

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

**DEPARTMENT OF INSURANCE**

**Division of State Fire Marshal**

<b>RULE CHAPTER TITLE:</b>	<b>RULE CHAPTER NO.:</b>
The Florida Fire Prevention Code	4A-60
<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Title	4A-60.001
Scope	4A-60.002
Standards of the National Fire Protection Association, NFPA 1, the Fire Prevention Code, Adopted	4A-60.003
Standards of the National Fire Protection Association, NFPA 101, the Life Safety Code, Adopted	4A-60.004
Publications Added to NFPA 1 and NFPA 101 Manufactured Buildings	4A-60.005
Enforcement of the Florida Fire Prevention Code	4A-60.006
Exceptions Applicable to Broward County	4A-60.007
Educational and Ancillary Facilities	4A-60.008
	4A-60.009

**PURPOSE AND EFFECT:** The purpose of the rule development proceedings is the triennial review of, and adoption of amendments to, the Florida Fire Prevention Code, located in Rule Chapter 4A-60, Florida Statutes. The effect of the rule development proceedings will be to adopt a new edition of the Florida Fire Prevention Code with local amendments and variations as provided in Section 633.0215, Florida Statutes.

**SUBJECT AREA TO BE ADDRESSED:** The Florida Fire Prevention Code and local amendments thereto proposed by local governments (counties, municipalities, and special firesafety districts), pursuant to Section 633.0215(2), Florida Statutes.

**SPECIFIC AUTHORITY:** 633.01, 633.0215, 633.022, 633.025, 1013.12 FS.

**LAW IMPLEMENTED:** 633.01, 633.0215, 633.022, 633.025, 1013.12 FS.

**RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW.**

- TIME AND DATE: 9:00 a.m., April 14, 2003
- PLACE: Department of Transportation, Burns Bldg. Auditorium, 605 Suwannee Street, Tallahassee, FL
- TIME AND DATE: 9:00 a.m., April 15, 2003
- PLACE: 400 W. Robinson Street, Hurston Bldg. South Tower Room C&D, Orlando, FL
- TIME AND DATE: 9:00 a.m., April 16, 2003
- PLACE: 400 N. Congress Avenue, Conference Room, West Palm Beach, FL

- TIME AND DATE: 9:00 a.m., April 17, 2003
  - PLACE: 1001 Sarasota Center Blvd., Sarasota County Utilities Bldg., Sarasota, FL
  - TIME AND DATE: 9:00 a.m., April 18, 2003
  - PLACE: Tacachale Center Auditorium, 1621 N. E. Waldo Road, Gainesville, FL
- Pursuant to the provisions of the Americans with Disabilities Act and Section 286.26, Florida Statutes, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Millicent King, (850)413-3619, Fax: (850)922-2553.

For the benefit of the local governments and other substantially affected persons, the following information is provided:

(A) The Division of State Fire Marshal will adopt the 2003 edition of NFPA 1 and NFPA 101 in sufficient time to become effective on July 1, 2004 as the Florida Fire Prevention Code.

(B) The 2003 editions of NFPA 1 and NFPA 101 will be located on the Division of State Fire Marshal website, <http://www.fldfs.com/SFM/> on or about March 10, 2003. The 2003 editions must be consulted prior to proposing any amendment and must be used for proposing any amendment. any proposed amendment to the 2000 version of NFPA 1 or 101 will be rejected. The 2003 editions of NFPA 1 and 101 are provided to the Division of State Fire Marshal's website as a courtesy by the National Fire Protection Association; therefore, no one is permitted to use them for any purpose other than to propose amendments to the florida fire prevention code.

(C) Proposed amendments to the 2003 editions of NFPA 1 and NFPA 101 will be accepted from March 10, 2003, through May 5, 2003.

(D) The purpose of the rule development workshops is to provide local governments and other substantially affected persons with an opportunity for them or their representatives to appear in person, propose amendments, provide suggestions, and ask questions concerning the Florida Fire Prevention Code contained in Rule Chapter 4A-60, Florida Administrative Code.

(E) Proposed amendments may also be submitted by mail, fax, or e-mail to the addresses or fax number noted for chief Jim Goodloe, above.

(F) Please note that all local amendments to the Florida Fire Prevention Code which were adopted as amendments expire at midnight on June 30, 2004, pursuant to Section 633.0215(3)(B), Florida Statutes; Therefore, if any local government desires to keep any local amendment adopted by the division of state fire marshal, the local amendment must be submitted to the Department Of Insurance, Division of state fire marshal by May 5, 2003, or must be adopted in accordance with paragraph, (g), below.

(G) Local amendments may also be adopted in accordance with Section 633.025(4), Florida Statutes, or in accordance with Section 633.0215(10), Florida Statutes.

(H) The intent is to include Rule Chapter 4A-58, Florida Administrative Code, relating to firesafety standards and inspections in educational and ancillary facilities in its entirety, with amendments, as a section in the Florida Fire Prevention Code, and Rule Chapter 4A-58 will, concurrently with the adoption of the new Florida Fire Prevention Code, be repealed. therefore, any amendments to Rule Chapter 4A-58, Florida Administrative Code, must be provided along with amendments to any other provisions.

(I) Each local amendment need not be in any particular form, but each local amendment proposed must be on a separate sheet of paper and must contain at a minimum the following information:

1. Name of local government proposing the amendment;
2. Date sent to the Division of State Fire Marshal;
3. The particular portion of NFPA 1, NFPA 101, or any other code or standard adopted in Rule Chapter 4A-60, Florida Administrative Code, being amended;
4. The language as it currently exists;
5. The proposed language amending that particular portion;
6. A statement as to whether the amendment is intended to be a statewide amendment, a regional amendment (if so, please specify the boundaries of the region) or local (for the particular municipality, county, or special district proposing it),
7. The signature and typed or printed name and title of the local government officer or other official offering the amendment for adoption by the Division of State Fire Marshal.

(J) The notice of rule hearing will contain all of the amendments to Rule Chapter 4A-60 which have been accepted by the State Fire Marshal. If your proposed amendment has not been included in the notice of hearing, that means that it has not been accepted by the Division of State Fire Marshal. To adopt the amendment in your local government, the procedures in Section 633.025(4) or Section 633.0215(10), Florida Statutes, must be followed.

If May 5, 2003, does not provide sufficient time to submit an amendment, please contact Jim Goodloe, Chief, Bureau of Fire Prevention at the above mailing address, phone number, fax number, or e-mail address. For your convenience, a form which may, but is not required to, be used for submission of each local amendment may be obtained at the website whose address is listed above, or by contacting Chief Jim Goodloe as noted above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3171, Fax: (850)922-2553, e-mail: GoodloeJ@dfs.state.fl.us.

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

**DEPARTMENT OF CORRECTIONS**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Appeals to the Office of the Secretary	33-103.007
Grievances of a Medical Nature	33-103.008
Classification of Grievances	33-103.013
Reasons for Return of Grievance or Appeal Without Processing	33-103.014

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to provide for an administrative complaint process for submission of inmate complaints alleging violation of the Health Insurance Portability and Accountability Act (HIPAA) in accordance with 45 C.F.R. 164.530.

**SUBJECT AREA TO BE ADDRESSED:** Inmate grievances alleging violation of HIPAA privacy regulations.

**SPECIFIC AUTHORITY:** 20.315, 944.09 FS., 45 CFR 164.530

**LAW IMPLEMENTED:** 944.09 FS., 45 CFR Part 160, 164  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.**

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

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

33-103.007 Appeals to the Office of the Secretary.

(1) through (5) No change.

(6) Direct Grievances.

(a) through (c) No change.

(d) Grievances alleging violation of the Health Insurance Portability and Accountability Act (HIPAA) must be filed directly with the Office of the Secretary using the Request for Administrative Remedy or Appeal, Form DC1-303, and shall be responded to according to established time frames. The inmate shall state at the beginning of Part A of Form DC1-303 that the grievance concerns HIPAA.

~~(e)~~ Upon receipt of the direct grievance and following review of the same, if it is determined that the grievance is not an emergency grievance, a grievance of reprisal, or a grievance of a sensitive nature, or a grievance alleging a violation of HIPAA, the grievance shall be returned to the inmate with the reasons for return specified advising the inmate to resubmit his or her grievance at the appropriate level. The other applicable procedures in Rule 33-103.007, F.A.C., governing the processing of appeals to the Office of the Secretary shall apply to these three types of grievances.

(7) through (8) No change.

Specific Authority 20.315, 944.09 FS., 45 C.F.R. 164.530 Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164 History–New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 10-7-98, 2-17-99, Formerly 33-29.007, Amended 8-1-00, \_\_\_\_\_.

33-103.008 Grievance of Medical Nature.

(1) No change.

(2) If a grievance appeal of a medical nature or a direct grievance alleging violation of HIPAA is received at the Office of the Secretary, the Bureau of Inmate Grievance Appeals shall forward the grievance to the Office of the Assistant Secretary for Health Services for investigation and response. The disclosure of medical information in a grievance authorizes staff to review the information and to use and disclose the medical information necessary to investigate in order to respond. Following preparation of a response and signature of the responding employee, the grievance shall be returned to the Bureau of Inmate Grievance Appeals to ensure appropriate filing and routing. Other procedures applicable to the processing of a grievance appeal of a medical nature are as stated in Rule 33-103.007, F.A.C.

Specific Authority 20.315, 944.09 FS., 45 C.F.R. 164.530 Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164 History–New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.008, Amended \_\_\_\_\_.

33-103.013 Classification of Grievance.

Following receipt of the grievance or appeal, part C of Form DC1-303 shall be completed and sent to the inmate except for grievances returned for one or more of the reasons cited in Rule 33-103.014, F.A.C. The subject area of the receipt shall indicate the major topic area of the grievance or appeal according to the following classifications:

(1) through (6) No change.

(7) Medical and Dental – All complaints concerning medical, dental, psychiatric and psychological services, and HIPAA.

(8) through (15) No change.

Specific Authority 20.315, 944.09 FS., 45 C.F.R. 164.530 Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164 History–New 10-12-89, Amended 12-22-92, 8-10-97, 2-17-99, Formerly 33-29.013, Amended \_\_\_\_\_.

33-103.014 Reasons for Return of Grievance or Appeal Without Processing.

(1) The informal grievance, formal grievance, grievance filed direct, or grievance appeal, hereafter referred to as “grievance” in this section of the rule may be returned to the inmate without further processing if, following a review of the grievance, one or more of the following conditions are found to exist. The reasons listed below are the only reasons for returning a grievance without a response on the merits.

(a) through (s) No change.

(t) The inmate had filed a grievance at the institutional level that should have been filed directly with the Office of the Secretary.

(2) No change.

Specific Authority 20.315, 944.09 FS., 45 C.F.R. 164.530 Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164 History–New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, 5-10-98, Formerly 33-29.014, Amended \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Maximum Management  
 RULE NO.: 33-601.820

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify definitions of terms used in conjunction with assignment of inmates to maximum management status; correct cross-references and staff titles contained in the rule; incorporate a new form; and revise conditions of confinement provisions related to canteen privileges and emergency visits.

SUBJECT AREA TO BE ADDRESSED: Maximum Management.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.820 Maximum Management.

(1) No change.

(2) Definitions.

(a) No change.

(b) Institutional Classification Team (ICT) – refers to the team responsible for making work, program, housing and inmate status decisions at a facility and for making other local classification recommendations to the state classification office decisions. The Institutional Classification Team 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.

(c) through (g) No change.

(h) State Classification Office (SCO) – refers to a staff members at the central office level who ensure consistent and standard delivery of classification services through direct action or is responsible for the review, approval, or modification of institutional the inmate classification decisions. ~~Duties include approving or rejecting Institutional Classification Team (ICT) recommendations.~~

(3) Maximum Management Placement Criteria.

(a) through (c) No change.

(d) Whenever an inmate has met at least one of the conditions in subsection 33-601.820(3)(a), F.A.C., and the Shift Supervisor believes that the inmate should be reviewed for but not immediately placed in maximum management at the present time, then the Shift Supervisor shall recommend placement by completing Section 1 of Form DC6-101, Referral for Maximum Management. The Shift Supervisor shall notify the Classification Supervisor in writing of the recommendation no later than the following administrative workday.

(e) The Classification Supervisor shall docket the inmate's hearing before the Institutional Classification Team for considering placement in maximum management status in accordance with subsection 33-601.820(3)(6), F.A.C.

(4) Conditions of Placement in Maximum Management.

(a) During initial placement of an inmate into maximum management the following will be provided:

1. through 9. No change.

10. Mail correspondence as provided for Close Management inmates;

11. Emergency visits only as approved by the warden.

(b) Inmates in maximum management status shall not be allowed to make routine bank transactions. Maximum management inmates shall be allowed to make or canteen purchases once each 30 days, with the exception of stamp purchases for mail. The only items that may be purchased are 25 stamps, 1 package of envelopes, and 2 packages of writing paper.

(c) through (8) No change.

(9) Review of Maximum Management.

(a) No change.

(b) If an inmate remains in maximum management status for 90 days or more, a member of the State Classification Office shall conduct an on-site review of the inmate's maximum management status every 90 days from the date of placement in maximum management and shall document the review on Form DC6-122, SCO Maximum Management Review. Form DC6-122 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.

1. through 4. No change.

(10) Appeal of an MMRT Decision.

(a) The Institutional Classification Team may appeal an MMRT decision to the ~~Deputy~~ Director of ~~Institutions~~ ~~(Classification)~~ and Programs.

(b) No change.

(c) The ~~Deputy~~ Director of Classification and Programs shall approve or modify the MMRT decision or reclassify the inmate.

(d) The decision of the Director of Classification and Programs is final.

(11) Security Requirements.

(a) All security requirements outlined in Rules 33-601.801 through 33-601.800813, F.A.C., for close management inmates are applicable for all maximum management inmates.

(b) No change.

(12) Other Conditions Of Confinement.

(a) through (d) No change.

(e) Inmates who are housed in Maximum Management will have health care services to the same extent as all other close management inmates. Monitoring of inmates will be as described in Rule 33-601.8009, F.A.C., ~~Close Management Case Management Responsibilities.~~

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 12-7-00, Amended \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Outpatient Hospital Services

RULE NO.: 59G-4.160

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Hospital Coverage and Limitations Handbook, March 2003. Appendix C in the handbook contains the 2003 outpatient hospital laboratory and pathology codes and fee schedule, effective for dates of service on and after March 1, 2003. The effect will be to incorporate in the rule the current Florida Medicaid Hospital Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Outpatient Hospital Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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 – 10:00 a.m., April 7, 2003

PLACE: Agency for Health Care Administration, 2728 Fort Knox Boulevard, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ouida Mazzoccoli, Bureau of Medicaid Services, 2728 Fort Knox Boulevard, Building 3, Tallahassee, Florida 32308, (850)922-7351

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.160 Outpatient Hospital Services.

(1) This rule applies to all hospital providers enrolled in the Medicaid program.

(2) All hospital providers enrolled in the Medicaid program must comply with the Florida Medicaid Hospital Coverage and Limitations Handbook, ~~March 2003~~ ~~January 2002~~, and the Florida Medicaid Provider Reimbursement Handbook, UB-92, October 1998, both incorporated by reference in this rule. Both handbooks are available from the fiscal agent contractor.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 1-1-77, Revised 12-7-78, 1-18-82, Amended 7-1-83, 7-16-84, 7-1-85, 10-31-85, Formerly 10C-7.40, Amended 9-16-86, 2-28-89, 5-21-91, 5-13-92, 7-12-92, 1-5-93, 6-30-93, 7-20-93, 12-21-93, Formerly 10C-7.040, Amended 6-13-94, 12-27-94, 2-21-95, 9-11-95, 11-12-95, 2-20-96, 10-27-98, 5-12-99, 10-18-99, 3-22-01, 8-12-01, 2-25-03, \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Independent Laboratory Services

RULE NO.: 59G-4.190

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook, March 2003. The handbook change consists of the March 2003 fee schedule. The effect will be to incorporate by reference in the rule the current Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Independent Laboratory Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 FS.

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

TIME AND DATE: 9:00 a.m., April 14, 2003

PLACE: Agency for Health Care Administration, 2728 Ft. Knox Boulevard, Building 3, Conference Room E, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Susan Rinaldi, Medicaid Services Office, 2728 Ft. Knox Blvd., Building 3, MS #20, Tallahassee, Florida 32308-5403, (850)922-7308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.190 Independent Laboratory Services.

(1) No change.

(2) All independent laboratory providers enrolled in the Medicaid program must comply with the provisions of the Florida Medicaid Independent Laboratory Coverage and

Limitations Services Handbook, ~~March 2003~~ ~~April 2001~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, which is incorporated by reference in Rule 59G-5.020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 1-1-77, Amended 10-11-81, Formerly 10C-7.41, Amended 6-30-92, Formerly 10C-7.041, Amended 9-28-94, 1-9-96, 10-20-96, 9-14-97, 3-22-00, 5-16-01, 2-14-02, \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Portable X-Ray Services

RULE NO.: 59G-4.240

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Portable X-ray Services Coverage and Limitations Handbook, March 2003. The handbook change consists of the March 2003 fee schedule. The effect will be to incorporate by reference in the rule the current Florida Medicaid Provider General Handbook.

SUBJECT AREA TO BE ADDRESSED: Portable X-ray Services Coverage and Limitations Handbook.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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., April 14, 2003

PLACE: Agency for Health Care Administration, 2728 Ft. Knox Boulevard, Building 3, Conference Room E, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Susan Rinaldi, Bureau of Medicaid Services, 2727 Ft. Knox Blvd., Bldg. 3, MS#20, Tallahassee, Florida 32308-5403, (850)922-7308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.240 Portable X-Ray Services.

(1) This rule applies to all suppliers of portable x-ray services enrolled in the Medicaid program.

(2) All portable x-ray providers enrolled in the Medicaid program must comply with the provisions of the Florida Medicaid Portable X-ray Services Coverage and Limitations Handbook, ~~March 2003~~ ~~April 2001~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, which is incorporated by reference in Rule 59G-5.020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 10-11-81, Formerly 10C-7.411, Amended 7-1-92, Formerly 10C-7.0411, Amended 5-16-94, 1-9-96, 10-20-96, 8-27-97, 3-22-00, 2-14-02,

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Provider Requirements  
 RULE NO.: 59G-5.020

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Provider General Handbook and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, October 2003. The effect will be to reword Chapters one through five of the existing rule and rename this section as the Florida Medicaid Provider General Handbook and to substantially rewrite Chapters six through eight of the existing rule and rename this section as the Florida Medicaid Provider Reimbursement Handbook, CMS-1500. Both handbook are incorporated by reference in this rule.

SUBJECT AREA TO BE ADDRESSED: Provider Requirements.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 FS.

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

TIME AND DATE: 9:00 a.m., April 7, 2003

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Mail Stop 20, Conference Room, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lynne Metz, Medicaid Services, 2727 Mahan Drive, Building #3, MS 20, Tallahassee, Florida 32308, (850)922-7325

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-5.020 Provider Requirements.

All Medicaid providers, and billing agents who submit claims to Medicaid on behalf of an enrolled Medicaid provider, who are required by their program-specific coverage and limitations handbooks to bill a paper CMS-1500 claim form to the Florida Medicaid program for reimbursement of services performed on a Medicaid eligible recipient ~~All advanced registered nurse practitioners; ambulatory surgery centers; audiologists; birthing centers; child health check up providers; chiropractors; community mental health services providers; county health departments; county health department certified match providers; dentists (when submitting claims on the HCFA 1500 claim form); durable medical equipment and medical supply providers; early intervention service providers; federally qualified health centers; freestanding dialysis centers;~~

~~hearing aid specialists; home health agencies; independent laboratories; licensed midwives; Medicaid certified school match providers; medical foster care providers; opticians; physicians; physicians assistants; podiatrists; portable x-ray providers; prescribed pediatric extended care centers; registered nurse first assistants; rural health clinics; therapists; and visual services providers enrolled in the Medicaid program and their billing agents must be in compliance~~ comply with the provisions of the Florida Medicaid Provider General Handbook and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 and Child Health Check-Up 221, updated May 2001, October 2003, which is incorporated by reference and available from the fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912 FS. History—New 9-22-93, Formerly 10P-5.020, Amended 7-8-97, 1-9-00,4-24-01, 8-6-01,

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE TITLE: Beverage Licenses, New Quota Issue  
 RULE NO.: 61A-5.0105

PURPOSE AND EFFECT: The Department proposes to amend the rule to clarify the process by which licenses are issued when they are obtainable as a result of an increase in population.

SUBJECT AREA TO BE ADDRESSED: Application and complaint forms.

SPECIFIC AUTHORITY: 561.19, 561.20 FS.

LAW IMPLEMENTED: 561.19, 561.20 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: Michael A. Martinez, Chief Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 N. Monroe Street, Tallahassee, Florida 32399-2202

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers' Board**

RULE TITLES:	RULE NOS.:
Barber License	61G3-16.001
Examination for Barber Licensure	61G3-16.0010
Restricted Barber License	61G3-16.006
Examination for Restricted Licensure	61G3-16.007

PURPOSE AND EFFECT: The Board proposes the amend these rules to address the shave service, permanent wave service, and safety and sanitation.

SUBJECT AREA TO BE ADDRESSED: Barber License, Examination for Barber License, Restricted Barber License, Examination for Restricted Licensure.

SPECIFIC AUTHORITY: 455.217(1)(b), 476.064(4), 476.114(2), 476.134, 476.144(6), 455.217, 476.144 FS., Chapter 98-323, Laws of Florida.

LAW IMPLEMENTED: 455.217(1)(b), 476.114(2), 476.134, 476.144(6), 455.217, 476.144 FS., Chapter 98-323, Laws of Florida.

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

TIME AND DATE: 9:00 a.m., Sunday, May 18, 2003

PLACE: Hawthorne Suites Orlando Airport, 7450 Augusta National Drive, Orlando, Florida 32822, 1(800)288-2027

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Malone, 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**

**Construction Industry Licensing Board**

RULE TITLE: List of Approved Forms; Incorporation

RULE NO.: 61G4-12.006

PURPOSE AND EFFECT: The Board proposes to review and amend the list of approved forms and incorporation information.

SUBJECT AREA TO BE ADDRESSED: List of Approved Forms; Incorporation.

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 120.52(15), 489.108, 489.118, 489.119, 489.1195 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE: Certification and Registration of Business Organizations

RULE NO.: 61G4-15.0021

PURPOSE AND EFFECT: The Board proposes to review and amend the language discussing the certification and registration of business organizations.

SUBJECT AREA TO BE ADDRESSED: Certification and Registration of Business Organizations.

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 489.105, 489.107, 489.115, 489.119, 489.1195, 489.143 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE: Requirements for Certification and Registration

RULE NO.: 61G4-15.005

PURPOSE AND EFFECT: The Board proposes to review and amend the language discussing the requirements for certification and registration with the Board.

SUBJECT AREA TO BE ADDRESSED: Requirements for Certification and Registration.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Timothy

Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE: Financial Responsibility, Definition, Grounds for Denial  
 RULE NO.: 61G4-15.006  
 PURPOSE AND EFFECT: The Board proposes to review and amend the language detailing the financial responsibility and ground for denial of licensees.  
 SUBJECT AREA TO BE ADDRESSED: Financial Responsibility, Definition, Grounds for Denial.  
 SPECIFIC AUTHORITY: 489.115(5),(6) FS.  
 LAW IMPLEMENTED: 489.115(5),(6) 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE: Certification of Specialty Structure Contractors  
 RULE NO.: 61G4-15.015  
 PURPOSE AND EFFECT: The Board proposes to review and amend the language discussing certification of specialty structure contractors.  
 SUBJECT AREA TO BE ADDRESSED: Certification of Specialty Structure Contractors.  
 SPECIFIC AUTHORITY: 120.53, 489.113(6), 489.115(4) FS.  
 LAW IMPLEMENTED: 120.53, 489.113(6), 489.115(4) 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE: Written Certification Examination Requirements  
 RULE NO.: 61G4-16.001  
 PURPOSE AND EFFECT: The Board proposes to review and amend the language discussing written certification examination requirements.  
 SUBJECT AREA TO BE ADDRESSED: Written Certification Examination Requirements.  
 SPECIFIC AUTHORITY: 455.217, 489.108 FS.  
 LAW IMPLEMENTED: 455.217, 489.113 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE CHAPTER TITLE: Application for Licensure, Education Requirements, and Experience  
 RULE CHAPTER NO.: 61G15-20  
 PURPOSE AND EFFECT: The Board proposes to review the existing text to determine if amendments are necessary to the rules in this chapter to ensure that the requirements therein match the Board approved engineering programs through engineering criteria established by the Education Accreditation Commission of the Accreditation Board for Engineering and Technology (EAC/ABET).  
 SUBJECT AREA TO BE ADDRESSED: Standards for evaluation of applications for licensure, including education and experience requirements.



SPECIFIC AUTHORITY: 471.013 FS.  
 LAW IMPLEMENTED: 471.013, 471.015 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: Natalie Lowe, Administrator, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLE: Definitions  
 RULE NO.: 61G15-22.002  
 PURPOSE AND EFFECT: The Board proposes to add a definition for “commercial educator.”  
 SUBJECT AREA TO BE ADDRESSED: Commercial Educator.  
 SPECIFIC AUTHORITY: 455.213(6), 455.2177, 455.2178, 455.2179, 471.017(3), 471.019 FS.  
 LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008 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: Julie Baker, Acting Executor Director, Board of Professional Engineers, 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**

**Florida Real Estate Commission**

RULE TITLE: Notices of Satisfactory Course Completion  
 RULE NO.: 61J2-3.015  
 PURPOSE AND EFFECT: The purpose of the proposed rule development is to amend the rule to better comply with statutory changes, which took effect July 1, 2002.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to record keeping affecting course completion.  
 SPECIFIC AUTHORITY: 455.2123, 475.05 FS.  
 LAW IMPLEMENTED: 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS.  
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:  
 TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, April 16, 2003  
 PLACE: Division of Real Estate, Commission Meeting Room, N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Recreation and Parks**

DOCKET NO.: 03-11R  
 RULE CHAPTER TITLE: Land and Water Conservation  
 RULE CHAPTER NO.: 62D-5, Part VII  
 Fund Program  
 RULE TITLE: Definitions  
 RULE NO.: 62D-5.069  
 PURPOSE AND EFFECT: The Division of Recreation and Parks is proposing to amend the Rules of Chapter 62D, Part VII, Florida Administrative Code, to change the date of the currently effective state comprehensive outdoor recreation plan (SCORP) to April 25, 2002. Interested parties may contact Collier Clark, (850)488-7896.  
 The full text of this notice is published on the Internet at the Department’s home page at <http://www.dep.state.fl.us> under the link or button entitled “Official Notices.”

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Office of the Secretary**

DOCKET NO.: 03-01R  
 RULE CHAPTER TITLE: Coastal Management  
 RULE CHAPTER NO.: 62S-4  
 Program Grants  
 PURPOSE AND EFFECT: The Department will propose amendments to the various sections of Rule Chapter 62S-4, F.A.C., to increase financial assistance awards available for coastal management grant projects; change date for noticing availability of funds; require grant applicants to consult with regulatory agencies; include DEP programs in “Project Benefit” and project evaluation criteria sections; require

submission of budget with grant applications; require submission of 306A checklist with grant application; limit number of applications that may be filed annually; amend review criteria; and make other clarifications.

SUBJECT AREA TO BE ADDRESSED: Coastal Management Program Grants.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

For further information, contact Susan Goggin, Florida Coastal Management Program, 3900 Commonwealth Blvd., MS #47, Tallahassee, FL 32399-3000, (850)245-2161 or [susan.goggin@dep.state.fl.us](mailto:susan.goggin@dep.state.fl.us).

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Requirement for Physician Office

RULE NO.:

Registration; Inspection or Accreditation 64B8-9.0091

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address office inspection criteria.

SUBJECT AREA TO BE ADDRESSED: Physician office inspections.

SPECIFIC AUTHORITY: 458.309(1),(3) FS.

LAW IMPLEMENTED: 456.069, 458.309(3) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE TITLES: Licensing, Application, Permitting

RULE NOS.:

Fees 64F-12.015

64F-12.018

PURPOSE AND EFFECT: To delete redundant language in the rule regarding the amount of a bond required by statute. This will allow flexibility with respect to the bond requirement such as possible legislation, which may go into effect July 1, 2003. If the bill does not pass the proposed rule validly reflects whatever bond amount is required by law to be submitted with an application.

SUBJECT AREA TO BE ADDRESSED: The rule setting forth various fees under the Florida Drug and Cosmetic Act, Chapter 499, Florida Statutes, ("the Act") currently identifies the fee for the refundable bond that a prescription drug wholesaler must submit with an application for a prescription drug wholesaler permit. This proposed rule will delete that amount and provide for the possibility in statute of a bond for an out-of-state prescription drug wholesaler.

SPECIFIC AUTHORITY: 499.05 FS.

LAW IMPLEMENTED: 499.012 FS.

A RULE DEVELOPMENT WORKSHOP WILL NOT BE HELD. THE AGENCY HEAD HAS DETERMINED THAT A RULE DEVELOPMENT WORKSHOP IS UNNECESSARY SINCE THE RULE WILL NOW REFER TO STATUTORY REQUIREMENTS THAT DO NOT NEED ELABORATION BY RULE.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sandra Stovall, Compliance Officer, 2818-A Mahan Drive, Tallahassee, Florida 32308, (850)487-1257, Ext. 210, [sandra\\_stovall@doh.state.fl.us](mailto:sandra_stovall@doh.state.fl.us)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-12.015 Licensing, Application, Permitting.

This section addresses the application and permitting requirements of person regulated under Part I of Chapter 499, F.S.

(1) through (6) No change.

(7) WHOLESALER PERMITS.

(a) No change.

(b) The Prescription Drug Wholesaler's bond and the bond for an out-of-state prescription drug wholesaler, if applicable, will be transferred by the department to subsequent permits issued pursuant to renewal applications if the bond or other equivalent means of security is in a form that will allow for such transfer. The bond will be refunded to the prescription drug wholesaler, without interest, consistent with the provisions of s. 499.012(2) upon notification of the closing of the prescription drug wholesale business and return of the permit as required in s. 499.01(4)(d), F.S., and Rule 64F-12.015(5). In order for another means of security to satisfy the bond requirement, the security must be in a form that the applicant or permittee cannot revoke, withdraw, cancel, or otherwise reduce the department's interest until the conditions upon which the bond can be refunded or released, as set forth in Section 499.012(2), F.S., have been satisfied.

(c) through (f) No change.

(8) through (9) No change.

Specific Authority 499.01, 499.012, 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.62, 499.63, 499.64, 499.66, 499.67, 499.701 FS. Law Implemented 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.028, 499.04, 499.041, 499.05, 499.06, 499.062, 499.063, 499.064, 499.066, 499.067 FS. History—New 12-12-82, Amended 7-8-84, 1-30-85, Formerly 10D-45.54, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.054, Amended 1-26-99, 4-18-01, 10-29-02,\_\_\_\_\_.

64F-12.018 Fees.

(1) through (3) No change.

(4) Miscellaneous other fees are as follows:

<u>Description of other service fees</u>	<u>Fee</u>
Initial Application / On-site Inspection	\$150

(The initial application/on-site inspection fee is non-refundable.)

Prescription Drug Wholesaler Bond or Out-of-State Prescription Drug Wholesaler Bond, if applicable, as set forth in s. 499.012(2), (refundable) **\$200**

Change of Address Fee:

A relocation fee of \$100 must be paid for each permitted person relocating for which an on-site inspection is required. If no on-site inspection is required, the relocation fee is \$25 per permit. If a permitted person has multiple permits under the same permitted name and address and relocates any or all permitted activities concurrently to the new location, then only one \$100 fee is required plus \$25 for all other permits.

Product Registration (per drug or cosmetic product registered) \$ 20 \*

\* The registration fee for a drug or cosmetic product being amended to an existing product registration that has 12 months or less until it expires is \$10.

Listed Identical Products	\$ -0-
Free Sale Certificate	\$ 25
Signature copy (requested concurrently)	\$ 2
Delinquent Establishment Permit Renewal	\$100

(5) No change.

Specific Authority 499.01, 499.012, 499.015, 499.04, 499.041, 499.05 FS. Law Implemented 499.01, 499.012, 499.015, 499.04, 499.041 FS. History—New 7-1-96, Formerly 10D-45.0544, Amended 4-18-01,\_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF INSURANCE

RULE TITLE: Annual and Quarterly Reporting Requirements RULE NO.: 4-137.001

PURPOSE, EFFECT AND SUMMARY: To update Annual and Quarterly Reporting Requirements to be consistent with new NAIC Standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.307, 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.424(1) FS.

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

TIME AND DATE: 9:00 a.m., April 16, 2003

PLACE: Room 145, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Bureau of Life and Health Insurer Solvency, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0327, phone (850)413-3153

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 the person listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

4-137.001 Annual and Quarterly Reporting Requirements.

(4) Manuals Adopted.

(a) Annual and quarterly statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC's Annual Statement Instructions, Property and Casualty, 2003 2002;

2. The NAIC's Annual Statement Instructions/Life, Accident and Health, 2003 2002; and

3. ~~At the option of a life, accident, and health company or a property and casualty company whose policy and contract premiums, claims, and liabilities are 100% health insurance,~~ The NAIC's Annual Statement Instructions/Health, 2003 2002; and

4. The NAIC's Accounting Practices and Procedures Manual, as of March 2003 2002.

(b) No change.

Specific Authority 624.307, 624.308(1) FS. Law Implemented 624.307(1), 624.424(1) FS. History-New 3-31-92, Amended 8-24-93, 4-9-95, 4-9-97, 4-4-99, 11-30-99, 2-11-01, 4-5-01, 12-4-01, 12-25-01, 8-18-02,\_\_\_\_\_.

NAME OF PERSON ORIGINATING RULE: Kerry Krantz, Bureau of Life and Health Insurer Solvency, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Streukens, Bureau Chief, Bureau of Life and Health Insurer Solvency, Department of Insurance

DATE PROPOSED RULE APPROVED BY THE AGENCY HEAD: March 4, 2003  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 8, 2002

**DEPARTMENT OF INSURANCE**

RULE TITLE: NAIC Financial Examiners  
 RULE NO.: 4-138.001

Handbook Adopted  
 PURPOSE, EFFECT AND SUMMARY: To adopt the 2003 Edition of NAIC Financial Examiners Handbook.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308(1) FS.  
 LAW IMPLEMENTED: 624.307(1), 624.316(1)(c) FS.

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

TIME AND DATE: 9:00 a.m., April 16, 2003  
 PLACE: Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Bureau of Life and Health Insurer Solvency, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0327, phone (850)413-3153

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 the person listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

4-138.001 NAIC Financial Examiners Handbook Adopted.

(1) The National Association of Insurance Commissioners Financial Condition Examiners Handbook Volume I (2003 ~~2002~~) is hereby adopted and incorporated by reference.

(2) through (3) No change.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.316(1)(c) FS. History—New 3-30-92, Amended 4-9-97, 4-4-99, 11-30-99, 2-11-01, 12-25-01, 8-18-02,\_\_\_\_\_.

NAME OF PERSON ORIGINATING RULE: Kerry Krantz, Bureau of Life and Health Insurer Solvency, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Streukens, Bureau Chief, Bureau of Life and Health Insurer Solvency, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 8, 2002

**DEPARTMENT OF INSURANCE**

RULE TITLE: Effect of Law Enforcement Records on  
 RULE NO.: 4-211.042

Applications for Licensure  
 PURPOSE AND EFFECT: To discuss amending paragraph 4-211.042(21)(aa), F.A.C., to insert the words “with intent to defraud” after “passing worthless check(s)” in the list of class A crimes. This is to explicitly conform the rule to case law construing the meaning of “moral turpitude” in the context of writing a bad check; e.g., *The Florida Bar v. Davis*, 361 So2d 159.

SUMMARY: The explicit inclusion of fraudulent intent to “passing worthless check(s)” in the list of crimes involving moral turpitude for the purpose of insurance representative licensure application evaluation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 112.011, 624.307(1), 626.161, 626.171, 626.201, 626.207, 626.211, 626.291, 626.601, 626.611(7),(14), 626.621(8), 626.631, 626.641 FS.

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

TIME AND DATE: 9:30 a.m., Monday, April 14, 2003  
 PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Audrey Huggins, Chief, Bureau of Agent and Agency Licensing, Division of Agent and Agency Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0319, (850)413-5405

THE FULL TEXT OF THE PROPOSED RULE IS:

4-211.042 Effect of Law Enforcement Records on Applications for Licensure.

(1) through (20) No change.

(21) Class “A” Crimes include all those listed in this subsection, where such crimes are felonies, and all are of equal weight notwithstanding from which subparagraph they are drawn. The Department finds that each felony crime listed in this subsection is a crime of moral turpitude.

(a) through (z) No change.

(aa) Passing worthless check(s) with intent to defraud.

(bb) through (ll) No change.

(22) through (24) No change.

Specific Authority 624.308 FS. Law Implemented 112.011, 624.307(1), 626.161, 626.171, 626.201, 626.207, 626.211, 626.291, 626.601, 626.611(7), (14), 626.621(8), 626.631, 626.641 FS. History—New 10-17-02, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Alice Palmer, Director of Agent and Agency Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Audrey Huggins, Bureau Chief of Agent and Agency Licensing, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2002

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

**DEPARTMENT OF INSURANCE**

**Division of State Fire Marshal**

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Uniform Fire Safety Standards for Residential Child Care Facilities 4A-41

RULE TITLES: RULE NOS.:

PART I: RESIDENTIAL CHILD CARE FACILITIES FOR SIX OR MORE CHILDREN

PART II: RESIDENTIAL CHILD CARE FACILITIES FOR FIVE OR FEWER CHILDREN

Scope 4A-41.101

Definitions 4A-41.102

Standards of the National Fire Protection Association Adopted 4A-41.103

Occupancy Capacity of Each Facility 4A-41.104

Emergency Egress and Relocation Drills 4A-41.105

Inspections 4A-41.106

Cooking Equipment; Exception 4A-41.107

PURPOSE AND EFFECT: Provide firesafety standards for residential child care homes for facilities with five or fewer children, based upon changes to Chapter 409, Florida Statutes, and Rule Chapter 65C-14, Florida Administrative Code.

SUMMARY: Provides firesafety standards for residential child care homes for facilities with five or fewer children.

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

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

SPECIFIC AUTHORITY: 409.175(6)(f), 633.01(1) FS.

LAW IMPLEMENTED: 409.175(6)(f), 633.022 FS.

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

TIME AND DATE: 9:00 a.m., Wednesday, April 23, 2003

PLACE: Room 116, Larson Building, Tallahassee, Florida Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Millicent King, (850)413-3619.

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

THE FULL TEXT OF THE PROPOSED RULES IS:

UNIFORM FIRE SAFETY STANDARDS FOR RESIDENTIAL CHILD CARE FACILITIES

4A-41.101 Scope.

(1) These rules apply to any residential child care facility required to be licensed by the Florida Department of Children and Family Services, pursuant to Section 409.175, Florida Statutes, in which full-time residence is provided to five or fewer children who are unrelated to the proprietor and who are under age 18. Programs which use such a facility include, for example, group homes which are administered by an agency, wilderness camps, maternity homes, emergency shelters, and runaway shelters.

(2) These rules address life safety during fires and similar emergencies. They address particular matters of construction, protection, and occupancy of buildings to minimize danger to life from fire, smoke, fumes or panic before buildings are vacated.

Specific Authority 409.175(6)(f), 633.01(1) FS. Law Implemented 409.175(6)(f), 633.022(1)(b) FS. History—New \_\_\_\_\_.

4A-41.102 Definitions.

As used in this part of these rules:

(1) “Community Residential Group Home”, or “facility” means A “Family Foster Home” as defined in Section 409.175(2)(e), Florida Statutes.

(2) “Agency” means a residential child caring agency or a child-placing agency.

(3) “AHJ” means the local authority having firesafety and fire prevention jurisdiction which employs or contracts with at least one firesafety inspector certified under Chapter 633, Florida Statutes.

(4) “Division” means the Division of State Fire Marshal of the Department of Insurance.

(5) “NFPA” means the National Fire Protection Association.

(6) “Child” means any unmarried person under the age of 18 years.

(7) “Owner” means the person who is licensed to operate the child-placing agency, family foster home, or residential child-caring agency.

Specific Authority 409.175(6)(f), 633.01(1) FS. Law Implemented 409.175(6)(f), 633.022 FS. History—New \_\_\_\_\_.

4A-41.103 Standards of the National Fire Protection Association Adopted.

(1) The following portions of NFPA 101, the Code for Safety to Life from Fire in Buildings and Structures, known as the Life Safety Code, 2000 edition, are hereby adopted and incorporated herein by reference: Sections 32-3.3.4.7, 32-3.3.4.8, and 32-3.3.5.5 only, of Chapter 32, Florida Statutes.

(2) The codes and standards published by the National Fire Protection Association may be obtained by writing to the NFPA at: 1 Batterymarch Park, Quincy, Massachusetts 02269-9101. All standards adopted and incorporated by reference in this rule are also available for public inspection during regular business hours at the Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303.

Specific Authority 409.175(6)(f), 633.01(1) FS. Law Implemented 409.175(6)(f), 633.022(1)(b) FS. History—New \_\_\_\_\_.

4A-41.104 Occupancy Capacity of Each Facility.  
The total number of children shall be as determined in accordance with Section 409.175(3)(a), Florida Statutes.

Specific Authority 409.175(6)(f), 633.01(1) FS. Law Implemented 409.175(6)(f), 633.022(1)(b) FS. History—New \_\_\_\_\_.

4A-41.105 Emergency Egress and Relocation Drills.

(1) A emergency egress & relocation drill shall be conducted by each owner at each facility at least three (3) times per year. Each emergency egress & relocation drill shall be conducted at least 90 days after the previous emergency egress & relocation drill. The AHJ is permitted to require an additional emergency egress & relocation drill in conjunction with an annual firesafety inspection.

(2) The purpose of each emergency egress & relocation drill is to familiarize each occupant with the procedures required for the safe, orderly, and expeditious exiting of the building or structure. All occupants shall exit the building or

structure to a predetermined area of safety. The climate and weather conditions shall be taken into consideration when scheduling any emergency egress & relocation drill.

(3) Each emergency egress & relocation drill shall be conducted at an unexpected time and under varying conditions that may occur in the case of fires.

(4) During each emergency egress & relocation drill, all occupants shall evacuate the building independently or with staff assistance or any other available assistance, as needed.

(5) Each emergency egress & relocation drill shall be applicable to all occupants of the facility with emphasis on the safe, orderly, and expeditious exiting under proper discipline.

(6) Any occupant subject to a emergency egress & relocation drill shall proceed to a predetermined location outside the building and remain there until all occupants are accounted for. Occupants are permitted to return to the building only when allowed by the person conducting the emergency egress & relocation drill.

(7) The owner shall keep a record of each emergency egress & relocation drill on Form DI4-1557, (rev. 02/2003), Record of Emergency egress & relocation drill, which is hereby adopted and incorporated into these rules by reference. Copies of the form may be obtained by writing to the Department of Insurance, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, Florida 32399-0342. The record shall list as a minimum:

- (a) The date the drill was conducted.
- (b) The time of day the drill was conducted.
- (c) The amount of time, in minutes and seconds, that were required for all occupants to safely exit the building.
- (d) Any unusual circumstance, in narrative or outline form, affecting the safe, orderly and expeditious exit from the building.

(8) If the owner does not keep the record required by subsection (6), or keeps it in a manner that is incomplete, incorrect, or otherwise does not contain the required information, another emergency egress & relocation drill must be performed as soon as possible and the results correctly recorded. In addition, the firesafety inspector shall advise the Department of Children and Families that the facility is not maintaining compliance with the firesafety requirements.

Specific Authority 409.175(6)(f), 633.01(1) FS. Law Implemented 409.175(6)(f), 633.022(1)(b) FS. History—New \_\_\_\_\_.

4A-41.106 Inspections.

(1) The firesafety inspector shall conduct a firesafety inspection for each facility prior to occupancy as Community Residential Group Home.

(2) The owner shall request from the AHJ a firesafety inspection at least 30 days in advance of license renewal.

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

(4) The owner shall be responsible for requesting all required firesafety inspections in writing or electronic format, except for any additional firesafety inspections which may be required as provided in subsection (3).

(5) Each required firesafety inspection shall be completed by the AHJ, where available.

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

(7) A local firesafety inspector, or if no local firesafety inspector is available, a special state firesafety inspector, certified in accordance with Chapter 633, Florida Statutes, shall complete each required firesafety inspection.

(8) The inspecting authority shall provide a copy of each inspection report to the Department of Children and Families within thirty days after completing the inspection.

Specific Authority 409.175(6)(f), 633.01(1) FS. Law Implemented 409.175(6)(f), 633.022(1)(b) FS. History—New \_\_\_\_\_.

4A-41.107 Cooking Equipment; Exception.

Notwithstanding any previous construction or interpretation of any law, rule, or code provision, any time a single domestic range or stove is used in an arrangement similar to that of a single family residence, the facility shall not be required to comply with NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, the edition as adopted in Rule 4A-3.012, Florida Administrative Code.

Specific Authority 409.175(6)(f), 633.01(1) FS. Law Implemented 409.175(6)(f), 633.022(1)(b) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3620

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Randall A. Napoli, Director, Division of State Fire Marshal, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 17, 2003

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**Division of Motor Vehicles**

RULE TITLE:  
Application for License; Requirements for Office, Display Space and Operation; Denial, Suspension or Revocation; Implementation

RULE NO.:

15C-7.003

PURPOSE AND EFFECT: The purpose of the proposed action is to make applying for a dealer license more convenient for applicants by deleting the requirement for two photographs of the proposed dealer location. This decision was made by the Used Motor Vehicle Industry Task Force and reinforced by the new Automobile Dealers Advisory Board.

SUMMARY: The proposed rule amendment deletes the requirement that requires applicants to submit photographs of the dealership locations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The costs of the rule actions to the agency will be those normally associated with the administrative processing of rulemaking activity. There are no costs to others for implementing and enforcing the proposed rule actions. The proposed rule action will have no discernible impact on small entities.

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: 320.011 FS.

LAW IMPLEMENTED: 320.27 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Alderman, Attorney, General Counsel, Department of Highway Safety and Motor Vehicles, Room A432, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)488-1606

THE FULL TEXT OF THE PROPOSED RULE IS:

15C-7.003 Application for License; Requirements for Office, Display Space and Operation; Denial, Suspension or Revocation; Implementation.

(1) through (2) No change.

(3) Applications for Motor Vehicle Dealer’s License.

(a) through (b) No change.

(c) All applications shall have attached all documentation and endorsements necessary to substantiate the applicant’s compliance with the requirements of Section 320.27(3), Florida Statutes, and this rule. Such documentation or endorsements shall include:

1. through 9. No change.

~~10. Two positive print photographs of the proposed licensed place of business. The photographs shall be a minimum of 3" x 4" in size. One photograph shall depict the exterior of the dealership from a distance to clearly show two (2) sides of the building, one side of which shall be the public entrance into the dealership. The second photograph shall show the remaining sides of the building which will house the~~

dealership. At least one of the photographs must reflect the area to be used for display of vehicles/units offered for sale, if display space is required.

(4) through (10) No change.

Specific Authority 319.27, 320.011 FS. Law Implemented 319, 320.27 FS. History—New 9-24-90, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dwight F. Davis, Chief Bureau of Field Operation, Division of Motor Vehicles, Department of Highway Safety and Motor Vehicles, Room B372, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)488-2394

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Director Carl Ford, Division of Motor Vehicles

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 2, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 28, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractor’s Licensing Board**

RULE TITLE: General Definitions RULE NO.: 61G6-4.019

PURPOSE AND EFFECT: The Board proposes to add “Internet Websites” to the list of terms for which “advertising media” will be applicable.

SUMMARY: “Internet websites” is added to the list of terms for which “advertising media” will be applicable.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 489.507(3) FS.

LAW IMPLEMENTED: 489.521(7)(b) 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: Anthony Spivey, Executive Director, Electrical Contractors’ Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-4.019 General Definitions.

The following words, terms and phrases are used in Chapter 489, Part II, F.S., shall mean the following: The term “other advertising media” shall apply to business proposals, bill of

sales, contracts, business cards, construction site signs, all newspapers, airwave transmission, phone directory, handbills, billboards, flyers, shopping and service guides (coupon offerings), magazines (including trade association publications), classified advertisements, internet websites, manufacturer’s “authorized dealer” listings, and signs on vehicles. They shall not apply to business stationery, balloons, pencils, pens, hats, articles of clothing, or other promotional novelties. Neither shall the terms apply to free phone directory listings (regardless of page color) of one, two, or three lines, which display nothing more than the proper name, company name, address and telephone numbers in whole or in part in an unbolded or unhighlighted print and without further textual or pictorial elaboration or touting in its overall display.

Specific Authority 489.507(3) FS. Law Implemented 489.521(7)(b) FS. History—New 8-23-89, Amended 7-3-91, Formerly 21GG-4.019, Amended 12-24-97, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrical Contractors’ Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors’ Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 23, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 14, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors’ Licensing Board**

RULE TITLE: Application for Certification by Examination: Reexamination RULE NO.: 61G6-5.002

PURPOSE AND EFFECT: The Board proposes to add language to the existing rule to address the deadline for reexamination applications and any other required forms and documents.

SUMMARY: Re-examination applications and any other required forms and documents must be completed and filed with the Department at least forty-five (45) days prior to the date of the examination for which the individual is applying.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 489.507(3) FS.

LAW IMPLEMENTED: 489.511 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: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-5.002 Application for Certification by Examination: Reexamination.

(1) An applicant for certification by examination or by endorsement shall submit the complete application form together with all supporting data (including information required to be submitted under Rule 61G6-5.004 and Rule 61G6-5.003, F.A.C., if applicable) to the Department of Business and Professional Regulation. The application shall be accompanied by the application fee. All initial applications for examination must be completed and filed with the Department at least ninety (90) days prior to the date of the examination. All applications not completed by the deadline will be automatically scheduled for the next examination. Correspondence, requests, information or other documents pertinent to the application must be postmarked twenty-one (21) days or received fourteen (14) days prior to any scheduled meeting of the Board. Items received after the fourteen (14) day period may not be considered until the next meeting of the Board. Any application that is not complete within one year from date of initial filing will be closed.

(2) All reexamination applications, and any other required forms and documents must be completed and filed with the Department at least forty-five (45) days prior to the date of the examination for which the individual is applying.

Specific Authority 489.507(3) FS. Law Implemented 489.511 FS. History--New 1-2-80, Amended 10-30-80, Formerly 21GG-5.02, Amended 10-30-88, 11-3-92, Formerly 21GG-5.002, Amended 4-5-95,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 23, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 14, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE TITLE: Safety Guidelines RULE NO.: 61G14-15.003

PURPOSE AND EFFECT: The Board proposes to revise the existing rule to clarify the safety guidelines.

SUMMARY: The new language clarifies approval or rejection of the current maximum allowable draft of vessels calling at the port and restrictions on bottom clearance for each channel. The amendments also change the submission of pilot work schedules from annually to submitting the current pilot work schedules.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 310.185 FS.

LAW IMPLEMENTED: 310.0015(3)(a), 310.075(4), 310.101(1)(d) 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: Anthony Spivey, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-15.003 Safety Guidelines.

(1) through (3) No change.

(4) Each association of pilots in each port where such association(s) exists, and the licensed state pilots in each port who are not members of such association shall submit to the Board for its review and approval or rejection, the current maximum allowable draft of vessels calling at the port and restrictions on bottom clearance for each ~~berth and~~ channel, as required by Sections 310.075(4) and 310.101(1)(d), Florida Statutes.

(5) In order to assist the board in serving the public interest in maintaining efficient and safe piloting services as required by Section 310.061, Florida Statutes, each association of pilots, in each port where such association(s) exists, and the licensed state pilots in each port who are not members of such association shall ~~annually~~ submit, for the board's review and approval or rejection, the current pilot work schedules for the port which are best suited to meet local conditions and demands and which:

(a) insure that an adequate number of pilots is always available to handle any vessel requiring the services of a pilot; and

(b) provide sufficient off-duty time for rest; and

(c) outline procedures which provide for backup support which may become necessary due to disability or loss of available pilots.

Specific Authority 310.185 FS. Law Implemented 310.0015(3)(a), 310.075(4), 310.101(1)(d) FS. History—New 11-6-89, Amended 6-26-90, 12-30-91, 10-25-92, Formerly 21SS-9.001, 21SS-15.003, Amended 11-15-93, 1-26-99, 10-4-99, 1-7-02,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pilot Commissioners  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pilot Commissioners  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 31, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 21, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE TITLE: Deputy Pilots' and State Pilots' Physical and Mental Capabilities  
RULE NO.: 61G14-20.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the revision date of form Dept. of Trans., USCG, CG-719K entitled "Merchant Marine Personnel Physical Examination Report" from 3-95 to 1-02.

SUMMARY: The revision date of form Dept. of Trans., USCG, CG-719K entitled "Merchant Marine Personnel Physical Examination Report" is updated from 3-95 to 1-02.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 310.185(1) FS.

LAW IMPLEMENTED: 310.071, 310.073 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: Anthony Spivey, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-20.001 Deputy Pilots' and State Pilots' Physical and Mental Capabilities.

(1) No change.

(2) As used in this rule, the following definitions shall apply:

(a) through (b) No change.

(c) "Certification of physical fitness" shall consist of all the following documents signed by a physician who holds an active, valid license issued pursuant to Chapter 458 or 459, Florida Statutes:

1. No change.

2. An original or true copy of the latest revision of form Dept. of Trans., USCG, CG-719K (Rev. 1/02 ~~3-95~~) entitled "Merchant Marine Personnel Physical Examination Report," which form is incorporated herein by reference and can be obtained by contacting the Board office at 1940 North Monroe Street, Tallahassee, Florida 32399-0773. The form shall bear a date no later than thirteen months after the date appearing on the copy of such form most recently submitted; and

3. No change.

(3) through (6) No change.

Specific Authority 310.185(1) FS. Law Implemented 310.071, 310.073 FS. History—New 2-22-95, Amended 1-4-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pilot Commissioners  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pilot Commissioners  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 31, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 21, 2003

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 01-37R

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

RULE TITLES: Table: Surface Water Quality Criteria  
RULE NOS.: 62-302.530

Everglades Protection Area  
Phosphorus Criterion 62-302.540

SUMMARY: This proposed rule will implement the requirements of subparagraph 373.4592(4)(e)2., Florida Statutes, by establishing a numeric phosphorus criterion of 10 parts per billion (ppb) for the Everglades Protection Area. The proposed rule also describes how ambient waters will be assessed to determine if the criterion is being achieved; contains provisions regarding the issuance of Long-Term Compliance Permits for discharges into the Everglades Protection Area; and establishes a moderating provision for such discharges under certain circumstances.

"Phosphorus criterion" is defined in paragraph 373.4592(2)(j), Florida Statutes, as "a numeric interpretation for phosphorus of the Class III narrative nutrient criterion." The Class III nutrient criterion is set forth in paragraph 62-302.530(48)(b), F.A.C., as follows: "In no case shall nutrient concentrations of a body of water be altered so as to cause an imbalance in natural populations of aquatic flora or fauna."

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 01-17R

RULE CHAPTER TITLE: Uniform Mitigation Assessment Method

RULE CHAPTER NO.: 62-345

RULE TITLES:	RULE NOS.:
Intent and Scope	62-345.100
Definitions	62-345.200
Assessment Method Overview and Guidance	62-345.300
Qualitative Characterization	62-345.400
Assessment and Scoring	62-345.500
Time Lag, Risk, and Mitigation Determination	62-345.600
Forms	62-345.900

SUMMARY: The proposed mitigation assessment method (Chapter 62-345, F.A.C.) is to be applied to impacts proposed in wetlands and other surface waters and to assess associated mitigation, including mitigation banks, to determine the amount of mitigation necessary to offset impacts.

CONTACT: Constance Bersok, Florida Department of Environmental Protection, Bureau of Beaches and Wetland Resources, 2600 Blair Stone Road, Mail Station 2500, Tallahassee, Florida 32399-2400, (850)245-8479 or e-mail: [connie.bersok@dep.state.fl.us](mailto:connie.bersok@dep.state.fl.us).

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices".

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Requirement for Physician Office Registration; Inspection or Accreditation

RULE NO.: 64B8-9.0091

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify criteria for compliance with regard to office surgery laws and rules.

SUMMARY: The proposed rule amendment provides clarification of criteria for compliance laws and rules regarding office surgery.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 458.309(1),(3) FS.

LAW IMPLEMENTED: 458.309(3), 456.069 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: Larry G. McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.0091 Requirement for Physician Office Registration; Inspection or Accreditation.

(1) Registration.

(a) No change.

(b) In order to register an office for surgical procedures, the physician must provide to the Board of Medicine, his or her name, mailing address, Florida license number, and a list of each office where the covered surgical procedures are going to be performed by the physician. The list shall also include each office name, address, telephone number, and level of surgery being performed at that location by the physician; and if more than one physician is practicing at that location, a list of all physicians and levels of surgery being performed must be provided. The list shall also include the name of each physician assistant, ARNP and CRNA involved in the office surgery or anesthesia; copies of any protocols necessary for the supervision of any ARNP or CRNA; and any transfer agreements with local hospitals. In addition, the physician shall submit a statement of compliance with Rule 64B8-9.009, F.A.C., "Standard of Care for Office Surgery", and Section 456.0375, F.S., "Registration of certain clinics; requirements; discipline; exemption." when registering with the Department.

(c) through (d) No change.

(2) through (3) No change.

Specific Authority 458.309(1),(3) FS. Law Implemented 458.309(3), 456.069 FS. History--New 5-15-00, Amended 9-18-01,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Surgical Care Committee, Board of Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 21, 2003

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLES:	RULE NOS.:
Physician Assistant Licensure	64B8-30.003
Physician Assistant Performance	64B8-30.012
Citation Authority	64B8-30.014

PURPOSE AND EFFECT: The proposed rule amendments to Rules 64B8-30.003 and 64B8-30.014, F.A.C., are intended to address concerns of the Joint Administrative Procedures Committee. The proposed amendments to Rule 64B8-30.012, F.A.C., are intended to clarify requirements for the signing of physician assistant medical records by physicians.

SUMMARY: The proposed amendments to Rules 64B8-30.003 and 64B8-30.014, F.A.C., are in response to concerns of the Joint Administrative Procedures Committee. The amendments to Rule 64B8-30.012, F.A.C., address signing of medical records by physicians who supervise physician assistants.

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

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

SPECIFIC AUTHORITY: 456.013, 456.031(2), 456.033(6), 456.077, 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.033, 456.077, 458.331, 458.347, 456.017 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Larry G. McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-30.003 Physician Assistant Licensure.

(1) through (3) No change.

(4) The applicant must submit notarized statements containing attesting to the following information:

(a) through (c) No change.

(5) through (6) No change.

Specific Authority 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS. Law Implemented 456.013, 456.031, 456.033, 458.347, 456.017 FS. History--New 4-28-76, Amended 11-15-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11-30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, 8-19-99, 5-28-00, 3-03-02, \_\_\_\_\_.

64B8-30.012 Physician Assistant Performance.

(1) through (2) No change.

(3) All tasks and procedures performed by the physician assistant must be documented in the appropriate medical record. As a requirement of appropriate supervision of a physician assistant, each supervising physician is required to review, sign and date physician assistant documentation in

medical charts as set forth herein. The supervising physician must review, sign and date the physician assistant record within seven (7) days.

(a) During the initial six months of supervision of each physician assistant, all documentation by the physician assistant in a medical chart must be reviewed, signed and dated, by a supervising physician within seven days.

(b) Subsequent thereto, a supervising physician must review, sign and date all documentation by a physician assistant in medical charts that include prescriptions written by the physician assistant within 30 days.

(c) In addition, subsequent to the initial six months of supervision, and at intervals of no more than 30 days, the supervising physician shall randomly select at least 25% of all other medical charts that include physician assistant documentation to review, sign and date.

(4) No change.

Specific Authority 458.309, 458.347(4)(a),(13) FS. Law Implemented 458.347(2),(3),(4),(13) FS. History--New 5-13-87, Amended 7-7-87, 11-15-88, 9-15-92, Formerly 21M-17.012, Amended 11-4-93, Formerly 61F6-17.012, 59R-30.012, Amended 10-13-98, 3-28-99, \_\_\_\_\_.

64B8-30.014 Citation Authority.

(1) through (2) No change.

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

VIOLATIONS PENALTY

(a) No change.

(b) Obtaining license renewal by negligent fraud or misrepresentation. \$2500 fine

(Sections 458.347(7)(g) and

458.331(1)(a), F.S.)

(c) through (f) No change.

(4) through (7) No change.

Specific Authority 458.309, 456.077, 458.347(7)(g),(12) FS. Law Implemented 456.077, 458.331, 458.347(7)(g),(12) FS. History--New 3-3-02, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 21, 2003

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE TITLE: Determination of Continued Eligibility RULE NO.: 65A-4.219

**PURPOSE AND EFFECT:** The proposed rule amendment updates current rule to show the change in policy since May 1, 1997, on the technical eligibility factor of deprivation due to employment/underemployment, incapacity and incarceration. In accordance with 414.095, Florida Statutes, temporary cash assistance is provided for families with a minor child who lives with both parents. Current policy, however, no longer requires identification of a principal wage earner. Eligibility for cash assistance is re-determined every 6 months as for all assistance groups, except for cases that include multiple AG's, and one of the AG's in the case has a re-determination that is due earlier.

**SUMMARY:** This rule amendment revises re-determination requirements for cash assistance. Re-determinations will occur at the shorter interval if the assistance group is part of a public assistance case that contains another assistance group whose eligibility review is due earlier.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** None.

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

**SPECIFIC AUTHORITY:** 414.45 FS.

**LAW IMPLEMENTED:** 414.095 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., April 14, 2003

**PLACE:** 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, Florida 32399-0700

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS:** Audrey Mitchell, Program Administrator, Public Assistance Policy, Policy Support Unit, 1317 Winewood Boulevard, Building 3, Room 406-A, Tallahassee, Florida 32399-0700, (850)488-3090

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

65A-4.219 Determination of Continued Eligibility.

(1) Eligibility of cash assistance groups (AGS) ~~is which derive their eligibility on the basis of unemployment of a parent must have their eligibility completely~~ re-determined every six in the months in which cash payment is scheduled to end or begin again.

~~(2) All other cases are completely redetermined every six months.~~

~~(2)(3)~~ Re-determinations will occur at shorter intervals if the cash AFDC assistance group is part of a public assistance case that which contains another assistance group whose eligibility review is due earlier.

Specific Authority 414.45 FS. Law Implemented 414.095 FS. History--New 1-31-94, Formerly 10C-1.503, Formerly 65A-1.503, Amended \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Barbara Oti, Operations Review Specialist

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Audrey Mitchell, Program Administrator, Public Assistance Policy, (850)488-3090

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** March 12, 2003

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** January 17, 2003

**FLORIDA HOUSING FINANCE CORPORATION**

RULE TITLES:	RULE NOS.:
Definitions	67-38.002
Notice of Funding Availability	67-38.0025
Application Submission Procedures	67-38.003
Incomplete Applications and Rejection Criteria	67-38.004
Application Evaluation and Award Guidelines	67-38.005
Terms and Conditions of the Loan	67-38.007
Eligible Uses for the Loan	67-38.008
Credit Underwriting Procedures	67-38.010
Fees	67-38.011
Sale, Transfer or Conveyance of Development	67-38.012
Disbursement Procedures	67-38.014
Compliance and Monitoring Procedures	67-38.0145
Disposition of Property Accruing to the Corporation	67-38.015
Application Procedures for Applicants Participating Under 1998 Cycles I and II	67-38.017

**PURPOSE AND EFFECT:** The purpose of Rule Chapter 67-38, Florida Administrative Code (F.A.C.), is to establish the procedures, by which the Florida Housing Finance Corporation shall administer the application process, determine loan or grant amounts to non-profit entities who engage in development of affordable housing for very low or low-income households.

**SUMMARY:** Prior to receipt of Application for a new funding year, the Corporation (1) researches the market need for affordable housing throughout the state of Florida and (2) evaluates prior applications to determine what changes or additions should be made to the Rule or Application. The proposed amendments to the Rule and adopted reference material include changes that will create a formulated process for selecting Developments that apply for funding in 2002.

**STATEMENT OF ESTIMATED REGULATORY COST:** None.

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

**SPECIFIC AUTHORITY:** 420.528 FS.

**LAW IMPLEMENTED:** 420.507, 420.521-.529 FS.

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

TIME AND DATE: 10:00 a.m., Monday, April 14, 2003

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Seltzer Room, Tallahassee, FL 32301

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

THE FULL TEXT OF THE PROPOSED RULES IS:

67-38.002 Definitions.

(1) "Act" means the Florida Housing Finance Corporation Act as found in Chapter 420, F.S. Part V, Florida Statutes, as amended, and more specifically referenced in the Predevelopment Loan Program Act, Sections 420.521 through 420.529, Florida Statutes.

(2) "~~Administrative Expenses~~" means ~~expenses incurred by the Applicant as a direct result of and solely related to the Development. These shall include long distance phone calls, necessary travel (except to conferences, conventions or for training), copying, printing, and postage fees.~~

(2)(3) "Affiliate" means any person or entity that:

(a)(i) ~~Directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with the Applicant;~~

(b)(ii) ~~Serves as an officer, or director, agent, employee or any business person associated with or of the Applicant in the furtherance of a business venture for which the Applicant is applying for assistance from the Corporation, or~~

(c)(iii) ~~Is the spouse, parent, child, sibling, or relative by marriage of a person or entity described in (a)(i) or (b)(ii) above.~~

(3)(4) "Applicant" means any unit of government, a local housing authority established pursuant to Chapter 421, F.S. Florida Statutes, a community-based or not-for-profit organization, or a limited partnership if its general partner is a community-based or not-for-profit organization as defined by Chapter ~~420.524~~ 420.523, F.S. Florida Statutes, that submits an Application for funding from the Predevelopment Loan Program. "Applicant" includes a sponsor as defined by Section ~~420.524~~ 420.523, F.S. of the Florida Statutes.

(4)(5) "Application" means the completed forms from the Application Package together with all required exhibits submitted to the Corporation in accordance with this Rule Chapter in order to apply for PLP funds.

(5)(6) "Application Package" or "Form 1115" means the forms, exhibits, tabs, threshold requirements, instructions ~~thereto~~ and other information necessary for submission of an Application under the Predevelopment Loan Program; The

Application Package may be obtained from the Corporation at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The Corporation hereby adopts and incorporates by reference the Application Package (Form PLP 1115 2000); which shall be completed and submitted to the Corporation by an Applicant in accordance with this Rule Chapter in order to apply for PLP funds.

(7) "~~Board of Directors~~" or "~~Board~~" means the Board of Directors of the Florida Housing Finance Corporation.

(6)(8) "Code" means the Internal Revenue Code of 1986, as amended, ~~together with corresponding and applicable final, temporary or proposed regulations and revenue rulings issued with respect thereto by the Treasury or the Internal Revenue Service of the United States.~~

(7) "Community-Based Organization" or "Not For Profit Organization" means a community based or not for profit organization as defined in section 420.524, F.S. For the Purpose of the Predevelopment Loan Program, the organization shall own at least 51% of the ownership interest in the Development held by the general partner entity. A for-profit entity wholly owned by one or more qualified Not For Profit organizations shall constitute a Not For Profit entity. A Not For Profit entity shall own an interest in the Development, either directly or indirectly; shall not be affiliated with or controlled by a for-profit corporation; and shall materially participate in the development and operation of the Development throughout the total affordability period as stated in the Land Use Restriction Agreement.

(8)(9) "Compliance Period" means: the period of time that the Development shall conform to all set-aside requirements as described in this Rule Chapter and agreed to by the Applicant in the Application.

(a) ~~With respect to multifamily Developments that obtain construction/permanent financing from a source other than Florida Housing programs and no Florida Housing funds remain in the Development, a period of 15 years beginning on the date the Predevelopment Loan is paid off pursuant to subsection 67-38.007(5), F.A.C.; or~~

(b) ~~With respect to single family Developments, the initial sale of the single family units by the Applicant must be to an income eligible purchaser.~~

(c) ~~With respect to Developments that obtain construction/permanent financing from Florida Housing programs, a period equal to the compliance period committed to by the Applicant under the Florida Housing program from which the permanent/construction financing is obtained.~~

(9)(10) "Corporation" or "Florida Housing" or "FHFC" means the Florida Housing Finance Corporation, a public corporation and the successor to the Florida Housing Finance Agency.

(10)(11) "Credit Underwriter" means the independent contractor legal representative under contract with the Corporation having the responsibility for providing stated

credit underwriting services. Such services shall include, for example, a comprehensive analysis of the Applicant, the real estate, the economics of the Development, the ability of the Applicant and Development team to proceed and evidence of the need for affordable housing in order to determine that the Development meets the program requirements.

(11) “Credit Underwriting Report” means a comprehensive analysis of the Applicant, the real estate, the financing of the Development, the ability of the Applicant and the Development team to proceed, evidence of the need for affordable housing in the defined area, and a determination that the Development meets PLP requirements.

(12) “Development” or “Property” means the buildings, structures, fixtures and all other improvements or work located, or to be located, in Florida, including real property, all buildings, and any other real and personal property, designed and intended for the primary purpose of providing decent, safe, and affordable residential housing for persons or families on to the development site proposed by a Applicant and for which financial assistance under the Predevelopment Loan Program(s) has been applied for or received.

(13) “Development Plan” means the written description /narrative of the proposed Development submitted to the Corporation by the Applicant with the concurrence of the Technical Assistance Provider detailing the Applicant’s objectives and goals with respect to the Development; from formulation of the development concept through construction, leasing, operation or sale. The Development Plan shall clearly set forth the Applicant’s anticipated sources to fund all anticipated predevelopment expenses, including those in excess of the amounts to be requested under the Predevelopment Loan Program, if any, and the sources and uses of construction and permanent financing.

(14) “Development Site” means the land for the Development, as defined by the legal description in the Development Plan and the documents evidencing or securing the Loan.

(15) “Farmworker” means farmworker as defined in 420.503, F.S. any laborer who is employed on a seasonal, temporary, or permanent basis in the planting, cultivating, harvesting, or processing of agricultural or aquacultural products and who derives at least 50% of his income in the immediately preceding 12 calendar months from such employment. Farmworker includes a household of one or more persons wherein at least one member of the household is a Farmworker, or a person who has retired from such work due to age, disability or illness. “Farmworker” also includes a person who has retired as a laborer described in this paragraph due to age, disability or illness and a household of one or more persons wherein at least one member of the household is a Farmworker, or a person who has retired as a laborer due to age, disability or illness. In order to be considered retired as a Farmworker due to age under this Rule Chapter, a person must

be 50 years of age or older and must have been employed for a minimum of 5 years as a Farmworker immediately preceding retirement. In order to be considered retired as a Farmworker due to disability or illness, it must be:

(a) Medically established that the person is unable to be employed as a Farmworker due to such disability or illness; and

(b) Established that the person had previously met the definition of a Farmworker.

(16) “Financial Beneficiary” means any developer and its principals and principals of the Applicant entity who receives or will receive a financial benefit of:

(a) 3% or more of Total Development Cost (including deferred fees) if Total Development Cost is \$5 million or less; or

(b) 3% of the first \$5 million and 1% of any costs over \$5 million (including deferred fees) if total Development cost is greater than \$5 million. This definition does not include third party lenders, third party management agents or companies, housing credit syndicators, credit enhancers who are regulated by a state or federal agency and who do not share in the profits of the Development or building contractors whose total fees are determined to be within reasonable industry standards.

(17)(16) “HUD” means the United States Department of Housing and Urban Development.

(18)(17) “Invitation to Participate” means a letter sent to the Applicant indicating the Development has been selected to receive technical assistance which shall be signed and returned with the appropriate commitment fee prior to receiving technical assistance issued by the Corporation to each Applicant that met threshold detailing the Applicant’s obligations with respect to the line of credit Loan to be received from the Predevelopment Loan Program.

(19)(18) “Loan” means a direct loan from Predevelopment Loan Program PLP funds awarded to an Applicant in the form of a line of credit in an amount not to exceed \$500,000 subject to availability of funds.

(19) “Loan Committee” or “Review Committee” means a group composed of at least five persons as designated by the Board who will be responsible for review and approval of Applications under the PLP Program. Meetings of the Loan Committee shall be called by the Chairperson of the Committee who shall be appointed by the Executive Director.

(20) “Local Government” means a unit of local general purpose government as defined in Section 218.31(2), Florida Statutes (1995).

(21) “Minimum Set Aside Requirement” means, with respect to PLP,

(a) For rental Developments, a minimum of 60% of the completed housing units must be rented to persons whose income does not exceed 60% of the median income for the area, as determined by HUD, with adjustments for family size; and

~~(b) For home ownership Developments, all completed housing units must be sold to persons or households with incomes not exceeding 80% of the median annual gross income as established by HUD for households within the State, the MSA or, if not within the MSA, within the county in which the person or household resides, whichever is greater.~~

~~(22) "Mortgage" means a written agreement securing a Loan which creates a lien on the Development and the Development Site, subject only to such encumbrances approved by the Corporation.~~

~~(23) "Not For Profit Organization" or "Community Based organization" means any group, established under Chapter 617, Florida Statutes, to provide housing and other services on a not for profit basis and that is acceptable to federal and state agencies and financial institutions as a sponsor of Affordable housing. The Not For Profit Organization or Community Based Organization shall not be affiliated with or controlled by a for profit corporation and shall materially participate in the predevelopment, construction and operation of the Development through the Compliance Period. In addition to the foregoing, if the Applicant is a limited partnership, the Not For Profit Organization or "Community Based Organization" must own at least 51% of the ownership interest in the Development held by the general partner entity. For purposes of housing credits the Not for Profit Organization means a qualified not for profit entity as defined in the HUD regulations Section 42(h)(5)(e), subsection 501 (e)(3) or 501(e)(4) of the Code and organized under Chapter 617 Florida Statutes, to provide housing and other services on a not for profit basis, which owns at least 51% of the ownership interest in the Development held by the general partner entity and which entity is acceptable to federal and state agencies and financial institutions as an Applicant for affordable housing.~~

~~(20)(24) "PLP" or "Predevelopment Loan Program" means the Predevelopment Loan Program established by the Act and this Rule Chapter.~~

~~(21)(25) "Predevelopment Expenses" means the expenses tasks and activities set forth in the Development Plan which are anticipated to be incurred to be accomplished prior to closing on construction or permanent financing construction of the housing units.~~

~~(26) "Preliminary Underwriting Assessment" is an analytical review by the Credit Underwriter of the Applicant's development costs, sources of funds and pro forma operating statement to ensure the Development's feasibility and shall prioritize tasks which must be accomplished prior to obtaining construction and permanent financing.~~

~~(22)(27) "Rehabilitation" means to bring a Development back to its original state, or to bring back to its original state with added improvements with limitations as specified by the program or programs which provide construction or permanent financing to the Development.~~

~~(23)(28) "Servicer" means the independent contractor legal representative under contract with the Corporation having the responsibility for providing stated Loan servicing and administration and compliance monitoring services. Such services shall include, for example, reviewing and approving Loan disbursement requests for site acquisition, Loan servicing and single-family and multifamily compliance monitoring services, if any.~~

~~(24)(29) "Servicing and Compliance Monitoring Fees" means fees associated with the review and processing of requests for disbursement of funds, inspections and the monitoring of Developments.~~

~~(25) "Set-Aside" means the percentage of units within a Development that shall be reserved as affordable at the specified AMI to income qualified persons or households throughout the compliance period.~~

~~(30) "State" means the State of Florida.~~

~~(26)(31) "Technical Assistance Provider" or "TAP" means an independent contractor professional retained by the Corporation to provide specialized technical support, and~~

~~(27) "Technical Assistance" means assistance to Applicants via in the form of telephone, through on-site visits and by responses to oral and written inquiries from Applicants throughout the entire Predevelopment process and to provide such other services as agreed to by the Technical Assistance Provider and the Corporation.~~

~~(28) "Threshold Requirements" means the requirements an Applicant shall meet as identified in the Application Package in order to receive an Invitation to Participate in the Predevelopment Loan Program.~~

Specific Authority 420.528 FS. Law Implemented 420.507, 420.521-420.529 FS. History—New 3-23-93, Amended 1-16-96, Formerly 91-38.002, Amended 3-26-98, 7-17-00, \_\_\_\_\_.

67-38.0025 Notice of Funding Availability.

Specific Authority 420.528 FS. Law Implemented 420.527 FS. History—New 1-16-96, Formerly 91-38.0025, Amended 3-26-98, 7-17-00, Repealed

67-38.003 Application Submission Procedures.

(1) At any time during the year, Applicants may submit an Applications to the Corporation for PLP funding.

(2) All Applications delivered by hand shall must be presented to Corporation staff to be inscribed with the time and date of receipt. Applications may also be mailed to the Corporation at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. Applications mailed to the Corporation will be inscribed with the time and date received.

(3) Applications that which do not contain the required information and documentation items and do not provide adequate justification for omitting these items shall not be determined to have not met Threshold Requirements reviewed by the Loan Committee until they are complete.



(4) An original and two ~~identical~~ copies of the Application shall be submitted to the Corporation. ~~Each Application shall be completed in its entirety.~~ The original Application shall which is considered the original must contain original signatures on those forms which specifically request original signatures. Signatures on these forms which are faxed, scanned, photocopied, or otherwise duplicated shall will not be considered acceptable signatures within the original Application.

(5) ~~All Applications must be complete, accurate, and legible.~~ Application and shall must be accompanied by appropriate Application fee. Applications shall must be submitted on the forms provided in the Application Package and shall be securely bound, in a three ring binders, and shall have numbered-index tabs for each form and exhibits with the materials provided in the Application Package. Exhibits shall must be placed behind the each form to which they refer. Failure to comply with any of the ~~foregoing~~ requirements set forth in this rule chapter shall will result in the determination that the Application has is not met Threshold Requirements complete.

(6) If the Applicant, any of its principals or Affiliates, or financial beneficiaries, including the ~~dDeveloper,~~ is in arrears for any financial obligation the developer has with the Corporation, or any member of the Project's ~~Ddevelopment~~ team are determined by the Corporation to have engaged in fraudulent actions, or to have intentionally misrepresented information in any previous application(s) or other documents submitted to the Corporation, the Applicant, its principals and Affiliates, including the ~~dDeveloper,~~ shall be deemed ineligible to participate in any program administered by the Corporation. The ineligibility will be for two fiscal years beginning on the date the Corporation's Board of Directors approves the disqualification. Such determination shall be either pursuant to proceedings conducted in accordance with Section 120.569 and 120.57, F.S., a factual hearing before the Board at which the Applicant shall be entitled to present evidence or as a result of a finding by a court of competent jurisdiction ~~law or recommended order of an administrative law judge.~~

(7) If the Applicant, Principal, Affiliate, developer or financial beneficiary of the Applicant has any existing Developments participating in Corporation programs that are in non-compliance with the Code, this Rule Chapter or applicable Loan documents, and any applicable cure period has expired at the time of approval of the Development Plan, the requested allocation may be denied. Denial will be based on a determination by the Board that the non-compliance increases the likelihood that the Applicant will not be able to satisfy the terms of the Loan. The Applicant and Affiliates of the Applicant or developer will be prohibited from participation in

any Corporation programs for the subsequent cycle and continue until all of the Applicant's Developments are in compliance.

(8) Applications that propose to develop individual homeownership units shall be submitted separately from those that propose to develop multifamily rental units.

Specific Authority 420.528 FS. Law Implemented 420.527, 420.528 FS. History—New 3-23-93, Amended 1-16-96, Formerly 91-38.003, Amended 3-26-98, 7-17-00, \_\_\_\_\_.

67-38.004 Incomplete Applications and Rejection Criteria.

(1) Each Application shall be reviewed by the Corporation PLP staff to determine if that the Application meets Tthreshold Requirements and is complete. Complete Applications that which have met Tthreshold Requirements shall will be provided an Invitation to Participate in accordance with forwarded to the Loan Committee for action pursuant to the requirements specified in this Rule Chapter. If the an Application is determined by staff to be incomplete, or fails threshold, the Corporation staff shall notify the Applicant in writing of any additional or revised information or material that which may be required for the Application to be considered complete and meet threshold. Applicant may continue to submit material until the Application is complete and meets threshold. The Application, however, shall will not be placed in priority order or on a waiting list until such time that all information and documentation has items have been submitted and the Application is determined to have met be complete and Tthreshold Requirements has been met.

(2) An Application shall be subject to rejection if any of the following occurs:

(a) The information submitted in the Application is not sufficient to demonstrate that the Development proposes to meet the mMinimum Set-Aside rRequirements. These requirements are:

1. For rental Developments, a minimum of 60% of the completed housing units must be rented to persons whose income does not exceed 60% of the median income for the area, as determined by HUD, with adjustments for family size; and

2. For home ownership Developments, 100% of completed housing units must be sold to persons or households with incomes not exceeding 80% of the median annual gross income as established by HUD for households within the State, the MSA or, if not within the MSA, within the county in which the person or household resides, whichever is greater; or

(b) The Applicant, its principals, ~~or~~ Affiliates, or financial beneficiary including the ~~dDeveloper,~~ has not waited the time period specified in subsection 67-38.003(6), F.A.C.; or

(c) The Development is inconsistent with the purposes of the Predevelopment Loan Program or does not conform to the requirements specified in the Act or this Rule Chapter; or

(d) The Applicant fails to meet any the Tthreshold Rrequirements specified in the Application Package; or

~~(e) The Applicant fails to submit additional items and complete information necessary for the Application to be considered complete; or~~

~~(f) The Applicant fails to pay the applicable fees as specified paragraph 67-38.011(1)(b), F.A.C.~~

Specific Authority 420.528 FS. Law Implemented 420.527, 420.528 FS. History—New 3-23-93, Amended 1-16-96, Formerly 9I-38.004, Amended 3-26-98, 7-17-00, \_\_\_\_\_.

67-38.005 Application Evaluation and Award Guidelines.

(1) PLP funding shall be available to Applicants whose Applications have met Threshold Requirements, on a first-come, first-served basis, pursuant to this Rule Chapter. Applications which propose to set-aside a minimum of 40% of the Development's units for Farmworker residents shall receive priority over all other Applicants, provided the Applicant has also certified that they shall meet PLP minimum set-aside requirements.

~~(2)(1) After the Application has been reviewed and determined to be complete and have met Threshold Requirements, using the factors specified in the Application Package and this Rule Chapter, staff shall determine whether sufficient funds are available to fund the PLP request prepare a recommendation and submit it along with the Application to the Loan Committee which shall confirm or reject the completion and threshold finding of staff.~~

~~(3)(2) If the Loan Committee rejects the Application fails to meet Threshold Requirements, the Applicant shall will be notified in writing of the deficiencies in reason for rejection of the Application and provided an opportunity to rectify any outstanding issues which may have caused rejection of the Application.~~

~~(4)(3) If the Application is determined to have met Loan Committee confirms the completeness and Threshold Requirements finding of staff and~~

~~(a) Funds are available, the Corporation Florida Housing shall issue an Invitation to Participate; or~~

~~(b) If funds are not available, Applicant will be placed on a waiting list, based on the date and time the an Application was determined to be complete and have met Threshold Requirements until either such time that;~~

~~1. Funds are available, at which time the Applicant will be issued an Invitation to Participate, or~~

~~2. Application is withdrawn.~~

~~(5)(4) The Invitation to Participate shall must be signed executed and returned to the Corporation within 15 days of receipt by the Applicant. If the signed executed Invitation to Participate is not received by the Corporation within 15 days, the Invitation to Participate shall will be withdrawn and the Applicant shall be so notified.~~

~~(6)(5) Upon receipt of the signed executed Invitation to Participate and the Applicant's initial commitment fee, by the Corporation shall assign a Technical Assistance Provider. In the event that technical assistance has begun and payment of~~

the commitment fee is found to be insufficient, technical assistance shall be discontinued until payment is received and determined to be sufficient. If sufficient payment has not been received within seven days of notification to the applicant, the Invitation to Participate shall be withdrawn and the Applicant shall be so notified.

(7) The Technical Assistance Provider shall work with the Applicant to formulate a Development Plan. The Development Plan shall clearly set forth in detail the Applicant's anticipated predevelopment tasks and activities, timeline, itemized budget, sources to fund all anticipated Predevelopment Expenses, including those in excess of the amounts to be requested under the Predevelopment Loan Program, and the anticipated sources and uses of construction and permanent financing. The anticipated activities and expenses shall be those necessary prior to closing on construction or permanent financing for the Development. The Development Plan shall also set forth the number of units to be set aside for low or very low-income residents, including the number of units set aside for Farmworkers if priority was given for meeting the Farmworker set-aside. The Development Plan shall include a preliminary budget and timeline and set forth all predevelopment activities necessary to obtain construction and permanent financing for the Development. The Development Plan should also indicate, to the extent possible, the amount of PLP funds expected to be needed.

(8) The Applicant shall be given up to six months from the Corporation's receipt of the signed execution of the Invitation to Participate to complete and submit the Development Plan unless prior written approval is received from the Corporation. Florida Housing will cancel the Invitation to Participate shall be canceled if the Development Plan is not submitted within the six-month period, and All Loan documents, if any, shall be cancelled. Any commitment fees paid shall be retained by the Corporation. The Applicant may request an extension for submitting the Development Plan in writing to the Corporation at least thirty days prior to the end of the original six month period

(9)(6) The Technical Assistance Provider Development Plan shall be submitted a written recommendation with the Development Plan to the Corporation Florida Housing. Such recommendation should clearly indicate the Technical Assistance Provider's findings regarding the status of the Development Plan and the requested Loan amount for review and approval by the Loan Committee prior to any funds being disbursed. The Corporation Loan Committee may request additional information or documentation necessary for the Application to meet Threshold Requirements revisions prior to approval of the Development Plan. If such revisions are requested prior to approval of the Development Plan, the Corporation shall the Loan Committee will provide a deadline

by which the revisions to the Application shall ~~must~~ be made and the Development Plan resubmitted with the approval of the Technical Assistance Provider to the Corporation.

(10) Following approval of the Development Plan, the Loan request shall be submitted to the Board. Amendments to the Development Plan ~~Subsequent revisions after approval of the Development Plan~~ shall be allowed upon a favorable recommendation of the Technical Assistance Provider ~~and the Loan Committee~~. If an increase to the Loan is requested, Board approval is required.

(11)(7) ~~Following Upon~~ approval of the Loan Development Plan, a line of credit, the Applicant will receive written notice of such approval. The Applicant shall submit the final commitment fee within fifteen days of receipt of such notice. ~~a loan agreement, promissory note and any other customary loan documentation will be executed by the Applicant~~

(12)(8) If the Board does not approve a Loan request a Development Plan does not receive approval by the Loan Committee, no funds shall ~~will~~ be disbursed other than for outstanding expenses incurred for services of ~~by and any funds which have been disbursed or are owed to~~ the Technical Assistance Provider. Any commitment fee paid shall be retained by the Corporation.

(9) ~~Upon execution of all Loan documents, funds will be available for disbursement for eligible predevelopment activities as specified in this Rule Chapter.~~

(13) In the event the Development Plan receives approval and Applicant is unable to proceed to completion of Predevelopment Loan Program activities or obtain permanent or ~~construction financing~~, any commitment fees paid shall be retained by the Corporation.

(14) Following receipt of the final commitment fee, a Loan agreement, promissory note and any other customary Loan documentation shall be provided to ~~executed by the Applicant~~. Upon execution of all Loan documents by the Corporation, funds will be available for disbursement for eligible predevelopment activities as specified in this Rule Chapter.

(15) A positive Credit Underwriting Report is required for closing on a Loan that has been approved for acquisition costs.

Specific Authority 420.528 FS. Law Implemented 420.527, 420.528 FS. History—New 3-23-93, Amended 1-16-96, Formerly 91-38.005, Amended 3-26-98, 7-17-00, \_\_\_\_\_.

#### 67-38.007 Terms and Conditions of the Loan.

(1) Applicants are required to work with the assigned Technical Assistance Provider ~~which shall provide services as described in this Rule Chapter~~. Fees of the Technical Assistance Provider shall be paid by the Corporation ~~Florida Housing~~.

(2) The maximum Loan amount to be disbursed shall not exceed the lesser of the predevelopment and acquisition costs pursuant to 67-38.009, F.A.C. ~~(in those cases in which~~

~~acquisition is determined to be necessary) and development costs incurred prior to closing of permanent or ~~construction Loan financing funding~~ for the Development, or \$500,000, which Loan shall be evidenced by a promissory note from the Applicant, The Loan, bearing interest at a rate of 3%, and shall be secured by such customary documents and collateral as are necessary to secure repayment of the Loan.~~

(3) The Loan shall be non-amortizing ~~with and repayment of principal and interest shall be deferred until maturity~~. The Corporation is authorized to forgive such Loan and thereby make a grant to the Applicant for any monies that are unable to be repaid due to the Applicant's inability to obtain construction or permanent financing for the Development. The Corporation shall not forgive the portion of the Loan, if any, which is secured by a mortgage to the extent such Loan could be repaid from the sale of the mortgaged property.

(4) In the event PLP funds are used to purchase a site, the mortgage securing the PLP Loan shall ~~must~~ be in a first or second lien position and shall not share priority with any other liens unless approved by the Board.

(5) The Loan shall mature on the earlier of:

(a)(i) ~~The~~ date of closing of the permanent or ~~construction Loan~~ for the Development or

(b)(ii) ~~Three~~ 3 years from the date of execution of Loan documents or other such extended Loan maturity date approved by the Board.

(6) Submission of a request for ~~Approval by the Board of~~ an extension of the maturity of a Loan shall be subject to the following:

(a) The recommendation of the Credit Underwriter and the Technical Assistance Provider that an extension of the Loan is likely to result in the successful completion of the Development;

(b) ~~Past performance of the Applicant and submission of:~~

1. A revised Development Plan, approved by the Technical Assistance Provider, reflecting the reasons for the extension and the tasks and activities to be completed during the extension period;

2. Evidence of the Applicant's ability to complete the Development; and

3. An alternate financing plan in the event the original financing source withdraws.

(7)(6) With respect to home ownership Developments, ~~the Loan shall mature when the Development Site is released from the lien of the Mortgage held by the Corporation to secure the PLP Loan; however, prior to the maturity of the Loan the Corporation shall release individual properties lots within the Development Site from the lien of the m~~Mortgage held by the Corporation ~~prior to maturity of the Loan~~, upon the recommendation of the Credit Underwriter and a partial release payment in an amount acceptable to the Credit Underwriter and the Corporation.

~~(8)(7)~~ Prepayment of the Loan shall be permitted without penalty.

~~(9)(8)~~ Upon determination by the Board that other remedies are ineffectual or non-existent and that the best interest of the Corporation Florida Housing is served by acceleration of the Loan, the Loan shall ~~may~~ be accelerated if any of in the event the following occurs:

(a) Proceeds of the Loan are used for any purpose not specified in the Development Plan, the documents evidencing or securing the Loan, the Act or this Rule Chapter; or

(b) The Development fails to meet or maintain the mMinimum Set-Aside rRequirement during the Compliance Period; or

(c) Sale, transfer, or conveyance of the Development occurs without the prior written approval of the Corporation, as set forth in Rule 67-38.012, F.A.C.

~~(10)(9)~~ The Applicant shall submit progress reports evidencing successful completion of the requisite tasks and activities set forth in the Development Plan to the ~~Corporation~~ and the Technical Assistance Provider on a quarterly basis. The Technical Assistance Provider shall submit the reports to the Corporation. Reports are due to the Corporation by the 10th day of April, July, October, and January for as long as funds are outstanding.

~~(11)(10)~~ The Corporation Florida Housing reserves the right to require an audit of Applicant's accounts and records relating to the PLP Loan funds. If the Applicant is required to perform an audit of its accounts and records, a copy of the same shall be delivered to the Corporation within ten (10) days of receipt of thereof by the Applicant.

~~(12)(11)~~ The Applicant shall maintain all documents related to the Development, including copies of all contracts and performance bonds, during the term of the Loan and for three 3 years following the maturity of the Loan as the same may be extended pursuant to this Rule Chapter.

~~(12)~~ The Applicant shall comply with all provisions of the Florida Fair Housing Act (Sections 760.20-760.37, F.S.) and the Federal Fair Housing Act and all other applicable laws. shall not discriminate on the basis of disability, race, color, creed, familial status, sex or national origin in the employment of persons to work on the Development, or in the sale, lease, or other disposition or use of the land or lots covered by the Mortgage securing the Corporation's Loan. All contracts executed by the Applicant relating to work or labor to be performed on the mortgaged property shall contain a similar nondiscrimination provision.

(13) With respect to home ownership Developments, in order to assure that such Developments ~~will~~ serve the target population the Credit Underwriter or the Corporation shall, prior to release of an individual lot within the Development site, review appropriate documentation as necessary to determine the unit is being sold to an eligible purchaser and maintain the Minimum Set-Aside Requirements, in addition to

~~the execution and recordation of the Land Use Restriction Agreement (LURA) upon initial purchase by the Applicant, all deeds conveying title to home ownership units shall contain restrictive covenants, encompassing all of the units in the Development for which the Predevelopment Loan Program funds are being used. The LURA shall reflect the provision that all these home ownership units must initially be purchased only by persons who do not exceed income limits established in subsection 67-38.002(21), F.A.C.~~

(14) With respect to rental Developments, in order to assure that such Developments ~~will~~ serve the target population and maintain the mMinimum Set-Aside rRequirements, in addition to the execution and recordation of the Land Use Restriction Agreement (LURA), all deeds conveying title to real estate ~~that which~~ is improved with rental units shall contain restrictive covenants ~~that which~~ encompass all of the units in the Development and ~~that which shall~~ provide for the continued rental of the units to persons within the target population for the Compliance Period. For those Developments which have occupied units, or will have occupied units, prior to closing of the construction or permanent financing, tThe Servicer or the Corporation shall conduct a review and physical inspection prior to closing of the construction or / permanent financing to assure that the Development meets the mMinimum Set-Aside rRequirements and provides the intended benefit to the target population pursuant to the Act. The Corporation reserves the right to monitor each Development funded under the Predevelopment Loan Program at any time after completion of the Development to assure continued compliance with the applicable provisions of this Rule Chapter.

(15) The loan shall not be assumable upon Development sale, transfer or refinancing of the Development.

Specific Authority 420.528 FS. Law Implemented 420.526, 420.527, 420.528 FS. History—New 3-23-93, Amended 1-16-96, Formerly 91-38.007, Amended 3-26-98, 7-17-00, \_\_\_\_\_.

67-38.008 Eligible Uses for the Loan.

(1) The proceeds of the Loan shall only be used for eligible expenses tasks and activities specified in the approved Development Plan.

(2) The Corporation shall monitor all Predevelopment activity expenditures through the designated Technical Assistance Provider and shall deny disbursements which have not been approved by the Technical Assistance Provider prior to submission to Florida Housing.

(3) Eligible Predevelopment ~~activities or~~ expenses shall include, ~~for example,~~ the following expenses if such expenses shall be encumbered prior to closing of construction or permanent financing:

- (a) Market and feasibility analysis;
- (b) Rezoning;
- (c) Title search;
- (d) Legal fees;

(e) Boundary survey;

(f) Administrative expenses; such as phone charges, travel related to the Development, copying, printing, and postage fees. Other expenses requested under this subsection shall be pre-approved by the Corporation. Salaries of employees of the applicant are not an eligible expense.

(g) Third party consultant fees. Consultant shall demonstrate appropriate experience in housing Development projects and shall be acceptable to the TAP. No person, corporation, partnership, or entity having an identity of interest in the Development, or the Applicant, may act as a third party consultant;

(h) Fees of the PLP Credit Underwriter ~~(including Preliminary Underwriting Assessment fees);~~

(i) Good faith or earnest money deposit related to the Development Site;

(j) Commitment fees to secure construction or / permanent financing;

(k) Biological and environmental assessments;

(l) Soil tests;

(m) Appraisals;

(n) Approved acquisition expenses in connection with the Development Site;

(o) Marketing expenses;

(p) Permitting/impact fees;

(q) Architectural/engineering fees;

(r) Fees in connection with ~~a~~ the completion audit;

(s) Site ~~D~~development activities approved by the Corporation;

(t) Insurance fees; and

(u) Connection fees.

(v) Other miscellaneous expenses;

(4) If any of the requisite Predevelopment activities to be completed are pending or have not been satisfactorily completed, the Applicant shall be required to work with the Technical Assistance Provider to complete the such Predevelopment activities in a timely and satisfactory manner.

(5) Applicants may request use of PLP Loan funds for site acquisition by providing to Florida Housing:

(a) Evidence that all other Predevelopment expenses have been paid or appropriate funding for outstanding expenses have been reserved. If PLP funds are requested for eligible uses other than acquisition, those funds shall be made available after customary closing documents are executed. PLP funds for acquisition shall not be released until such time as this and the following requirements have been provided Detailed evidence of due diligence;

(b) ~~A~~ detailed explanation as to the necessity to acquire title;

(c) A recommendation from the Technical Assistance Provider that funding be provided for site acquisition; and

~~(d) A Credit Subsequent to Preliminary Underwriting Report Assessment, which includes a recommendation from the Credit Underwriter that funds be disbursed for site acquisition.~~

Specific Authority 420.528 FS. Law Implemented 420.526, 420.527, 420.528 FS. History—New 3-23-93, Amended 1-16-96, 5-21-96. Formerly 91-38.008, Amended 3-26-98, 7-17-00, \_\_\_\_\_.

67-38.010 Credit Underwriting Procedures.

(1) If an Applicant requests funds for site acquisition pursuant to subsection 67-38.008(5), F.A.C. or requests an extension of the term of the PLP Loan, subsection 67-38.009(5), F.A.C., the Corporation Florida Housing will assign a Credit Underwriter to perform the Credit Preliminary Underwriting Report Assessment.

(2) ~~Applicant may request payment of Credit Underwriting fees for the Preliminary Underwriting Assessment from PLP funding pursuant to Rule 67-38.008, F.A.C. Upon payment of the credit underwriting fees, the assigned Credit Underwriter shall review the Application and Development Plan and perform the Credit Preliminary Underwriting Report Assessment. In this Credit Underwriting Report, the Credit Underwriter shall:~~

(a) Analyze the Applicant's Development costs, sources of funds and pro forma operating statement to ensure the Development's feasibility;

(b) Prioritize tasks which must be accomplished prior to obtaining construction and permanent financing;

~~(c)(3) The Credit Underwriter shall review the Application and Development Plan to and Advise the Corporation as to the appropriateness of plans, and specifications and the budget for the Predevelopment tasks and activities related to the Development; and~~

(d) Make a determination as to the feasibility of the Development.

~~(3)(4) An appraisal of the proposed Development Site to be acquired shall be required during the Credit Preliminary Underwriting Report Assessment process. The Credit Underwriter shall choose an appraiser from the Credit Underwriter's approved list of appraisers and order the appraisal of the Development.~~

(4)(5) The Credit Underwriter shall consider the appraisal of the Development and other market data to determine if the market exists to support both the demographic and income restriction Sset-Asides committed to within the Application.

(5)(6) The Credit Underwriter may require additional information as is necessary to evaluate the Development Plan and make a determination as to the feasibility of the Development. If the Credit Underwriter requires additional clarifying materials in the course of the Credit Preliminary Underwriting Report Assessment process, the Credit Underwriter shall request the materials from the Applicant and shall specify deadlines for submission of each such material. Failure to submit required information by the specified

deadline, unless a written extension of time has been approved by the Corporation, shall result in the request for disbursement for site acquisition being denied.

~~(6)(7)~~ The Credit Underwriter shall complete and make a written draft Credit Underwriting Report Assessment and recommendation to the Corporation within 80 45 calendar days from the date underwriting fees are paid. The Technical Assistance Provider and the Applicant shall review the draft Rreport and provide written comments to the Corporation and Credit Underwriter within 72 hours of receipt. After the 72-hour review period, the Corporation shall provide comments on the draft Rreport and, as applicable, on the Applicant's and Technical Assistance Provider's comments, to the Credit Underwriter. The Credit Underwriter shall then review and consider the comments thereto and release the revised Rreport to the Corporation, the Technical Assistance Provider, and the Applicant. Any additional comments from the Applicant and Technical Assistance Provider shall be received by the Corporation and the Credit Underwriter within 72 hours of receipt of the revised Rreport. ~~Then, T~~he Credit Underwriter shall will provide to the Corporation a final Rreport which will address all comments made by the Applicant and the Technical Assistance Provider.

~~(7)(8)~~ It is the responsibility of the Applicant with the assistance of the Technical Assistance Provider to comply with each part of this Rule Chapter and to request in writing and provide evidence acceptable to the Corporation of extenuating circumstances for any requested waiver or extension. A failure to comply with any part of this Rule Chapter without the prior written permission of the Corporation shall will result in the disqualification of the Development Applicant and rescission of the Invitation to Participate.

Specific Authority 420.528 FS. Law Implemented 420.528 FS. History--New 3-23-93, Amended 1-16-96, Formerly 91-38.010, Amended 3-26-98, 7-17-00,

67-38.011 Fees.

(1) The following fees and charges pertaining to each Application shall be paid by the Applicant:

(a) Application Package fee as identified in the Application Package; of \$30.00

(b) A nonrefundable application fee as identified in the Application Package of \$100.00 per Application submitted;

(c) If PLP funds are to be used for site acquisition and ~~Applicant proposes to take title to real property or in the event Applicant requests an extension of the L~~loan maturity date, a credit underwriting fee pursuant to the contract between the Corporation and the Credit Underwriter shall be paid. If a Development involves scattered sites ~~within a single market area,~~ a single credit underwriting fee shall be charged;

(d) A commitment fee as identified in the Application Package of \$600 shall be paid to the Corporation;

~~(e) Following approval and is due at the time Applicant executes the Invitation to Participate, and an additional \$600 commitment fee shall be paid within 15 days of written notice to Applicant that the Development Plan has been approved. In the event the Development Plan does not receive approval, the commitment \$600 fee paid at the time of acceptance of the Invitation to Participate shall be retained by the Corporation. In the event the Development Plan receives approval and Applicant is unable to proceed to completion of Predevelopment Loan Program activities or obtain permanent or /construction financing, the \$1,200 commitment fee shall be retained by Florida Housing Finance Corporation. In the event the Development Plan is approved and Applicant successfully completes the Predevelopment Loan Program activities and obtains permanent or /construction financing, the Applicant's Loan amount due upon closing of the construction or/ permanent financing will be reduced by \$1,200 reflecting the full commitment fee paid.~~

~~(f)(e) Servicing and Compliance Monitoring Fees shall be paid for those multifamily rental Developments that which obtain construction or / permanent financing from sources other than Corporation Florida Housing programs. The total Servicing and M monitoring fee to be paid by the Applicant shall for the Housing Credit Compliance Period must be submitted to the Corporation at the time of closing on of the construction or / permanent financing. The total Servicing and M monitoring fee is listed is based upon a quarterly payment stream which shall be discounted at 2.75% for the full Compliance Period to provide a present value to be paid by the Applicant and shall be listed in the Application Package. For those Developments which obtain their construction or / permanent financing from Florida Housing Programs, the Compliance Monitoring Fees shall be determined by the requirements of the particular program providing the financing in accordance with the rule chapter governing that particular program; and-~~

~~(g)(f) All cCredit uUnderwriting, Technical Assistance Advisory, Servicing and Compliance Monitoring Fees, extraordinary services and late fees shall be determined by contracts between the Corporation and the provider.;~~

(2) Fees associated with the Loan are part of Development cost and ~~shall may~~ be included in the Development cost pro forma, if approved by the Technical Assistance Provider and Florida Housing.

(3) Failure to remit any of the required fees when due shall cause the Application to be disqualified from the PLP program Florida Housing to rescind the Invitation to Participate or shall constitute a default under the documents evidencing or securing the Loan.

Specific Authority 420.528 FS. Law Implemented 420.528 FS. History--New 3-23-93, Amended 1-16-96, Formerly 91-38.011, Amended 3-26-98, 7-17-00,

67-38.012 Sale, Transfer or Conveyance of Development.

Specific Authority 420.528 FS. Law Implemented 420.529 FS. History—New 3-23-93, Amended 1-16-96, Formerly 91-38.012, Amended 3-26-98, 7-17-00, Repealed \_\_\_\_\_.

67-38.014 Disbursement Procedures.

(1) The Loan shall be disbursed in partial payments by the Corporation to the Applicant or third party contractors subsequent to compliance with the following conditions for either home ownership or multifamily rental Developments:

~~(a)(1)~~ The Applicant shall deliver to the Corporation all documents required by the Corporation to evidence and secure the Loan and evidence compliance with all terms and conditions of the Loan;

~~(b)(2)~~ Ten business days prior to each disbursement under the Loan, including any disbursements anticipated at closing, the Applicant shall deliver to the Corporation a written request approved by the Technical Assistance Provider;

~~(c)(3)~~ Any disbursement request shall set forth the amount requested by the Applicant and shall be accompanied by invoices, cancelled checks or other such documentation to evidence the amount and kind of work or labor that has been or is to be performed; the value of the same; the identification of the portion of the Development Site on which the work has been performed; and that such contractors, sub-contractors, materialmen, laborers, professionals, consultants and all persons employed by the Applicant to work on the Development have been paid for work performed or will be paid. Lien waivers for work or labor which has been completed shall be submitted along with requests for disbursement. Lien waivers for work which will be paid from the requested disbursement shall be submitted prior to receiving additional disbursements; and

~~(d)(4)~~ Disbursements for eligible activities, conducted prior to being awarded predevelopment financing, qualify for reimbursement from PLP funds provided that the eligible Predevelopment activities were performed or completed no earlier than twelve months prior to the submission of the Application. Reimbursement for site acquisition which was completed prior to closing on the PLP loan shall not be allowed as a PLP expense.

~~(2)(5)~~ Before requests for disbursements under the Loan are processed, the Applicant shall provide verification to the Technical Assistance Provider and the Corporation that the work for which payment is being requested has been performed satisfactorily and on schedule or that the expenses to be reimbursed have actually been incurred or will be incurred.

~~(3)(6)~~ In the event that the Applicant receives PLP funding requests disbursement for site acquisition and proposes to take title to real property, the Applicant must also provide:

~~(a)~~ A recommendation from the Technical Assistance Provider and

~~(b)~~ Subsequent to a Preliminary Underwriting Assessment, a recommendation from the Credit Underwriter that funds be disbursed for site acquisition must also be provided.

~~(c)~~ A Mortgage on the Development Site as collateral for the Loan subject only to such encumbrances approved by the Corporation; however, if the Applicant is proffering a subordinate Mortgage or other collateral for the Loan, the same shall be subject to a favorable recommendation of the Credit Underwriter and the approval of the Corporation.;

~~(d)~~ The Applicant shall provide an appraisal that has been completed by an appraiser approved by the Credit Underwriter;

Specific Authority 420.528 FS. Law Implemented 420.528 FS. History—New 3-23-93, Amended 1-16-96, 5-21-96 Formerly 91-38.014, Amended 3-26-98, 7-17-00, \_\_\_\_\_.

67-38.0145 Compliance and Monitoring Procedures.

~~(1)~~ With respect to Units within the Development that are occupied at the time of Loan closing execution of the Invitation to Participate, shall meet all Development Set-Aside requirements must be met at that time.

~~(2)~~ For With respect to new construction or rehabilitation of rental units not occupied at time of Loan closing execution of the Invitation to Participate, the Applicant shall Corporation must be notified the Corporation prior to the leasing of any units in the Development. The units shall be leased by income eligible tenants.

~~(3)~~ For rental Developments which obtain construction or permanent financing from Corporation Florida Housing programs, the compliance and monitoring requirements of the particular program or programs under which funding is received shall apply.

~~(4)~~ For rental Developments that which obtain construction or permanent financing from sources other than Corporation Florida Housing programs and no Corporation Florida Housing funds remain in the Development.;

~~(a)~~ Any duly authorized representative of the Corporation shall be permitted at any reasonable time to inspect and monitor the records and facilities of the Development for compliance with the following conditions.;

~~(a)1-~~ For homeownership Developments: The Corporation and / or its representative shall perform an initial review to determine home buyer eligibility and verify permanent residency.

~~(b)2-~~ For multifamily rental Developments.;

The Corporation or its representative shall monitor tenant records and facilities for compliance during the Compliance Period with the following conditions:

1.a. All tenant records shall be maintained by the Applicant within 50 miles of the Development Site.

2.b. The Corporation or its representative shall conduct on-site Development inspections at least annually.

~~3.e.~~ The Corporation must approve the Applicant's selection of a management company prior to the company assuming responsibility for the Development based upon the following criteria:

~~a.(i)~~ Review of the company information including key management personnel, management experience and procedures;

~~b.(ii)~~ Review of company forms such as application for apartment residence, income verification forms, lease, etc.;

~~c.(iii)~~ Key management company representative attendance at a Corporation compliance workshop; and

~~d.(iv)~~ A meeting between Corporation compliance staff and the key management company representative after the compliance workshop.

~~(5)(b)~~ The Applicant or an authorized representative, if any, shall attend a compliance training workshop or meet with a representative from the Corporation or the monitoring agent for a compliance training conference prior to initial leasing of any units.

~~(6)(e)~~ The Applicant shall maintain complete and accurate income records pertaining to each tenant occupying a set-aside unit. Records for each occupied set-aside unit shall contain at least the following documentation:

~~(a)1-~~ The ~~tenant's resident's~~ application which shall contain the name or names of each household member, employment and income information for each household member, and other information required by the Applicant;

~~(b)2-~~ A copy of the lease agreement listing the term of the tenancy and each tenant residing in the unit;

~~(c)3-~~ Verification of the income of each tenant as is acceptable to prove income under Section 8 of the U.S. Housing Act of 1937, as amended;

~~(d)4-~~ Information as to the assets owned by each tenant; and

~~(e)5-~~ Income Certification Form TIC-1 for each tenant. Form TIC-1, which is hereby incorporated by reference, can be obtained from the Corporation. For Developments participating in Section 8 and RD Programs, the HUD Forms 50058 or 50059 or RD (or FmHA) Form 1944-8 may be used in lieu of Form TIC-1 as long as proper documentation is maintained in the tenant files.

~~(7)(d)~~ With respect to rental Developments, program reports shall be submitted as follows:

~~(a)1-~~ Initial program reports for rehabilitation/acquisition Developments with units occupied at the time of the execution of the Invitation to Participate shall be submitted at the time of execution of the Invitation to Participate;

~~(b)2-~~ Initial program reports shall be submitted for Developments with no units occupied at the time of the closing of the Loan within 10 days following the end of the calendar quarter during which the leasing of any unit within the Development occurred; and;

~~(c)3-~~ Subsequent program reports shall be submitted each year during the Compliance Period and are due on the dates assigned by the Corporation according to an alphabetical breakdown by property.

~~(8)~~ For homeownership Developments, the initial sale of all units shall be to income eligible purchasers.

Specific Authority 420.528 FS. Law Implemented 420.528 FS. History--New 1-16-96, Formerly 9I-38.0145, Amended 3-26-98, 7-17-00, \_\_\_\_\_.

67-38.015 Disposition of Property Accruing to the Corporation.

Specific Authority 420.528 FS. Law Implemented 420.528, 420.529 FS. History--New 3-23-93, Amended 1-16-96, Formerly 9I-38.015, Amended 3-26-98, 7-17-00, Repealed \_\_\_\_\_.

67-38.017 Application Procedures for Applicants Participating Under 1998 Cycles I and II.

(1) Participants funded under Cycle I or Cycle II of the 1998 Predevelopment Loan Program, pursuant to Chapter 420, F.S. ~~of the Florida Statutes~~, that have not taken final draws on that funding, shall be allowed to apply for funding under this Rule.

(2) To participate these Applicants shall complete and submit Form PLP ~~1115 2000~~. Such Applications shall be subject to all provisions of this Rule except that such Applications shall not be subject to the Application fee or review by the Loan Committee but be deemed to have met threshold.

(3) The Corporation shall issue an Invitation to Participate when the Application has been determined to have met Threshold Requirements ~~be complete~~, provided previous Predevelopment Loan Program award is relinquished, and outstanding notes and mortgages are satisfied with funding provided under this rule.

(4) Applicants awarded funding from Cycle I or II of the 1998 Predevelopment Loan Program that propose to develop Farmworker housing shall receive first priority for those proposed Developments. Priority shall then be given to Applicants proposing to develop other Farmworker housing, then to Cycle I and II Applicants proposing to develop other types of eligible housing, and finally to other Applicants proposing to develop other types of eligible housing.

Specific Authority 420.528 FS. Law Implemented 420.527, 420.528 FS. History--New 7-17-00, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rob Dearduff, Multifamily Loans Manager

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kerey Carpenter, Deputy Development Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2003



DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: June 14, 2002

### Section III Notices of Changes, Corrections and Withdrawals

**DEPARTMENT OF INSURANCE**

RULE NOS.:	RULE TITLES:
4-149.003	Rate Filing Procedures
4-149.021	Form Filing Procedures

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 1, January 3, 2003, of the Florida Administrative Weekly. These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

4-149.003: Subsection (3) has been changed to read:

(a) ...submitted electronically to <https://iportal.fldfs.com> ~~<https://iportal.fldoi.com>~~...

(b) Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com>, or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

4-149.021: Subsection (5) has been changed to read:

(a) ...submitted electronically to <https://iportal.fldfs.com> ~~<https://iportal.fldoi.com>~~...

(b) Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com>, or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

The remainder of the reads as previously published.

**DEPARTMENT OF INSURANCE**

RULE NO.:	RULE TITLE:
4-156.011	Standards and Refund or Credit of Premium

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 1, January 3, 2003, of the Florida Administrative Weekly. These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

Sub-subparagraph (2)(a)3.c., has been changed to read:

c. Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com>, or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), Florida Statutes. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

The remainder of the reads as previously published.

**DEPARTMENT OF INSURANCE**

RULE NO.:	RULE TITLE:
4-191.051	Filing, Approval of Subscriber Contract and Related Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 1, January 3, 2003, of the Florida Administrative Weekly. These changes are being made to address concerns expressed Paragraph (b) of subsection (3) has been changed to read:

c. Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com>, or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), Florida Statutes. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

The remainder of the reads as previously published.

**DEPARTMENT OF INSURANCE**

RULE NO.:	RULE TITLE:
4-203.042	Filing, Approval of Subscriber Contract and Related Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 1, January 3, 2003, of the Florida Administrative Weekly. These changes are being made to address concerns expressed subsection (4) has been changed to read:

c. Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com>, or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), Florida Statutes. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

The remainder of the reads as previously published.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE CHAPTER NO.: 12A-13  
 RULE CHAPTER TITLE: Fee on the Sale or Lease of Motor Vehicles

RULE NO.: 12A-13.002  
 RULE TITLE: Collection and Remittance of Fee

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed amendments to Rule 12A-13.002, F.A.C., as published in the January 3, 2003, edition of the Florida Administrative Weekly (Vol. 29, No. 1, pp. 23-25). A Notice of Change to the proposed amendments to Rule 12A-13.002, F.A.C., and to form DR-35, Motor Vehicle Warranty Remittance Fee Return, was published in the March 7, 2003, edition of the Florida Administrative Weekly (Vol. 29, No. 10, pp. 1034-1035). These changes are in accordance with s. 120.54(3)(d)1., F.S., and are in response to written comments received by the Department from the Joint Administrative Procedures Committee.

The proposed amendments to subsection (4) of Rule 12A-13.002, F.A.C. (Collection and Remittance of Fee), have been changed, so that, when adopted, that rule will read:

~~(4)(2) Form DR-35, Motor Vehicle Warranty Remittance Fee Report (R. 03/03), is hereby incorporated, by reference, in this rule. Each county tax collector shall file a Motor Vehicle Warranty Remittance Fee (DR-35), dated January 1989, which is hereby incorporated in this rule and made part of the rule by reference, showing the amount of such fees received, and shall remit such fees to the Department of Revenue at or within the time or times prescribed in Section 219.07, Florida Statutes. The form entitled Motor Vehicle Warranty Remittance Fee Report (form DR-35) is available, without cost, by one or more of the following methods: 1) writing the Florida Department of Revenue, Forms Distribution Center, 168A 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 at the address shown inside the parentheses (<http://www.myflorida.com/dor/>). Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.~~

The following provisions of Form DR-35, Motor Vehicle Warranty Remittance Fee Report, have been revised, so that, when adopted, those provisions will read:

Page 1:

Warranty fees collected and remitted from Motor Vehicle Dealers on Sales/Leases of specified Motor Vehicles.

Page 2:

Motor Vehicle Warranty Fee: Each motor vehicle dealer and each person engaged in the business of selling or leasing new motor vehicles shall collect a \$2.00 fee at the time of sale or upon entering into a lease agreement. Motor vehicle dealers, ~~who sell or lease a new motor vehicle in this state,~~ must collect the fee from the purchaser or lessee at the time of sale or lease of a new vehicle, including demonstrator vehicles, for which a manufacturer's warranty is issued. Dealers who sell or lease new motor vehicles, for which they are not authorized under a franchise agreement to issue a manufacturer's warranty on that new vehicle, are required to collect the fee from the purchaser. These vehicles will be titled as used vehicles. Sales or leases of other used vehicles are not subject to the fee. Sales or leases of motorcycles, mopeds, off-road vehicles, trucks over 10,000 pounds gross vehicle weight, or living facilities of recreational vehicles, or sales or leases to city, county, or state agencies are also not subject to the fee.

**DEPARTMENT OF REVENUE**

**Miscellaneous Tax**

RULE NOS.: 12B-7.008  
 RULE TITLES: Public Use Forms

RULE NOS.: 12B-7.026  
 RULE TITLES: Public Use Forms

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to proposed Rules 12B-7.008 and 12B-7.026, F.A.C., as published in the January 31, 2003 edition of the Florida Administrative Weekly (Vol. 29, No. 5, pp. 428-430). These changes are in accordance with s. 120.54(3)(d)1., F.S. These changes are in response to comments received by the Department from the Joint Administrative Procedures Committee.

The proposed amendments to subsection (2), (3), (4), and (5) of Rule 12B-7.008, F.A.C. (Public Use Forms), have been changed so that, when adopted, those subsections will read:

Form Number	Title	Effective Date
<del>(2)(1)</del> DR-144	Gas and Sulfur Production Quarterly Tax Return (R. 03/03 <del>1-2/94</del> )	<del>1-2/94</del>
(3) DR-144ES	<u>Declaration of Estimated Gas and Sulfur Production Tax (R. 03/03)</u>	_____
<del>(4)(2)</del> DR-145	Oil Production Monthly Tax Return (R. 03/03 <del>1-5/93</del> )	<del>1-5/93</del>
<del>(5)(3)</del> DR-145X	<u>Amended Florida Oil Production Monthly Tax Return (R. 03/03 <del>1-2/94</del>)</u>	<del>1-2/94</del>

The proposed amendments to subsection (2) and (3) of Rule 12B-7.026, F.A.C. (Public Use Forms), have been changed so that, when adopted, those subsections will read:

Form Number	Title	Effective Date
(2)(+) DR-142	<u>Solid Mineral Producers Severance Tax Return (R. 03/03 <del>1-12/98</del>)</u>	____ 10/01
(3) DR-142ES	<u>Declaration/Installment Payment of Estimated Solid Mineral Severance Tax (R. 03/03)</u>	____

The following provisions of form DR-142 (Solid Mineral Severance Tax Return), form DR-144 (Gas and Sulfur Production Quarterly Tax Return), form DR-145 (Oil Production Monthly Tax Return), and form DR-145X (Oil Production Monthly Amended Tax Return), have been revised, so that, when adopted, the following statement on each form will be revised to read:

~~Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete. If prepared by a person other than the taxpayer, this declaration is based on all information of which the preparer has knowledge. [ss. 92.525(2), 211.075(2) and 837.06, Florida Statutes].~~

The following provisions of form DR-142 (Solid Mineral Severance Tax Return), form DR-142ES (Declaration/Installment Payment of Estimated Solid Mineral Severance Tax), form DR-144 (Gas and Sulfur Production Quarterly Tax Return), form DR-144ES (Declaration of Estimated Gas and Sulfur Production Tax), and form DR-145X (Oil Production Monthly Amended Tax Return), have been revised, so that, when adopted, the following statement on each form will be revised to read:

Electronic funds transfer (EFT): Any taxpayer who paid more than ~~\$50,000~~ \$30,000 in severance taxes between July 1 and June 30 (the state's fiscal year) is required to remit taxes by EFT in the following calendar year.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.240  
 RULE TITLE: Portable X-Ray Services  
 NOTICE OF CHANGE

Notice is hereby given that the following change was made to the Notice of Proposed Rulemaking published in Vol. 29, No. 10, March 7, 2003, issue of the Florida Administrative Weekly. The date the Notice of Rule Development was published in the Florida Administrative Weekly was May 17, 2002.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-21.001  
 RULE TITLE: Independence  
 NOTICE OF CHANGE

Notice is hereby given that changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 45, of the November 8, 2002, issue of the Florida Administrative Weekly. The changes are in response to public hearings on January 24, 2003 and March 18, 2003.

The changes shall be as follows:

1. Subsection (1) shall read:

(1) A licensed firm shall not express an opinion on financial statements (as that term is defined in the Standards for Independence) of an enterprise or on the reliability of an assertion by one party for use by another (third) party unless the firm is independent with respect to such enterprise or the party making the assertion. A licensed firm is also precluded from expressing such an opinion if the firm is aware that an individual in the firm is not independent and that individual is a covered licensee or is otherwise required to be independent. A licensed individual shall not express such an opinion unless the individual is independent with respect to such enterprise or the party making the assertion. A licensed individual is also precluded from expressing such an opinion if he or she is aware that an individual in the firm is not independent and that individual is a covered licensee or is otherwise required to be independent. All covered licensees and all other individuals who are required to be independent are required to disclose to the firm that they are not independent prior to the issuance of such an opinion; failure to do so is a violation of this rule. All firms are required to adopt appropriate policies to implement the disclosures requirement and to monitor compliance therewith.

2. Subsection (2) shall read:

(2) In order to delineate the standards against which a licensee's independence or lack thereof is to be judged, the Board has created a document entitled "Standards for Determining Independence in the Practice of Public Accountancy for CPAs Practicing Public Accountancy in the State of Florida" (effective 5-1-2003) (hereinafter "Standards for Independence") which document is hereby incorporated by reference in this Rule. The standards contained in the "Standards for Independence" are similar to those contained in the Code of Professional Conduct promulgated by the American Institute of Certified Public Accountants.

3. Subsection (3) will remain the same.

4. Subsection (4) will be deleted in its entirety.

5. Subsection (5) will be deleted in its entirety.

6. Subsection (6) will become subsection (4).

7. Subsection (7) will be deleted in its entirety.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Johnson, Executive Director, Board of Accountancy, 1940 North Monroe Street, Tallahassee, Florida 32399

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-21.004  
 RULE TITLE: Conflicts of Interest

**NOTICE OF WITHDRAWAL**

Notice is hereby given the above rule which was filed in for publishing in Vol. 28, No. 45, of the November 8, 2002, Florida Administrative is being withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE RULE WITHDRAWAL IS: John W. Johnson, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 03-08R

RULE CHAPTER NO.: 62-624  
 RULE CHAPTER TITLE: Municipal Separate Storm Sewer Systems

RULE NO.: 62-624.810  
 RULE TITLE: Permit Application Procedures for Phase II MS4s

**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, pursuant to Sec. 120.551, F.S., in the Department's official notice Internet site at [www.dep.state.fl.us](http://www.dep.state.fl.us) and a summary published in Vol. 29, No. 9, February 28, 2003, issue of the Florida Administrative Weekly.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button entitled "Official Notices."

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Fred Noble, P.E., NPDES Stormwater Section, Florida Department of Environmental Protection, Mail Station 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-8.001  
 RULE TITLE: Renewal of Clinical Laboratory Personnel License

**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. 28, No. 50, December 13, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee, and board meeting held on February 28, 2003.

The rule shall now read as follows:

The department shall renew a license upon receipt of the renewal fee provided that the Board has not withdrawn its certification of competency for an active status licensee.

Specific Authority 456.035, 483.805(4), 483.817(2) FS. Law Implemented 456.035, 483.817, 483.821 FS. History—New 2-22-94, Formerly 61F3-8.001, Amended 12-26-94, 5-3-95, 12-3-96, Formerly 59O-8.001, Amended

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-8.002  
 RULE TITLE: Inactive Status and Reactivation of Inactive Clinical Laboratory Personnel License

**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. 28, No. 50, December 13, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee, and board meeting held on February 28, 2003.

Subsection (2) shall now read as follows:

(2) An inactive status licensee may change to active status at any time provided the licensee meets the continuing education requirements in Rule 64B3-11.001, F.A.C. The licensee shall be requested to provide copies of all continuing education hours, and:

(a) through (b) No change.

(c) Pays, if applicable, the change of status fee of Rule 64B3-9.010, F.A.C.

Specific Authority 456.036, 483.805(4), 483.819 FS. Law Implemented 456.036, 483.817 FS. History—New 2-22-94, Formerly 61F3-8.002, Amended 12-26-94, 5-3-95, 12-3-96, Formerly 59O-8.002, Amended 9-12-99, 5-16-00,

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-8.005  
 RULE TITLE: Delinquent Status License  
 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. 28, No. 50, December 13, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee, and board meeting held on February 28, 2003.

Subsection (3)(b) shall now read as follows:

(b) ~~Upon request,~~ Demonstrate compliance with the continuing education requirements of Rule 64B3-11.001, F.A.C., and Rule 64B3-8.002, F.A.C.

Specific Authority 456.036, 483.805(4) FS. Law Implemented 456.036 FS. History—New 12-26-94, Amended 12-3-96, Formerly 590-8.005, Amended 12-21-99, \_\_\_\_\_

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.: 64E-1.0015  
 RULE TITLES: Laboratory Certification Standards  
 64E-1.005 Records, Reports, and Contractual Agreements  
 64E-1.007 Fees and Certification Categories  
 64E-1.102 Certification Requirements  
 64E-1.105 Display of Certificate and Use of Certification  
 64E-1.106 Proficiency Testing Requirements

**NOTICE OF CORRECTION**

In the Notice of Proposed Rulemaking for Rule 64E-1, F.A.C., published March 14, 2003 in the F.A.W., the DATE PROPOSED RULE APPROVED BY AGENCY HEAD was listed as “to be determined.” This date is corrected to February 28, 2003.

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NO.: 64E-11.012  
 RULE TITLE: Manager Certification  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the Notice of Change regarding the above rule, as noticed in Vol. 29, No. 11, March 14, 2003, Florida Administrative Weekly, has been withdrawn.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NO.: 65C-16.013  
 RULE TITLE: Determination of Maintenance Subsidy Payments

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 27, No. 27, July 6, 2001, Florida Administrative Weekly has been withdrawn.

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NOS.: 67-50.001  
 RULE TITLES: Definitions  
 67-50.010 Fees  
 67-50.030 General Program Eligible Activities  
 67-50.040 General Program Restrictions  
 67-50.050 HAP Program Restrictions  
 67-50.060 HOME Program Restrictions  
 67-50.070 Application and Selection Procedures  
 67-50.080 Credit Underwriting Procedures

**NOTICE OF CHANGE**

Notice is hereby given that in response to oral and written comments and non-published technical corrections/clarifications the following changes have been made to Rule 67-50, Florida Administrative Code, as published in Vol. 29, No. 4 of the Florida Administrative Weekly, on January 24, 2003.

PURPOSE, EFFECT AND SUMMARY: The purpose of this Rule Chapter is to refine the procedures by which the Corporation shall:

(1) Administer the Application process, determine loan amounts, and service loans to Developers for the construction of affordable housing under the Florida Homeownership Assistance Program (HAP)/Construction Loan Program and provide purchase assistance to Eligible Homebuyers under the HAP Permanent Loan Program, authorized by Chapters 420.507 and 420.5088, Florida Statutes (F.S.); and

(2) Administer the Application process, determine loan amounts, and service loans to Developers for the construction of affordable housing and provide purchase assistance to Eligible Homebuyers under the HOME Investment Partnerships (HOME) Homeownership Loan Program, authorized by Chapter 420.5089, F.S. and HUD regulations, 24 CFR § 92, which is adopted and incorporated herein by reference.

(3) Prior to the opening of an Application Cycle, the Corporation researches the market need for affordable housing throughout the State of Florida and evaluates prior Application Cycles to determine the necessary changes or additions to the existing rules and applications. These ~~This~~ proposed amendments to the new Rule and adopted reference materials

establishes the procedures by which the Florida Housing Finance Corporation shall administer the Homeownership Loan Program, which combines funding from the HAP Construction, HAP Permanent, and HOME Homeownership Loan Programs.

67-50.001 Definitions.

(4) "Affiliate" means any person that:

(a) Directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with the Applicant;

(b) Serves as an officer or director, ~~agent, employee, or any business entity or person associated with the Applicant in the furtherance of a business venture for which the Applicant is applying for assistance from the Corporation of or of any Affiliate of the Applicant;~~ or

(c) Is the spouse, parent, child, sibling, or relative by marriage of a person described in (a) or (b) above.

(8) "Application Package" or "HOMEOWN-0530 (Rev. 4/03)" means the forms and instructions obtained from the Corporation, at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329 and available on the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org), which shall be completed and submitted to the Corporation in order to apply for either HAP or HOME funds, which is adopted and incorporated herein by reference and effective on the date of the latest amendment to this Rule Chapter.

(9) "Application Period" means the period during which Applications shall be accepted, ~~with a deadline of no less than thirty (30) days from the beginning of the Application Period,~~ as noticed in the Florida Administrative Weekly and posted on Florida Housing's web site at [www.floridahousing.org](http://www.floridahousing.org).

(21) "Developer" means an individual, association, corporation, joint venturer, limited partnership, limited liability company, or partnership, possessing the requisite skill, experience, and credit worthiness to successfully produce single-family housing pursuant to this Rule Chapter.

(22) "Development" means any work or improvement located or to be located in the state, including real property, all buildings, and any other real and personal property which is:

(a) Designed and intended for the primary purpose of providing decent, safe, and sanitary residential housing for persons or households;

(b) Consists of at least four (4) homes; ~~and~~

(c) Meets the minimum set-aside requirements and sales price limits of either the HAP or HOME Program, as applicable; and

(d) Can be identified by legal description or street address.

(25) "Document" means a written, electronic media, or graphic matter of any kind whatsoever, however produced or reproduced, including ~~but not limited to~~ records, reports, memoranda, minutes, notes, graphs, maps, charts, contracts,

opinions, studies, analysis, photographs, financial statements and correspondence as well as any other tangible item on which information is recorded.

(49) "Non-Profit Sponsor" means, with respect to the HAP Program, a unit of local government or public housing authority, established pursuant to Chapter 421, F.S., or a Community Based Organization, as defined in subsection 67-50.005(14), F.A.C., which has agreed to sponsor an Eligible Development utilizing either a Non-Profit or for-profit Developer.

(50) "Note" means a unilateral agreement containing an express and absolute promise to pay to the Corporation a principal sum of money on a specified date, which provides the interest rate, ~~if applicable,~~ and is secured by a mortgage.

(54) "Principal" means an Applicant, any general partner of an Applicant, and any officer, or director, ~~or any shareholder of any Applicant or shareholder of any general partner of an Applicant.~~

(57) "Review Committee" means a committee of Corporation staff persons appointed by the Executive Director or assignee Board of Directors who will make recommendations to the Board regarding Program participation.

(60) "Scattered Sites" means a Development consisting of five or more single family residential units; where no more than four single family residential units are located on any one site and any additional site or sites must not share a common boundary at least 2,000 feet apart an individual action on a one (1) to four (4) family dwelling, unless the development is of five (5) or more units located within two thousand (2,000) feet of each other, undertaken as a single action.

(61) "Servicer" means the entity, and any subcontractors, under contract with the Corporation to provide loan servicing, including ~~but not limited to,~~ administration and compliance monitoring.

(63) "Sponsor" means, with respect to the HOME Program, any individual, association, corporation, joint venturer, partnership, trust, or other legal entity or combination thereof, that has been approved by the Corporation as qualified to construct a Development.

Specific Authority 420.507(12), (23) FS. Law Implemented 420.507(23), 420.5088, 420.5089 FS. History—New 9-5-02, Amended \_\_\_\_\_.

67-50.010 Fees.

(1) The Corporation shall collect an Application fee ~~the following fees~~ from all Applicants when initially applying for either HAP or HOME funds;:

~~(a) Application Package fee~~

~~(b) Application submission fee~~

(2) With respect to the HAP Program, the Applicant is responsible for the following fees, which are part of the Development Cost and must ~~can~~ be included in the Development Cost ~~Pro Forma~~:

- (a) Credit Underwriting fee;
  - (b) Loan Servicing fees; and
  - (c) Construction inspection fees
- (3) With respect to the HOME Program, these fees ~~referenced in (2)~~ are paid directly by the HOME Program.

Specific Authority 420.507(12), (23) FS. Law Implemented 420.507(19), 420.5088, 420.5089 FS. History—New 9-5-02, Amended.

67-50.030 General Program Eligible Activities

(1) Funds may be used to pay for the following eligible costs:

(a) Development hard costs as they directly relate to the identified assisted units for the costs necessary to meet local and State building codes and the Model Energy Code.

(b) Soft costs as they relate to the identified assisted units. The costs must be reasonable and necessary, as determined by the Corporation and Credit Underwriter, and associated with the financing, development, or both, ~~including, but not limited to~~ and include:

1. Architectural, engineering or related professional services required to prepare plans, drawings, specifications or work write-ups;
2. Costs to process and close the financing for a Development, such as credit reports, fees for evidence of title, recordation, building permits, attorney fees, cost certifications, and estimates;
3. Developer fees, including administrative overhead, are limited to sixteen percent (16%) of the Total Development Cost;
4. Impact fees;
5. Costs of Development audits required by the Corporation or compliance monitoring agent;
6. Affirmative marketing and fair housing costs; and
7. Temporary relocation costs, as required for the HOME program.

(2) Funds may be used to construct one (1) speculative unit or model home for up to ten (10) units in the Development, up to two (2) speculative units or model homes for eleven (11) to twenty (20) units in the Development and a maximum of three (3) speculative units or model homes for a Development with over twenty (20) units at any period of time.

(4) The Corporation shall make HOME Permanent Loan funds available to participating lenders in the Single-Family Mortgage Revenue Bond (SF MRB) Program for eligible homebuyers, in accordance with the SF MRB documents and Rule Chapter 67-25, F.A.C.

Specific Authority 420.507(12), (23) FS. Law Implemented 420.5088, 420.5089 FS. History—New 9-5-02, Amended.

67-50.040 General Program Restrictions.

(1) An Applicant may not submit an application for HAP and HOME funding for the same Development under the Homeownership cannot receive funding from both the HAP and HOME Construction Loan Programs for the same Development.

(2) Applications shall be limited to one submission per subject property, per Application Period, and funding requests shall be limited to the lesser of thirty-three percent (33%) of the total Development cost or \$1,000,000 for the HAP Program or the lesser of thirty-three percent (33%) of the total Development cost or \$2,000,000 for the HOME Program.

(10) The Corporation or its Servicer shall monitor the compliance with all terms and conditions of the HAP or HOME Loan and any violation of any term or condition shall constitute a default of the Loan. ~~If a default on a Loan occurs, the Corporation may commence legal action to protect the interest of the Corporation.~~

(11) The construction period shall be for a period of three (3) years beginning on the closing date of the Construction Loan or the date of Florida Housing's commitment for a Development utilizing purchase assistance only. With approval by the Board, a one-year extension is permissible provided that the Applicant:

- (a) Requests the extension in writing at least sixty (60) days prior to the end of the construction period;
- (b) States the reason the extension is needed;
- (c) Provides the Applicant's past performance history;
- (d) Provides a comprehensive work completion plan;
- (e) Supplies an alternate financing plan in the event the original financing source withdraws; and
- (f) Provides assurance that the one-year extension will result in the successful completion of the Development.

(14) If the Board of Directors determines that any Applicant or any Affiliate of an Applicant has:

- (a) ~~Has~~ Engaged in fraudulent actions;
- (b) ~~Has~~ Materially misrepresented information to the Corporation regarding any of its Developments, within the current Application or in any previous applications for financing or an allocation of Housing Credits administered by the Corporation;
- (c) ~~Has~~ Been convicted of fraud, theft or misappropriation of funds;
- (d) ~~Has~~ Been excluded from federal or Florida procurement programs; or
- (e) ~~Has~~ Been convicted of a felony, and uUpon a determination by the Board of Directors that such action substantially increases the likelihood that the Applicant will not be able to produce quality affordable housing, the Applicant and any of the Applicant's Affiliates will be ineligible for funding or allocation in any program administered by the Corporation for a period of two (2) years,

which will begin from the date the Board of Directors makes such determination. Such determination shall be made either pursuant to a proceeding conducted pursuant to Section 120.569 and 120.57, Florida Statutes, or as a result of a finding by a court of competent jurisdiction.

Specific Authority 420.507(12) FS. Law Implemented 420.5089(2) FS. History—New 9-5-02, Amended \_\_\_\_\_.

67-50.050 HAP Program Restrictions.

(6) HAP Permanent Loan. The terms of the HAP Permanent Loan made to an Eligible Homebuyer are as follows:

(a) A HAP Permanent Loan shall be made available to an Eligible Homebuyer who purchases a home built by a Developer participating in the Homeownership Loan Program, under the HAP Program.

(b) The Eligible Homebuyer must have an Adjusted Income that does not exceed eighty percent (80%) AMI at the time of closing.

(c) A HAP Permanent Loan is available in an aggregate amount not to exceed the lesser of \$30,000, twenty five percent (25%) of the purchase price of the house, or the amount necessary to meet credit underwriting criteria, based on the monthly mortgage payment (which includes the principal, interest, taxes and insurance) to income underwriting ratio.

(d) When the HAP Permanent Loan is used in conjunction with another Corporation subordinate mortgage program, the Eligible Homebuyer's Adjusted Income may not exceed fifty percent (50%) AMI and the aggregate amount of the Corporation Loans may not exceed thirty-five percent (35%).

(e) The combined loan-to-value ratio cannot exceed one hundred five percent (105%) of the appraised value. In the 105% loan-to-value calculation, the Corporation will not include any subsidy that contains forgivable terms within a five (5) seven (7) year period.

(f) The HAP Permanent Loan shall be underwritten by the first mortgage lender and reviewed by the Corporation's designated Servicer.

(g) The purchase price of the house cannot exceed the appraised value or the maximum purchase price, as determined by the Single Family Mortgage Revenue Bond Program, as in effect at the time of the beginning of the construction of the house.

Specific Authority 420.507(12), (23) FS. Law Implemented 420.507(23), 420.5088 FS. History—New 9-5-02, Amended \_\_\_\_\_.

67-50.060 HOME Program Restrictions.

(8) All contracts for the construction of a Development with 12 or more HOME-Assisted Units must contain a provision requiring that not less than the wages paid to all laborers and mechanics employed for the construction of the Development will not be less than the wages prevailing in the locality, as predetermined by the U.S. Secretary of Labor pursuant to the Davis-Bacon Act, 40 U.S.C. § 276a-265-a-5

(1994), 24 CFR § 92.354, 24 CFR § 70 (volunteers) and 40 U.S.C. 276c, which are adopted and incorporated herein by reference, ~~will be paid to all laborers and mechanics employed for the construction of the Development.~~ Such contracts shall also be subject to the overtime provisions of the Contract Work Hours and Safety Standards Act, 40 U.S.C. 327-333 (1994), and the Copeland Act (Anti-Kickback Act) 40 U.S.C. § 276c (1994) and the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.), which are adopted and incorporated herein by reference.

(14) A certification by the Corporation of the HUD Environmental Review is required, pursuant to 24 CFR 92.352.

~~(15)~~(14) A HOME-assisted unit shall qualify as affordable housing if:

(a) The value or initial purchase price of the property after construction does not exceed the Maximum Purchase Price;

(b) The combined loan-to-value ratio cannot exceed one hundred five percent (105%) of the after construction or appraised value of the HOME-Assisted unit, except when HOME funds are used with the SF MRB Program, where the combined loan-to-value of all assistance cannot exceed one hundred three (103%) of the lesser of the appraised value or the purchase price or as permitted in the applicable SF MRB issue documents. In the loan-to-value calculation, the Corporation will not include any subsidy that contains forgivable terms within a five (5) seven (7) year period;

(c) The person or household qualifies as an Eligible Homebuyer at the time of purchase and who will occupy the home acquired property as their principal residence; and

(d) The purchase price of the property after construction must not exceed the appraised value of the property.

(15) through (16) renumbered (16) through (17) No change.

Specific Authority 420.507(12), (23) FS. Law Implemented 420.507(23), 420.5088 FS. History—New 9-5-02, Amended \_\_\_\_\_.

67-50.070 Application and Selection Procedures.

(1) All Applications must be submitted complete, legible and consistent and must be received by the Application Deadline, as specified in the NOFA. Corporation staff may not assist any Applicant by copying, collating or adding documents to an Application, nor shall any Applicant be permitted to use the Corporation facilities or equipment for purposes of compiling or completing an Application.

(2) Each submitted Application will be reviewed and preliminarily scored ~~evaluated~~ using the factors specified in the Application Package and this Rule Chapter. Preliminary scores shall be transmitted to all Applicants along with the master scoring sheet and deficiency report.

(4) Cure Period. Within twenty (20) Calendar Days of the date of the notice set forth in subsection (2) above, each Applicant shall be allowed to submit revised pages and additional documentation, (the "revisions") as the Applicant



deems appropriate to address the issues raised in the master scoring sheet and deficiency report that could result in rejection of the Application or a score less than the maximum available.

(a) Each new page must be marked "revised."

(b) Failure to mark each new page "revised" will result in the Corporation not considering the revisions to that new page.

(c) Where revisions create an inconsistency elsewhere in the Application, the Applicant is required to make such other changes to keep the Application consistent.

(d) Pages of the Application that are not revised may not be resubmitted, with the exception of documents executed by third parties, which must be submitted in their entirety.

(e) The Applicant shall submit an original and three copies of all revisions; submissions via the internet or facsimile shall not be accepted.

(f) Only revisions received by the deadline set forth herein will be considered.

(g) Any subsequent revisions submitted prior to the deadline must include a written request to withdraw any previous revision.

(4) through (5) renumbered (5) through (6) No change.

(7)(6) At no time during the scoring process may Applicants or their representatives contact Board members or Corporation staff, except for Corporation's legal staff, concerning their own Development or any other Applicant's Development. If an Applicant or its representative does contact a Board member or staff in violation of this section, the Board may, upon a determination that such contact was deliberate, disqualify such Applicant's Application.

(8)(7) Following the receipt and review of the documentation described in subsection (4) above, After evaluation of the Applications received in each Application Period, the Corporation's staff shall issue a notification letter final score to each Applicant disclosing whether or not the Applicant met the threshold and minimum score requirements. In determining such final scores, no Application shall be rejected or receive a point reduction as a result of any issues not previously identified in the notice described in subsection (4) above. However, inconsistencies created by the Applicant as a result of information provided pursuant to subsection (4) above will be justification for rejection or reduction of points as appropriate. Notwithstanding the foregoing, any deficiencies in the mandatory elements set forth in subsection (10) below can be identified at any time prior to sending the final scores to Applicants and will result in rejection of the Application.

(8) Applicants shall be provided with their scoring sheets, the scoring and rankings, and a notice of deficiencies, if applicable.

(10) Notwithstanding any other provisions of these rules, there are certain items that must be included in the Application and cannot be revised, corrected or supplemented after the

Application Deadline. Failure to submit these items in the Application at the time of the Application Deadline shall result in rejection of the Application without opportunity to submit additional information. Any attempted changes to these items will not be accepted. Those items are as follows: With respect to the HOME Program, a certification by the Corporation of the HUD Environmental Review is also required, pursuant to 24CFR 92.352.

(a) Name of Applicant;

(b) Name of the Developer;

(c) Program applied for;

(d) Number of units;

(e) Site for the Development;

(f) Type of Development Category;

(g) County;

(h) Demographic or Area Commitment or target demographic area;

(i) Total set-aside percentage of the Total Set-Aside Commitment;

(k) Designation of Applicant; and

(l) Funding request amount.

(11) At the time of submission of the Application, each Applicant shall disclose in writing, certifying under penalty of perjury, whether any current or recent financial business, professional, and family relationships or associations with an employee or agent of the Corporation exists or whether any current or recent financial business, professional, and family relationships or associations with a former employee or agent of the Corporation exists. In the case of a former employee or agent of the Corporation, the date of the former employee's or agent's departure from the Corporation, if the departure is less than two years from the date of the submission of the Application. The Corporation shall make HOME Permanent Loan funds in conjunction with Single Family Mortgage Revenue Bonds available to eligible Applicants in accordance with the Corporation's Single Family Mortgage Revenue Bond Program documents and Rule Chapter 67-25, F.A.C. Pending the availability of HOME funds and offering such funds to be used with a FHFC's Single Family Mortgage Revenue Bond (SF MRB) issue, the Corporation shall make HOME Second Mortgage Loan funds available to lenders participating under the FHFC's Single Family Mortgage Revenue Bond (SF MRB) Program on a first-come, first-served basis.

Specific Authority 420.507(12), (23) FS. Law Implemented 420.507(23), 420.5088, 420.5089 FS. History—New 9-5-02, Amended \_\_\_\_\_.

67-50.080 Credit Underwriting Procedures.

(2) The Applicant shall submit the required information to the Credit Underwriter within sixty (60) days of the date of receipt of the notification letter. If an extension is needed, a written request substantiating the need for the extension must be provided to the Corporation prior to the sixty (60) day initial

deadline, subject to approval by the Credit Underwriter and the Corporation Staff. However, the extension shall not exceed a period of sixty (60) days. In the event the time limitation expires, the Corporation will request that the Applicant relinquish the preliminary allocation and it will be made available to the next ranked Applicant.

Specific Authority 420.507(12), (23) FS. Law Implemented 420.507(23), 420.5088, 420.5089 FS. History—New 9-5-02, Amended \_\_\_\_\_.

The following changes were made to the Application Package:

1. Application Instructions – HOMEOWN-0530 (Rev. 4/03) – Instructions:

Clarification of general instructions and submission requirements

2. Application – HOMEOWN-0530 (Rev. 4/03) – Application:

a. Part I. Applicant Certification and Acknowledgment: Revised Applicant Certification Form

b. Part II. Applicant and Development Team: Provided new Exhibit Forms

c. Part III. Development: Clarification for Scattered Sites Developments and HAP and HOME Program threshold requirements

d. Part V. Financing: Clarification of the required Forms and necessary documentation for firm commitments

3. Forms – Exhibits (Forms 1-40) – HOMEOWN-0530 (Rev. 4/03) – Forms – Exhibits:

Clarification of requirements and provided additional forms:

- Exhibit 11b Developer’s Experience Chart
- Exhibit 12b Contractor’s Experience Chart
- Exhibit 31 HOME Program Contractor Certification
- Exhibit 39 Affordability Analyses Form
- Exhibit 40 Defer Development Fee Form

4. Miscellaneous:

- 2003 HAP Sales Price Limits – revised for 2003
- 2003 HOME Purchase Price Limits – revised for 2003
- 2003 Income Limits – revised for 2003

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## Section IV Emergency Rules

**NONE**

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## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs received an Emergency Petition for Waiver on March 6, 2003, from the City of Arcadia. The petitioner seeks a waiver of paragraph 9B-43.006(2)(a), Fla. Admin. Code. This petition for waiver is being applied for under Chapter 120.542, F.S.; Chapter 28-104.004, F.S. and Executive Order 99-275.

A copy of the Petition, which has been assigned the number DCA03-WAI-076, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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### WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-16 DAO-ROW), on February 13, 2003, to Coconut Key Homeowners Association. The petition for waiver was received by the SFWMD on July 22, 2002.

Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 28, No. 32, on August 9, 2002. No public comment was received.

This Order provides a waiver for existing landscaping within the north right of way of C-14, Section 31 Township 48 South, Range 42 East, Broward County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which requires that a 40 foot wide strip of right of way, measured from the top of the bank landward, be unencumbered by permanent and/or semi-permanent above-ground structures to enable the District to perform the required routine and emergency operations and maintenance activities necessary to insure flood protection to the entire community. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not significantly interfere with the SFWMD’s ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Coconut Key Homeowners Association from suffering a substantial hardship and a violation of the principles of fairness.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov).

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NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-18 DAO-ROW), on February 13, 2003, to the Florida Department of Transportation. The petition for waiver was received by the SFWMD on October 2, 2002.

Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 28, No. 42, on October 18, 2002. No public comment was received.

This Order provides a waiver for proposed widening of the existing Oakland Park Boulevard bridge crossing C-13, Section 28, Township 49 South, Range 42 East, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (6) and (7), and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which establishes a minimum low member elevation of pile-supported bridges within Works and Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Florida Department of Transportation from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov).

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NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-17 DAO-ROW), on February 13, 2003, to Florida Power & Light Company. The petition for waiver was received by the SFWMD on June 3, 2002.

Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 28, No. 27, on July 5, 2002. No public comment was received.

This Order provides a waiver for installation of culverts through Levee 31 East, Section (multiple), Township 58 & 57 South, Range 40 & 39 East, Miami-Dade County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications

within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which prohibits the installation of culverts through Levee 31 East. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Florida Power & Light Company from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov).

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#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

On February 28, 2003, the Department received a petition from the Hamilton County Board of County Commissioners for a variance pursuant to Section 120.542, F.S., from the provisions of paragraph 62-701.510(3)(a), F.A.C., which requires a groundwater monitoring system capable of monitoring each solid waste unit as it is operated.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us> under the link or button titled "Official Notices."

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#### **DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that the Department of Health received a Petition for Waiver on October 30, 2002 from Encore Senior Village at Clearwater for the use of a residential dishwasher, which meets the National Sanitation Foundation (NSF) Standard 184, in its satellite kitchens. The petition seeks relief from subparagraph 64E-11.006(1)(m)3., F.A.C., which specifies the final rinse temperature and other requirements.

Comments on the petition should be filed with Sam Power, Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice.

For a copy of the petition, contact: Ric Mathis, Bureau of Facility Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710 or (850)245-4277.

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AMENDED NOTICE (originally Published February 29, 2003) – NOTICE IS HEREBY GIVEN that on January 27, 2003, the Department of Health received a Petition for Permanent Waiver from Merritt Development, Inc., d/b/a/ Hitching Post Trailer Ranch regarding paragraph 64E-15.003(2)(b), F.A.C., that does not exist; subsection 64E-15.004(5), F.A.C., that requires a sanitary dump station at

all recreational vehicle parks; and subsections 64E-15.005(2) and (4), F.A.C., that requires recreational vehicle parks constructed after the effective date of the rule to have at least one set of sanitary facilities for their patrons.

Comments on this petition should be filed with Sam Power, Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice.

For a copy of the petition, contact: Ken Widergren, Bureau of Facility Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710, or by calling (850)245-4444, Extension 2453.

The Board of Medicine hereby gives notice that it has received a petition filed on January 31, 2003, by Emmanuel Soyoola, M.D., seeking an emergency variance from Rule 64B8-5.001, F.A.C.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or (850)245-4131.

The Board of Medicine hereby gives notice that Petition for Waiver filed by Adela Perez, M.D., is moot. Notice of the Petition for Waiver was published in Vol. 29, No. 3, of the January 17, 2003, Florida Administrative Weekly.

The Petitioner withdrew her application for licensure and as such, the Petition for Waiver is moot.

The person to be contacted regarding this Petition is: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

NOTICE IS HEREBY GIVEN that the Department of Children and Family Services has received a Petition for Waiver of subsection 65C-15.010(1), F.A.C. The Petition was received by the Agency Clerk on February 27, 2003, by United for Families' Inc., and assigned Case Nos. 03-002W. Subsection 65C-15.101(1), F.A.C., requires that a child placing agencies beginning operation shall have the capital necessary for a six-month period of operation.

A copy of the petition may be obtained by writing: Office of the Agency Clerk, Department of Children and Family Services, Bldg. 2, Room 204, 1317 Winewood Blvd., Tallahassee, FL 32399-0700.

**Section VI  
Notices of Meetings, Workshops and Public Hearings**

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Financial Services Commission
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Department of Education
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: April 8, 2003, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

PURPOSE: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance

Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation And Recreation Lands (CARL) and

other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

**CABINET AIDES BRIEFING:** On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

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## DEPARTMENT OF STATE

The **Department of State, Division of Library and Information Services**, announces a public meeting of the State Library Council.

**DATE AND TIME:** Tuesday, March 25, 2003, 10:00 a.m. – 3:00 p.m.

**PLACE:** The State Library of Florida, R. A. Gray Building, Third Floor Training Room, 500 South Bronough Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** As authorized by Section 257.02, F.S., and Section 257.031, F.S., the State Library Council advises and assists the Division of Library and Information Services, Department of State, which administers the State Library, on its programs and activities.

A copy of the agenda may be obtained by contacting: Director, Division of Library and Information Services, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6600 or Suncom 205-6600.

Pursuant to Chapter 286.26, F.S., any person requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting at (850)245-6600 or TDD (850)922-4085.

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#### **DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Feed Technical Council, to which all persons are invited:

DATE AND TIME: March 27, 2003, 1:30 p.m.

PLACE: Bob Crawford Agricultural Center, 615 East Main Street, Bartow, Florida 33830, (863)499-2500

GENERAL SUBJECT MATTER TO BE CONSIDERED: Feed Technical Council Meeting; Regular business of the Feed Council.

You may contact: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, L-29, Tallahassee, Florida 32399-1650, (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call, Dale Dubberly, as soon as possible.

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The **Department of Agriculture and Consumer Services** announces a meeting of the Citrus Production Research Advisory Council.

DATE AND TIME: Tuesday, April 8, 2003, 10:00 a.m. – 12:00 Noon

PLACE: Highlands County Agricultural Center, Conference Room, Highway 27, South of Sebring

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the Research Council to review citrus research project preproposals for the year 2003-2004, decide which will move to the full proposal step and address other issues as needed.

If special accommodations are needed to attend this meeting because of a disability, please contact: Tony Fendrick, (850)488-4366.

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The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Tropical Fruit Advisory Council:

DATE AND TIME: Thursday, April 10, 2003, 1:30 p.m.

PLACE: Miami-Dade Extension Office, 18710 S. W. 288 Street, Homestead, FL 33030

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – The purpose of this meeting is to conduct the general business of the Florida Tropical Fruit Advisory Council.

For additional information or if you need special accommodations, call: Louise King, (305)246-8460.

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#### **DEPARTMENT OF EDUCATION**

The State of Florida, **Education Practices Commission** announces an Administrator Hearing Panel and two Teacher Hearing Panels to which all persons are invited.

DATES AND TIME: April 10, 2003, 9:00 a.m., Teacher Hearing Panel; April 11, 2003, 9:00 a.m., Administrator Panel and a second Teacher Hearing Panel will follow

PLACE: The Embassy Suites, Tampa Airport/Westshore, 555 North Westshore Drive, Tampa, FL 33609, (813)875-1555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Administrator and Teacher Hearing Panels of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at these hearings, 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.

Additional information may be obtained by writing: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, FL.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)488-0547, at least five calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

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The public is invited to a meeting of the **Charter School Appeal Commission**.

DATE AND TIME: April 7, 2003, 8:00 a.m.

PLACE: Florida Department of Education, 325 West Gaines Street, Room 1721, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will review the following charter school appeals: Believer's School of Learning vs. the School Board of Bradford County, Florida and Beaches Charter School vs. the School Board of Bay County, Florida.

For additional information, please contact: Lynn Abbott, Florida Department of Education, 325 West Gaines Street, Room 1214, Tallahassee, Florida 32399-0400, (850)487-0980

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)201-7443 (Voice), at least 7 days in advance, so that their needs can be met.

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The **Florida Center for Solid and Hazardous Waste Management** announces a Research Selection Committee Meeting to which all persons are invited to attend

DATE AND TIME: April 28, 2003, 8:00 a.m.  
 PLACE: Gainesville, Florida  
 For Further Information: Please call (352)392-6264 or visit our web site at [www.floridacenter.org](http://www.floridacenter.org).

The **Florida Center for Solid and Hazardous Waste Management** announces an Advisory Board meeting to which all interested persons are invited to attend.  
 DATE AND TIME: May 9, 2003, 9:00 a.m.  
 PLACE: Orlando, Florida  
 For Further Information: Please call (352)392-6264 or visit our web site at [www.floridacenter.org](http://www.floridacenter.org).

The **Florida Rehabilitation Council for the Blind**, announces a teleconference as follows:  
 DATE AND TIME: April 17, 2003, 8:30 a.m. – 12:30 p.m. (EST)  
 PLACE: Contact Phyllis Dill for toll-free call-in number  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting.  
 A copy of the agenda and/or the toll free number may be obtained by contacting: Phyllis Dill, The Division of Blind Services, 7201 N. 9th Avenue, Suite A-11, Pensacola, FL 32504 or (850)484-5030 or through the Florida Telephone Relay system 711.

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN by the **Florida Building Commission** announcing the following meeting to which all persons are invited.  
 Special Occupancy Technical Advisory Committee.  
 DATE AND TIME: April 2, 2003, 10:00 a.m.  
 PLACE: Florida Department of Community Affairs, Kelly Training Room (Rm 305), 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To make recommendations on Chapter 4 of the Florida Building Code.  
 Should you have any questions regarding this meeting, please contact the Building Code and Standards staff, (850)487-1824.  
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate at this meeting should advise the Department of Community Affairs at least 5 calendar days before the meeting by contacting: Mr. Mo Madani, (850)487-1824. 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).

The **Florida Building Commission** announces the following meetings to which all persons are invited. The meetings will be held at:  
 PLACE: The Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819, 1(800)366-9700  
 Meeting of the Energy Technical Advisory Committee  
 DATE AND TIME: April 6, 2003, 1:00 p.m.  
 Meeting of the Accessibility Advisory Council  
 DATE AND TIME: April 7, 2003, 10:00 a.m.  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the following applications for waiver of accessibility code requirements: AmStar Stadium Cinemas at Colonial Town Park, Intersection of State Road 46A and International Parkway, Lake Mary, Florida; Sysco Food Service of Jacksonville, 1501 Lewis Industrial Drive, Jacksonville, Florida; Lebac Inc., 1521 Riverside Avenue, Jacksonville, Florida; Trump International Golf Club, 3505 Summit Boulevard, West Palm Beach, Florida.  
 DATE AND TIMES: April 7, 2003, 8:00 a.m. – Meeting of the Energy Technical Advisory Committee; 8:00 a.m. – Product Approval/Prototype Buildings/Manufactured Buildings POC; 10:00 a.m. – Meeting of the Mechanical Technical Advisory Committee; 10:00 a.m. – Meeting of the Working Group on Accreditation of Building Code Courses; 11:00 a.m. – Meeting of the Education Technical Advisory Committee; 1:00 p.m. – Meeting of the Structural Technical Advisory Committee; 1:00 p.m. – Meeting of the Plumbing Technical Advisory Committee; 1:00 p.m. – Meeting of the Mechanical Technical Advisory Committee; 2:00 p.m. – Meeting of the Accessibility Technical Advisory Committee  
 Meeting of the Plenary Session of the Florida Building Commission  
 DATE AND TIME: April 8, 2003, 8:30 p.m.  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda review and approval. Review and approval of February 25, 2003 Meeting Minutes. Review and approval of work plan. Discussion and action on Chairman’s issues and recommendations. Rule Adoption Hearing on Rule Chapter 9B-72, Product Approval. Consideration of requests for waiver of accessibility code requirements: AmStar Stadium Cinemas at Colonial Town Park, Intersection of State Road 46A and International Parkway, Lake Mary, Florida; Sysco Food Service of Jacksonville, 1501 Lewis Industrial Drive, Jacksonville, Florida; Lebac Inc., 1521 Riverside Avenue, Jacksonville, Florida; Trump International Golf Club, 3505 Summit Boulevard, West Palm Beach, Florida.  
 Update on Appeal of Final Order on FPSA Challenge of Pool Alarm Standards and other issues.  
 Discussion on Appeals of Port Orange and Daytona Beach Local Technical Amendments.  
 Legal staff report on requests for Declaratory Statements.  
 Second Hearing:

DCA02-DEC-370 by J. Michael Huey, Florida Association of the American Institute of Architects; DCA03-DEC-007 by William Paul Myrick, Myrick Properties; DCA03-DEC-008 by Juliana Salas, Miami-Dade County Code Compliance; DCA03-DEC-025 by Robert R. Bullard, Absolute Engineering Group; DCA03-DEC-028 by Andy Brill, MI Home Products; DCA03-DEC-032 by Cathy Spafford, Town of Indialantic.

First Hearing:

DCA03-DEC-040 by Steven Felices, Sunrise Pools & Spas  
 DCA03-DEC-047 by Anne Mason, Mason Law  
 DCA03-DEC-063 by Wendell Haney, Commonwealth Engineering Corp.  
 DCA03-DEC-073 by Joseph Hetzel, DASMA  
 DCA03-DEC-078 by Vince LaPorta, County of Charlotte  
 DCA03-DEC-079 by Dean Heminger  
 DCA03-DEC-083 by Joseph Hetzel, DASMA

Consideration of Committee Reports and Recommendations: Accessibility TAC Report; Energy TAC Report; Mechanical TAC Report; Plumbing TAC Report; Special Occupancy TAC Report; Structural TAC Report; Education TAC; and Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee Report.

Consideration of State Agencies and Local Jurisdiction's enforcement of the facility licensing standards section of the Florida Building Code.

Receive public comment.

A copy of the Committee and Commission meeting agendas and other documents may be obtained by sending a request in writing: Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436, or looking on the web site at [www.floridabuilding.org](http://www.floridabuilding.org)

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Kathryn Willis, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **State Emergency Response Commission** (SERC) for Hazardous Materials announces a meeting of the Training Task Force to which all persons are invited.

DATE AND TIME: April 3, 2003, 10:00 a.m.

PLACE: Department of Agriculture and Consumer Services, Doyle Conner Building, Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the ongoing work of the District Response Teams Subcommittee to the Training Task Force and other hazardous materials training issues.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Education and Training Section, (850)413-9899, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Education and Training Section 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 with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you 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 may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9899.

The **State Emergency Response Commission** for Hazardous Materials announces a meeting of all Local Emergency Planning Committee chairpersons and staff contacts to which all persons are invited.

DATE AND TIME: April 3, 2003, 1:30 p.m.

PLACE: Department of Agriculture, Doyle Conner Building, Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Local Emergency Planning Committees in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Compliance Planning Section, (850)410-1271, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Compliance Planning Section 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 with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need



to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

The **State Emergency Response Commission** for Hazardous Materials announces a meeting to which all persons are invited.

DATE AND TIME: April 4, 2003, 10:00 a.m.

PLACE: Department of Agriculture, Doyle Conner Building, Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Compliance Planning Section, (850)410-1271, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Compliance Planning Section 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, with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

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

Notice is hereby given that the **Board of Trustees of the Internal Improvement Trust Fund** of the State of Florida, or designee, is proposing the establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes, and will hold a public hearing to which all interested persons are invited.

DATE AND TIME: April 3, 2003, 2:00 p.m.

PLACE: City Council Chambers, 201 W. Palmetto Park Road, Boca Raton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider evidence bearing on the location of a proposed Erosion Control Line for the beach erosion control project known as Central Beach Renourishment.

The location of the proposed Erosion Control Line is as follows:

The Erosion Control Line lies in Section 21 and 28, Township 47 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

A LINE IN SECTIONS 21 AND 28, TOWNSHIP 47 SOUTH, RANGE 43 EAST PALM BEACH COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) SECOND ORDER STATION "93-89-A-24", HAVING FOR ITS COORDINATES N 737655.82 E 960568.26 IN THE FLORIDA STATEPLANE COORDINATE SYSTEM, EAST ZONE (NORTH AMERICAN DATUM, 1983/90); BEARINGS BASED ON A BEARING OF NORTH 00 DEGREES 11 MINUTES 04 SECONDS EAST BETWEEN FDEP MONUMENTS "PM BH HYDRO 222 1990" AND "93-89-A-24" PER COORDINATES LISTED BY FDEP FOR PALM BEACH COUNTY; THENCE ON A GRID BEARING NORTH 21 DEGREES 09 MINUTES 50 SECONDS EAST A DISTANCE OF 2091.76 FEET TO A POINT ON THE MEAN HIGH WATER LINE, EL. = 1.92 FEET (NATIONAL GEODETIC VERTICAL DATUM 1929) AS LOCATED SEPTEMBER 12, 2002, SAID POINT BEING THE POINT OF BEGINNING, SAID POINT ALSO BEING REFERENCED TO POINT OF TERMINATION OF EXISTING CENTRAL BOCA ECL, FILE NUMBER 0663 BY A TIE OF SOUTH 83 DEGREES 34 MINUTES 35 SECONDS EAST, A DISTANCE OF 149.91 FEET, THENCE ALONG SAID MEAN HIGH WATER LINE

THE FOLLOWING COURSES:

THENCE SOUTH 02 DEGREES 18 MINUTES 19 SECONDS WEST, A DISTANCE OF 74.21 FEET TO A POINT; THENCE SOUTH 00 DEGREES 20 MINUTES 31 SECONDS WEST, A DISTANCE OF 76.35 FEET TO A POINT; THENCE SOUTH 02 DEGREES 24 MINUTES 14 SECONDS WEST, A DISTANCE OF 81.95 FEET TO A POINT; THENCE SOUTH 09 DEGREES 54 MINUTES 49 SECONDS WEST, A DISTANCE OF 96.47 FEET TO A POINT; THENCE SOUTH 03 DEGREES 17 MINUTES 55 SECONDS WEST, A DISTANCE OF 117.32 FEET TO A POINT; THENCE SOUTH 02 DEGREES 57 MINUTES 16 SECONDS WEST, A DISTANCE OF 119.46 FEET TO A POINT; THENCE SOUTH 09 DEGREES 30 MINUTES 24 SECONDS WEST, A DISTANCE OF 157.50 FEET TO A POINT; THENCE SOUTH 07 DEGREES 05 MINUTES 23 SECONDS WEST, A DISTANCE OF 118.69 FEET TO A POINT; THENCE SOUTH 05 DEGREES 02 MINUTES 49

SECONDS WEST, A DISTANCE OF 130.88 FEET TO A POINT; SAID POINT ALSO BEING SOUTH 58 DEGREES 30 MINUTES 13 SECONDS WEST, A DISTANCE OF 120.30 FEET OF CPE PKNAIL/DISK R-214; THENCE SOUTH 00 DEGREES 04 MINUTES 02 SECONDS EAST, A DISTANCE OF 160.33 FEET TO A POINT; THENCE SOUTH 09 DEGREES 01 MINUTES 55 SECONDS WEST, A DISTANCE OF 110.88 FEET TO A POINT; THENCE SOUTH 16 DEGREES 17 MINUTES 37 SECONDS WEST, A DISTANCE OF 69.49 FEET TO A POINT; THENCE SOUTH 13 DEGREES 35 MINUTES 36 SECONDS WEST, A DISTANCE OF 67.46 FEET TO A POINT; THENCE SOUTH 05 DEGREES 33 MINUTES 30 SECONDS WEST, A DISTANCE OF 80.43 FEET TO A POINT; THENCE SOUTH 01 DEGREES 20 MINUTES 56 SECONDS WEST, A DISTANCE OF 80.42 FEET TO A POINT; THENCE SOUTH 06 DEGREES 28 MINUTES 16 SECONDS WEST, A DISTANCE OF 79.18 FEET TO A POINT; THENCE SOUTH 13 DEGREES 00 MINUTES 03 SECONDS WEST, A DISTANCE OF 80.95 FEET TO A POINT; THENCE SOUTH 08 DEGREES 43 MINUTES 03 SECONDS WEST, A DISTANCE OF 54.49 FEET TO A POINT; THENCE SOUTH 05 DEGREES 59 MINUTES 16 SECONDS WEST A DISTANCE OF 66.02 FEET TO A POINT; THENCE SOUTH 05 DEGREES 11 MINUTES 59 SECONDS WEST, A DISTANCE OF 69.68 FEET TO A POINT; THENCE SOUTH 06 DEGREES 47 MINUTES 54 SECONDS WEST, A DISTANCE OF 55.55 FEET TO A POINT; SAID POINT ALSO BEING SOUTH 80 DEGREES 37 MINUTES 49 SECONDS WEST, A DISTANCE OF 148.56 FEET OF CPE PKNAIL/DISK R-215; THENCE SOUTH 08 DEGREES 11 MINUTES 38 SECONDS WEST, A DISTANCE OF 53.36 FEET TO A POINT; THENCE SOUTH 06 DEGREES 16 MINUTES 05 SECONDS WEST, A DISTANCE OF 53.38 FEET TO A POINT; THENCE SOUTH 05 DEGREES 10 MINUTES 59 SECONDS WEST, A DISTANCE OF 52.83 FEET TO A POINT; THENCE SOUTH 04 DEGREES 33 MINUTES 59 SECONDS WEST, A DISTANCE OF 54.49 FEET TO A POINT; THENCE SOUTH 02 DEGREES 38 MINUTES 58 SECONDS WEST, A DISTANCE OF 48.28 FEET TO A POINT; THENCE SOUTH 06 DEGREES 04 MINUTES 17 SECONDS WEST, A DISTANCE OF 50.34 FEET TO A POINT; THENCE SOUTH 08 DEGREES 57 MINUTES 11 SECONDS WEST, A DISTANCE OF 53.13 FEET TO A POINT; THENCE SOUTH 07 DEGREES 53 MINUTES 48 SECONDS WEST, A DISTANCE OF 51.60 FEET TO A POINT; THENCE SOUTH 04 DEGREES 09 MINUTES 26 SECONDS WEST, A DISTANCE OF 49.19 FEET TO A POINT; THENCE SOUTH 01 DEGREES 23 MINUTES 39 SECONDS WEST, A DISTANCE OF 54.22 FEET TO A POINT; THENCE SOUTH 00 DEGREES 55 MINUTES 40 SECONDS WEST, A DISTANCE OF 49.67 FEET TO A POINT; THENCE SOUTH 00 DEGREES 15 MINUTES 36 SECONDS WEST, A DISTANCE OF 54.75

FEET TO A POINT; THENCE SOUTH 03 DEGREES 35 MINUTES 59 SECONDS WEST, A DISTANCE OF 46.59 FEET TO A POINT; THENCE SOUTH 00 DEGREES 24 MINUTES 34 SECONDS WEST, A DISTANCE OF 55.88 FEET TO A POINT; THENCE SOUTH 04 DEGREES 03 MINUTES 42 SECONDS WEST, A DISTANCE OF 52.15 FEET TO A POINT; THENCE SOUTH 01 DEGREES 35 MINUTES 07 SECONDS WEST, A DISTANCE OF 48.95 FEET TO A POINT; THENCE SOUTH 01 DEGREES 24 MINUTES 27 SECONDS WEST, A DISTANCE OF 49.32 FEET TO A POINT; SAID POINT ALSO BEING SOUTH 65 DEGREES 05 MINUTES 18 SECONDS WEST, A DISTANCE OF 210.81 FEET OF CPE DISK R-216; THENCE SOUTH 04 DEGREES 01 MINUTES 15 SECONDS WEST, A DISTANCE OF 78.12 FEET TO A POINT; THENCE SOUTH 01 DEGREES 22 MINUTES 59 SECONDS WEST, A DISTANCE OF 99.80 FEET TO A POINT; THENCE SOUTH 01 DEGREES 06 MINUTES 29 SECONDS WEST, A DISTANCE OF 100.89 FEET TO A POINT; THENCE SOUTH 03 DEGREES 12 MINUTES 35 SECONDS WEST, A DISTANCE OF 106.30 FEET TO A POINT; THENCE SOUTH 02 DEGREES 32 MINUTES 19 SECONDS WEST, A DISTANCE OF 101.09 FEET TO A POINT; THENCE SOUTH 03 DEGREES 17 MINUTES 00 SECONDS WEST, A DISTANCE OF 126.24 FEET TO A POINT; THENCE SOUTH 02 DEGREES 11 MINUTES 08 SECONDS WEST, A DISTANCE OF 139.72 FEET TO A POINT; THENCE SOUTH 03 DEGREES 18 MINUTES 56 SECONDS WEST, A DISTANCE OF 155.00 FEET TO A POINT; SAID POINT ALSO BEING SOUTH 49 DEGREES 35 MINUTES 36 SECONDS WEST, A DISTANCE OF 240.54 FEET OF CPE DISK R-217; THENCE SOUTH 02 DEGREES 53 MINUTES 22 SECONDS WEST, A DISTANCE OF 148.69 FEET TO A POINT; THENCE SOUTH 01 DEGREES 34 MINUTES 59 SECONDS WEST, A DISTANCE OF 171.62 FEET TO A POINT; THENCE SOUTH 01 DEGREES 26 MINUTES 25 SECONDS WEST, A DISTANCE OF 193.91 FEET TO A POINT; THENCE SOUTH 02 DEGREES 29 MINUTES 52 SECONDS WEST, A DISTANCE OF 181.44 FEET TO A POINT; THENCE SOUTH 01 DEGREES 15 MINUTES 43 SECONDS WEST, A DISTANCE OF 199.61 FEET TO A POINT; THENCE SOUTH 05 DEGREES 58 MINUTES 17 SECONDS WEST, A DISTANCE OF 222.10 FEET TO A POINT; THENCE SOUTH 03 DEGREES 45 MINUTES 37 SECONDS WEST, A DISTANCE OF 148.99 FEET TO A POINT; THENCE SOUTH 01 DEGREES 06 MINUTES 59 SECONDS WEST, A DISTANCE OF 116.03 FEET TO A POINT; THENCE SOUTH 03 DEGREES 54 MINUTES 52 SECONDS WEST, A DISTANCE OF 112.56 FEET TO A POINT; THENCE SOUTH 03 DEGREES 25 MINUTES 29 SECONDS WEST, A DISTANCE OF N74.97 FEET TO A POINT; THENCE SOUTH 02 DEGREES 58 MINUTES 10 SECONDS WEST, A DISTANCE OF 48.65 FEET TO A POINT; SAID POINT

ALSO BEING SOUTH 58 DEGREES 12 MINUTES 01 SECONDS WEST, A DISTANCE OF 164.26 FEET OF CPE DISK R-218; THENCE SOUTH 01 DEGREES 24 MINUTES 27 SECONDS WEST, A DISTANCE OF 172.15 FEET TO A POINT; THENCE SOUTH 03 DEGREES 35 MINUTES 37 SECONDS WEST, A DISTANCE OF 149.08 FEET TO A POINT; THENCE SOUTH 03 DEGREES 09 MINUTES 45 SECONDS WEST, A DISTANCE OF 52.91 FEET TO A POINT; THENCE SOUTH 03 DEGREES 08 MINUTES 32 SECONDS WEST, A DISTANCE OF 57.52 FEET TO A POINT; THENCE SOUTH 04 DEGREES 21 MINUTES 08 SECONDS WEST, A DISTANCE OF 54.60 FEET TO A POINT; THENCE SOUTH 02 DEGREES 51 MINUTES 18 SECONDS WEST, A DISTANCE OF 50.98 FEET TO A POINT; THENCE SOUTH 04 DEGREES 42 MINUTES 40 SECONDS WEST, A DISTANCE OF 79.94 FEET TO A POINT; THENCE SOUTH 02 DEGREES 03 MINUTES 44 SECONDS WEST, A DISTANCE OF 54.87 FEET TO A POINT; THENCE SOUTH 01 DEGREES 38 MINUTES 29 SECONDS EAST, A DISTANCE OF 56.87 FEET TO A POINT; THENCE SOUTH 00 DEGREES 05 MINUTES 03 SECONDS WEST, A DISTANCE OF 56.19 FEET TO A POINT; THENCE SOUTH 01 DEGREES 52 MINUTES 47 SECONDS WEST, A DISTANCE OF 68.24 FEET TO A POINT; THENCE SOUTH 03 DEGREES 36 MINUTES 06 SECONDS WEST, A DISTANCE OF 51.85 FEET TO A POINT; THENCE SOUTH 05 DEGREES 02 MINUTES 11 SECONDS WEST A DISTANCE OF 54.23 FEET TO A POINT; SAID POINT ALSO BEING SOUTH 51 DEGREES 03 MINUTES 19 SECONDS WEST, A DISTANCE OF 169.66 FEET OF CPE RANGE MONUMENT R-219; THENCE SOUTH 06 DEGREES 03 MINUTES 24 SECONDS WEST, A DISTANCE OF 105.18 FEET TO A POINT; THENCE SOUTH 06 DEGREES 20 MINUTES 09 SECONDS WEST, A DISTANCE OF 53.83 FEET TO A POINT; THENCE SOUTH 05 DEGREES 17 MINUTES 14 SECONDS WEST, A DISTANCE OF 52.06 FEET TO A POINT; THENCE SOUTH 06 DEGREES 09 MINUTES 53 SECONDS WEST, A DISTANCE OF 55.59 FEET TO A POINT; THENCE SOUTH 05 DEGREES 10 MINUTES 29 SECONDS WEST, A DISTANCE OF 53.68 FEET TO A POINT; THENCE SOUTH 03 DEGREES 49 MINUTES 55 SECONDS WEST, A DISTANCE OF 55.66 FEET TO A POINT; THENCE SOUTH 03 DEGREES 53 MINUTES 47 SECONDS WEST, A DISTANCE OF 52.20 FEET TO A POINT; THENCE SOUTH 03 DEGREES 56 MINUTES 08 SECONDS WEST, A DISTANCE OF 107.21 FEET TO A POINT; THENCE SOUTH 03 DEGREES 19 MINUTES 36 SECONDS WEST, A DISTANCE OF 53.10 FEET TO A POINT; THENCE SOUTH 00 DEGREES 40 MINUTES 00 SECONDS EAST, A DISTANCE OF 49.20 FEET TO A POINT; THENCE SOUTH 12 DEGREES 53 MINUTES 25 SECONDS WEST, A DISTANCE OF 45.59 FEET TO A POINT; THENCE SOUTH 02 DEGREES 18 MINUTES 42

SECONDS WEST, A DISTANCE OF 58.87 FEET TO A POINT; THENCE SOUTH 15 DEGREES 52 MINUTES 00 SECONDS WEST, A DISTANCE OF 71.65 FEET TO A POINT; THENCE SOUTH 31 DEGREES 34 MINUTES 12 SECONDS WEST, A DISTANCE OF 162.65 FEET TO A POINT; THENCE SOUTH 01 DEGREES 49 MINUTES 52 SECONDS WEST, A DISTANCE OF 49.31 FEET TO A POINT; THENCE SOUTH 06 DEGREES 11 MINUTES 03 SECONDS EAST, A DISTANCE OF 87.66 FEET TO A POINT; THENCE SOUTH 08 DEGREES 32 MINUTES 23 SECONDS WEST, A DISTANCE OF 49.97 FEET TO A POINT; THENCE SOUTH 08 DEGREES 25 MINUTES 28 SECONDS WEST, A DISTANCE OF 84.58 FEET TO A POINT; THENCE SOUTH 04 DEGREES 33 MINUTES 16 SECONDS WEST, A DISTANCE OF 85.75 FEET TO A POINT; THENCE SOUTH 03 DEGREES 20 MINUTES 09 SECONDS WEST, A DISTANCE OF 90.92 FEET TO A POINT; SAID POINT ALSO BEING SOUTH 77 DEGREES 27 MINUTES 05 SECONDS WEST, A DISTANCE OF 294.93 FEET OF CPE RANGE MONUMENT R-220; THENCE SOUTH 04 DEGREES 51 MINUTES 20 SECONDS WEST, A DISTANCE OF 92.94 FEET TO A POINT; THENCE SOUTH 05 DEGREES 24 MINUTES 59 SECONDS WEST, A DISTANCE OF 93.21 FEET TO A POINT; THENCE SOUTH 03 DEGREES 48 MINUTES 03 SECONDS WEST, A DISTANCE OF 112.46 FEET TO A POINT; THENCE SOUTH 03 DEGREES 32 MINUTES 57 SECONDS WEST, A DISTANCE OF 106.99 FEET TO A POINT; THENCE SOUTH 05 DEGREES 47 MINUTES 39 SECONDS WEST, A DISTANCE OF 103.75 FEET TO A POINT; THENCE SOUTH 05 DEGREES 06 MINUTES 14 SECONDS WEST, A DISTANCE OF 53.60 FEET TO A POINT; THENCE SOUTH 04 DEGREES 31 MINUTES 50 SECONDS WEST, A DISTANCE OF 56.27 FEET TO A POINT; THENCE SOUTH 01 DEGREES 05 MINUTES 57 SECONDS EAST, A DISTANCE OF 60.59 FEET TO A POINT; THENCE SOUTH 00 DEGREES 37 MINUTES 23 SECONDS WEST, A DISTANCE OF 93.36 FEET TO A POINT; THENCE SOUTH 00 DEGREES 41 MINUTES 59 SECONDS WEST, A DISTANCE OF 98.27 FEET TO A POINT; SAID POINT ALSO BEING SOUTH 63 DEGREES 25 MINUTES 43 SECONDS EAST, A DISTANCE OF 179.12 FEET OF CPE RANGE MONUMENT R-221; THENCE SOUTH 06 DEGREES 06 MINUTES 14 SECONDS WEST, A DISTANCE OF 130.85 FEET TO A POINT; THENCE SOUTH 04 DEGREES 18 MINUTES 50 SECONDS WEST, A DISTANCE OF 117.49 FEET TO A POINT; THENCE SOUTH 00 DEGREES 55 MINUTES 58 SECONDS WEST, A DISTANCE OF 95.66 FEET TO A POINT; THENCE SOUTH 01 DEGREES 33 MINUTES 36 SECONDS WEST, A DISTANCE OF 112.64 FEET TO A POINT; THENCE SOUTH 02 DEGREES 45 MINUTES 21 SECONDS WEST, A DISTANCE OF 111.84 FEET TO A POINT; THENCE SOUTH 04 DEGREES 03 MINUTES 16

SECONDS WEST, A DISTANCE OF 112.93 FEET TO A POINT; THENCE SOUTH 01 DEGREES 50 MINUTES 53 SECONDS WEST, A DISTANCE OF 80.57 FEET TO A POINT; THENCE SOUTH 03 DEGREES 35 MINUTES 02 SECONDS WEST, A DISTANCE OF 89.12 FEET TO A POINT; THENCE SOUTH 02 DEGREES 01 MINUTES 29 SECONDS WEST, A DISTANCE OF 144.14 FEET TO A POINT; SAID POINT ALSO BEING SOUTH 72 DEGREES 14 MINUTES 30 SECONDS WEST, A DISTANCE OF 139.03 FEET OF CPE RANGE MONUMENT R-222; THENCE SOUTH 00 DEGREES 05 MINUTES 15 SECONDS WEST, A DISTANCE OF 183.66 FEET TO A POINT; THENCE SOUTH 02 DEGREES 33 MINUTES 50 SECONDS WEST, A DISTANCE OF 219.24 FEET TO A POINT; THENCE SOUTH 01 DEGREES 47 MINUTES 14 SECONDS WEST, A DISTANCE OF 167.69 FEET TO A POINT; THENCE SOUTH 01 DEGREES 29 MINUTES 55 SECONDS WEST, A DISTANCE OF 201.93 FEET TO A POINT; THENCE SOUTH 00 DEGREES 19 MINUTES 23 SECONDS EAST, A DISTANCE OF 223.82 FEET TO A POINT OF TERMINUS OF SAID MEAN HIGH WATER LINE, SAID POINT LYING SOUTH 75 DEGREES 38 MINUTES 23 SECONDS WEST, A DISTANCE OF 50.23 FEET FROM FDEP SECOND ORDER STATION PM BH HYDRO 222 1990, SAID STATION HAVING FOR ITS COORDINATES N 728962.26 E 960540.26, ACCORDING TO COORDINATE LISTING BY FDEP FOR PALM BEACH COUNTY.

Written objections to, or inquiries regarding, the proposed Erosion Control Line should be submitted to Office of Beaches and Coastal Systems, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, prior to the date mentioned above. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida reserves the right to deny establishment of the Erosion Control Line.

BY ORDER OF THE BOARD OF TRUSTEES  
OF THE INTERNAL IMPROVEMENT TRUST  
FUND OF THE STATE OF FLORIDA  
JEB BUSH, GOVERNOR

**STATE BOARD OF ADMINISTRATION**

The **State Board of Administration** announces a public meeting of the Florida Commission on Hurricane Loss Projection Methodology to which all persons are invited.

DATE AND TIME: Tuesday, April 1, 2003, 9:00 a.m. – 4:00 p.m. Eastern Standard Time

PLACE: Hermitage Centre Conference Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida

TELEPHONE PARTICIPATION: Persons who wish to participate by telephone may call (850)488-0979 or Suncom 278-0979 on the date and at the time indicated for access to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regular business meeting of the Commission in which the Commission plans to discuss the Commission’s review of computer models under the standards and acceptability process for 2002 and to address other general business of the Commission.

INVITATION: The public is invited to this meeting. Anyone wishing to be placed on the Commission’s mailing list to receive copies of notices and agendas by mail or wishing a copy of the agenda for the meeting noticed above, should contact: Donna Sirmons, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend any of these meetings is requested to call Donna Sirmons, (850)413-1349, five days prior to the meeting so that appropriate arrangements can be made.

The Florida **Prepaid College Foundation Board** announces a public meeting to which all interested parties are invited to attend.

DATE AND TIME: Wednesday, April 2, 2003, 1:00 p.m. or soon thereafter

PLACE: 1801 Hermitage Blvd., The Hermitage Conference Room, First Floor, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Foundation Board.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd, Suite 210, Tallahassee, Florida 32308, (850)922-6740.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, that person may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)922-6740, no later than five (5) days prior to the meeting.

**DEPARTMENT OF CITRUS**

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: Wednesday, March 19, 2003, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purposes of standing committee meetings and for the regular monthly meeting of the

Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balance scorecards, licensing, rulemaking, and other matters that are addressed during monthly meetings of the Commission.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or (863)499-2510.

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The **Department of Citrus** announces the following public meetings of the Advertising Review Committee to which all persons are invited.

DATE AND TIME: 3:00 p.m., April 15, 2003

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd, Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advertising Committee will meet to hear a progress report on the results of the advertising review. The Committee will also discuss any other issues that may properly come before the Committee.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting: Mr. Art Johnson, (863)499-2510.

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#### FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 2, 2003, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blainstone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery 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 Blainstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice, (850)488-3417.

#### PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida **Public Service Commission** will conduct a Staff Workshop at the following date, time and place:

DATE AND TIME: April 2, 2003, 9:30 a.m. (EST)

PLACE: Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to determine ways in which the Commission can evaluate the impact of its decisions in the unbundled network element (UNE) pricing proceedings on Florida's competitive telecommunications market. Specifically, this workshop will attempt to identify the types of data that should be gathered (including from whom and how frequently the data should be obtained) in order for the Commission to evaluate the impact of its UNE decisions. All participants are requested to file an outline of their presentation, the approximate amount of time for the presentation, and the presenter's name with the Commission's Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, by March 26, 2003. Parties that wish to comment but cannot attend the workshop should submit comments via email to Sue Ollila at [sollila@psc.state.fl.us](mailto:sollila@psc.state.fl.us) specifically referencing "4/2/03 Workshop", and file comments with the Division of the Commission Clerk and Administrative Services.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the 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).

For additional information, please contact: Wayne Knight, Office of General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850 or (850)413-6232.

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#### EXECUTIVE OFFICE OF THE GOVERNOR

The Office of Film and Entertainment and the Florida **Film Advisory Council Education Committee** will convene in a conference call meeting of the Committee. This is a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 27, 2003, 2:00 p.m.

PLACE: The Governor's Office of Film & Entertainment, 400 South Monroe Street, Suite 2002, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Florida Film Educators Even Exchange, committee tasks and related general administrative matters of the Committee.

A copy of the agenda may be obtained by writing: Ally Hugg-Fields, Coordinator, Office of Film & Entertainment, State of Florida, Executive Office of the Governor, Suite 2002, The Capitol, Tallahassee, Florida 32399-0001 or calling (850)921-1300.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he/she 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 Commission at least 48 hours prior to the meeting in order to request any special assistance.

**REGIONAL PLANNING COUNCILS**

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: Thursday, April 3, 2003, 9:00 a.m.  
 PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, program planning, and budget matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

Notice is also given that two or more members of the 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**, Comprehensive and Project Planning Committee announces the following public meetings to which all persons are invited:

DATE AND TIME: Thursday, April 3, 2003, 9:00 a.m.  
 PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending comprehensive and project planning items.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the 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**, Transportation Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, April 3, 2003, 9:00 a.m.  
 PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: to discuss pending transportation issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the 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: Thursday, April 3, 2003, 10:00 a.m.  
 PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

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 Peggy Conrad, (904)279-0880, Extension 145, 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 the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

**WATER MANAGEMENT DISTRICTS**

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Friday, April 4, 2003, 3:00 p.m. – 5:00 p.m.  
 PLACE: South Florida Water Management Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Water Management District (District) would like to invite all vendors in its 16-county region to hear about the District's business practices, discuss modifications to the procurement process, and network with firms in the area.

Information distributed during this meeting will include the Business Registration Application forms, Registered Vendors Lists, and a forecast of contracts for the period March – August, 2003. Procurement Staff, Project Managers, and Executive Office representatives will be available to respond to questions

A copy of the agenda may be obtained at (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 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 the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Linda Engelbrecht, Sandra Hammerstein, in the Procurement Department, (561)682-6378, District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406.

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#### REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following public meeting to which all interested parties are invited.

DATE AND TIME: Wednesday, April 2, 2003, 10:00 a.m.

PLACE: Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Peace River/Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Following the board meeting, the Authority will host an open house and BBQ luncheon at the Peace River Facility, 8998 S. W. County Road 769, Arcadia, Florida.

Authority Board members, local government elected officials and members of the Southwest Florida Water Management District's Governing Board and Basin Boards may be in attendance.

Persons with disabilities who may need assistance may call, (941)316-1776, at least two business days in advance to make appropriate arrangements.

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#### DEPARTMENT OF VETERANS' AFFAIRS

The Florida **Commission on Veterans' Affairs** will hold its quarterly meeting in Tallahassee, Florida. This is a public meeting to which all persons are invited.

DATE AND TIME: Meeting: Friday, March 28, 2003, 9:00 a.m.

PLACE: The Knott Building, 404 South Monroe Street, Room 116, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Jan Stearns, 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.

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#### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: 10:00 a.m., Thursday, March 27, 2003

PLACE: To access the Meet Me number, call (850)488-8295 or Suncom 278-8295

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governor's Panel on Excellence in Long-Term Care will discuss SB 296, a bill proposed by Senator Saunders that changes Gold Seal statutory language involving evidence of financial soundness and stability as it relates to continuing care facilities licensed under chapter 651. Other matters before the Panel will also be discussed.

For additional information, contact: Agency for Health Care Administration, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308 or call Richard Kelly, (850)488-5861 or e-mail: [kellyr@fdhc.state.fl.us](mailto:kellyr@fdhc.state.fl.us).

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#### DEPARTMENT OF MANAGEMENT SERVICES

The **Digital Divide Council** will hold a one-day meeting to which all persons are invited.

DATE AND TIME: Monday, March 31, 2003, 9:30 a.m. – 11:30 a.m. (dial up number: (850)414-1711, Suncom 994-1711)

PLACE: Room, 110, Senate Office Building, 400 South Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary purpose of the meeting will be to address any changes in the Digital Divide Council staff and membership, provide

updates to the pilot projects and Clearinghouse, discuss the mission statement and develop major action items for the remainder of the year.

Any additional information as to this meeting will be provided on the Digital Divide website: [http://www.myflorida.com/myflorida/sciencetechnology/tech\\_pte/digital\\_divide/index.html](http://www.myflorida.com/myflorida/sciencetechnology/tech_pte/digital_divide/index.html) or contact: Meg Brown, State Technology Office, 4030 Esplanade Way, Suite 180, Tallahassee, Florida 32399, (850)410-4777 or (850)488-5453.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Council at least 48 hours before the meeting by contacting Meg Brown at the above stated number.

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, April 9, 2003, 9:00 a.m.

PLACE: Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301 (meet-me telephone number (850)414-1706 or Suncom 994-1706)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Ms. Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, Ext. 1032.

VERBATIM RECORD OF MEETING: If any person decided 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 accommodation at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1032, 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: Tuesday, March 25, 2003, 8:30 a.m. – 12:00 Noon

PLACE: Meet-me telephone numbers: (850)922-2903 – Local residents of Tallahassee; 1(800)416-4254 – Residents outside of Tallahassee; Suncom – 292-2903

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to discuss the daily functions and activities of the Commission.

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Mobile Home Relocation Corporation** announces a meeting of its Board of Directors.

DATE AND TIME: Tuesday, April 1, 2003, 10:30 a.m.

PLACE: Clubhouse, Shady Lane Oaks, 15777 Bolesta Road, #174, Clearwater, Florida 33760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to eviction for change in land use, and such other business as may come before the Board. A schedule of the next meeting will also be determined.

Additional information may be obtained by contacting: Elizabeth Wilson, Executive Director, Florida Mobile Home Relocation Corporation, Post Office Box 14125, Tallahassee, Florida 32317-4125.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact Elizabeth Wilson, Executive Director, 1(888)862-7010, at least five calendar days prior to the meeting.

The Florida **Board of Architecture and Interior Design** announces the following meeting, to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: April 3, 2003, 10:00 a.m. or shortly thereafter

PLACE: Telephone (850)410-0960 or Suncom 210-0960

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 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)487-8304, 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 Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: March 25, 2003, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 725 South Bronough Street, Tallahassee, Florida 32301, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202 or (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The Florida **Engineers Management Corporation** announces a public meeting to conduct the business of the Corporation, to which all persons are invited.

DATE AND TIME: Wednesday, April 23, 2003, 8:30 a.m. or as soon thereafter as possible

PLACE: Holiday Inn Select, 13051 Bell Tower Drive, Fort Myers, Florida 33907

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Corporation.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal a decision made by the Corporation with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe (850)521-0500.

The Probable Cause Panel of the **Building Code Administrators and Inspectors Board** announces a meeting.

DATE AND TIME: March 25, 2003, 11:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 725 South Bronough Street, Tallahassee, Florida 32301, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Brian Higgins, Building Code Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202 or (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Building Code Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Building Code Prosecution Section may be contacted at the address and phone number listed above.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida **Department of Environmental Protection** (Northwest District) announces a meeting of the Small Circle for the Panama City-Bay County International Airport Relocation Ecosystem Team Permitting (ETP) process.

DATE AND TIME: March 27, 2003, 9:00 a.m. (CST)

PLACE: Department of Environmental Protection Northwest District Office, 160 Governmental Center, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will include discussions of the February Middle and Large Circle meetings and process, initiation of the review of stormwater discharge and NPDES nonpoint source permit application requirements, continuation of the reviews of wetland, water and wastewater facility portions of the permit application, and work plan update.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

A copy of the agenda may be obtained by contacting: Larry O'Donnell, Environmental Manager at the FDEP Northwest District offices, 160 Government Center, Pensacola, FL 32501-5794 or by calling (850)595-8300, Ext. 1129 or e-mail: [larry.odonnell@dep.state.fl.us](mailto:larry.odonnell@dep.state.fl.us). Meeting notices and agendas are also provided on the Panama City-Bay County International Airport web site [www.pcairport.com](http://www.pcairport.com).

The **Department of Environmental Protection** will hold a public meeting to which all interested persons are invited.

DATE AND TIME: April 3, 2003, 10:30 a.m.

PLACE: Orlando Public Library, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to convene laboratories, environmental contractors and the public sector to discuss the technical issues associated with practical quantitation limits (PQLs) in Chapter 62-777, F.A.C. The reference list of target analytical PQLs will be used as guidelines for assessing whether good faith attempts have been made in characterizing risks from exposure to potential environmental chemical contaminants listed in or derived pursuant to Chapter 62-777, F.A.C. The one-day meeting will provide an opportunity for interested parties to provide comments on the proposed reference list of PQLs.

The full text of this notice will be published on March 21, 2003 on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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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, April 3, 2003, 7:00 p.m. (ET)

PLACE: Sopchoppy Historical Gymnasium, 159 Yellow Jacket Avenue, Sopchoppy, Florida 32358

GENERAL SUBJECT MATTER TO BE CONSIDERED: To seek public comment on management and land uses of Bald Point State Park before the development of an updated park management plan.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices".

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The **Department of Environmental Protection** announces a public hearing of the Governor and Cabinet, sitting as the Power Plant Siting Board, to consider the Administrative Law Judge's Recommended Order in the case of Florida Power & Light Company's Martin Unit 8 natural gas-fired combined cycle project, Power Plant Siting Application PA89-27A, DOAH Case No. 02-0573EPP, OGC Case No. 02-0197.

The full text of this notice is published on the Internet at the Department's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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## DEPARTMENT OF HEALTH

The **Department of Health, Board of Dentistry**, announces a schedule of official Board meetings to be held via telephone conference call. All interested parties are invited to participate in the telephone conference calls, which are open to the public.

It is anticipated that the Board will not hold meetings on each and every date, but only on those dates when there is a need for discussion.

DATES AND TIME: April 1, 2002; April 8, 2002; April 15, 2002; April 22, 2002; April 29, 2002, 12:00 Noon

PLACE: Call the Board office, (850)245-4474, to obtain the phone number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the feasibility of outsourcing functions of the Board of Dentistry and other general business matters.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster.

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The Florida **Board of Medicine's**, Surgical Care Committee announces a meeting to which all persons are invited.

DATE AND TIME: Friday, March 28, 2003, 6:00 p.m.

PLACE: Contact Florida Board of Medicine, (850)245-4131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim taped record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

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The Florida **Board of Medicine**, Rules/Legislative Committee announces a meeting to which all persons are invited.

DATE AND TIME: April 4, 2003, immediately following the Full Board Meeting

PLACE: Sheraton West Palm at City Place, 630 Clearwater Park Road, West Palm Beach, Florida 33401, (561)833-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03 Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

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The **Board of Nursing**, Probable Cause Panel will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: April 21, 2003, 6:30 p.m.

PLACE: Department of Health, Tallahassee, Meet Me Number (850)921-6433

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4125, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Dan Coble, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

The **Board of Nursing**, Probable Cause Panel will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: April 15, 2003, 4:30 p.m.

PLACE: Department of Health, Tallahassee, FL – meet me number (850)921-6513

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4125, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Dan Coble, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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The **Department of Health, Board of Pharmacy**, announces a public meeting to which all persons are invited.

DATE AND TIME: March 31, 2003, 10:00 a.m.

PLACE: Teleconference call – “Meet-me” number, (850)921-2548

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to discuss general board business and Rule Development for rules pertaining to renewal of licenses issued under Chapter 64B16, F.A.C.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Lucy C. Gee, Acting Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, BIN #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Page Merkison, (850)245-4292, Ext. 3600, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

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The **Department of Health, Board of Pharmacy**, announces a public meeting to which all persons are invited.

DATE AND TIME: April 16, 2003, 8:00 a.m. – 10:00 a.m.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice for Rule Workshop to discuss Rule 64B16-27.833, F.A.C., Standards of Practice for Filling Prescriptions Authorized by Practitioners Licensed in Jurisdictions Other than Florida or Procured Through the Internet.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Lucy C. Gee, Acting Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, BIN #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Page Merkison, (850)245-4292, Ext. 3600, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Board of Podiatric Medicine** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, April 4, 2003, 10:00 a.m. or shortly thereafter

PLACE: Hilton Jacksonville Riverfront, 1201 Riverplace Boulevard, Jacksonville, (904)398-8800

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, 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 from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The **Department of Health, the Board of Respiratory Care**, announces meetings to which all persons are invited.

DATE AND TIME: June 20, 2003, 8:00 a.m. or soon thereafter – Probable Cause Panel; 9:15 a.m. or soon thereafter – General Board Meeting

PLACE: The Embassy Suites, 1100 S. E. 17th Street, Fort Lauderdale, Florida 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel and 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 (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.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Florida **Department of Children and Family Services** announces the following District 8 Community-Based Care Alliance meetings:

Charlotte County Community Alliance:

DATES AND TIME: April 2, 2003; May 7, 2003; June 4, 2003, 12:00 p.m.

PLACE: Charlotte County Justice Center, 2nd Floor, Court Administration Conference Room, 350 East Marion Avenue, Punta Gorda, Florida

Collier County Community Alliance:

DATES AND TIME: April 1, 2003; May 20, 2003; June 17, 2003, 12:00 p.m.

PLACE: Collier County Government Complex, 3301 Tamiami Trail East, Building L, Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board meetings to discuss current community-based care issues.

Persons needing additional information should contact: Community-Based Care Unit, (239)338-1343.

The **Council on Homelessness** announces the following meeting to which all persons are invited:

DATE AND TIME: Monday, April 7, 2003, 9:00 a.m. – 1:00 p.m.

PLACE: Department of Children and Family Services, 1317 Winewood Boulevard, Building 8, Room 232, Tallahassee, FL 32399-0700, Conference Call-In Number (850)487-8587 or SunCom 277-8587

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will receive reports from its committees and will continue to discuss its strategic plan to reduce homelessness in Florida.

A copy of the agenda may be obtained by contacting: Tom Pierce, State Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850, Tom\_Pierce@dcf.state.fl.us.

Pursuant to Chapter 286.26, Florida Statutes, any disabled person wishing to attend this meeting in order to request any needed special assistance should contact the office at least 48 hours in advance of the meeting.

The **Department of Children and Family Services, Mental Health Program Office**, announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2003, 4:00 p.m. – 6:00 p.m.

PLACE: Department of Children and Families Service Center, 215 Airport Road, North, Large Conference Room, Room 105, Naples, FL 34104

GENERAL SUBJECT MATTER TO BE CONSIDERED: The department is seeking public input and information regarding the re-designation of the crisis stabilization unit of the David Lawrence Center as a public Baker Act receiving facility.

For further information contact: Mike Sedgwick, 215 Airport Road, North, Naples, FL 34104 or (239)643-9466.

Persons with disabilities requiring accommodations in order to participate in this event should also contact the person above by telephone or in writing by close of business (5:00 p.m.) no later than five working days prior to the meeting.

NOTICE OF CORRECTION – The **Department of Children and Family Services, Mental Health Program Office** announces a correction for the place of a public meeting previously advertised in the FAW. All interested persons are invited:

DATE AND TIME: March 26, 2003, 3:00 p.m.

PLACE: Department of Children and Family Services, Conference Room A, 4720 Old Highway 37, South, Lakeland, Florida 33813, (863)619-4171

GENERAL SUBJECT MATTER TO BE CONSIDERED: The department is seeking public input and information regarding the re-designation of the Baker Act Receiving Facilities in Polk and Highlands Counties. The Facilities

include Winter Haven Hospital, Center for Psychiatry, in Winter Haven and the Florida Hospital, Heartland Division, in Lake Placid.

Persons with disabilities requiring accommodations in order to participate in this event should contact: Royanne McMillan, Alcohol, Drug Abuse and Mental Health Program Office, 4720 Old State Road 37, Lakeland, Florida 33813, (863)619-4171, by close of business (5:00 p.m.) no later than five working days prior to the meeting.

FOR FURTHER INFORMATION CONTACT: Royanne McMillan, (863)619-4171

#### FLORIDA HOUSING FINANCE CORPORATION

Notice is hereby given that the **Florida Housing Finance Corporation** (“Florida Housing”) will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) to which all interested persons are invited.

DATE AND TIME: Friday, March 28, 2003, 10:00 a.m. (EST)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to refund bonds previously issued to finance the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Fairmont Oaks Apartments, a 178-unit multifamily residential rental development located at 316 S. W. 62nd Boulevard, Gainesville, Alachua County, Florida 32607. The owner of the development is Fairmont Oaks LP, c/o America First Companies LLC, 399 Park Avenue, 36th Floor, New York, NY 10027, or such successor in interest in which America First Companies LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$8,020,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being re-financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Thursday, March 27, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida

Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

The **Florida Housing Finance Corporation** announces a workshop and meeting of the Board of Directors to which all interested parties are invited:

MEETINGS: Fiscal Committee; Guarantee Committee; Combined Cycle Committee; Multifamily Revenue Bond Committee; Board Meeting

DATE AND TIME: May 2, 2003, 9:00 a.m. – adjourned

PLACE: Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301, (850)891-0000

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider, review, and take action on matters brought to the Fiscal Committee and to consider recommendations made by the Fiscal Committee to the Board.
2. Consider, review, and take action on matters brought to the Guarantee Committee and to consider recommendations made by the Guarantee Program Committee to the Board.
3. Consider, review, and take action on matters brought to the Universal Cycle Committee and to consider recommendations made by the Universal Cycle Committee to the Board.
4. Consider, review, and take action on matters brought to the Multifamily Revenue Bond Committee and to consider recommendations made by the Multifamily Revenue Bond Committee to the Board.
5. Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds of pending multifamily issues, which have satisfied the requirements for funding.
6. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
7. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
8. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
9. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
10. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
11. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
12. Consideration of all necessary actions with regard to the Multifamily Bond Program.
13. Consideration of approval of underwriters for inclusion on approved master list and teams.
14. Consideration of all necessary actions with regard to the HOME Rental Program.
15. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
16. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
17. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
18. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
19. Consideration of all necessary actions with regard to the Home Ownership Programs.
20. Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.
21. Consideration of Appeals from Combined Cycle ranking and grading with entry of final orders.
22. Consideration of workouts or modifications for existing projects funded by the Corporation.
23. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
24. Consideration of funding additional reserves for the Guarantee Fund.
25. Consideration of audit issues.
26. Evaluation of Professional and Consultant performance.
27. Such other matters as may be included on the Agenda for the May 2, 2003, Board Workshop and Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sheila Freaney, 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 for such purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

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### **FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida **Fish and Wildlife Conservation Commission** announces a public hearing for the Florida Keys Wildlife and Environmental Area located in Monroe County, Florida.

DATE AND TIME: Thursday, April 3, 2003, 7:00 p.m.

PLACE: Monroe County Commission Chambers, Marathon Government Center, 2798 Overseas Highway, Marathon, Florida 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments regarding considerations for the FWC's five-year Conceptual Management Plan for the Florida Keys Wildlife and Environmental Area (WEA). This hearing is designed exclusively for discussion of the draft Conceptual Management Plan. Participants should understand that the purpose for this hearing does not include the opportunity to discuss public use regulations for the Florida Keys WEA. There is a separate public process for this purpose.

A Management Prospectus for the Florida Keys WEA is available upon request from: Florida Fish and Wildlife Conservation Commission, Land Management Planning Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1474.

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 5 calendar days before the hearing by contacting: Cindy Hoffman, ADA Coordinator, (850)488-6411.

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The **Fish and Wildlife Conservation Commission** announces a public workshop concerning the Florida Artificial Reef Strategic Plan. The Commission encourages all interested persons to participate at the workshop, which will take place as follows:

DATE AND TIME: Thursday, April 3, 2003, 5:30 p.m. – 7:30 p.m.

PLACE: Hilton Jacksonville Riverfront, 1201 Riverplace Blvd., Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding workshops to gather public testimony regarding the draft State Artificial Reef Strategic Plan (copies available at <http://marinefisheries.org/ar/index.htm>).

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: Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

For further information, contact: Jon Dodrill, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-4340, Ext. 209.

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### **H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE**

The **H. Lee Moffitt Cancer Center and Research Institute**, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 26, 2003, 1:30 p.m.

PLACE: Moffitt Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Barbara Sawyer by Tuesday, March 25, 2003.

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### **FLORIDA INSURANCE GUARANTY ASSOCIATION**

The **Florida Insurance Guaranty Association** announces a telephone conference meeting to which all interested parties are invited to attend.

DATE AND TIME: March 31, 2003, 1:00 p.m. – 1:45 p.m. (Eastern Time) or as soon as business has been concluded

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Personnel Committee of the Florida Insurance Guaranty Association will meet to discuss personnel issues of the Association.

A copy of the agenda and telephone conference number may be obtained by contacting: Mr. Jerry Service, (904)398-1238, Ext. 109.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate the meeting is asked to advise the Association by contacting Jerry Service, (904)398-1238, Ext. 109, at least 48 hours before the session if the person wishes to participate.

A person who is hearing or speech impaired may also contact TDD, 1(800)955-1339.

**ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY**

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2003, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

**CRIMINAL JUSTICE INSTITUTE**

The Region XIV, **Advisory council** announces a meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, April 9, 2003, 9:00 a.m.

PLACE: Room 8205, School of Justice, Miami Dade Community College, North Campus, Miami, FL

CONTACT PERSON IS: Josefina de Lage, Secretary of the Region XIV, Advisory Council, (305)237-1329

**FLORIDA COMPREHENSIVE HEALTH ASSOCIATION**

The **Florida Comprehensive Health Association** created pursuant to Section 627.6488, Florida Statutes, as amended, announces a public meeting as follows:

DATE AND TIME: Thursday, April 3, 2003, 3:30 p.m.

PLACE: Department of Financial Services, 200 E. Gaines Street, Larson Building, Rm. 101B, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors' Meeting.

A copy of the proposed agenda may be obtained by writing: Brenda DeYounks, Florida Comprehensive Health Association, 1210 E. Park Avenue, Tallahassee, Florida 32301, (850)309-1200 or by facsimile (850)309-1222.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person 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 includes the testimony and evidence upon which the appeal is to be based.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF INSURANCE**

NOTICE IS HEREBY GIVEN that the Department of Financial Services (formerly the Department of Insurance), Division of State Fire Marshal, has received a Petition for Declaratory Statement filed January 17, 2002, by the Charles W. Edwards. The Petition is seeking the Department's interpretation of the Florida Fire Prevention Code and specifically NFPA 101. Petitioner specifically requests a declaratory statement on the following questions:

- A: Would a stair configuration for a second floor unit that is open to the interior of the unit on the second floor and descending to an exit at grade be in compliance with NFPA 101, 30.3.5.2 (a), thereby allowing the building to not be sprinklered? (Assumption is that such stair is separated from all other portions of the building by fire barriers having a 1-hour fire resistance rating).
- B: If the answer to question A is no, would 30.3.5.2 (c) allow a stair open to the interior of the unit on the second floor and descending to an exit at grade? (Assumption is that such stair is separated from all other portions of the building by fire barriers having a 1-hour fire resistance rating).
- C: In either case, if an Interior stair is provided as an exception to the sprinkler requirement, would that stair need to be within a shaft with a fire rated door in the unit at the second floor or could it be open to the interior of the unit on the second floor?
- D. Question D: Understanding that section 30.2.1 requires compliance with chapters 30 and 7 for egress and section 24.2 for escape, Section 30.2.4 (Florida revised) permits a single exit provided (a) the unit entry door is the exit from the building and (b) the exit door serves only that unit, and (c) the unit is less than 3,500 sq. ft., and (d) the building is max two stories. (Each of the units in question comply with all four requirements) However, section 24.2.2.4, addressing means of escape, requires every story more than 2,000 sq. ft. to be provided with two primary means of escape. If each apartment on the second floor is specifically permitted to have a single exit by 30.2.4, does the requirement in section 24.2.2.4 for a second primary means of escape apply if the floor area exceeds 2,000 sq. ft., thereby requiring the unit to have two primary means of escape while the unit is permitted to have a single exit?
- E: If the answer to Question D is no, would the second portion of Section 24.2.2.4 that requires a second primary means of escape if the travel distance exceeds 75' apply?



F: If a second primary means of escape is required, would an unenclosed spiral stair placed on an outside wall of the unit, outside of the usable floor space of the second and first floor units, usable solely for the second floor unit, qualify as a second primary means of escape?

A copy of the declaratory statement may be obtained in any of the following ways:

1. Write, call or send a fax to Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604, fax (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in the event any question arises), or
2. E-mail your request to mazzeog@doi.state.fl.us (please be sure to specify if you want an unofficial, unsigned but exact duplicate copy e-mailed back to you, or if you want a copy of the official, signed declaratory statement mailed or faxed to you), or
3. Obtain an unofficial, unsigned but exact duplicate copy by visiting the State Fire Marshal's website at <http://www.doi.state.fl.us/SFM/sfmdeclaratorystatement.htm>.

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#### DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on March 4, 2003, from DASMA with regards to minimum steel thickness of garage doors for compliance with the requirements of Sections 1626.4 and 2605.3.2.7.1, Florida Building Code, Building Volume.

It has been assigned the number DCA03-DEC-073.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on March 10, 2003, from Dean Heminger. Mr. Heminger seeks an interpretation of Chapter 1005.4.2, Florida Building Code, Building Volume, with regards to fire rescue windows in fully sprinkled buildings.

It has been assigned the number DCA03-DEC-079.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on March 7, 2003, from Charlotte County Community Development Department, Permitting Section, with regards to

whether exposure "C" as referred to in Section 1606.18 is determined by relation to the mean high tide line in any area subject to tides rather than the Gulf of Mexico.

It has been assigned the number DCA03-DEC-078.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to the requests received on November 4, 2002 and November 13, 2002.

They were assigned the numbers DCA02-DEC-342 and DCA02-DEC-356.

The Commission found that a building official is authorized to waive permitting requirements for ordinary minor repairs by Section 104.1.1, Florida Building Code, Building Volume, and that applies to the requirements of the National Electrical Code adopted by reference in Chapter 27 of the Code.

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to the request received on October 29, 2002.

It was assigned the number DCA02-DEC-289.

The Commission found that a gable end wall must be structurally continuous from floor to roof or ceiling diaphragm.

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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#### DEPARTMENT OF REVENUE

Notice is hereby given that the Florida Department of Revenue has received a Petition for Declaratory Statement from Mr. Leonard Bernstein.

Petitioner, Leonard Bernstein originally was a resident of New Jersey, and leased an automobile in that state. Under New Jersey law, the lessor was considered the end user of the leased vehicle, and was required to remit use. No tax was required to be collected from Petitioner on the monthly lease payments, but the lessor was not prohibited from increasing such payments to cover the lessor's use tax expense. Petitioner relocated to Florida and registered the leased vehicle in Florida. Once registration occurred, the lessor began to charge the Petitioner Florida sales tax on the monthly lease payments.

Petitioner requests that the Department of Revenue determine whether the Petitioner was inappropriately charged tax twice on the lease of a motor vehicle.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Judy Langston, Agency Clerk, Office of General Counsel, P. O. Box 6668, Tallahassee, Florida 32314-6668, (850)488-0712.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**NOTICE TO PROFESSIONAL CONSULTANTS**  
Florida A & M University (FAMU), a unit of the Florida Board of Education (Division of Colleges & Universities), announces that Professional Services in the discipline of Architecture will

be required for the following: Project No. FM-310, Building Envelope/Systems Improvements – Phases I and II, Florida A&M University, Tallahassee, Florida.

The scope of work includes interior renovations, code corrections, building envelope upgrades, and building systems improvements. PH-1 will be Sampson Hall, and PH-2 will address McGuinn, Cropper, Diamond, and Wheatley Halls.

The estimated construction budget is \$1,200,000.

A copy of the Facility Program can be obtained at the requester’s expense by calling: Target Copy, (850)224-3007, and ask for the Manager or a Key Operator.

The selected firm will provide design, construction documents and administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$250,000 and will be provided as a part of Basic Services.

**INSTRUCTIONS:** Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. The last version of the former Board of Regents “Professional Qualifications Supplement,” (PQS) form SUSPQS: 09/99, completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit six (6) ring, comb or spiral (no hard, solid or tack) bound copies of the requested data in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement (PQS) forms, descriptive project information, and selection criteria may be obtained by contacting: Samuel J. Houston, Director, Office of Facilities Planning and Construction, Florida A & M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307, (850)599-3197, Fax (850)561-2289. Submittals must be received in the Office

of Facilities Planning and Construction, by 2:00 p.m. local time, on April 23, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

**INVITATION TO BID**

The Florida School for the Deaf and the Blind (FSDB), 207 N. San Marco Avenue, St. Augustine, FL 32084-2799 is requesting bids for the installation and certification of intelligent fire alarm panels in several buildings.

PROJECT NUMBER: FSDB-20020006

PROJECT NAME: Fire Alarm System Upgrades in Buildings 16, 25, 51, and 68

QUALIFICATIONS: All Bidders must be qualified at the time of the bid opening in accordance with the Instructions to Bidders, Article 2 included in the Bid Package.

BID PACKAGES: Bid Packages, Specifications and Plans may be picked up at the FSDB Facilities Office in the Hogel Maintenance Building (#27), 207 N. San Marco Avenue, St. Augustine, FL 32084-2799 between the hours of 7:00 a.m. and 4:00 p.m., Monday through Friday. Bids must be submitted in accordance with the requirements of the Project Bid Documents, Specifications and Plans

MANDATORY PRE-BID CONFERENCE: A mandatory pre-bid conference will be held for all interested bidders on Tuesday, April 1, 2003 at 9:00 a.m. in Room 100B, FSDB Facilities Conference Room, Hogel Maintenance Building (#27), 207 N. San Marco Avenue, St. Augustine, FL 32084-2799.

BID OPENING: Sealed bids will be received until Friday, April 11, 2003, 2:00 p.m., Room 100B, FSDB Facilities Conference Room, Hogel Maintenance Building (#27), 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, at which time and place bids will be opened publicly and read aloud.

Bid Tabulation and Notice of Award Recommendation will be posted in Room 100, Hogel Maintenance Building (#27).

CONTACT PERSON: Mr. Wally Dennis, Project Manager, (904)827-2363.

Certified Minority Business Enterprises are encouraged to participate in the bidding process.

Any person with a qualified disability requiring special accommodations at the pre-bid meeting and bid opening shall contact the Facilities Office, (904)827-2360, at least five (5) working days prior to the event. If you are hearing or speech impaired, please contact this office using the Florida Relay Services, 1(800)955-8771 (TDD).

**NOTICE REGARDING ELECTRONIC POSTING**

Pursuant to Section 287.042(3)(b)2. of the Florida Statutes, the DeSoto County School District hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement:

<http://desotoschools.com/purchasing.htm>

**Facilities**

**Planning and Construction**

**Contractor Prequalification**

The Duval County Public Schools is prequalifying all contractors who intend to submit bids for Construction Projects exceeding \$200,000 and Electrical Projects exceeding \$50,000. Prequalifying becomes effective April 30, 2003, bids will not be accepted from contractors who are not prequalified with Duval County Public Schools after April 30, 2003.

Forms and information may be obtained by contacting: Richard Beaudoin or Ronald A. Fagan, 1701 Prudential Dr., Jacksonville, FL 32207, (904)390-2358 or (904)390-2922, Fax (904)390-2265, Email: beaudoinR@educationcentral.org or FaganR@educationcentral.org.

**REQUEST FOR PROPOSALS**

The School Board of Putnam County is requesting proposals for providing architectural and engineering services for the following project located at Melrose Elementary School, 401 State Road 26, Melrose, FL 32666:

Remodeling of administration offices (2,453 SF) remodeling of existing media building (1,190 SF), new construction of new media center (4,000 NSF), and new covered play area (2,100 SF).

The scope of work includes, but is not limited to the complete design of the project, assisting in the selection of a construction manager-at-risk, and review and approval of the construction manager's guaranteed maximum price for construction.

Architectural firms interested in providing architectural and engineering services to the School Board are hereby notified that five (5) sealed proposals with the following required information will be received no later than 3:30 p.m., local time, March 27, 2003, District School Board Maintenance office, 124 West Louis Broer Road, East, Palatka, FL 32131, (386)329-0550:

- A. Letter of Interest.
- B. Federal Government Standard Forms 254 and 255 for architect-engineers.
- C. Certificates evidencing that insurance coverage for professional liability in limits not less than one million dollars (\$1,000,000).
- D. Copies of State of Florida Licensing Board Certificates for the firm.
- E. A sworn statement on public entity crime, as required by Section 287.133(3)(a), F.S.
- F. An organizational chart listing personnel and consultants proposed for this project.

The School Board may reject all applicants, may stop the selection process at any time, may reject any and all statement of qualifications, and reserves the right to waive any informalities in the selection process.

## REQUEST FOR PROPOSALS

THE SCHOOL BOARD OF PUTNAM COUNTY IS REQUESTING PROPOSALS FOR PROVIDING CONSTRUCTION MANAGEMENT-AT-RISK SERVICES FOR THE FOLLOWING PROJECT LOCATED AT MELROSE ELEMENTARY SCHOOL, 401 STATE ROAD 26, MELROSE, FLORIDA 32666:

- REMODELING OF ADMINISTRATION OFFICES (2,453 SF)
- REMODELING OF EXISTING MEDIA BUILDING (1,190 SF)
- NEW CONSTRUCTION OF A NEW MEDIA CENTER (4,000 NSF)
- NEW COVERED PLAY AREA (2,100 SF)

THE SCOPE OF WORK INCLUDES PRE-CONSTRUCTION SERVICES INCLUDING DESIGN REVIEW, VALUE ENGINEERING AND COST CONTROL, AND THE DEVELOPMENT OF A GUARANTEED MAXIMUM PRICE FOR COMPLETE CONSTRUCTION.

CONSTRUCTION MANAGEMENT FIRMS INTERESTED IN PROVIDING CONSTRUCTION MANAGEMENT AT RISK SERVICES TO THE SCHOOL BOARD ARE HEREBY NOTIFIED THAT FIVE (5) SEALED PROPOSALS WITH THE FOLLOWING REQUIRED INFORMATION WILL BE RECEIVED NO LATER THAN 3:30 P.M. LOCAL TIME, APRIL 4, 2003 AT THE DISTRICT SCHOOL BOARD MAINTENANCE OFFICE, 124 WEST LOUIS BROER ROAD, EAST, PALATKA, FLORIDA 32131, (386)329-0550:

1. A LETTER OF INTEREST.
2. CERTIFICATES EVIDENCING THAT INSURANCE COVERAGES ARE IN FORCE:

“All professional firms selected by the Board pursuant to the Consultants’ Competitive Negotiations Act F.S. 287.055, for a construction project with an estimated construction cost exceeding Two Hundred Thousand Dollars (\$200,000) or a planning activity exceeding a Twenty-five Thousand Dollar (\$25,000) fee, will carry and maintain during the period they are performing such services, and thereafter as referenced below, as a minimum, the following insurance coverages and limits:

1. Commercial Comprehensive Liability Insurance (including blanket contractual liability and completed operation, explosion, collapse, and underground hazards) in limits of not less than Five Million Dollars (\$5,000,000), with no deductibles, covering personal injury, death, sickness or disease, bodily injury, and property damage, including loss of use. The coverage may be provided in a primary policy or umbrella policy. The

umbrella, however, will stipulate that the excess coverage is no less broad than the primary coverage. The Owner will be added as an additional insured.

2. Comprehensive Automobile Liability Insurance (including hired and non-owned vehicles, if any) in limits of One Million Dollars (\$1,000,000) per occurrence, covering personal injury, death, bodily injury, and property damage.
3. Workers’ Compensation Insurance in compliance with F.S. 440, with unlimited employer’s liability coverage.
4. Builder’s Risk Insurance with a deductible not to exceed One Thousand Dollars (\$1,000) per incident, for the total amount of the contract as established by the Insurance Services Office (ISO).
5. Owner’s and Contractor’s Protective Liability Insurance in an amount not less than Five Million Dollars (\$5,000,000), with no deductible, covering personal injury, death, sickness or disease, bodily injury and property damage, including loss of use. The Owner will be named insured under this policy.
6. Public Construction Bond in compliance with F.S. 255.05 (or a performance bond and a labor and material payment bond in compliance with F.S. 255.05) guaranteeing that the construction management firm will perform its obligations under the contract and will pay for all labor and materials furnished for the work. Such bond will be:
  - A. Issued in a form and by a surety reasonably acceptable to Owner with a minimum rating by the most recent Best’s Rating Classification of Class IV for contract sums less than \$1,000,000; Class VI for contract sums more than \$1,000,000 and less than 2,000,000; and, Class VII for contract sums in excess of \$2,000,000.
  - B. Submitted to Owner for approval as to form.
  - C. Name the Owner as obligee.
  - D. Will be in an amount equal to at least 100% of the contract sum (as the sum may be adjusted from time to time pursuant to the contract).
  - E. Contain a specific provision holding the surety liable for any consequential delay damages, liquidated or unliquidated, caused by the construction management firm’s breach under the contract. The construction management firm will deliver the executed, approved bonds to the Owner contemporaneous with the execution of the Agreement. Notwithstanding any provision of Florida Statutes or language of the bond, the Statute of Limitations for actions against the surety due to the alleged nonperformance (other than the delivery of labor

or materials) of the construction management firm will be the same length of period as the Statute of Limitations for actions against the construction management firm.

7. Certification evidencing that all of the above insurance coverages and limits are in force will be furnished to the Board before any services are performed, and will require written notification to the Board at least thirty (30) days prior to any cancellation, termination, non-renewal, or modification.
8. All insurance will be with insurers authorized to do business in Florida and all non-self insurance companies will be rated at least a VI by Best's Key Rating Guide.
9. If the construction manager should fail to provide or otherwise maintain the required insurance coverages and limits, the Board may purchase the insurance and hold the construction manager responsible for the cost thereof."
3. A NOTARIZED STATEMENT OF FINANCIAL STATUS.
4. A SWORN STATEMENT ON PUBLIC ENTITY CRIME, AS REQUIRED BY F.S. 287.133(3)(a).
5. A LIST OF DESIGN-BUILD, CONSTRUCTION MANAGEMENT, OR PROGRAM MANAGEMENT PROJECTS OF SIMILAR SIZE AND COMPLEXITY, INCLUDING THE NAME, ADDRESS, PHONE AND CONTACT PERSON OF THE ARCHITECTS AND OWNERS.
6. BONDING CAPACITY OF FIRM APPLYING.
7. DESCRIPTION OF THE PROGRAM MANAGEMENT TECHNIQUES, AND COST CONTROL TECHNIQUES USED ON SIMILAR PROJECTS.
8. IDENTIFICATION OF LITIGATION, MAJOR DISPUTES, CONTRACT DEFAULTS, AND LIENS OVER THE PAST FIVE (5) YEARS IN WHICH THE FIRM HAS BEEN INVOLVED.
9. A HISTORY OF PROJECT COMPLETION DATES FOR SIMILARLY SIZED PROJECTS, IN RELATION TO THE CONTRACT AWARD SCHEDULE OVER THE PAST THREE (3) YEARS. SUBMIT NO MORE THAN FIFTEEN (15) PROJECTS.

THE SCHOOL BOARD MAY REJECT ALL APPLICANTS, MAY STOP THE SELECTION PROCESS AT ANY TIME, AND RESERVES THE RIGHT TO WAIVE ANY INFORMALITIES IN THE SELECTION PROCESS AND TO REJECT ANY AND ALL STATEMENTS OF QUALIFICATIONS.

**DEPARTMENT OF COMMUNITY AFFAIRS**

STATE ENERGY PROGRAM (SEP)  
NOTICE OF FUNDING AVAILABILITY

The Department of Energy announced funding availability for Federal Fiscal year 2003 under the State Energy Program Special Projects on February 13, 2003 to eligible Applicants. All proposals are required to be submitted by the State Energy Office.

The proposals for The Clean Cities, Industries of the Future and Building Codes and Standard are due to DCA April 18, 2003. Up to 16,600,00 nationwide is available for award to eligible applicants to carry eligible activities.

The proposals for Rebuild America, Building America, Federal Energy Management Program, Solar Technology Program, State Wind Energy Support and Distributed Energy and Electric Reliability (DEER) – Transmission Reliability, Energy Storage, and Interconnection are due to DCA April 22, 2003.

The proposals for Distributed Energy and Electric Reliability (DEER) – Regional Combined Cooling, Heating and Power (CHP) Applications Center, Distributed Energy and Electric Reliability (DEER) – High Temperature Superconductivity, State Outreach Centers, Geothermal Outreach, Biomass, Residential Deployment, Fuel Cell Demonstration and Coordinated Public Education Activities are due to DCA April 24, 2003.

Proposals may be either hand delivered or sent by U.S. Mail or other licensed carrier and must be received on or before the deadline by the State Energy Program, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

For further information, prospective applicants should contact: Essie Turner, Administrative Assistant, (850)488-2475. Interested parties may also address inquiries to the State Energy Program, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

**WATER MANAGEMENT DISTRICTS**

REQUEST FOR QUALIFICATIONS No. 02/03-035WR

The Suwannee River Water Management District (District) is soliciting qualified individuals or firms to submit their qualifications for developing Minimum Flows and Levels (MFLs) for Madison Blue Spring, Madison County, Florida.

A copy of the RFQ will available on the District's website beginning March 21, 2003, at: [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com) Or, requests for the RFQ document (RFQ 02/03-035 WR) should be directed to:

Suzanne Richardson, Administrative Assistant  
 Suwannee River Water Management District  
 9225 CR 49  
 Live Oak, FL 32060  
 (386)362-1001 or 1(800)226-1066 (Florida only)

Responses to this request are due at the District office by 3:00 p.m., April 17, 2003.

If you have questions regarding the project, please direct them to David Hornsby, (386)362-1001 or toll free (Florida only) 1(800)226-1066, Fax (386)362-1056.

**DEPARTMENT OF MANAGEMENT SERVICES**

**NOTICE REGARDING ELECTRONIC POSTING**

Pursuant to Section 287.042(3)(b)2. of the Florida Statutes, the Department of Management Services hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement:

[http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu)

**DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**

The Delray Beach CRA is soliciting qualifications from consultants in the field of marketing and public relations for the purposes of selecting an individual or firm to prepare and implement a marketing program for the recently adopted Downtown Delray Beach Master Plan.

Proposals from qualified individuals or firms will be accepted until 12:00 p.m., Friday, April 18, 2003. For a detailed description of the project, please go to our website, [www.delraycra.org](http://www.delraycra.org).

**NORTH EAST FLORIDA EDUCATIONAL CONSORTIUM**

**LEGAL ADVERTISEMENT**

The North East Florida Educational Consortium is soliciting proposals from insurance companies only, to provide:

Group Medical Stop-Loss Insurance Bid # 54331402

NEFEC has pre-qualified agents for this process.

Insurance companies who wish to submit proposals may obtain a copy of a Request for Proposals from NEFEC by faxing Mr. Craig Reed, CPA, Health Insurance Coordinator, (386)329-3835.

Proposal responses are due March 21, 2003.

NEFEC and its representatives reserve the right to waive formalities or informalities in proposals, to reject, with or without cause, any or all proposals or portions of proposals, or to negotiate or not negotiate with and/or interview or not interview individual proposers, or to accept any proposal(s) or

portions of proposals deemed to be in the best interest(s) of NEFEC. NEFEC's decision on which firms are selected will be final.

**Section XII  
 Miscellaneous**

**DEPARTMENT OF BANKING AND FINANCE**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Institutions and Securities Regulation has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at [http://www.dbf.state.fl.us/banking/cu\\_expansion.html](http://www.dbf.state.fl.us/banking/cu_expansion.html).

Comments may be submitted to the Deputy Director, Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0371, 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 Services Office, Office of Financial Institutions and Securities Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, 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., April 11, 2003):

Name and Address of Applicant: Railroad & Industrial Credit Union, Post Office Box 5125, Tampa, Florida 33675-5125

Expansion Includes: Employees of five select employer groups located in Polk and Hillsborough counties.

Received: March 5, 2003

Name and Address of Applicant: City County Credit Union of Fort Lauderdale, 1982 North State Road 7, Margate, Florida 33063

Expansion Includes: Geographic area.

Received: March 5, 2003

**DEPARTMENT OF COMMUNITY AFFAIRS**

**NOTICE OF APPLICATION PERIOD**

The Department of Community Affairs announces an application period for receiving applications from local governments and non-profit environmental organizations working with local governments for designation as a Waterfronts Florida Communities. The Waterfronts Florida Program is a two-year program that provides technical assistance and small planning grants to traditional working waterfront communities for revitalization efforts. Communities develop and implement special area management plans that address such issues as community visioning, maintaining a viable traditional waterfront economy, hazard mitigation, environmental and cultural resource protection, and public access. Three communities are designated every two years.

**DEADLINE:** The deadline for submitting applications shall be 5:00 p.m. (EDT) on Thursday, May 22, 2003. Applications must be received by the Department of Community Affairs by the above stated deadline. Applications received after the published deadline shall be deemed late and will not be considered by the Department.

**ELIGIBILITY:** The community must be located within a county or municipality that is required to adopt a coastal element as part of its local government comprehensive plan. The comprehensive plan must be in compliance with the provisions of Chapter 163, Part II, Florida Statutes. The designated waterfront area cannot be a major deep water port (i.e., it cannot generate more than \$5 million annually in operating revenues).

**APPLICATION FORMS:** Applications for funding must be made on the Waterfronts Florida Application Form. Copies of the application form may be obtained by visiting the Department's website at [www.dca.state.fl.us/fdcp/dcp/waterfronts/waterfront.htm](http://www.dca.state.fl.us/fdcp/dcp/waterfronts/waterfront.htm), calling (850)487-4910 or (SunCom 292-2207) or by writing to the Department of Community Affairs, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

**ADDRESS:** For mail and carrier service deliveries, the delivery address is Florida Communities Trust, 2555 Shumard Oak Boulevard, Suite 310, Tallahassee, FL 32399-2100. For hand deliveries, the delivery location is Suite 310, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL.

**FUNDS AVAILABLE:** The Department of Community Affairs expects that a total of \$75,000 will be available for grant awards during the 2003-2004 state fiscal year and an additional \$75,000 will be available for continuation grant awards during the 2004-2005 state fiscal year. The Department expects to designate up to three local governments as Waterfronts Florida Partnership Communities for the two-year grant program. The program is financed with a grant from the Florida Coastal Management Program, Department of Environmental Protection made possible through a grant from the National Oceanic and Atmospheric Administration.

**LOCAL MATCH:** Applicants must commit a dollar-for-dollar match, either cash (non-federal funds) or in-kind. As a condition of the designation, applicants must also commit to provide a local program manager.

**MORE INFORMATION:** Interested parties may obtain more information from the Department's website at [www.dca.state.fl.us/fdcp/dcp/waterfronts/waterfront.htm](http://www.dca.state.fl.us/fdcp/dcp/waterfronts/waterfront.htm), by contacting the Department at (850)922-2207 (SunCom 292-2207) or by writing the above stated address.

#### FY 02 SUPPLEMENTAL SUB-GRANT FUNDING AVAILABILITY

The Florida Department of Community Affairs (DCA) announces the release of a Notice of Funding Availability (NOFA) in conjunction with the Citizen Corps/Community Emergency Response Team (CERT) Program. The purpose of the Citizen Corps' program is to help your family and your community be safer, stronger and better prepared to respond to any kind of disasters. The purpose of the CERT program is to train people to be prepared for emergency situations in their communities and neighborhoods. CERT members give critical support to first responders in emergency situations. The NOFA will be available effective March 3, 2002 to any regional or local government in the State of Florida and non-profit 501c(3) entity. Eligible applicants also include Fire Tax Districts and Native American Tribes or nations of Florida. The total funds available for the Citizen Corps sub-grant program are \$124,614. The total funds available for the CERT sub-grants are \$529,600. There is no match requirement for recipients in this program. The DCA will accept sub-grant applications to perform the following citizen corps activities as described hereinafter:

1. Citizen Corps program – No single application may receive more than \$17,802 in grant funds. These funds are to support the formation of the Citizen Corps Councils, and their responsibilities. Certain restrictions on what these grants can be used for do apply.
2. CERT program – No single application may receive more than \$24,000 in grant Funds. Funding requests should be stated as increments of \$4,000. (Ex. \$4000, \$8000, \$12000, \$16000, \$20000 or \$24000). These funds are for CERT training and start-up of teams in areas of the State where CERT is not currently constituted and/or expansion of current programs. Certain restrictions on what these grants can be used for do apply.

Sub-grant applications must be received at the following address by April 21, 2003, no later than 4:00 p.m. Eastern Standard Time. This announcement supersedes the announcement in the February 28, 2003 issue of Florida Administrative Weekly.

Marcia Garcia  
Department of Community Affairs  
Division of Emergency Management, Directors Office  
2555 Shumard Oak Blvd. (Room 120)  
Tallahassee, Florida 32399-2100  
Attn: Citizen Corps/CERT Sub-grant  
Application Enclosed

All sub-grants must be prepared in conformance with the Citizen Corps Sub-grant Application Package and Instructions found at the following Internet address: <http://floridadisaster.org>. Requests for hard copies of the Citizen Corps Sub-grant Application Package and questions or other inquiry should be directed to the attention of Ms. Marcia

Garcia – Citizen Corps program phone, (850)413-9957, or by e-mail at the following address: [marcia.garcia@dca.state.fl.us](mailto:marcia.garcia@dca.state.fl.us) or Mr. Tom Weaver – CERT program phone, (850)413-9891 or by e-mail at the following address: [thomas.weaver@dca.state.fl.us](mailto:thomas.weaver@dca.state.fl.us)

**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, Cycle World Inc., intends to allow the establishment of Mojo Scooters. as a dealership for the sale of Peugeot Scooters, at 707 West Bay Drive, Largo, (Pinellas County), Florida 33770, on or after March 4, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Mojo Scooters are dealer operator(s) and principal investor(s): Peter Spoto, 707 West Bay Drive, Largo, FL 33770.

The notice indicates 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: Darby Gippert, Director of Operations, Cycle World Inc., 8080 Belvedere Road, Suite #7, West Palm Beach, FL 33411.

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, notice is given that Mitsubishi Motors North America, Inc., intends to allow the establishment of City Automotive-Avenues, Inc., as

an additional dealer for the sale of Mitsubishi automobiles and light trucks at 10857 Phillips Highway, Jacksonville, Duval County, Florida 32244 on or after March 21, 2003.

The name and address of the dealer operator of City Automotive-Avenues, Inc. is John Galeani, 7501 Blanding Boulevard, Jacksonville, Florida 32244. The name and address of the principal investors of the proposed dealership are John Galeani, 7501 Blanding Boulevard, Jacksonville, Florida 32244, and William J. Bresnan, 7501 Blanding Boulevard, Jacksonville, Florida 32244.

The notice indicates 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 U.S. Mail to: Robert N. Ozburn, Regional Franchise Development Manager, Mitsubishi Motors North America, Inc., 5466 Currin Drive, Orlando, FL 32635-6211.

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.

**FLORIDA SPACE AUTHORITY**

Employment Opportunity  
Executive Director

The Florida Space Authority is seeking an Executive Director. The selectee will interface with federal, state, and local governments and private industry. The successful candidate will possess knowledge and experience of both national and international aerospace industries, executive level project management experience, and a solid understanding of governmental (federal and state) structures and processes, including legislative policies and processes. Minimum education requirement: requiring a 4-year degree and preferring a master's degree or higher.

Applicants must submit four (4) copies each of their resume, salary requirements and references in order to be considered. Please send the required items to Ms. Jillian Papapietro, Human Resources Administrator at 100 Spaceport Way, Cape



Canaveral, FL 32920. No phone calls please. Application must be received by our Human Resources Department no later than close of business April 4, 2003. Equal Opportunity Employment.

\* This advertisement has been reviewed and approved by the Chairman of the Board of Supervisors or his designee.

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### NOTICE OF GRANT APPLICATION SUBMISSION PERIOD AND DEADLINE

The Department of Environmental Protection announces its Land and Water Conservation Fund grant program submission period from April 1, 2003, through April 30, 2003. Interested parties may contact: Collier Clark, (850)488-7896.

The full text of this notice is published on the Internet at the Department's home page at <http://www.dep.state.fl.us> under the link or button entitled "Official Notices."

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### NOTICE OF INTENT TO ISSUE MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection ("Department") hereby provides notice of an intent to modify power plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501, et seq., Florida Statutes ("F.S."). A proposed Order Modifying Conditions of Certification has been prepared in accordance with Rule 62-17.211(4), Florida Administrative Code ("F.A.C.") concerning the Pasco County Resource Recovery facility in Pasco County, Florida.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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## DEPARTMENT OF HEALTH

On March 11, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Inarvis Perez, R.N., license number RN 3271902. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), 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.

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On March 7, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of James Coker, P.A., license number PA 3151. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6),

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.

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On March 7, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Dana Fields, C.N.A., license number 0591261573450. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), 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.

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## FLORIDA HOUSING FINANCE CORPORATION

### HOMEOWNERSHIP LOAN PROGRAM NOTICE OF FUNDING AVAILABILITY (NOFA)

The Florida Housing Finance Corporation ("Florida Housing") announces a funding cycle for the Homeownership Loan Program.

It is anticipated that approximately \$10,000,000 in HOME funding and \$6,000,000 in HAP funding will be available to eligible developments that meet application criteria. Funding will be awarded in accordance with Rule Chapter 67-50, Florida Administrative Code (F.A.C.).

For more information on opening and closing dates of the application periods or for additional information on the Homeownership Loan Program, including Rule Chapter 67-50, F.A.C., and the interactive Application Package, please access Florida Housing's website at [www.floridahousing.org](http://www.floridahousing.org) or contact Shirley Alfsen, (850)488-4197. If you are hearing or speech impaired, please contact Florida Housing using the dual Party Relay System, 1(800)955-8770 or 1(800)955-8771.

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## FISH AND WILDLIFE CONSERVATION COMMISSION

### NOTICE OF INTENT TO ESTABLISH ALLIGATOR MANAGEMENT UNITS

Pursuant to Rule 68A-25.042, F.A.C., the Fish and Wildlife Conservation Commission plans to establish by executive order the 2003 alligator management units on April 2, 2003. The proposed management units constitute wetlands, lakes, rivers, or other water bodies that have been reasonably grouped for study, analysis, and management of the resident alligator population. Alligator surveys previously conducted by the Commission and/or a review of the available alligator habitat indicate that a harvestable population of non-hatchling alligators exists on each unit.

General descriptions of the proposed alligator management units for the 2003-harvest season are as follows:

Management Unit	Management Unit Description	General County(ies)	Management Unit Boundary <sup>1</sup>
101	Lake Pierce	Polk	
102	Lake Marian	Osceola	
104	Lake Hatchineha	Polk/Osceola	
105	Kissimmee River (Pool A)	Polk/Osceola	S65A structure north to S65 structure
106	Kissimmee River	Highlands/ Okeechobee	S65C structure north to S65A structure
108	Lake Arbuckle	Polk	
109	Lake Istokpoga	Highlands	
110	Lake Kissimmee	Osceola/Polk	
112	Teneroc FMA	Polk	
115	Lake Weohyakapka	Polk	
116	Cypress Lake	Osceola	
117	Lake Parker	Polk	
118	Lake Manatee	Manatee	
119	Peace River North	Hardee/DeSoto	SR 70 north to SR 60
120	Peace River South	DeSoto/Charlotte	I-75 north to SR 70
121	Caloosahatchee River	Glades/Hendry/Lee	Franklin Lock north to Ortona Lock
303	Lake Miccosukee	Jefferson/Leon	
306	Wacissa River	Jefferson	Goose Pasture north to SR 59
402	Everglades and Francis S. Taylor WMA (WCA 2)	Palm Beach/ Broward	Water Conservation Areas 2 A&B
404	Everglades and Francis S. Taylor WMA (WCA 3)	Broward/Dade	Water Conservation Areas 3 A&B
405	Holey Land WMA	Palm Beach	
409	Lake Hicpochee	Glades	
500	Blue Cypress Lake	Indian River	
501	St. Johns River (Lake Hell N' Blazes)	Brevard	US Hwy. 192 to the south end of Lake Hell N' Blazes
502	St. Johns River (Lake Poinsett)	Brevard/Orange/ Osceola	US. Hwy. 192 north to CR 520
504	St. Johns River (Puzzle Lake)	Orange/Brevard/ Seminole/Volusia	SR 50 north to SR 46
505	Lake Harney	Seminole/ Volusia	SR 46 north to CR 415
506	St. Johns River (Welaka)	Putnam	North of Lake George
507	St. Johns River (Palatka)	Putnam	Railroad Bridge north to US Hwy 17
508	Crescent Lake	Putnam/Flagler	
510	Lake Jesup	Seminole	
512	Lakes Dora/Beauclair	Lake	
515	Lake Panasoffkee	Sumter	
516	Withlacoochee River (North)	Citrus/Marion/ Sumter	North of SR 44
518	Lake Rousseau	Citrus/Levy/ Marion	

Management Unit	Management Unit Description	General County(ies)	Management Unit Boundary <sup>1</sup>
520	Lake Tohopekaliga	Osceola	
527	Lake Monroe	Volusia	
528	Lake Dexter	Volusia/Lake	
540	St. Johns River Upper Basin Canals	Brevard/Indian River	C-40 Canal and canals along L-75 and L-76 levees
542	Blue Cypress Water Management Area	Indian River	Within Blue Cypress Conservation Area
543	T.M. Goodwin Waterfowl Management Area (Broadmoor Unit)	Brevard	
544	Stick Marsh	Indian River	Within Blue Cypress Conservation Area
545	Kenansville Lake	Indian River	Within Blue Cypress Conservation Area
546	T.M. Goodwin Waterfowl Management Area (Goodwin Unit)	Brevard	
547	Guana River WMA	St. Johns	Lake Ponte Vedra
548	Ocala WMA	Marion/Lake	Lake Eaton, Juniper Creek and Salt Springs Run
549	Three Lakes WMA	Osceola	Lake Jackson
601	Lake Okeechobee (West)	Hendry/Glades/Okeechobee	Clewiston north to Indian Prairie
602	Lake Okeechobee (North)	Glades/Okeechobee	Indian Prairie north and east to Taylor Creek
603	Lake Okeechobee (East)	Okeechobee/Martin/Palm Beach	Taylor Creek south to Palm Beach Canal
604	Lake Okeechobee (South)	Palm Beach/Hendry	Palm Beach Canal southwest to Clewiston
711	Lake Hancock	Polk	
721	Rodman Reservoir	Marion/Putnam	
722	Orange Lake	Alachua	
723	Lochloosa Lake	Alachua	
724	Newnans Lake	Alachua	
732	Lake Iamonia	Leon	
733	Lake Talquin	Gadsden	
734	Lake Seminole	Jackson	
741	Lake Trafford	Collier	
751	Lake George	Putnam/Volusia	
801	Alachua	Alachua	See footnote <sup>2</sup>
802	Baker	Baker	See footnote <sup>2</sup>
803	Bay	Bay	See footnote <sup>2</sup>
804	Bradford	Bradford	See footnote <sup>2</sup>
805	Brevard	Brevard	See footnote <sup>2</sup>
806	Broward	Broward	See footnote <sup>2</sup>
807	Calhoun	Calhoun	See footnote <sup>2</sup>
808	Charlotte	Charlotte	See footnote <sup>2</sup>

Management Unit	Management Unit Description	General County(ies)	Management Unit Boundary <sup>1</sup>
809	Citrus	Citrus	See footnote <sup>2</sup>
810	Clay	Clay	See footnote <sup>2</sup>
811	Collier	Collier	See footnote <sup>2</sup>
812	Columbia	Columbia	See footnote <sup>2</sup>
814	De Soto	De Soto	See footnote <sup>2</sup>
815	Dixie	Dixie	See footnote <sup>2</sup>
817	Escambia	Escambia	See footnote <sup>2</sup>
818	Flagler	Flagler	See footnote <sup>2</sup>
819	Franklin	Franklin	See footnote <sup>2</sup>
820	Gadsden	Gadsden	See footnote <sup>2</sup>
821	Gilchrist	Gilchrist	See footnote <sup>2</sup>
822	Glades	Glades	See footnote <sup>2</sup>
823	Gulf	Gulf	See footnote <sup>2</sup>
824	Hamilton	Hamilton	See footnote <sup>2</sup>
825	Hardee	Hardee	See footnote <sup>2</sup>
826	Hendry	Hendry	See footnote <sup>2</sup>
827	Hernando	Hernando	See footnote <sup>2</sup>
828	Highlands	Highlands	See footnote <sup>2</sup>
829	Hillsborough	Hillsborough	See footnote <sup>2</sup>
830	Holmes	Holmes	See footnote <sup>2</sup>
831	Indian River	Indian River	See footnote <sup>2</sup>
832	Jackson	Jackson	See footnote <sup>2</sup>
833	Jefferson	Jefferson	See footnote <sup>2</sup>
834	Lafayette	Lafayette	See footnote <sup>2</sup>
835	Lake	Lake	See footnote <sup>2</sup>
836	Lee	Lee	See footnote <sup>2</sup>
837	Leon	Leon	See footnote <sup>2</sup>
838	Levy	Levy	See footnote <sup>2</sup>
839	Liberty	Liberty	See footnote <sup>2</sup>
840	Madison	Madison	See footnote <sup>2</sup>
841	Manatee	Manatee	See footnote <sup>2</sup>
842	Marion	Marion	See footnote <sup>2</sup>
843	Martin	Martin	See footnote <sup>2</sup>
845	Nassau	Nassau	See footnote <sup>2</sup>
846	Okaloosa	Okaloosa	See footnote <sup>2</sup>
847	Okeechobee	Okeechobee	See footnote <sup>2</sup>
848	Orange	Orange	See footnote <sup>2</sup>
849	Osceola	Osceola	See footnote <sup>2</sup>

Management Unit	Management Unit Description	General County(ies)	Management Unit Boundary <sup>1</sup>
850	Palm Beach	Palm Beach	See footnote <sup>2</sup>
851	Pasco	Pasco	See footnote <sup>2</sup>
852	Pinellas	Pinellas	See footnote <sup>2</sup>
853	Polk	Polk	See footnote <sup>2</sup>
854	Putnam	Putnam	See footnote <sup>2</sup>
855	Santa Rosa	Santa Rosa	See footnote <sup>2</sup>
856	Sarasota	Sarasota	See footnote <sup>2</sup>
857	Seminole	Seminole	See footnote <sup>2</sup>
858	St. Johns	St. Johns	See footnote <sup>2</sup>
859	St. Lucie	St. Lucie	See footnote <sup>2</sup>
860	Sumter	Sumter	See footnote <sup>2</sup>
861	Suwannee	Suwannee	See footnote <sup>2</sup>
862	Taylor	Taylor	See footnote <sup>2</sup>
863	Union	Union	See footnote <sup>2</sup>
864	Volusia	Volusia	See footnote <sup>2</sup>
865	Wakulla	Wakulla	See footnote <sup>2</sup>
866	Walton	Walton	See footnote <sup>2</sup>
867	Washington	Washington	See footnote <sup>2</sup>

<sup>1</sup> Specific boundary descriptions for these proposed alligator management units may be obtained upon request from the Florida Fish and Wildlife Conservation Commission, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

<sup>2</sup> Countywide, excluding incorporated areas, other Alligator Management Units, private lands permitted under the private lands alligator management program, water management district-owned waters and wetlands, federally-owned lands, wildlife refuges and parks, state-owned parks, preserves, and wilderness areas, aquatic preserves, Indian reservations and lands leased to Indian tribes.

**VISIT FLORIDA**

**ADVERTISING MATCHING GRANTS  
PROGRAM APPLICATIONS**

VISIT FLORIDA, 661 E. Jefferson Street, Tallahassee, Florida 32301, is accepting application for the 2003-2004 Advertising Matching Grants Program. Application packages may be obtained by writing VISIT FLORIDA at the address listed above, attention: Advertising Matching Grants Program, by faxing a request to "Advertising Matching Grants Program" at (850)224-2938, or by calling Bennie Strange at (850)488-5607, Ext 319 or by e-mailing a request to [bstrange@flusa.com](mailto:bstrange@flusa.com). VISIT FLORIDA reserves the right to reject any or all applications.

Application Due Date and Time is Friday, April 18, 2003, 5:00 p.m.

All applications received after 5:00 p.m. on Friday, April 18, 2003, will be returned to the applicant.

Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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**MINORITY CONVENTION GRANTS  
PROGRAM APPLICATIONS**

VISIT FLORIDA, 661 E. Jefferson Street, Tallahassee, Florida 32301, is accepting application for the 2003-2004 Minority Convention Grants Program. Application packages may be obtained by writing VISIT FLORIDA at the address listed above, attention: Minority Convention Grants Program, by faxing a request to "Minority Convention Grants Program", (850)224-2938, or by calling Bennie Strange, (850)488-5607, Ext. 319, or by e-mailing a request to [bstrange@flusa.com](mailto:bstrange@flusa.com). VISIT FLORIDA reserves the right to reject any or all applications.

Application Due Date and Time is Friday, April 11, 2003, 5:00 p.m.

All applications received after 5:00 p.m. on Friday, April 11, 2003, will be returned to the applicant.

Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD)

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**CULTURAL HERITAGE AND NATURE  
TOURISM GRANTS  
PROGRAM APPLICATIONS**

VISIT FLORIDA, 661 E. Jefferson Street, Tallahassee, Florida 32301, is accepting application for the 2003-2004 Cultural Heritage and Nature Tourism Grants Program. Application packages may be obtained by writing VISIT FLORIDA at the address listed above, attention: Cultural Heritage and Nature Tourism Grants Program, by faxing a request to "Cultural Heritage and Nature Tourism Grants Program", (850)224-2938 or by calling Clarissa Otero, (850)488-5607, Ext 363 or by e-mailing a request to [cotero@flusa.com](mailto:cotero@flusa.com). VISIT FLORIDA reserves the right to reject any or all applications.

Application Due Date and Time is Friday, April 18, 2003, 5:00 p.m.

All applications received after 5:00 p.m. on Friday, April 18, 2003, will be returned to the applicant.

Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN March 3, 2003  
 and March 7, 2003

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF BANKING AND FINANCE**  
**Board of Funeral and Cemetery Services**

3F-9.002	3/7/03	3/27/03	28/52	
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**DEPARTMENT OF INSURANCE**  
**Division of Workers' Compensation**

4L-6.007	3/6/03	3/26/03	28/52	
4L-6.012	3/6/03	3/26/03	28/52	
4L-6.015	3/6/03	3/26/03	28/49	
4L-6.018	3/6/03	3/26/03	28/49	
4L-6.022	3/7/03	3/27/03	28/45	28/51

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

5E-2.0105	3/3/03	3/23/03	28/51	
5E-2.0311	3/3/03	3/23/03	28/51	

**DEPARTMENT OF EDUCATION**  
**State Board of Education**

6A-4.0021	3/4/03	3/24/03	29/3	
6A-4.00821	3/4/03	3/24/03	29/3	

**WATER MANAGEMENT DISTRICTS**  
**Southwest Florida Water Management District**

40D-4.041	3/6/03	3/26/03	29/4	
40D-4.091	3/6/03	3/26/03	29/4	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Office of Licensure and Certification**

59A-7.021	3/5/03	3/25/03	28/48	29/6
59A-7.036	3/5/03	3/25/03	28/48	29/6

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

61G7-10.0014	3/6/03	3/26/03	29/4	
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Division of Beaches and Shores**

62B-34.010	3/7/03	3/27/03	28/48	
62B-34.020	3/7/03	3/27/03	28/48	
62B-34.030	3/7/03	3/27/03	28/48	
62B-34.040	3/7/03	3/27/03	28/48	
62B-34.050	3/7/03	3/27/03	28/48	
62B-34.060	3/7/03	3/27/03	28/48	
62B-34.070	3/7/03	3/27/03	28/48	29/3

**DEPARTMENT OF HEALTH**  
**Board of Medicine**

64B8-45.001	3/4/03	3/24/03	29/5	
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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self Sufficiency Program**

65A-1.605	3/7/03	3/27/03	28/44	29/4
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