00	Newspaper	
6C1-7.019	7/13/00	8/2/00	Newspaper		6C8-9.002	7/12/00	8/1/00	Newspaper	
					6C8-9.003	7/12/00	8/1/00	Newspaper	
Florida International University					6C8-9.004	7/12/00	8/1/00	Newspaper	
6C8-1.005	7/12/00	8/1/00	Newspaper		6C8-9.005	7/12/00	8/1/00	Newspaper	
6C8-3.001	7/12/00	8/1/00	Newspaper		6C8-9.006	7/12/00	8/1/00	Newspaper	
6C8-3.002	7/12/00	8/1/00	Newspaper		6C8-10.001	7/12/00	8/1/00	Newspaper	
6C8-3.007	7/12/00	8/1/00	Newspaper		6C8-10.002	7/12/00	8/1/00	Newspaper	
6C8-3.008	7/12/00	8/1/00	Newspaper		6C8-10.003	7/12/00	8/1/00	Newspaper	
					6C8-10.004	7/12/00	8/1/00	Newspaper	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
6C8-10.005	7/12/00	8/1/00	Newspaper		COMMISSION ON ETHICS				
6C8-10.006	7/12/00	8/1/00	Newspaper		34-5.0043	7/10/00	7/30/00	26/18	26/24
6C8-10.007	7/12/00	8/1/00	Newspaper		34-5.024	7/10/00	7/30/00	26/18	
6C8-10.008	7/12/00	8/1/00	Newspaper		34-5.029	7/10/00	7/30/00	26/18	
6C8-10.009	7/12/00	8/1/00	Newspaper		34-5.0291	7/10/00	7/30/00	26/18	
6C8-10.010	7/12/00	8/1/00	Newspaper		34-13.212	7/10/00	7/30/00	26/18	26/24
6C8-10.011	7/12/00	8/1/00	Newspaper		34-13.214	7/10/00	7/30/00	26/18	
6C8-10.012	7/12/00	8/1/00	Newspaper		34-13.250	7/10/00	7/30/00	26/18	26/24
6C8-10.013	7/12/00	8/1/00	Newspaper		34-13.420	7/10/00	7/30/00	26/18	
6C8-10.014	7/12/00	8/1/00	Newspaper		34-13.500	7/10/00	7/30/00	26/18	
6C8-10.015	7/12/00	8/1/00	Newspaper		WATER MANAGEMENT DISTRICTS				
6C8-10.016	7/12/00	8/1/00	Newspaper		Southwest Florida Water Management District				
6C8-10.017	7/12/00	8/1/00	Newspaper		40D-2.091	7/14/00	8/3/00	24/48	25/48
6C8-11.004	7/12/00	8/1/00	Newspaper		40D-2.301	7/14/00	8/3/00	24/48	
DEPARTMENT OF REVENUE					40D-4.091	7/14/00	8/3/00	24/48	
12-25.004	7/11/00	7/31/00	26/7		40D-80.011	7/14/00	8/3/00	24/48	
12-25.005	7/11/00	7/31/00	26/7	26/19	40D-80.073	7/14/00	8/3/00	24/48	
12-25.0054	7/11/00	7/31/00	26/7		FLORIDA LAND AND WATER ADJUDICATORY COMMISSION				
12-25.0056	7/11/00	7/31/00	26/7	26/19	Sampon Creek Community Development District				
12-25.0058	7/11/00	7/31/00	26/7		42DD-1.001	7/12/00	8/1/00	26/22	
DEPARTMENT OF CITRUS					42DD-1.002	7/12/00	8/1/00	26/22	
20-9.002	7/14/00	8/3/00	26/20		42DD-1.003	7/12/00	8/1/00	26/22	
DEPARTMENT OF CORRECTIONS					DEPARTMENT OF MANAGEMENT SERVICES				
33-103.003	7/12/00	8/1/00	26/12	26/17	Division of Facilities Management				
33-103.005	7/12/00	8/1/00	26/12	26/22	60H-4.006	7/10/00	7/30/00	26/20	
33-103.006	7/12/00	8/1/00	26/12		Career Service System				
33-103.007	7/12/00	8/1/00	26/12		60K-3.004	7/11/00	7/31/00	25/44	
33-103.015	7/12/00	8/1/00	26/12		60K-3.005	7/11/00	7/31/00	25/44	26/13
33-103.016	7/12/00	8/1/00	26/12	26/22	60K-3.006	7/11/00	7/31/00	25/44	26/13
33-103.019	7/12/00	8/1/00	26/12	26/17	60K-3.007	7/11/00	7/31/00	25/44	
33-602.223	7/12/00	8/1/00	26/21		60K-3.0071	7/11/00	7/31/00	25/44	26/4

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
60K-3.0072	7/11/00	7/31/00	25/44		Board of Professional Land Surveyors				
60K-3.009	7/11/00	7/31/00	25/44		61G17-1.019	7/14/00	8/3/00	26/23	
60K-3.0091	7/11/00	7/31/00	25/44		DEPARTMENT OF HEALTH				
60K-3.0092	7/11/00	7/31/00	25/44		Board of Acupuncture				
60K-3.0094	7/11/00	7/31/00	25/44		64B1-4.0015	7/14/00	8/3/00	26/21	
60K-3.011	7/11/00	7/31/00	25/44		64B1-9.001	7/14/00	8/3/00	26/21	
60K-4.001	7/11/00	7/31/00	25/44		Board of Dentistry				
60K-4.002	7/11/00	7/31/00	25/44		64B5-7.005	7/14/00	8/3/00	26/20	
60K-4.0021	7/11/00	7/31/00	25/44	26/13	64B5-14.009	7/13/00	8/2/00	26/9	26/19
60K-4.003	7/11/00	7/31/00	25/44	26/13	64B5-14.010	7/13/00	8/2/00	26/9	26/19
60K-4.00311	7/11/00	7/31/00	25/44		Board of Nursing				
60K-4.0032	7/11/00	7/31/00	25/44		64B9-5.003	7/10/00	7/30/00	26/22	
60K-4.00321	7/11/00	7/31/00	25/44		Board of Physical Therapy Practice				
60K-4.0034	7/11/00	7/31/00	25/44		64B17-7.001	7/14/00	8/3/00	26/20	
60K-4.004	7/11/00	7/31/00	25/44		FISH AND WILDLIFE CONSERVATION COMMISSION				
60K-4.006	7/11/00	7/31/00	25/44		Marine Fisheries				
60K-4.007	7/11/00	7/31/00	25/44		68B-26.003	7/14/00	8/3/00	26/16	26/25
60K-4.008	7/11/00	7/31/00	25/44		Manatees				
60K-4.0081	7/11/00	7/31/00	25/44		68C-22.027	7/12/00	8/1/00	26/16	26/24
60K-4.009	7/11/00	7/31/00	25/44						
60K-4.010	7/11/00	7/31/00	25/44						
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION									
Construction Industry Licensing Board									
61G4-15.0055	7/13/00	8/2/00	26/22						