

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Accounting and Auditing

RULE TITLE: Verified Request for Social Security Numbers
RULE NO.: 3A-2.001
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to create a form to be used by business entities to request social security numbers from agency records.
SUBJECT AREA TO BE ADDRESSED: Verified requests for social security numbers.
SPECIFIC AUTHORITY: 17.14, 17.29, 717.138 FS.
LAW IMPLEMENTED: 92.525, 119.072, 717.124 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., Tuesday, December 31, 2002
PLACE: Suite 547, The Fletcher Building, 101 E. Gaines St., Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Paul C. Stadler, Jr., Assistant General Counsel, Department of Banking and Finance, Suite 526, The Fletcher Building, 101 E. Gaines St., Tallahassee, Florida 32399-0350, (850)410-9896
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3A-2.001 Verified Request for Social Security Numbers.
Pursuant to Section 119.072, F.S., the Department shall grant a commercial entity engaged in the performance of a commercial activity, as defined in Section 14.203, F.S., or its agents, employees, or contractors, access to social security numbers, provided the social security numbers will be used only in the normal course of business for legitimate business purposes, and provided the commercial entity makes a verified written request for social security numbers, legibly signed by an authorized officer, employee, or agent of the commercial entity. The verified written request must be submitted on Form DBF-AA-200, Verified Request for Social Security Numbers, effective _____, which is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Accounting and Auditing, Tallahassee, Florida. The form must be accurately completed and executed. The business entity requesting the social security numbers must provide sufficient information to verify the identity of the entity requesting the social security numbers and the specific purposes for which such numbers will be used. A legitimate business purpose does not include the display or bulk sale of

social security numbers to the general public or the distribution of such numbers to any customer that is not identifiable by the distributor.

Specific Authority 17.14, 17.29, 717.138 FS. Law Implemented 92.525, 119.072, 717.124 FS. History--New

DEPARTMENT OF INSURANCE

RULE TITLES: Filing Procedures for Property and Casualty Insurance Rates, Rules, Underwriting Guidelines, and Forms
RULE NOS.: 4-170.013
 Homeowners Insurance Ratemaking and Rate Filing Procedures 4-170.014
 Dwelling Insurance Ratemaking and Rate Filing Procedures 4-170.0141
 Commercial Residential Insurance and All Other Lines Ratemaking and Rate Filing Procedures 4-170.0142
PURPOSE AND EFFECT: To require electronic filing of property and casualty rate filings after July 1, 2003, and to adopt updated forms.
SUBJECT AREA TO BE ADDRESSED: Method of submitting property and casualty rate filings as required by statute and the forms related thereto.
SPECIFIC AUTHORITY: 624.308, 624.308(1) FS.
LAW IMPLEMENTED: 624.307(1), 624.424, 624.604, 624.605, 627.062, 627.0645, 627.0651 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 10:00 a.m., Thursday, January 9, 2003
PLACE: Room 539, 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Greg Jenkins, Division of Insurer Services, Bureau of P&C Forms and Rates, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-3820
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON.

DEPARTMENT OF INSURANCE

RULE TITLE: Motor Vehicle Insurance Ratemaking and Rate Filing Procedures
RULE NO.: 4-175.003

PURPOSE AND EFFECT: To require electronic filing of motor vehicle insurance rate filings after July 1, 2003, and to adopt updated forms.

SUBJECT AREA TO BE ADDRESSED: Method of submitting motor vehicle insurance rate filings required by statute and the forms related thereto.

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.424, 627.062, 627.0651 FS.

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

TIME AND DATE: 10:00 a.m., Thursday, January 9, 2003

PLACE: Room 539, 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Greg Jenkins, Division of Insurer Services, Bureau of P&C Forms and Rates, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-3820

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON.

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
The Arson Laboratory	4A-63
RULE TITLE:	RULE NO.:
Arson Laboratory Requirements and Procedures for Submission of Evidence	4A-63.001

PURPOSE AND EFFECT: This new rule sets out uniform procedures and requirements for submission of evidence to the Arson Laboratory for analysis of evidence found at fire scenes.

SUBJECT AREA TO BE ADDRESSED: Evidence recovered during fire and arson investigations.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.03, 633.111 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 (IF NO REQUEST IS RECEIVED BY JANUARY 3, 2003, THE WORKSHOP WILL NOT BE HELD):

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Carl Chasteen, Supervisor, Division of State Fire Marshal Arson Laboratory, 38 Academy Drive, Havana, Florida 32333, (850)539-8446

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4A-63.001 Arson Laboratory Requirements and Procedures for Submission of Evidence.

(1) Evidence will be accepted from public law enforcement agencies and fire service agencies in matters related to criminal investigations. Other evidence is permitted to be accepted from other public agencies in special circumstances, but must be approved by the laboratory supervisor. The criteria that will be considered for approval are the urgency of the evidence submitted, the use to which the evidence will be put after analysis, the importance of the evidence, and any other relevant factor bearing on the need for the laboratory to analyze the evidence.

(2) The following are requirements for packaging samples.

(a) Containers – general considerations. The essential properties of the containers are that they must be unused, airtight, clean, with no hydrocarbon or other chemical residue, and inert so that they will not break down when heated or in contact with solvents.

(b) A properly packaged container satisfies the following criteria:

1. It seals the sample so that any trace volatile ignitable liquids are contained.
2. It avoids contamination from one sample to another.
3. It protects the chain of custody for the collected material.

(c) The seals must meet the following requirements:

1. A clean seal is essential. For cans, clean the “V” channel of the can rim before placing the lid on the can.
2. Containers must be completely sealed to prevent any passage of vapors or contaminants into or out of the container. Can lids must be tight all the way around.
3. For approved plastic bags, they must be heat sealed completely with no flaws in the seam.

4. Tamper evident tape, also referred to as tamper proof tape, must be placed across the container lid/seam in such a manner that the item cannot be partially or completely opened without tearing the tape.

5. Seals and Tape must be initialed or signed by the investigator of record. The date of the seal must also be included.

(d) The following requirements apply to the container types as indicated.

1. Metal cans:

a. Only clean, non-rusted, containers shall be used. Use unused metal cans with tight fitting lids. Cans with lids that do not fit or holes rusted through shall be returned.

b. To combat rusting, it is permissible to use epoxy lined cans. Can linings other than epoxy must not be used until after the laboratory has tested a sample for the presence of interferences.

c. Submit an unused comparison can when lined cans are used.

d. Do not refer to cans as "paint cans" on official forms, since they did not hold paint. They shall be referred to as "metal cans."

2. Plastic Bags:

a. The only plastic bags acceptable for evidence submitted to the Fire and Arson Laboratory are:

I. KAPAC® polyester bags.

II. SOPLARIL® polyamide (nylon 11) bags.

III. Grand Rivers Products (nylon 6) bags.

All other plastic bags submitted shall be returned.

b. Such plastic bags are permitted to be used after consultation with the laboratory and only with samples of a size or shape that will not fit into a metal can.

c. Avoid puncture. Punctured bags shall be returned.

d. Due to a reformulation by the manufacturer, KAPAC® bags manufactured in 1987 or before shall not be used.

e. Plastic bags shall not be left in a hot area (such as a car's trunk) for any extended period of time, and in no case longer than one month. Doing so increases the potential that certain chemicals will bleed off the plastic and allow it to crack.

3. Glass jars:

a. Teflon™ lined caps shall be used. Non Teflon® seals that are in contact with solvent may dissolve and contaminate samples.

b. Each jar must be precleaned and, if possible, certified free from hydrocarbon residue.

c. Care must be used in the storage and transport of glass jars because they are breakable.

(e) The following containers are unsuitable and shall not be used:

1. Paper bags.

2. Plastic containers, including cans with plastic lids, gaskets, or plastic bags.

3. Previously used containers, such as pickle jars, which could contain traces of a contaminating substance.

4. Containers that may be contaminated by manufacturing process residues.

5. Nylon bags other than SOPLARIL® or Grand River Products unless the lab has tested the item.

To test other products for contamination, contact the Arson Laboratory at (850)530-8446.

(3)(a) Following are the general submission and shipping requirements.

1. Place only one case in each box. Placing several samples in plastic bags or small vials in one large container can lead to cross-contamination. Items packaged together in this manner will be treated as a single submission.

2. Use plain boxes.

a. Labels shall not state or imply that the box contains specific ignitable liquids unless they are standards for comparison.

b. Do not write anything that is not specific to the case.

c. Boxes returned by the laboratory shall not be used.

3. Do not delay in shipping the evidence to the laboratory. The time between the fire, sealing of the evidence in the container, and shipping to the laboratory can affect the laboratory's ability to recover any ignitable liquid residues. Collect and send the samples as soon as possible.

4. With debris samples, do not fill the container to more than 75% of capacity. Each can shall not contain more than 75% of the can's capacity. The method used in the laboratory for recovering ignitable liquid residues requires an adequate headspace above the debris for the volatilization of trace ignitable liquids. If the can is too full, the quality of the analysis will suffer.

5. Liquid samples must be placed in clean glass vials with screw-on lids. Do not use rubber stoppered serum vials. Do not fill the container more than 50% full. Do not send more than one-half a fluid ounce (15 milliliters) of a suspected petroleum product to the laboratory. Add sufficient absorbent material such as paper towels or gauze pads to the liquid sample in the vial to take up the free liquid.

6. Seal the vial lid. Do not use paraffin to secure the lid. Tamper evident tape shall be used whenever possible. Then package the vial with additional absorbent material on the outside of the vial and sealed inside a pint or quart can.

7. Submit comparison samples of any absorbent material used to absorb free liquids.

8. Cans and containers found on the scene shall have any liquid removed. If the liquid is suspected of being an ignitable liquid, follow the instructions in subparagraph 5 above. Seal the holes on the container with a cork stopper and tape over, then place the evidence into an approved container of appropriate size. CAUTION: If the can is suspected to have fingerprints, do not use a plastic bag. Package it according to

Florida Department of Law Enforcement or Federal Bureau of Investigations procedures. It will not be appropriate for ignitable liquid analysis. It is the investigator's responsibility to choose the forensic method that would provide the best evidence.

9. Tissue and body parts should be preserved only by freezing the sample. Caution the coroner or medical examiner that you do not want any preservatives placed on the tissue. Contact the laboratory BEFORE shipping. The tissue should first be frozen and packed in a sealed ice chest. Water Ice and Dry Ice are not recommended as there are distinct shipping issues with either. Freezing followed by overnight hand or courier delivery allows the frozen items to slowly thaw. They will then be ready for analysis when they arrive at the laboratory.

10. Body parts or other items contaminated by bodily fluids such as a victim's or suspect's clothing shall be prominently labeled as containing a BIOHAZARD before shipping to the laboratory.

11. Once the sample has been selected and placed in a container, seal the container tightly so as to remove the possibility of the evaporation of any ignitable liquid residues or the contamination of the evidence sample.

12. Mark the outside of the container with the investigator's initials, the incident location, the investigator's agency case number, the contents, and the location where found. This information may be placed either on an evidence label or written directly on the container's surface using a permanent waterproof marker. Other valuable information that may be included are the incident date, the date and time the sample was collected, and the exhibit number. Be certain to leave some room on the container for the laboratory to place its own markings.

(b) The following procedures are applicable to shipping flammable liquids.

1. Packaging for flammable liquids.

a. The laboratory recommends that you ship all known flammable liquids under the FedEx Excepted Quantities guidelines or a similar service.

b. Do not ship more than 30 ml (1 oz.) per vial or no more than 500 ml (16.6 oz.) per box.

c. Each vial must be packed in a metal can with surrounding packing material.

d. Each can in the box must also have surrounding packing material.

e. The airbill must be marked for overnight express and for dangerous goods, shipper's declaration not required.

f. The outside of the box must be labeled with an excepted quantities label.

g. The label must be marked with the appropriate class. Nearly everything sent to the lab will be a class 3.

h. The label must also have the appropriate UN or ID number as well:

I. Petroleum Distillates UN 1268.

II. Gasoline UN 1203.

III. Kerosene UN 1223.

IV. For all other UN numbers, call the laboratory for assistance.

(4) The following are requirements for transportation of evidence to the laboratory.

(a) Regardless of the method of delivery used, insure that the requirements for a proper chain-of-custody are fulfilled.

(b) Hand Delivery. The laboratory is open between 8:00 a.m. to 5:00 p.m., Monday through Friday, and any person hand delivering samples must plan to arrive within those time periods. If, due to unusual circumstances, evidence cannot be delivered within those time periods, call the laboratory at (850)539-8446, to make alternative arrangements. When evidence is brought in, one of the Laboratory's evidence submission forms must be completed.

(c) Courier. A completed evidence submission form must accompany the evidence. Only certified carrier services should be used (example: United Parcel Services, Federal Express, Purolator, United States Postal Service, Airborne). Evidence must be traceable through the carrier such as having a certified or registered mail receipt number.

(d) The Evidence Submission Form. By completely and properly filling out the submission form, Form DI4-1096, which is hereby adopted and incorporated by reference, the investigator is documenting all the information necessary for the laboratory to track and process the case. Form DI4-1096 also provides a chain of custody for the evidence's receipt and return. This laboratory uses a computerized laboratory information management system. Because of this, there are certain items of information that are required to properly log the case. The following information is provided with respect to the evidence form. Please refer to Form DI4-1096.

1. Mark the appropriate box to indicate whether this is a new case or additional evidence to an older one. If this is an additional submission to an older case, include the case number of the older case.

2. Lab Number. Leave this space blank unless an addition to a previous submission is being sent and the old laboratory case number is known. Otherwise, a laboratory case number will be assigned by the laboratory.

3. Agency Number. Provide the investigator's agency number for the case, if any. This is a necessary identifier for the laboratory's database.

4. Submitting Agent. Provide the first and last name of the individual to whom all communications regarding the case is to be directed. Also indicate alternate submitters in this area, otherwise information will only be released to the listed agent.

5. Agency. Provide the name of the agency by whom the submitting agent is employed.

6. Telephone Number. Provide the submitting agent's full telephone number, including the area code and/or extensions. SUNCOM numbers may be included but are not required.

7. Agency Address. Provide the complete address including the street, city, and zip code of the agency location where reports and evidence may be shipped.

8. Property Owner/Occupant. Provide the full name of the owner or occupant of the item or property involved in the incident. If this information is undetermined, write "UNKNOWN" in the space. If the owner or occupant becomes known at a later date, contact the laboratory so that the laboratory can update its records.

9. Incident Address. Provide the full address of where the incident occurred or where the evidence was taken. Include street address, city or village, and zip code. If it is a fire involving a movable object such as a car, boat, or motorcycle, give a description of where the property was found.

10. Nature of Incident. Provide the nature of the incident, such as "suspicious fire of a dwelling," "business fire," "automobile fire," "criminal damaging."

11. Date. Provide the date the incident occurred.

12. List of laboratory tests. This is the list of the tests to be performed by the Fire and Arson Laboratory. Use the letter code beside them to designate the test or tests requested on the "List of Evidence Submitted."

(A) "Determine presence and/or identity of ignitable liquid residues." The code A in the "list of evidence submitted" indicates that you want the analyst to determine if an ignitable liquid is present in that particular sample.

(c) "Comparison Sample." Should be unburned material from the fire scene of the same matrix as the suspect sample and which the investigator is relatively certain contains no ignitable liquid. It may also be a known liquid or other material, obtained by the investigator, to be compared with the unknown.

(HO) "Hold Only – No Test Requested." Items the investigator does not need to have tested, but which he/she wishes to maintain with the other evidence to preserve the chain-of-custody.

(O) "Other Requests." Other tests on the evidence that may be required. This must be explained in the remarks section or cleared by an analyst before being used. These requests may require the laboratory to send the evidence to a different laboratory. Please call the laboratory prior to using this designation.

(F) "Flash Point Determination." In certain cases with liquids that cannot be identified by the laboratory's normal methods, a characterization of the Flash Point of the material may be useful. Be advised that 50 ml of free liquid is required to do a flash point determination. This presents issues as to the proper shipping of any material with this request.

(CRB) "Chemical Reaction Bomb." A battery of tests will be conducted to ascertain if the item and materials submitted contain components or residues of chemical reaction/pop bottle bombs.

(E/I) "Explosives/Incendiaries." A battery of tests to determine the presence and identity of un-reacted materials or the presence of residues consistent with explosives or incendiaries.

(P) "Prints." Using chemical methods, examine items for the presence of latent fingerprints. Lift and hold for submission to FDLE for comparison with known prints.

13. List of Evidence Submitted. Provide a complete description of each item of evidence including container, contents, and location obtained. Use only one line for each piece of evidence. Do not refer to suspect liquids by name such as gasoline or kerosene unless the investigator personally purchased the liquid. The laboratory recommends that it simply be called a liquid.

14. Tests. Indicate the test letter code pursuant to subparagraph 12 to be performed on each item submitted. Typically, only one test per item will be indicated.

15. Chain of Custody. This area will show the chain of custody of the evidence from the time it is collected, through submission to the laboratory, to the time it is either returned or stored by the laboratory.

16. Agent. Provide the name of the individual initiating an action.

17. Transfer. Provide the action taken, for example, "sent to lab," "received by lab."

18. Date/time. Provide the date and time of the action.

19. Remarks – This space is for explanations or additional comments by the submitting agent about the case. These can often help the analyst in examining the investigator's case. For example, if a canine team was used to assist in the sample selection, this would be an appropriate place to note that fact. This is where the submitter would request the case to be a RUSH case. A reason must be given and the investigator must be available for results. The criteria that the laboratory will consider in making a case a RUSH consists of the following:

a. Fatality. If a fatality occurred in the fire it should have rush priority.

b. Injured victims or firefighters. Victims or firefighters injured in any phase of the fire including suppression, investigation, or clean-up.

c. Major fires with significant dollar losses.

d. The suspect is in custody.

20. Received Via and Disposition Status. This area will be used by the laboratory to note the method of receipt, courier ID, or disposition of the evidence.

(5) Sample Disposition.

(a) The room available in the Laboratory's evidence storage area is limited. All case samples submitted by agencies outside of the Division of State Fire Marshal will be returned to

the submitter. Case samples submitted by Division of State Fire Marshal's Bureaus will be placed in the Laboratory's long term storage area. Evidence held in the Laboratory's long term evidence storage area will be reviewed periodically. The laboratory requires the investigator's permission to dispose of evidence. A form letter will be sent to the investigator either electronically or by mail. If after six months the laboratory has not received notification from the investigator, the laboratory will contact the investigator as to the disposition of the evidence.

(b) While evidence from homicides should be held indefinitely, evidence that is negative or which will not be part of a criminal prosecution should be either destroyed or returned to the owner. Evidence that will not be used in a criminal prosecution, but may have value in a civil action should not be held by the laboratory, but should be shipped to the owner of record such as the homeowner or the insurance company. Only through the active assistance of the investigators of the Bureau of Fire and Arson Investigations can we ensure that adequate storage space is maintained at the laboratory.

(c) Most metal cans decompose and rust through after a short period. The evidence placed in them would thus have no appreciable value. Evidence of no appreciable value may be destroyed sixty days after the conclusion of court proceedings under Section 705.105, Florida Statutes.

(d) The laboratory's preparation process extracts any ignitable liquid from the debris. This extract is held on a carbon membrane. After analysis this membrane is stored and the extract may be re-constituted. The strip then becomes the "evidence" with value. The laboratory will hold the carbon strips associated with each case sample for a minimum of five years.

(6) Public Records.

Notwithstanding any other provision of this rule, any evidence referred to in this rule which constitutes a public record as defined in Section 119.011(1), Florida Statutes, shall be maintained in accordance with the retention schedule of the Department of Insurance.

Specific Authority 633.01(1) FS. Law Implemented 633.03, 633.011 FS. History--New.

STATE BOARD OF ADMINISTRATION

RULE TITLES:	RULE NOS.:
Reimbursement Contract	19-8.010
Procedures to Determine Ineligibility for Participation and Exemption from Participation in the Florida Hurricane Catastrophe Fund	19-8.012
Revenue Bonds Issued Pursuant to Section 215.555(6), Florida Statutes	19-8.013
Reimbursement Premium	19-8.028

Insurer Reporting Requirements	19-8.029
Insurer Responsibilities	19-8.030
Hurricane Mitigation	19-8.031

PURPOSE AND EFFECT: To discuss proposed amendments to the following rules: Rule 19-8.010, F.A.C. which incorporates the annual Reimbursement Contract, Rule 19-8.012, F.A.C., which addresses the rule governing ineligibility and exemption from the Florida Hurricane Catastrophe Fund ("Fund" or "FHCF"), Rule 19-8.028, F.A.C., which addresses the annual premium formula, and Rule 19-8.029, F.A.C., which addresses the insurer reporting requirements rule for the 2003-2004 contract year for the FHCF. In addition, two new proposed rules are addressed. Proposed Rule 19-8.030, F.A.C., addresses insurer responsibilities and proposed Rule 19-8.031, F.A.C., addresses the use of mitigation funds.

SUBJECT AREA TO BE ADDRESSED: Contract requirements, exemption and ineligibility for participation in the FHCF, premium formula requirements, insurer reporting requirements for the 2003-2004 contract year, insurer responsibilities, and hurricane mitigation.

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555 FS.

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

TIME AND DATE: 9:00 a.m. – 12:00 Noon, Thursday, January 9, 2003

PLACE: Room 116, Hermitage Conference Room, 1801 Hermitage Blvd., Tallahassee, Florida 32308

Any person requiring special accommodations to participate in this proceeding is asked to advise Patti Elsbernd at least five (5) calendar days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jack E. Nicholson, Senior FHCF Officer, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300, (850)413-1340

Copies of the proposed amended rules and the agenda for the workshop may be obtained from the website or from: Patti Elsbernd, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1346.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE FOR DISTRIBUTION AND WILL BE ON THE FHCF WEBSITE, WWW.FSBA.STATE.FL.US/FHCF, ON OR BEFORE THURSDAY, DECEMBER 26, 2002.

METROPOLITAN PLANNING ORGANIZATIONS

Orlando Urban Area

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Procedure	35I-1

RULE TITLE:
 Procedures for Amending the Long Range Transportation Plan and the Transportation Improvement Program (TIP)

RULE NO.: 35I-1.009

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Rule 35I-1.009, F.A.C., in order to: bring the Municipal Advisory Committee into the review process; and more clearly define what projects should be considered for amendment of the Long Range Transportation Plan and Transportation Improvement Program.

SUBJECT AREA TO BE ADDRESSED: The proposed changes to Rule 35I-1.009, F.A.C.

SPECIFIC AUTHORITY: 339.175 FS. (2002)

LAW IMPLEMENTED: 339.175 FS. (2002)

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: Ms. Muffet Robinson, Director of Communication and Public Outreach, Metroplan Orlando, 315 East Robinson Street, Suite 355, Orlando, Florida 32801

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO. 02-52R

RULE CHAPTER TITLE: Operation Permits for Major Sources of Air Pollution

RULE CHAPTER NO.: 62-213

RULE TITLES: Title V Air General Permits Forms and Instructions

RULE NOS.: 62-213.300 62-213.900

PURPOSE AND EFFECT: The department proposes to develop a new Title V air general permit for area-source secondary aluminum sweat furnaces subject to 40 CFR Part 63, Subpart RRR. The general permit would be available to those facilities that elect to comply with the federal regulation using an afterburner.

SUBJECT AREA TO BE ADDRESSED: Permitting requirements under Title V of the federal Clean Air Act.

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".

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Blue Land Crabs

RULE CHAPTER NO.: 68B-54

RULE TITLES: Definitions

RULE NOS.: 68B-54.001

Statewide Open and Closed Seasons for Harvesting Blue Land Crabs

68B-54.002

Allowable Gear for Harvesting Blue Land Crabs

68B-54.003

Bag Limit

68B-54.004

Other Prohibitions, Exception

68B-54.005

PURPOSE AND EFFECT: Blue land crabs live on the northern edge of their range in coastal areas Central and South Florida. The species has been over-exploited as a food source throughout the Bahamas and the Caribbean and management measures have been instituted in Puerto Rico to address the problem. The Fish and Wildlife Conservation Commission has received anecdotal reports that harvest pressure has greatly increased in Florida, with intense harvest taking place during the pre-migration period of June to December each year. Indian River County has adopted an ordinance prohibiting harvest of land crabs and Brevard County is considering similar action. The purpose of this rule development effort is to put measures in place that will cap harvest pressure on this marine animal and provide a means for gauging commercial harvest and sale. The effect will be to safeguard this resource before exploitation threatens the species' viability in Florida.

SUBJECT AREA TO BE ADDRESSED: Harvest of the blue land crab.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-54 BLUE LAND CRABS

68B-54.001 Definitions.

For the purposes of this chapter, except where the context requires otherwise:

(1) "Blue Land Crab" means any crab of the species *Cardisoma guanhumi*, or any part thereof.

(2) "Harvest" means the catching or taking of a blue land crab by any means whatsoever, followed by a reduction of such blue land crab to possession.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New _____.

68B-54.002 Statewide Open and Closed Seasons for Harvesting Blue Land Crabs.

(1) Blue Land Crabs shall only be harvested during the open season, which is from November 1 of each year through June 30 of the following year.

(2) No person shall harvest, attempt to harvest, or possess any blue land crab during the period beginning on July 1 and continuing through October 31 of each year.

(3) The prohibition against possession in subsection (2) of this rule shall not apply to blue land crabs that are possessed for experimental, scientific, or exhibitional purposes pursuant to a permit issued by the Fish and Wildlife Conservation Commission as authorized by Section 370.10(2), Florida Statutes, or as stock for artificial cultivation pursuant to a Special Activity License issued by the commission as authorized by Section 370.101(2), Florida Statutes.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New _____.

68B-54.003 Allowable Gear for Harvesting Land Crabs.

(1) Blue land crabs shall only be harvested by hand or with the use of a landing or dip net.

(2) No person shall harvest any blue land crab by or with the use of any gear other than those types specified in subsection (1). Any blue land crab harvested by or with the use of any other type of gear shall be immediately released free, alive and unharmed.

(3) No person shall harvest or attempt to harvest blue land crabs using or with the aid of bleach or any other chemical solution. The simultaneous possession of blue land crabs and any plastic or other container capable of ejecting liquid, by any person engaged in blue land crab harvest is prohibited.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New _____.

68B-54.004 Bag Limit.

(1) No person shall harvest or possess at any time more than 20 blue land crabs.

(2) The possession limit in subsection (1) shall not apply to any licensed wholesale or retail seafood dealer or restaurant, or to any person who has purchased blue land crabs from a licensed wholesale or retail seafood dealer or restaurant. The burden shall be upon the person claiming the benefit of this exemption to show, by receipts, bills of sale, or other appropriate documentation, that such blue land crabs were purchased from a licensed wholesale or retail seafood dealer or restaurant. Failure to maintain such receipts, bills of sale, or other appropriate documentation shall constitute a violation of this rule.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New _____.

68B-54.005 Other Prohibitions, Exception.

(1) The harvest, possession, purchase, or sale of eggbearing blue land crabs is prohibited. The practice of stripping or otherwise molesting eggbearing blue land crabs in order to remove the eggs is prohibited and the harvest, possession, purchase or sale of blue land crabs from which the eggs, egg pouch, or bunion has been removed is prohibited.

(2) No person shall harvest or attempt to harvest any blue land crab on, upon, or from the right-of-way of any federal, state, or county-maintained road, whether paved or otherwise, or from any state park. The harvest or attempted harvest of any blue land crab while such crab is on or upon the right-of-way of any federal, state, or county-maintained road, whether paved or otherwise, or in a state park, is prohibited.

(3) The prohibitions of this chapter shall not apply to blue land crabs that have been legally harvested in another state or country and have entered the State of Florida in interstate or international commerce. The burden shall be upon any person possessing such blue land crabs for sale or exchange, to establish the chain of possession from the initial transaction after harvest by appropriate receipt(s), bill(s) of sale, or bill(s) of lading, and to show that such blue land crabs originated from a point outside of the State of Florida and entered the state in interstate or international commerce. Failure to maintain such documentation or to promptly produce such documentation at the request of any duly authorized law enforcement officer shall constitute a violation of this chapter.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New _____.

Section II
Proposed Rules

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Regulation of Wells
RULE CHAPTER NO.: 40D-3
RULE TITLE: Inspection
RULE NO.: 40D-3.461

PURPOSE AND EFFECT: The purpose of the proposed revisions is to exempt from the District's requirement that District staff observe the grouting, plugging or abandonment of all wells, those wells that are 2 inches or less in diameter, or 20 feet or less in depth. The effect of the proposed revisions will be to allow District staff to focus on higher risk activities through a reduction in the number of low-risk, labor intensive inspections.

SUMMARY: The District's Rule 40D-3.461, F.A.C., provides the District's requirements for the inspection of water wells. Subparagraph (5)(b) provides that a permittee must notify the District 24 hours in advance of plugging an abandoned well. Paragraph (6) provides that a District representative be on site to observe the grouting or plugging procedure. The proposed amendments to subparagraph (5)(b) and paragraph (6) will exempt from the requirements of this rule abandoned wells that are 2 inches or less in diameter, or 20 feet or less in depth.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rule 40D-3.461, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

SPECIFIC AUTHORITY: 373.044, 373.171, 373.309, 373.337, 373.308, 373.309, 373.319 FS.

LAW IMPLEMENTED: 373.308, 373.309, 373.319 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-3.461 Inspection.

(1) through (5)(a) No change.

(b) ~~Plugging an abandoned well that is 2 inches or greater in diameter, or that is 20 feet or more in depth, or~~

(c) No change.

(6) For wells identified in (5) above, a District representative must be on site to observe the grouting or plugging procedure, except for wells that are 2 inches or less in diameter, and wells that are 20 feet or less in depth. The District shall grant a variance to this requirement upon oral request at the time of the 24-hour notification by a contractor provided that:

(a) through (d) No change.

Specific Authority 373.044, 373.171, 373.309, 373.337 FS. Law Implemented 373.308, 373.309, 373.319 FS. History--Readopted 10-5-74, Amended 8-9-77, 4-27-80, 11-8-82, Formerly 16J-3.12, Amended 7-1-90, 9-30-91, 12-31-92,

NAME OF PERSON ORIGINATING PROPOSED RULE: Tony Gilboy, Well Construction Regulation Manager, Well Construction Permitting, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4305

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2002

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-33R

RULE CHAPTER TITLE: Stationary Sources - General Requirements
RULE CHAPTER NO.: 62-210

RULE TITLE: Definitions
RULE NO.: 62-210.200

PURPOSE AND EFFECT: The Department is proposing to amend existing Title V program related definitions in Florida Administrative Code Rule 62-210.200, based on recent amendments to or applicability of federal regulations.

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 Clinical Laboratory Personnel

RULE TITLE: Technician
RULE NO.: 64B3-5.004

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUMMARY: The Board proposed to eliminate the word "certification" from the rule listing the qualification requirements for histology technicians.

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

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

SPECIFIC AUTHORITY: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.004 Technician.

(1) through (2) No change.

(3) Qualifications for Histology Technicians. For the category of histology, applicants for technician licensure shall have one hour of Board approved HIV/AIDS continuing education, a minimum of a high school diploma or its equivalent, examination certification in histology by the American Society of Clinical Pathologists, and one of the following:

(a) through (d) No change.

(4) through (6) No change.

Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History--New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.004, Amended 5-26-98, 9-20-98, 1-11-99, 8-31-99, 9-27-00, 12-26-00, 4-29-02, 10-29-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 25, 2002

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

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

PURPOSE AND EFFECT: The Board proposes to delete current text and add new language to the existing rule.

SUMMARY: The update to this rule eliminates unnecessary language and directs the department to renew a licensee upon receipt of the renewal fee.

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

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

SPECIFIC AUTHORITY: 456.035, 483.805(4), 483.817(2) FS.

LAW IMPLEMENTED: 456.035, 483.817, 483.821 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-8.001 Renewal of Clinical Laboratory Personnel License.

The department shall renew a license upon receipt of the renewal fee.

A licensee shall submit a signed renewal application and renewal fee to the Department. The application shall contain the following:

(1) Name and address of the licensee.

(2) A signed affidavit that the licensee has met the continuing education requirements of Chapter 64B3-11, F.A.C., or has demonstrated competency by reexamination as provided by Section 483.821, F.S.

(3) The type of clinical laboratory personnel license to be renewed.

(4) Name and address of the current employer which shall be the licensee's place of practice unless the licensee is unemployed.

(5) The appropriate renewal fee, as provided in Rule Chapter 64B3-9, F.A.C.

~~(6) Upon request, original or certified copy(ies) of certificate(s) of attendance from continuing education course(s) approved pursuant to Chapter 64B3-11, F.A.C., including HIV/AIDS continuing education.~~

~~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~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 25, 2002

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Inactive Status and Reactivation of Inactive

RULE NO.:

Clinical Laboratory Personnel License 64B3-8.002

PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUMMARY: The Board eliminates language and requires the inactive status licensee to provide copies of continuing education hours to change to active status and to pay any applicable change of status fee.

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

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

SPECIFIC AUTHORITY: 456.036, 483.805(4), 483.819 FS.

LAW IMPLEMENTED: 456.036, 483.817 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-8.002 Inactive Status and Reactivation of Inactive Clinical Laboratory Personnel License.

(1) No change.

(2) An inactive status licensee may change to active status at any time provided the licensee meets the continuing education or reexamination requirements of subsection (3) of this rule. 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 processing fee of Rule 64B3-9.010, F.A.C.; and

~~(d) Pays the change of status fee of Rule 64B3-9.013, F.A.C.~~

~~(3) A licensee seeking reactivation to active status must demonstrate competency by reexamination as provided by Section 483.821, F.S.; or by documenting continuing education hours as follows:~~

~~(a) For the last biennium of active licensure plus up to one year of inactive status — documents 36 contact hours of Board approved continuing education; or,~~

~~(b) For the last biennium of active licensure plus up to two years of inactive status — documents 48 contact hours of Board approved continuing education; or,~~

~~(c) For the last biennium of active licensure plus up to three years of inactive status — documents 60 contact hours of Board approved continuing education; or,~~

~~(d) For the last biennium of active licensure plus up to four years of inactive status — documents 72 contact hours of Board approved continuing education.~~

~~(4) An inactive licensee who elects active status is not eligible to elect to return to inactive status until the next biennial licensure renewal period.~~

~~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,~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 25, 2002

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Delinquent Status License

RULE NO.:

64B3-8.005

PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUMMARY: The Board is eliminating a reference to a processing fee and to submitting an application and is inserting a corrected reference to the change of status fee.

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

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

SPECIFIC AUTHORITY: 456.036, 483.805(4) FS.

LAW IMPLEMENTED: 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-8.005 Delinquent Status License.

(1) through (2) No change.

(3) The delinquent status licensee who applies for active or inactive license status shall ~~submit an application and:~~

(a) Pay either the active status fee of Rule 64B3-9.004, F.A.C., or the inactive status license fee of Rule 64B3-9.006, F.A.C., the delinquent status license fee of Rule 64B3-9.011, F.A.C., and, if applicable, the change of status processing fee of Rule 64B3-9.010, F.A.C., ~~and the change of status fee of Rule 64B3-9.013, F.A.C.;~~ and

(b) No change.

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,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 25, 2002

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Continuing Education
PURPOSE AND EFFECT: The Board proposes to add new text to the existing rule.

RULE NO.: 64B3-11.001

SUMMARY: The Board is authorizing a certain amount of Continuing Education credit for members of the profession who teach continuing education courses and, for former Board members, 8 hours of credit per biennium for service on a probable cause panel.

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

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

SPECIFIC AUTHORITY: 456.013, 483.821 FS.

LAW IMPLEMENTED: 456.013, 483.821 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-11.001 Continuing Education.

(1) through (7) No change.

(8) Licensed clinical laboratory personnel who teach continuing education may claim three hours of continuing education credit for each hour of prepared lecture. These hours, however, may be claimed only once per biennium during which the person teaches the program. No continuing education credit shall be granted to a school faculty member merely as credit for the faculty member's regular teaching assignments.

(9) In addition to the continuing education credits authorized herein, former Board members will receive eight hours of credit per biennium for annual service on a Probable Cause Panel.

Specific Authority 456.013, 483.821 FS. Law Implemented 456.013, 483.821 FS. History—New 2-22-94, Amended 7-13-94, Formerly 61F3-11.001, Amended 12-11-94, 3-28-95, 12-4-95, 7-1-97, Formerly 590-11.001, Amended 3-19-98, 12-13-99, 3-20-01, 10-13-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 25, 2002

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: Application Fees for Physical Therapists

RULE NO.: 64B17-2.001

PURPOSE AND EFFECT: The Board proposes to add to current rule text.

SUMMARY: The Board determined it appropriate to charge a \$25 fee for the newly authorized jurisprudence examination.

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

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

SPECIFIC AUTHORITY: 486.025, 486.041(1), 486.081(2) FS.

LAW IMPLEMENTED: 486.041(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-2.001 Application Fees for Physical Therapists.

(1) No change.

(2) Examination – An applicant for licensure by examination shall remit an application fee of \$100. When the Board certifies the applicant to sit for the examination, it is the applicant’s responsibility to complete the examination process with the national vendor. In compliance with the Americans with Disabilities Act, any applicant requesting special accommodations shall comply with the Department of Health’s Rule 64B-1.005, F.A.C. The initial application fee for the jurisprudence examination shall be in the amount of \$25.

Specific Authority 486.025, 486.041(1), 486.081(2) FS. Law Implemented 486.041(1), FS. History–New 12-13-83, Amended 5-29-85, Formerly 21M-7.25, Amended 6-20-89, Formerly 21M-7.025, 21MM-2.001, 61F11-2.001, 59Y-2.001, Amended 2-1-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2002

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: Application Fees for Physical

RULE NO.: 64B17-2.003

Therapist Assistant

PURPOSE AND EFFECT: The Board proposes to add to current rule text.

SUMMARY: The Board determined it appropriate to charge a \$25 fee for the newly authorized jurisprudence examination.

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

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

SPECIFIC AUTHORITY: 486.025, 486.103(1), 486.107(2) FS.

LAW IMPLEMENTED: 486.103(1), 486.107(2) 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: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-2.003 Application Fees for Physical Therapist Assistant.

(1) No change.

(2) Examination – An applicant for licensure by examination shall remit an application fee of \$100. When the Board certifies the applicant to sit for the examination, it is the applicant’s responsibility to complete the examination process with the national vendor. In compliance with the Americans with Disabilities Act, any applicant requesting special accommodations shall comply with the Department of Health’s Rule 64B-1.005, F.A.C. The initial application fee for the jurisprudence examination shall be in the amount of \$25.

Specific Authority 486.025, 486.103(1), 486.107(2) FS. Law Implemented 486.103(1), 486.107(2) FS. History–New 12-13-83, Amended 5-29-85, Formerly 21M-10.25, Amended 6-20-89, Formerly 21M-10.025, 21MM-2.003, 61F11-2.003, 59Y-2.003, Amended 2-1-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2002

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: Examination Security and Sanctions

RULE NO.: 64B17-3.006

for Subversions

64B17-3.006

PURPOSE AND EFFECT: The Board proposes to create a new rule.

SUMMARY: The Board incorporates the Department's rule an examination security and specifies when an applicant shall be disqualified from taking the examination and from licensure or shall receive a failing grade on the examination.

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

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

SPECIFIC AUTHORITY: 486.023(4), 486.025 FS.

LAW IMPLEMENTED: 456.017(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: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-3.006 Examination Security and Sanctions for Subversions.

(1) The Board incorporates Department Rule 64B-1.004, F.A.C., relating to the security of examinations.

(2) An applicant who is found by the Board, prior to, during, or after the administration of an examination, to have engaged in conduct or to have attempted to engage in conduct that subverts or undermines the integrity of the examination process shall be disqualified from taking the examination and from licensure as a physical therapist.

(3) An applicant or examinee who is found by the Board to have engaged or to have attempted to engage in conduct which subverts or undermines the integrity of the examination process shall receive a failing grade on the examination.

Specific Authority 486.023(4), 486.025 FS. Law Implemented 456.017(1)(d) FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2002

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: Examination Security and Sanctions

RULE NO.: 64B17-4.006

for Subversion

64B17-4.006

PURPOSE AND EFFECT: The Board proposes to create a new rule.

SUMMARY: The Board incorporates the Department's rule on examination security and specifies when an applicant shall be disqualified from taking the examination and from licensure or shall receive a failing grade on the examination.

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

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

SPECIFIC AUTHORITY: 486.023(4), 486.025 FS.

LAW IMPLEMENTED: 456.017(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: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-4.006 Examination Security and Sanctions for Subversions.

(1) The Board incorporates Department Rule 64B-1.004, F.A.C., relating to the security of examinations.

(2) An applicant who is found by the Board, prior to, during, or after the administration of an examination, to have engaged in conduct or to have attempted to engage in conduct that subverts or undermines the integrity of the examination process shall be disqualified from taking the examination and from licensure as a physical therapist assistant.

(3) An applicant or examinee who is found by the Board to have engaged or to have attempted to engage in conduct which subverts or undermines the integrity of the examination process shall receive a failing grade on the examination.

Specific Authority 486.023(4), 486.025 FS. Law Implemented 456.017(1)(d) FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 15, 2002

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE NO.:	RULE TITLE:
12D-8.011	Uniform Standards for Computer Operations: Minimum Data Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the proposed changes to paragraph (m) of subsection (2) of Rule 12D-8.011, F.A.C., as noticed in Vol. 28, No. 40, October 4, 2002, Florida Administrative Weekly have been withdrawn.

DEPARTMENT OF CITRUS

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
20-15	Equalization Tax on Non-Florida, United States Juice
RULE NOS.:	RULE TITLES:
20-15.001	Intent
20-15.002	Definitions
20-15.003	Collection

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule amendment published in the Florida Administrative Weekly, Vol. 28, No. 48, November 27, 2002, has been withdrawn. The proposed rule amendment published in the Florida Administrative Weekly, Vol. 28, No. 46, November 15, 2002, will be presented for final action at the December 18, 2002, Florida Citrus Commission Meeting, Lakeland, Florida.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Human Resource Management

RULE NO.:	RULE TITLE:
60L-32.0012	Salary Additives

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 42 (October 18, 2002), issue of the Florida Administrative Weekly.

Paragraph 60L-32.0012(2)(g), F.A.C., is changed as follows.

(g) Competitive Area Differential Additive – An agency shall not grant this additive without Department approval. This additive is justified for specific positions within an agency when it can be demonstrated that the additive is based on

geographical, localized recruitment, turnover, or competitive pay problems. If requested by the agency, this additive may should apply to all positions within the requesting agency with similar duties and responsibilities in the approved broadband level occupation within the geographical area for which the Department approves the additive.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE NO.:	RULE TITLE:
61B-17.006	Filing and Examination of Amendments to Documents

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 40, October 4, 2002 issue of the Florida Administrative Weekly.

NOTE: The add/delete coding shown on the following changes reflects changes from text as proposed rather than amendments from current Florida Administrative Code.

Subsection 61B-17.006(1), F.A.C., is amended to read:

(1) "Amendment" means any change to documents that have previously been filed with and accepted by the division, whether technical or substantive, regardless of the procedure by which the change is made. Developers shall file such changes as amendments, regardless of the nature of the changes. ~~For purposes of this rule, "amendment" does not mean an amendment to a recorded declaration adding a subsequent phase pursuant to Section 718.403(6), Florida Statutes. Amendments adding subsequent phases shall be filed in accordance with Rule 61B-17.003, Florida Administrative Code.~~

Paragraph 61B-17.006(2)(b), F.A.C., is amended to read:

(b) Upon filing an amendment or amendments to documents or items that have been accepted by the division, the developer shall pay to the division a filing fee of \$100 per filing. A developer may include within each filing, multiple amendments relating to a single condominium in which case a filing fee of only \$100 shall be charged. However, there shall be no charge for filing documents that do not change an accepted condominium filing, such as a Certificate of Incorporation, or a change to a notice of intended conversion, reservation program, or notice of termination of condominium. ~~Filing of an amendment to effectuate a change in the form of the business organization of the developer or a merger or consolidation of the developer with another entity or entities will require payment of a filing fee pursuant to Section 718.502(3), Florida Statutes, with respect to the residential units being offered by the developer.~~

sets forth the specifics of the game; determination of prizewinners; and the estimated odds of winning, value, number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-60 Instant Game Number 448, WEEKLY BONUS.

(1) Name of Game. Instant Game Number 448, "WEEKLY BONUS."

(2) Price. WEEKLY BONUS lottery tickets sell for \$2.00 per ticket.

(3) WEEKLY BONUS lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning WEEKLY BONUS lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any WEEKLY BONUS lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(6) The prize symbols and prize symbol captions are as follows:

INSERT SYMBOLS

(7) The bonus symbols are as follows:

INSERT SYMBOLS

(8) The legends are as follows:

INSERT SYMBOLS

(9) Determination of Prize Winners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches either number in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to ten matching sets of numbers. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$500, and \$1,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that totals \$2.00, except as follows. A person who submits by mail a WEEKLY BONUS lottery ticket which entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.



(b) A ticket having a " WIN " symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$500 a week for one year. Except as provided in paragraph (9)(c) below, the claimant shall have the option of receiving his or her prize payment in fifty-two installments of \$500 per week for one year, less applicable federal tax withholding, or in a single cash payment of \$26,000, less applicable federal tax withholding.

(c) If the winner of a \$500 a week for one year prize is identified as owing an outstanding debt to a state agency or child support collected through a court, including spousal support or alimony if the child support obligation is being enforced by the Department of Revenue, and the winner does not pay the debt or child or spousal support at the time of claiming his or her prize, the winner will forfeit the option of receiving his or her prize payment in weekly installments. If the debt is an amount less than \$26,000, the winner shall receive one payment of the prize amount remaining after applicable federal tax withholding has been deducted and the debt has been satisfied. If the debt is an amount greater than \$26,000, the entire prize amount remaining after deduction of applicable federal tax withholding will be applied toward the outstanding debt as provided in Section 24.115, Florida Statutes.



(d) A ticket having a " WIN \$\$\$ " symbol in the "BONUS BOX" play area shall entitle the claimant to a prize of \$10.00.

(7) The "FAST 50" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(8) The legends are as follows:

INSERT SYMBOLS

(9) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches any number in the "SERIAL NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to fifteen sets of matching numbers. The prizes are: \$1.00, \$2.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$250, and \$500.



(b) A ticket having a "WIN \$50" symbol in the "FAST \$50" play area shall entitle the claimant to a prize of \$50.00.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 454 are as follows:

GAME PLAY	WIN	NUMBER OF WINNERS IN 42 POOLS OF 120,000 TICKETS	
		ODDS OF 1 IN	PER POOL
\$1 x 5	\$5	30.00	168,000
(\$1 x 3) + \$2	\$5	30.00	168,000
\$1 + (\$2 x 2)	\$5	60.00	84,000
\$5	\$5	60.00	84,000
\$2 x 5	\$10	30.00	168,000
\$5 x 2	\$10	30.00	168,000
(\$1 x 4) + (\$2 x 3)	\$10	60.00	84,000
\$1 + (\$2 x 2) + \$5	\$10	80.00	63,000
\$10	\$10	240.00	21,000
\$1 x 15	\$15	60.00	84,000
(\$2 x 5) + \$5	\$15	120.00	42,000
\$5 + \$10	\$15	120.00	42,000
(\$1 x 5) + (\$2 x 10)	\$25	400.00	12,600
\$5 x 5	\$25	400.00	12,600
(\$2 x 5) + (\$5 x 3)	\$25	300.00	16,800
\$1 + (\$2 x 2) + (\$5 x 4)	\$25	300.00	16,800
\$1 + (\$2 x 2) + (\$10 x 2)	\$25	400.00	12,600
\$25	\$25	400.00	12,600
\$50 (STACK OF COINS)	\$50	82.76	60,900
(\$5 x 10) + (\$10 x 5)	\$100	1,200.00	4,200
\$25 x 4	\$100	1,200.00	4,200
\$50 x 2	\$100	1,200.00	4,200
\$100	\$100	1,200.00	4,200
(\$25 x 10) + (\$50 x 5)	\$500	12,000.00	420
\$250 x 2	\$500	12,000.00	420
\$500	\$500	12,000.00	420

(11) The estimated overall odds of winning some prize in Instant Game Number 454 are 1 in 3.76. Some prizes, including the top prizes, may be sold out at the time of ticket purchase.

(12) For reorders of Instant Game Number 454, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) By purchasing a HIT \$500! lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(14) Payment of prizes for HIT \$500! lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 11-27-02.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: November 27, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLE: Retailer Football Bowl Incentive Promotion

RULE NO.: 53ER02-64

SUMMARY OF THE RULE: This emergency rule sets for the provisions for the Retailer Football Bowl Incentive Promotion, which will be conducted from December 2, 2002, through December 15, 2002.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-64 Retailer Football Bowl Incentive Promotion.

(1) Beginning Monday, December 2, 2002, through Sunday, December 15, 2002, (incentive period) all active instant and on-line Florida Lottery retailers may qualify to win one of the two football bowl packages described in subsection (5) below, by selling a minimum of \$4,500 in lottery tickets per week.

(2) All qualifying active instant and on-line retailers shall be included in the drawing described more fully herein; however, award of any football bowl package shall be subject to the eligibility provisions in subparagraphs (7)(d)1. and 2.

(3) Calculation of Entries.

Each eligible retailer will receive one entry for selling \$4,500 or more in lottery tickets per incentive sales week with a maximum of two entries per retailer during the incentive period. The incentive sales weeks are December 2 through

December 8, 2002, and December 9 through December 15, 2002. Retailer entries will be included in a statewide random computer drawing as described in subsection (4) below.

(4) Drawings.

The Florida Lottery will conduct, via computer, one random statewide drawing from among eligible entries. Ten entries will be drawn. The first eligible entry drawn will be the grand prizewinner and shall have the choice of one of the two football bowl packages, and shall be awarded the selected football bowl package accordingly. The second eligible entry drawn will be the 2nd place winner and shall be awarded the football bowl package not selected by the grand prizewinner. The eight remaining drawn entries will be alternates. A retailer location may win only one of the two football bowl packages. The drawing will be conducted on December 16, 2002, and the winning retailers will be announced on December 16, 2002.

(5) Football Bowl Packages.

(a) Pro Bowl Week Package (January 29, 2003 through February 4, 2003).

A Pro Bowl Week Package for two people is valued at \$3,250 and includes six nights' hotel accommodations at the Hilton Hawaiian Village® in Waikiki Beach, Hawaii (double occupancy, room and room tax charges only); round trip airfare for two persons; airport transfers; two Pro Bowl gift bags; and two tickets for the Pro Bowl game on February 2, 2003, in Honolulu, Hawaii. Some restrictions may apply.

(b) Orange Bowl Package (January 1 and 2, 2003).

An Orange Bowl Package for two people is valued at \$2,500 and includes two nights' hotel accommodations at the Micosukee Hotel Resort in Miami (one room double occupancy), transportation between the FedEx® Orange Bowl Game and the hotel, two tickets to the Orange Bowl football game on January 2, 2003, two tickets to the Orange Bowl Tailgate Party; and for round-trip airfare for two persons from within the state of Florida to Miami if the winner's residence is not located in the south Florida area (Dade, Broward, Palm Beach, Monroe, Collier, Martin, and Saint Lucie counties).

(6) The retailer will be responsible for paying any applicable federal, state, and/or local taxes or other fees on a football bowl package. A football bowl package does not include travel (other than the travel set forth in paragraphs (5)(a) and (b), meals, incidentals, tips, telephone calls, or other personal expenses incurred during the trip.

(7) Award of Football Bowl Packages.

(a) The retailers who are the winners of the football bowl packages will be notified by the Lottery and delivered during the third week of December 2002, either a Florida Lottery Retailer Orange Bowl Acceptance and Designation Form DOL-464A, effective 12/02, ("Orange Bowl Acceptance and Designation Form") or a Florida Lottery Retailer Pro Bowl Acceptance and Designation Form DOL-464B, effective 12/02, ("Pro Bowl Acceptance and Designation Form"), depending upon which package the retailer has won. Forms

DOL-464A and DOL-464B are incorporated herein by reference and may be obtained from the Florida Lottery, Marketing and Sales Division, 250 Marriott Drive, Tallahassee, Florida 32399-4042.

1. Orange Bowl Package. The deadline for the retailer to complete and return the Orange Bowl Acceptance and Designation Form for the Orange Bowl package is December 24, 2002. If the retailer does not return the completed Orange Bowl Acceptance and Designation Form by the December 24, 2002, deadline, the retailer will forfeit the football bowl package and the Florida Lottery will make further attempts to award the football bowl package to the next eligible retailer(s) until an Orange Bowl Acceptance and Designation Form is received or until January 1, 2003, whichever occurs first.

2. Upon the Florida Lottery's receipt of the retailer's executed Acceptance and Designation Form for the Orange Bowl package, the Florida Lottery will deliver to the retailer a congratulatory letter and a football bowl package certificate for the retailer's designated football bowl package recipient, which may be the retailer him- or herself. The congratulatory letter will provide the football bowl package recipient an explanation of the football bowl package redemption process.

The recipient will be responsible for making reservations and redeeming elements of the package as directed in the congratulatory letter.

3. Pro Bowl Package. The deadline for the retailer to complete and return the Pro Bowl Acceptance and Designation Form for the Pro Bowl package is December 24, 2002. If the retailer does not return the completed Pro Bowl Acceptance and Designation Form by the December 24, 2002, deadline, the retailer will forfeit the football bowl package.

4. Upon the Florida Lottery's receipt of the retailer's executed Pro Bowl Acceptance and Designation Form for the Pro Bowl package, the Florida Lottery will notify the fulfillment company of the names of the recipient and the recipient's guest. The fulfillment company will make travel arrangements directly with the recipient. The Pro Bowl package is nontransferable.

5. If the recipient of either the Orange Bowl package or Pro Bowl package is unable to use the football bowl package, the retailer will forfeit the football bowl package; however, the value of the football bowl package will remain taxable income to the retailer. A football bowl package is not redeemable for cash. The recipients of the football bowl packages must be 18 years of age or older.

(b) Cash will not be awarded in lieu of the incentive package, except as follows. The Florida Lottery reserves the right, if necessary due to unforeseen circumstances beyond the control of the Florida Lottery, to award cash or substitute an element or elements of a package in lieu of any elements offered in this incentive. In the event cash is awarded, the cash amount shall be equivalent to the fair market value of the unavailable element or elements.

(c) The retail value of a package won will be considered compensation to the retailer for Internal Revenue Service purposes.

(d) For a retailer to be eligible to receive a package the retailer must:

1. Remain active throughout the incentive period; and

2. Be in good financial standing with the Florida Lottery at the time the packages are awarded. Good financial standing is defined as having no unpaid dishonored electronic funds transfers or associated penalties or any other delinquent accounts receivable outstanding for more than sixty (60) days. If the retailer is not in good standing as defined in the previous sentence, the next eligible alternate retailer will be substituted for the ineligible retailer until all packages are awarded.

(e) A retailer who is selected for award of a package but whose Florida Lottery contract is terminated or inactivated subsequent to the incentive period and prior to the award of the package, shall be awarded the package provided said termination or inactivation was not due to violation of Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or retailer Contract terms.

Specific Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History--New 12-2-02.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: December 2, 2002

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action on a petition for waiver received from Michael Austin. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 28, No. 43, October 25, 2002. No public comment was received. The petition requested a waiver of subparagraph 11B-35.003(5)(a)2., F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the requirement that a candidate for auxiliary officer take First Responder courses for certification when the candidate is an emergency room physician.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Department of Highway Safety and Motor Vehicles hereby gives notice that it received a Petition for Variance of Rule 15A-10.014, F.A.C., on November 18, 2002 from the Fourteenth Judicial Circuit DUI Program, and a second Petition for Variance of Rule 15A-10.014, F.A.C., on November 21, 2002 from West Central Florida Driver Improvement, Inc.

In the petitions, the petitioners seek to waive the statutory maximum for contributions to their retirement plans.

Copies of the petition(s) may be obtained by contacting: Patricia Armstrong, Bureau of Driver Education and DUI Programs, Department of Highway Safety and Motor Vehicles.

Any interested person or other agency may submit written comments on the petition(s) for variance within 14 days after this notice to Patricia Armstrong, Bureau of Driver Education and DUI Programs, 2900 Apalachee Parkway, Room B214, MS 88, Tallahassee, Florida 32399-0571.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Telecommunications, Inc.'s Petition for Waiver from paragraph 25-4.073(1)(d), Florida Administrative Code, filed October 22, 2002, in Docket No. 021070-TL, was withdrawn by the company. Therefore, the Commission has taken no action on the waiver. Notice of the petition was published in the FAW on November 8, 2002.

A copy of the withdrawal letter can be obtained from the Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

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 2002-180 DAO-ROW), on November 14, 2002, to Mark Smith Marine Construction on behalf of Robert W. and Barbara S. Parker. The petition for waiver was received by the SFWMD on August 9, 2002, requesting a waiver of the District's rules to allow existing trees/landscaping, concrete shed, wooden deck, stairs, light pole and fish cleaning table to remain within the north right of way of the Hillsboro Canal, Section 36, Township 47 South, Range 42 East, Palm Beach County. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 28, No. 36, on September 6, 2002. No public comment was received. The Order grants a waiver from subsection 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 require 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 ensure flood protection. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not 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 Parkers 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 by e-mail: jsluth@sfwmd.gov.

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 2002-178 DAO-ROW), on November 14, 2002, to St. George Civic Association, Inc. The petition for waiver was received by the SFWMD on October 30, 2001, requesting a waiver of the District's rules to allow proposed construction of two (2) entrance signs and landscaping within the south right of way of C-12 at N.W. 34th Avenue, Section 6, Township 50 South, Range 42 East, Palm Beach County. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 47, on November 21, 2001. No public comment was received. 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 require 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 ensure flood protection. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not 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 St. George Civic Association, Inc. 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 by e-mail: jsluth@sfwmd.gov.

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 2002-179 DAO-ROW), on November 14, 2002, to St. George Civic Association, Inc. The petition for waiver was received by the SFWMD on October 30, 2001, requesting a waiver of the District's application processing fee for the proposed construction of two (2) entrance signs and landscaping within the south right of way of C-12 at N.W. 34th Avenue, Section 6, Township 50 South, Range 42 East, Palm Beach County. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 47, on November 21, 2001. No public comment was received. The Order grants a waiver from paragraph 40E-6.601(3)(f), Fla. Admin. Code, which requires payment of an application processing fee for right of way occupancy permits. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not 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 St. George Civic Association, Inc. 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 by e-mail: jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that on August 23, 2002, the South Florida Water Management District (SFWMD) received a request to withdraw the Petition for Variance (Application 011113-3), filed by Restigouche, Inc. for a project known as Maplewood, located in Palm Beach County, which requested relief from Section 7.4(d), Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – August 2000, incorporated by reference in paragraph 40E-4.091(1)(a), Fla. Admin. Code, pertaining to the side slope requirements for a surface water management facility.

A copy of the withdrawal may be obtained from Beth Colavecchio, (561)682-6905 or e-mail: bcolavec@sfwmd.gov. The SFWMD will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn: District Clerk.

NOTICE IS HEREBY GIVEN that on June 3, 2002, the South Florida Water Management District (SFWMD) received a request to withdraw the Petition for Variance (Application 020401-3), filed by Watermark Communities, Inc. (WCI) for a project known as Old Palm Golf Club (Parcel 31), located in Palm Beach County, which requested relief from Section 5.2.2(e), Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – August 2000, incorporated by reference in paragraph 40E-4.091(1)(a), Fla. Admin. Code, pertaining to land use and coverage criteria.

A copy of the withdrawal may be obtained from: Beth Colavecchio, (561)682-6905 or e-mail: bcolavec@sfwmd.gov. The SFWMD will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn: District Clerk.

DEPARTMENT OF THE LOTTERY

NOTICE IS HEREBY GIVEN THAT the Department of the Lottery has received a Petition for Waiver of Rule 53ER02-61(5), F.A.C., Procedures for Awarding Prizes, from each of the following petitioners:

Petitioner	Date Filed
Edward W. Berry, St. Petersburg, Florida	December 3, 2002
Jose Cuevas, Orlando, Florida	December 4, 2002
John F. Harris, Sr., Bradenton, Florida	December 3, 2002
Ella M. Joyce, Georgetown, Florida	December 3, 2002
Amos S. Miller, Port Charlotte, Florida	December 3, 2002
Menona H. Nelms, Decatur, Georgia	December 3, 2002
Marion V. Pellechio, Port Charlotte, Florida	December 3, 2002
Brad Randall, Satellite Beach, Florida	December 3, 2002

Emergency Rule 53ER02-61, F.A.C., sets forth the provisions for payment of prizes to players. A copy of the Petitions can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection received, on November 5, 2002, a petition from JEA, seeking a variance under section 120.542 of the Florida Statutes from the requirement of Rule 62-550.320, Florida Administrative Code, which requires that the finished water from the St. Johns Forrest Water Treatment Plant (WTP), at 2740-1 County Road 210, St. Johns County, comply with the maximum contaminant level (MCL) for sulfate of 250 mg/l.

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 more information, call Ed Cordova, (904)807-3305.

DEPARTMENT OF HEALTH

The Bureau of Statewide Pharmaceutical Services hereby gives notice that it has issued an Order on the Petition for Variance of Florida Administrative Code paragraph 64F-12.023(3)(b), F.A.C., filed by Excess Management Systems, Inc. The Notice of Petition for Rule Variance was published on October 25, 2002, in Vol. 28, No. 43 of the Florida Administrative Weekly. The Bureau granted the Petition finding that the provisions set forth in the Order filed on November 21, 2002, have met the underlying purpose of the statute, to deter adulterated prescription drugs from re-entering the marketplace or from being disposed of in a manner that might jeopardize the public health. In addition, the Bureau found that a substantial hardship would be avoided by granting the variance. The Bureau did not receive any written comments on the petition from any interested person or other agency.

A copy of the Order may be obtained by contacting: Department of Health, Bureau of Statewide Pharmaceutical Services, 2818-A Mahan Drive, Tallahassee, Florida 32308 or (850)922-5190.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on November 19, 2002, Florida Housing Finance Corporation received a Petition for Waiver of subsection 67-48.010(13), F.A.C., to Extend Maturity Date of the SAIL Loan from Island Place Apartments, LLC. Petitioner is requesting a waiver of subsection 67-48.010(13), F.A.C., which establishes the maturity date of the loan.

A copy of the Petition can be obtained from Sherry Green, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, Division of Elections** announces a public meeting to which all persons are invited.

DATE AND TIME: January 9, 2003, 1:30 p.m. – 4:00 p.m.

PLACE: Plantation Inn & Golf Resort, Magnolia Room, 9301 West Fort Island Trail, Crystal River, Florida 34429

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss proposed Rule 1S-2.035, Polling Place Accessibility Survey. The purpose and effect of the proposed rule is to provide a uniform survey for the supervisors of elections to determine the accessibility of polling places. The rule provides an actual physical survey for supervisors of elections to use in making their determination of the accessibility of a polling place. This rule provides guidance and graphics for things such as entrances, parking, door widths, stairs, elevators and a variety of other issues that would require accessibility.

The person to be contacted regarding the proposed rule is: Marielba Torres, Division of Elections, Department of State, 107 West Gaines Street, Room 100, Tallahassee, Florida 32399, (850)245-6200. An updated copy of the draft proposed rule is not currently available, but will be included in the F.A.W. as a notice of change when it becomes available.

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should contact Marielba Torres, (850)245-6200, at least three days in advance of the meeting.

DEPARTMENT OF INSURANCE

The **Governor's Commission on Workers' Compensation Reform** announces the following public meeting to which all persons are invited.

DATE AND TIME: January 7, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Edison Community College, Corbin Auditorium, 8099 College Parkway, Southwest, Ft. Myers, Florida 33919, 1(800)749-2322, (239)489-9051 (Fax)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workers' Compensation Reform.

Any person requiring special accommodations to participate in this meeting is asked to advise staff at least 48 hours prior to the meeting by contacting: Jacki Lawhon, (850)922-8062.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Forestry Arson Alert Association**, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 31, 2003, 1:00 p.m.

PLACE: Prime Osborne Convention Center, Fire Rescue East Conference, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the following agenda items: 1) Arson rewards; 2) Budget; 3) Prevention Items; 4) New Business.

A copy of the agenda may be obtained by writing: Mr. L. Earl Peterson, Division of Forestry, 3125 Conner Blvd., Tallahassee, Florida 32399-1650, (850)488-6111.

DEPARTMENT OF EDUCATION

The **Florida Atlantic University**, Florida's Art in State Buildings Program announces the following public meeting to which all persons are invited.

COMMITTEE: Art Selection Committee

DATE AND TIME: January 21, 2003, 1:00 p.m.

PLACE: Florida Atlantic University, Florida's Art in State Buildings Program, FAU Boca Campus, 777 Glades Road, ADM-350, Boca Raton, Florida 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold an Orientation Meeting regarding Florida's Art in State Buildings Program for BR-626 Slattery Center Addition.

For more information or to obtain a copy of the agenda, please contact: Patty Singer, Program Administrator for Florida's Art in State Buildings Program, Florida Atlantic University, 777 Glades Road, ADM Bldg., Room 392, Boca Raton, Florida 33431, (561)297-1064, (561)297-2539.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Florida's Art in State Buildings Program.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Patty Singer, (561)297-1064, (561)297-2539. If you are hearing or speech impaired, please contact the agency by calling TT: 1(800)955-8770.

The **Commission for Independent Education** announces a Rules Development Workshop for proposed rules to which all interested persons are invited.

DATES AND TIME: January 7-8, 2003, 9:00 a.m.

PLACE: Keiser College, 1700 Halstead Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The following rules were previously noticed in the October 25, 2002, F.A.W.

Nontraditional Programs	6E-2.0041
Modifications	6E-2.008
Change of Ownership/Control	6E-2.0081
Agents	6E-2.010
Administration of the Commission	6E-3.002
Student Protection Fund	6E-4.005

The text of the proposed rules may be obtained by contacting: Ms. Sandy Knight, (850)488-9504 or writing Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301.

The **Commission for Independent Education** announces a public hearing for proposed rules to which all interested persons are invited.

DATE AND TIME: January 10, 2003, 9:00 a.m.

PLACE: Keiser College, 1700 Halstead Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The following rules were previously noticed in the October 25, 2002 F.A.W.

Nontraditional Programs	6E-2.0041
Modifications	6E-2.008
Change of Ownership/Control	6E-2.0081
Agents	6E-2.010
Administration of the Commission	6E-3.002
Protection Fund	6E-4.005

The text of the proposed rules may be obtained by contacting: Ms. Sandy Knight, (850)488-9504 or writing Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a meeting of the Community Assistance Advisory Council, and a public hearing to receive input from all interested parties on the Weatherization Assistance Program State Plan for Federal Fiscal Year (FFY) 2003, to which all interested parties are invited.

COMMUNITY ASSISTANCE ADVISORY COUNCIL MEETING

DATE AND TIME: Tuesday, January 14, 2003, 9:00 a.m. – 3:00 p.m.

PLACE: Betty Easley Conference Center, Room 182, 4075 Esplanade Way, Tallahassee, Florida 32399, (850)488-7541

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Council will review the Weatherization Assistance Program State Plan for FFY 2003, hear program updates, view a technology presentation and receive a report from the Florida Association for Community Action.

PUBLIC HEARING FOR THE WEATHERIZATION ASSISTANCE PROGRAM STATE PLAN FOR FFY 2003

DATE AND TIME: Tuesday, January 14, 2003, 3:30 p.m. – 5:00 p.m.

PLACE: Betty Easley Conference Center, Room 182, 4075 Esplanade Way, Tallahassee, Florida 32399, (850)488-7541

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain input and recommendations from the public and interested parties concerning the Weatherization Assistance Program State Plan for FFY 2003, which will be submitted to the United States Department of Energy.

A copy of the state plan and agenda may be obtained by writing: Department of Community Affairs, Mr. Norm Gempel, Manager, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, by telephoning (850)488-7541, by Fax (850)488-2488 or by appearing in person at the agency headquarters.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a record of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Any person requiring a special accommodation at this public hearing because of a disability or physical impairment should contact the Community Assistance Section, (850)488-7541, at least five calendar days prior to the hearing. If you are hearing impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

NOTICE OF CHANGE – The **Department of Community Affairs** announces a change in location for the meetings of the Wekiva Basin Area Task Force, as follows:

DATES AND TIMES: Monday, December 16, 2002, 10:00 a.m. – Until conclusion; Tuesday, December 17, 2002, 9:00 a.m. – Until conclusion; Thursday, January 9, 2003, 10:00 a.m. – Until conclusion; Friday, January 10, 2003, 9:00 a.m. – Until conclusion

PLACE: Florida Department of Transportation, Orlando Urban Office, Conference Rooms Apopka A and B, 133 South Semoran Boulevard, Orlando, Florida

The meeting schedule, general subject matter to be considered, and actions to be taken as published in the November 15, 2002, issue of the Florida Administrative Weekly remain the same.

Meeting agendas are available at <http://www.dca.state.fl.us/fdcp/DCP/wekiva/wekivariver.htm> or by calling Tracy Suber, Wekiva Basin Area Task Force Coordinator, (850)922-1819.

Persons requiring a special accommodation for a disability or physical impairment should contact Tracy Suber, (850)922-1819, or if hearing or speech impaired, using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District 2 announces a public hearing to which all persons are invited.

DATE AND TIME: January 7, 2003, 7:00 p.m.

PLACE: The Marjorie K. Rawlings Elementary School, 610 SR-A1A, North, Ponte Vedra Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID 210408-1; otherwise known as State Road A1A in St. Johns County, Florida. The Florida Department of Transportation will present the Project Development and Environmental Study findings concerning alternatives for widening the corridor from a 2 lane roadway to a 4 lane roadway from Mickler Road to CR-210. No additional right of way will be required for the roadway improvements, however, minimal additional right of way may be required for retention/detention ponds.

Anyone needing project or public hearing information, or special accommodations under the Americans with Disabilities Act of 1990, should write to the address given below or call (386)758-3700 or 1(800)749-2967. Special accommodations requested under the Americans with Disabilities Act should be made at least seven days prior to the Public Hearing.

A copy of the agenda may be obtained by writing: Mr. Aage Schroder, District Secretary, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, Lake City, Florida 32025-5874.

The **Department of Transportation**, Florida's Turnpike Enterprise announces a public hearing to which all persons are invited.

DATE AND TIMES: January 9, 2003, Open House 6:00 p.m.; Formal Presentation 6:30 p.m.

PLACE: Sheraton World Resort, 10100 International Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The hearing is being conducted pursuant to the provisions of Rule Chapter 14-97, Florida Administrative Code, and Section 335.18, Florida Statutes. This hearing is being held in accordance with the Federal-Aid Highway Act of 1968, as amended, 23 U.S.C. 128, 40 C.F.R., 1500-1508 C.F.R. 771, and Section 339.155, Florida Statutes, and is also consistent with the Americans with Disabilities Act of 1990. This hearing is also in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, as amended. This hearing is being held to afford interested persons the opportunity to express their views concerning the proposed project Financial Project Number 410321-1-22-01 otherwise known as the widening of the Bee Line West Expressway from Interstate 4 to McCoy Road. Potential encroachment on wetlands and floodplains may be given special consideration under Executive Orders 11990 and 11988.

Anyone needing project or public hearing information may contact: Henry Pinzon, P.E., Project Manager, Florida's Turnpike Enterprise by calling (407)532-3999, Extension 3803 or by writing to Mr. Pinzon, Florida's Turnpike Enterprise, Post Office Box 613069, Ocoee, Florida 34761-3069.

Anyone requesting special accommodations under the Americans with Disabilities Act of 1990 should contact Catherine Bradley, P.E. by telephone at (407)532-3999, Extension 3802 or by writing to Ms. Bradley, Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069. Special accommodation requests under the Americans with Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Mr. Henry Pinzon, P.E., Project Manager, Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069.

DEPARTMENT OF CITRUS

NOTICE OF CANCELLATION – The **Department of Citrus** announces a public meeting of the Fresh Orange and Specialty Advisory Council of December 3, 2002, 1:00 p.m. has been canceled.

The meeting was to be held at Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee was meeting to receive an update on current, approved programs, discuss next steps and details of new program opportunities and other business that might come before the council for consideration.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a Special Commission Conference in the following docket to which all interested persons are invited.

Docket No.: 020398-EQ – Proposed revisions to Rule 25-22.082, F.A.C., Selection of Generating Capacity.

DATE AND TIME: January 3, 2003, 9:30 a.m.

PLACE: Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make a decision regarding the proposed revisions to Rule 25-22.082, F.A.C., Selection of Generating Capacity.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350 and 367, F.S.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy, (\$1.00 per copy, Rule 25-22.002, F.A.C.) by writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida. The agenda and recommendation are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

EXECUTIVE OFFICE OF THE GOVERNOR

Notice is hereby given that a meeting of the **Emerging Technology Commission** (“Commission”) will be conducted on:

DATE AND TIME: December 16, 2002, 8:30 a.m. – Ending at or before 6:00 p.m.

PLACE: University of South Florida, College of Education, TECO Energy Conference Hall, The David Anchin Center, Room 103, 4202 East Fowler Avenue, Tampa, FL 33620

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Commission to hear presentations on and consider proposals submitted to establish and operate Centers of Excellence in conjunction with universities in Florida, pursuant to the Technology Development Act, Chapter 2002-265, Laws of Florida, Section 240.72, F.S. The Commission will also cover any other business that may be necessary or appropriate to facilitate timely achievement of the objectives and goals required for it to fulfill its statutory mission.

The agenda for the meeting is available in hard copy or by electronic transmission. To request a copy of the agenda, contact: Brett Doster, (850)487-2568, by email at brett.doster@myflorida.com or by mail at Governor’s Office of Tourism, Trade and Economic Development, The Capitol, Suite 2001, Tallahassee, Florida 32399-0001.

NOTICE OF CHANGE – The **Governor’s Select Task Force on Healthcare Professional Liability Insurance** announces a change of location for the Conference meeting scheduled on Friday, December 20, 2002, and published in Vol. 28, No. 48 November 27, 2002, and Vol. 28, No. 49 December 6, 2002, issue of the Florida Administrative Weekly.

The new location is as follows: Room 412, Knott Building, 111 St. Augustine Road, Tallahassee, Florida 32399. (Note: Attendees must enter through the new Capitol Building, Plaza Level, either through the Monroe Street or Duval Street entrance. Parking available at Kleman Plaza Parking Garage, 300 block of South Duval Street.)

The **Governor’s Select Task Force on Healthcare Professional Liability Insurance** announces telephone conference meetings to which all persons are invited. The calls will be on an as needed basis. Please call for verification that the Task Force is meeting.

DATE AND TIME: Monday, December 16, 2002, 9:00 a.m. – 10:00 a.m.

PLACE: Call Toll Free 1(888)816-1123, Suncom 291-5230, Tallahassee only 921-5230

DATE AND TIME: Wednesday, December 18, 2002, 9:00 a.m. – 10:00 a.m.

PLACE: Call Toll Free 1(800)416-4254, Suncom 292-2903, Tallahassee only 922-2903

DATE AND TIME: Monday, December 23, 2002, 9:00 a.m. – 10:00 a.m.

PLACE: Call Toll Free 1(888)816-1123, Suncom 291-5230, Tallahassee only 921-5230

DATE AND TIME: Wednesday, December 25, 2002, 9:00 a.m. – 10:00 a.m.

PLACE: Call Toll Free 1(888)816-1123, Suncom 291-5230, Tallahassee only 921-5230

DATE AND TIME: Friday, December 27, 2002, 9:00 a.m. – 10:00 a.m.

PLACE: Call Toll Free 1(888)816-1123, Suncom 291-5230, Tallahassee only 921-5230

DATE AND TIME: Monday, December 30, 2002, 9:00 a.m. – 10:00 a.m.

PLACE: Call Toll Free 1(888)816-1123, Suncom 291-5230, Tallahassee only 921-5230

DATE AND TIME: Wednesday, January 1, 2003, 9:00 a.m. – 10:00 a.m.

PLACE: Call Toll Free 1(888)816-1123, Suncom 291-5230, Tallahassee only 921-5230

DATE AND TIME: Friday, January 3, 2003, 9:00 a.m. – 10:00 a.m.

PLACE: Call Toll Free 1(888)816-1123, Suncom 291-5230, Tallahassee only 921-5230

DATE AND TIME: Monday, January 6, 2003, 9:00 a.m. – 10:00 a.m.

PLACE: Call Toll Free 1(888)816-1123, Suncom 291-5230, Tallahassee only 921-5230

GENERAL SUBJECT MATTER TO BE CONSIDERED: Task Force issues.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact Mary Pater or Faith Schneider, Florida Department of Health, General Counsel's Office, (850)245-4444, at least five (5) calendar days prior to the hearing. If you are hearing or speech impaired, please contact Ms. Pater or Ms. Schneider using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Volunteer Florida**, the Governor's Commission on Volunteerism and Community Service, Capacity Building Council announces a public conference call to which all persons are invited.

DATE AND TIME: December 18, 2002, 10:00 a.m.

PLACE: Call (850)921-5172 for call-in number and passcode

GENERAL SUBJECT MATTER TO BE CONSIDERED: Progress reports on annual objectives.

A copy of the agenda may be obtained by writing: Gwen Erwin, Volunteer Florida, 115 Progress Drive, Tallahassee, FL 32304.

The **Volunteer Florida**, the Governor's Commission on Volunteerism and Community Service, Grants Oversight Council announces a public conference call to which all persons are invited.

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

PLACE: Call: (850)921-5172 for call-in number and passcode

GENERAL SUBJECT MATTER TO BE CONSIDERED: Progress reports on annual objectives.

A copy of the agenda may be obtained by writing: Gwen Erwin, Volunteer Florida, 115 Progress Drive, Tallahassee, FL 32304.

The **Volunteer Florida**, the Governor's Commission on Volunteerism and Community Service, Capital and Partnership/Fiscal Management Council announces a public conference call to which all persons are invited.

DATE AND TIME: December 19, 2002, 10:00 a.m.

PLACE: Call: (850)921-5172 for call-in number and passcode
GENERAL SUBJECT MATTER TO BE CONSIDERED: Progress reports on annual objectives.

A copy of the agenda may be obtained by writing: Gwen Erwin, Volunteer Florida, 115 Progress Drive, Tallahassee, FL 32304.

The **Study Committee On Public Records** will hold the following public meetings to which all persons are invited.

DATE AND TIME: Thursday, December 19, 2002, 10:00 a.m. – 4:00 p.m.

PLACE: Graham Center, Florida International University-Park Campus, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hear public testimony; to complete unfinished business including further discussions on the right of privacy and the right of public access to information in court records; official records and public records as maintained by the clerks of the court, and to hear presentations.

For more information or to obtain a copy of the agenda, please contact: Maria I. Matthews, Florida Senate, Judiciary Committee, Room 515, Knott Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100, (850)487-5198 or via e-mail at matthews.maria@flsenate.gov.

Any person requiring special accommodations due to a disability should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)487-5224.

The **Governor's Select Task Force on Healthcare Professional Liability Insurance** announces a Conference to which all persons are invited.

DATE AND TIME: Friday, December 20, 2002, 9:00 a.m. – Conclusion of business

PLACE: Room 412, Knott Building, 111 St. Augustine Road, Tallahassee, Florida 32399 (Note: Attendees must enter through the new Capitol Building, Plaza Level, either through the Monroe Street or Duval Street entrance. Parking available at Kleman Plaza Parking Garage, 300 block of South Duval Street.)

Hyatt Regency Orlando International Airport, 4th Floor, The Briefing Room, 9300 Airport Boulevard, Orlando, Florida 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: The work of the Governor's Select Task Force will make recommendations to protect Floridians' access to high-quality and affordable healthcare. The Governor's Select Task Force shall study the relevant issues and make written recommendations and/or propose legislation. The work product of the Governor's Select Task Force should include, but need not be limited to, the following: (1) findings from an examination of the Florida healthcare liability insurance

market, pertinent tort laws, claims and premium data compared to other states of similar size and diversity; (2) an assessment of the impact of the cost, accessibility and availability of healthcare liability insurance on the cost, accessibility and availability of high quality healthcare in this state; and (3) specific strategies to ease the healthcare liability insurance crisis faced by physicians, hospitals and other healthcare providers in the state. A report of such recommendations and/or proposed legislation shall be submitted by January 31, 2003, to the Governor, the President of the Florida Senate and the Speaker of the House of Representatives.

To aid its study of the issues and the development of its recommendations, the Governor's Select Task Force shall take public testimony from experts and stakeholders. In addition, the Governor's Select Task Force is encouraged to take whatever other steps are necessary to gain a full understanding of the medical, legal, insurance and other issues involved.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact Mary Pater or Faith Schneider, Florida Department of Health, General Counsel's Office, (850)245-4444, at least five (5) calendar days prior to the hearing. If you are hearing or speech impaired, please contact Ms. Pater or Ms. Schneider using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

REGIONAL PLANNING COUNCILS

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 6, 2003, 10:30 a.m.

PLACE: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for El Portal and North Lauderdale; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a Conference Committee Meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 7, 2003, 11:00 a.m. – Until completion

PLACE: Rhyne Building, Drive, Suite 1A, 2740 Centerview, Tallahassee, FL, (850)410-5700. Conference Call Number (850)921-6545, Suncom 291-6545

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss plans for 2003 TD conference.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Tiffany McNabb at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS #49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

REGIONAL UTILITY AUTHORITIES

NOTICE OF CANCELLATION – The **Withlacoochee Regional Water Supply Authority** announces that the Authority's regular December meeting has been cancelled. The Authority's will hold its regular January 2003 monthly board meeting as scheduled. This is a public meeting to which all persons are invited.

DATE AND TIME: January 15, 2003, 4:30 p.m.

PLACE: Sumter County Courthouse, Commission Meeting Room 222, 209 N. Florida Street, Bushnell, Florida 33513

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

The **Withlacoochee Regional Water Supply Authority** announces the calendar of meetings for calendar year 2003.

DATE AND TIME: January 15, 2003, 4:30 p.m.

PLACE: Sumter County Courthouse, Commission Meeting Room 222, 209 N. Florida Street, Bushnell, FL 33513

DATE AND TIME: February 19, 2003, 4:30 p.m.

PLACE: Hernando County Government Center, County Commission Chambers, 20 N. Main Street, Brooksville, FL 34601

DATE AND TIME: March 19, 2003, 4:30 p.m.

PLACE: Third Floor, Citrus County Board Room, 111 W. Main Street, Inverness, FL 34450

DATE AND TIME: April 16, 2003, 4:30 p.m.

PLACE: Ocala City Hall, 2nd Floor, City Council Chambers, 151 Southeast Osceola Ave., Ocala, FL 34471

DATE AND TIME: May 21, 2003, 4:30 p.m.

PLACE: Sumter County Courthouse, Commission Meeting Room 222, 209 N. Florida Street, Bushnell, FL 33513

DATE AND TIME: June 18, 2003, 4:30 p.m.

PLACE: Hernando County Government Center, County Commission Chambers, 20 N. Main Street, Brooksville, FL 34601

DATE AND TIME: July 16, 2003, 4:30 p.m.

PLACE: Third Floor, Citrus County Board Room, 111 W. Main Street, Inverness, FL 34450

DATE AND TIME: August 20, 2003, 4:30 p.m.

PLACE: Ocala City Hall, 2nd Floor, City Council Chambers, 151 Southeast Osceola Ave., Ocala, FL 34471

DATE AND TIME: September 17, 2003, 4:30 p.m.

PLACE: Sumter County Courthouse, Commission Meeting Room 222, 209 N. Florida Street, Bushnell, FL 33513

DATE AND TIME: October 15, 2003, 4:30 p.m.

PLACE: Hernando County Government Center, County Commission Chambers, 20 N. Main Street, Brooksville, FL 34601

DATE AND TIME: November 19, 2003, 4:30 p.m.

PLACE: Third Floor, Citrus County Board Room, 111 W. Main Street, Inverness, FL 34450

DATE AND TIME: December 17, 2003, 4:30 p.m.

PLACE: Ocala City Hall, 2nd Floor, City Council Chambers, 151 Southeast Osceola Ave., Ocala, FL 34471

If a person decides to appeal any decision made by the Withlacoochee Regional Water Supply Authority with respect to any matter considered at this public meeting he will need to ensure that a verbatim record of the proceedings is made which record shall include the testimony and evidence upon which the appeal is to be based.

Any person requiring accommodation at this meeting because of a disability or physical impairment should contact the office of Jack Sullivan, Executive Director, Post Office Drawer 190, Tallahassee, Florida 32302, (850)513-3604, at least two days before the meeting.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** would like to announce a teleconference meeting of the Family Practice Physician Recruitment and Retention Advisory Committee on: DATE AND TIME: December 20, 2002, 7:30 a.m.

PLACE: Anyone interested in participating may telephone (850)921-6623 or Suncom 291-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to elect a new chairperson, review issues affecting the recruitment and retention of family practice physicians in Florida, and prepare an annual report for the Legislature. Authority for this Committee granted by Section 395.807, Florida Statutes.

For additional information please contact: Dennis Halfhill, (850)921-5505 or by e-mail at halfhill@fdhc.state.fl.us.

DEPARTMENT OF MANAGEMENT SERVICES

The State of Florida, **State Technology Office** announces a Chief Information Officer (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, December 16, 2002, 10:00 a.m. – 12:00 Noon

PLACE: Shared Resource Center, Conference Room 124, 2585 Shumard Oak Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of state agencies and assist in identifying critical statewide information technology issues.

If you would like an agenda for this meeting or require special accommodations due to disability or physical impairment, please contact: Elaine Womble, Elaine.womble@myflorida.com or call (850)922-2680.

NOTICE IS HEREBY GIVEN that the **Digital Divide Council** will hold a one-day meeting to which all persons are invited.

DATE AND TIME: Thursday, December 19, 2002, 10:00 a.m. – Adjourn by 1:00 p.m.

PLACE: Senate Office Building, Room LL037, 400 South Monroe Street, Tallahassee, Florida 32399. Conference call capability will be available. The dial up number is: (850)410-0966

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary purpose of the meeting will be to continue work on the statutory mandates set for the Council in Section 445.049, Florida Statutes. The Council will unveil its new statewide digital divide clearinghouse and announce the pilot project grantees.

Any additional information as to this meeting will be provided on the Digital Divide website at http://www.myflorida.com/myflorida/sciencetechnology/tech_pte/digital_divide/index.html or contact: Stacey McMillian, State Technology Office, Building 4030 Esplanade Way, Suite 180, Tallahassee, Florida 32399, (850)410-4777.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Council, at least 48 hours before the meeting by contacting Stacey McMillian at the above stated number.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces the following meeting to be held by telephone conference, which all persons are invited to attend.

DATE AND TIME: December 20, 2002, 10:00 a.m.

PLACE: Call: (850)410-0961 or Suncom 210-0961

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

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 **Board of Cosmetology** hereby gives notice that it will hold workshops for possible legislative and rule development to which all persons are invited.

DATE AND TIMES: Sunday, January 5, 2003, Workshop 1, 10:00 a.m. (EST), Workshops 2 and 3 will continue consecutively until completed

PLACE: Marriott – Tampa Airport, Tampa International Airport, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Income reporting for Booth rental land whether regulation is needed.
2. Proposed definitions to update cosmetology pursuant to Section 477.013, F.S.; and
3. Body wrapping educational requirements pursuant to Sections 477.0132(1)(c) and 477.0134, F.S.

The person to be contacted regarding the proposed rule is: Julie Malone, Executive Director, Board of Cosmetology, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the board's Executive Director at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces that the Technical Advisory Committee established to assist in revising Chapter 62-503, F.A.C., State Revolving Loan Program will meet on January 16, 2003, to consider rule issues including extended term financing of wastewater management systems for local governments having financial hardships; loan collateral, pledged revenue coverage, reserve funds, and other loan security related provisions; planning, design, and procurement prerequisites; fees and assessments associated with loans; federal requirements emerging as a result of the federal authorization for the SRF program; rule exceptions; and rule definitions, clarification and organization.

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 more information, call: Dick Smith, (850)245-8358.

DEPARTMENT OF HEALTH

The **Department of Health**, Community Environmental Health Advisory Board announces a meeting to be held by way of telephone conference hookup.

DATE AND TIME: December 19, 2002, 12:00 Noon – 2:00 p.m. (Eastern Standard Time)

PLACE: In order to prevent charges to participants to this call, this is an operated assisted call. This means the cost of the call will be paid by the Department of Health. If you would like to participate on this conference call, please call Brenda Jones, (850)245-4444, Extension 2006, no later than 5:00 p.m., on the Friday, December 13, so that your name and telephone number can be given to the operator.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the board.

A copy of the agenda may be obtained by writing: Brenda E. Jones, Department of Health, Equal Opportunity and Minority Health, 4052 Bald Cypress Way, BIN #A00, Tallahassee, FL 32399-1701, or by calling (850)245-4444, Extension 2006.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 5 days before the workshop/hearing/meeting by contacting the Board Office, (850)487-0004. 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, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The Florida **Board of Medicine**, Probable Cause Panel (South) announces a telephone conference call to be held via meet me number.

DATE AND TIME: December 13, 2002, 2:00 p.m.

PLACE: Meet Me Number: (850)488-5778, Suncom 278-5778

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 322317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The Florida **Board of Medicine**, Probable Cause Panel (North) announces a telephone conference call to be held via meet me number.

DATE AND TIME: December 20, 2002, 2:00 p.m.

PLACE: Meet Me Number: (850)488-5776, Suncom 278-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 322317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Department of Health, Board of Psychology**, Credentials Committee announces a conference call of the committee to which all persons are invited.

DATES AND TIME: January 17, 2003, April 4, 2003, May 9, 2003, October 3, 2003, 8:00 a.m. or soon thereafter

PLACE: Call: (850)488-0979, Suncom 278-0979

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the consideration and review of applications for examination and licensure.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the Board Office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the Board Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Psychology**, Probable Cause Panel announces conference calls to which all persons are invited.

DATES AND TIME: January 28, 2003; February 25, 2003; March 25, 2003; April 22, 2003; May 27, 2003; June 24, 2003; July 22, 2003; August 26, 2003; September 23, 2003; October 28, 2003; November 25, 2003; December 23, 2003, 8:00 a.m. or soon thereafter

PLACE: The meet me number may be obtained by contacting Ivy Shivers, Regulatory Supervisor, Medical Therapies/Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 32399-3255, (850)245-4372

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration of cases previously heard by the Probable Cause Panel.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 32399-3255, or by calling the Board Office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the Board Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Psychology** announces a conference call of the board to which all persons are invited.

DATES AND TIME: January 31, 2003; April 18, 2003; May 23, 2003, 8:00 a.m. or soon thereafter

PLACE: Call: (850)488-0979, Suncom 278-0979

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quorum meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the Board Office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the Board Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Psychology** announces a conference call of the board to which all persons are invited.

DATE AND TIME: October 17, 2003, 8:00 a.m. or soon thereafter

PLACE: Call: (850)488-5776, Suncom 278-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quorum meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the Board Office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the Board Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health**, Bureau of Emergency Medical Services announces two public meetings to which all persons are invited.

DATES AND TIME: December 20, 2002; January 8, 2003, 11:00 a.m. – 2:00 p.m.

PLACE: Conference Call, Toll Free Number: 1(888)816-1123

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Bureau of Emergency Medical Services grant staff is holding conference calls to respond to questions and to assist potential applicants for state EMS matching grants. The agenda will

consist of a presentation by Edward Wilson followed by an opportunity to ask questions about this grant program. Questions may also be asked during Mr. Wilson's presentation. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency before December 17, 2002 or January 3, 2003, by contacting Ms. Gail Turner, (850)245-4440. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at 1(800) 955-8770 (Voice) and 1(800) 955-8771 (TDD).

Purchase Order Number B00829.

The **Department of Health**, Bureau of Emergency Medical Services announces a public meeting to which all persons are invited.

DATE AND TIME: January 15, 2003, 11:00 a.m. – 1:00 p.m.

PLACE: Conference Call, Toll Free Number: 1(800)647-7427

GENERAL SUBJECT MATTER TO BE CONSIDERED: A committee appointed by the Bureau of Emergency Medical Services is holding a meeting to assist the Department of Health in the implementation of the 1999 trauma legislation which requires the development of criteria for the consultation and transfer of trauma victims between trauma centers and acute care hospitals.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, BIN #C-18, Tallahassee, FL 32399-1738 or by calling George Schaffer, (850)245-4440.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency before January 8, 2003, by contacting George Schaffer, (850)245-4440. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Purchase Order Number B00829

The **Department of Health**, Bureau of Emergency Medical Services announces a conference call to which all persons are invited.

DATE AND TIME: January 15, 2003, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Call, Toll Free Number: 1(800)647-7427

GENERAL SUBJECT MATTER TO BE CONSIDERED: A subcommittee appointed by the State Trauma System Plan Implementation Committee is holding a meeting to assist the Department of Health in the implementation of a trauma system evaluation tool to evaluate trauma care in areas of the state that do not have trauma agencies.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, BIN #C-18, Tallahassee, FL 32399-1738 or by calling George Schaffer, (850)245-4440.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this conference call is asked to advise the agency before January 8, 2003, by contacting George Schaffer, (850)245-4440. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Purchase Order Number B00829

The Florida **Emergency Medical Services Advisory Council** will hold their quarterly meeting.

DATE AND TIME: January 17, 2003, 8:00 a.m. (EST)

PLACE: The Omni Rosen Hotel, 245 Water Street, Jacksonville, Florida 32202, (904)355-6664

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the council.

An agenda may be obtained by contacting: Desi Lassiter, Bureau of Emergency Medical Services, (850)245-4055.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Bureau of Emergency Medical Services, (850)245-4055, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Bureau of Emergency Medical Services using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For further information write: Desi Lassiter, 4052 Bald Cypress Way, BIN #C18 (HEMS), Tallahassee, Florida 32399-1738 or call (850)245-4055.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Refugee Services Programs Office announces the following public meeting to which all interested persons are invited.

MEETING: District 11/Miami Area Refugee Task Force

DATE AND TIME: December 13, 2002, 10:00 a.m.

PLACE: Miami-Dade College, Wolfson Campus, Building 2, 300 Northeast Second Avenue, Miami, Florida 33132, contact person is Meredith Swiger, (850)488-3791

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to refugee resettlement in the Miami Area County/Children and Families, District 11 area.

A copy of the agenda may be obtained by writing: Meredith Swiger, Refugee Services Programs Office, 1317 Winewood Boulevard, Building 1, Room 303, Tallahassee, Florida 32399-0700.

The Florida **Department of Children and Family Services** announces a meeting of the Lake County Community Alliance Steering Committee to which all persons are invited.

DATE AND TIME: Wednesday, December 18, 2002, 12:00 Noon

PLACE: Public Safety Complex, Room 302, 12900 Lane Park Cutoff Rd., Tavares, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Section 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785. Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, telephone (352)330-2177.

NOTICE OF CANCELLATION – The Florida **Department of Children and Family Services** announces the cancellation of the Citrus County Shared Services Alliance Steering Committee Meeting scheduled for:

DATE AND TIME: Thursday, December 19, 2002, 10:00 a.m.

PLACE: Citrus County School Board Office, 1007 W. Main Street, Inverness, FL

CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION

The Region III, Training Advisory Council of the Florida **Criminal Justice Standards and Training Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: December 16, 2002, 10:00 a.m.

PLACE: Pat Thomas Law Enforcement Training Academy, U.S. Highway 90, 14 miles West, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled meeting of the Region III, Training Advisory Council of the Florida Criminal Justice Standards and Training Commission. The primary business will be to discuss training issues.

A copy of the agenda for the above meeting may be obtained by writing: Sheriff David Harvey, Wakulla County Sheriff’s Office, 15 Oak Street, Crawfordville, FL 32327.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces two FAJUA public meetings to which all persons are invited.

FAJUA ad hoc Rate Filing Meeting

DATE AND TIME: Thursday, December 19, 2002, 9:00 a.m.

PLACE: Embassy Suites Westshore, 555 N Westshore Blvd., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss rate making and rate filing procedures, and any other matters.

FAJUA Operating Committee Meeting

DATE AND TIME: Thursday, December 19, 2002, to begin immediately following the ad hoc Rate Filing Meeting but not prior to 9:30 a.m.

PLACE: Embassy Suites Westshore, 555 N. Westshore Blvd., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss agent compliance manual and applicable revisions to the FAJUA Underwriting Rules and Rates Manual, Plan of Operation, and the Accounting and Statistical Manual if warranted.

Additional information may be obtained: Lisa B. Stoutamire, FAJUA, 1113 East Tennessee Street, Suite 401, Tallahassee, FL 32308, (850)681-2003, fajua@aol.com.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed October 28, 2002, from Steven M. Davis, Florida State Fire & Security, Inc. The Petition is seeking the Department’s interpretation of Section 633.541, Florida Statutes, and NFPA 72, 1999 edition. Petitioner specifically requests a declaratory statement on the following questions:

- A. How does a fire alarm system contractor comply with NFPA 72, 1999 edition, test methods which require the flow of water to test the flow switches and the turning of the tamper valve for the supervisory tamper switches?
- B. How does a fire alarm contractor fill out the required NFPA 72, “Record of Completion” and the “Inspection and Testing Form” correctly if the fire alarm contractor cannot test the devices?

- C. If a fire protection system (sprinkler) contractor needs to be subcontracted, who signs off on question #2 forms as the certifying contractor since there is no space for two contractors?
- D. In a repair situation where the fire panel shows a supervisory tamper/flow switch activation or fault, who repairs it, the fire alarm system contractor or the fire protection system contractor, since the fire alarm system contractor cannot touch the actual sprinkler device and the fire protection system contractor cannot touch the wiring to the Fire Alarm Control Panel?

A copy of the declaratory statement may be obtained in any of the following ways:

1. Write to, 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 number (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>.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a request for Declaratory Statement on November 13, 2002, from the Lawrence E. Bennett, with regards to the requirements of Chapter 16, Florida Building Code, Building Volume, for alternative wind resistive construction methods and the effect of Section 109(3), 2000-141, Laws of Florida, on the requirement. It has been assigned the number DCA02-DEC-354.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a request for Declaratory Statement on November 13, 2002, from the Florida Roof Deck Association, with regards to the requirements of Chapter 104, Florida Building Code, Building Volume, for inspection of lightweight concrete insulating fill and the authority of a local jurisdiction to require inspection by a third-party. It has been assigned the number DCA02-DEC-355.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a request for Declaratory Statement on November 13, 2002, from the Miami-Dade Building Code Compliance Office, with regards to the definition of the term "ordinary minor repair" as used in section 104.1.4, Florida Building Code, Building Volume. It has been assigned the number DCA02-DEC-356.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a request for Declaratory Statement on November 13, 2002, from the Miami-Dade Building Code Compliance Office, with regards to requirements of Chapters 1 and 27, Florida Building Code, Building Volume, and their application to the installation of street lights. It has been assigned the number DCA02-DEC-357.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a request for Declaratory Statement on November 15, 2002, from William H. Brewer, with regards to the requirements of sections 1617.4 and 1007.5.1, Florida Building Code, Building Volume, for guardrail height in a residence designated R-3 occupancy. It has been assigned the number DCA02-DEC-359.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on November 15, 2002, from Doug Murdock, City of Gainesville, regarding section 3206.2, Florida Building Code, Building Volume and its application to the downtown area of the City of Gainesville. It has been assigned the number DCA02-DEC-360.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a request for Declaratory Statement on November 26, 2002, from Wayne Automatic Fire Sprinklers, Inc., with regards to with regards to the requirements of Chapter 4A-43 and 4A-60, Florida Administrative Code, sections 509.215, 553.895, 633.021, 633.022, 721.24, 903.2, Florida Building Code, Building Volume, and the Florida Fire Prevention Code for an automatic fire sprinkler system as applied to the Summer Bay Resort, Building 406, in Lake County, Florida. It has been assigned the number DCA02-DEC-365.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection received a petition to initiate rulemaking on August 9, 2002, from the Florida Wildlife Federation. The petition requests that the Julington-Durbin Creeks System in Duval County and St. Johns County be designated as Outstanding Florida Waters pursuant to Rule 62-302.700, Florida Administrative Code. The Julington-Durbin Creeks System, as described in the petition, includes the Main Waterway of Julington Creek from the St. Johns River upstream to Baymeadows Road, the Main Waterway of Durbin Creek from Julington Creek to Durbin Creek's headwaters, Big Davis Creek from Julington Creek to its headwaters, Corklin Branch to its headwaters (Powers Bay) and Durbin Swamp.

A copy of the petition and further information may be obtained: Mr. Eric Shaw, Water Quality Standards and Special Projects Program, Division of Water Resource Management, Department of Environmental Protection, 2600 Blair Stone Road, MS #3560, Tallahassee, Florida 32399-2400, e-mail Eric.Shaw@dep.state.fl.us, Telephone (850)245-8429.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Acupuncture issued a Final Order in response to a petition for a declaratory statement filed by Holly G. Didden with respect to Section 456.053, Florida Statutes.

The Board voted to DENY the petition as Petitioner sought a policy statement of general applicability that was not limited to the Petitioner's particular set of circumstances.

For a copy of the petition, contact: Pamela King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399.

NOTICE IS HEREBY GIVEN THAT the Board of Acupuncture issued a Final Order in response to a petition for a declaratory statement filed by George Forester with respect to Section 457.102(7), Florida Statutes and Rules 64B1-3.001(5)(b) and 64B1-4.008, Florida Administrative Code.

The Board voted to DENY the petition as Petitioner sought a policy statement of general applicability that was not limited to the Petitioner's particular set of circumstances.

For a copy of the petition, contact: Pamela King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 03L-52, W/O 601551, Electrical Distribution Feeder Repairs, estimated budget: \$300,000 – \$350,000, to be opened January 9, 2003, 2:00 p.m., local time, in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Replacement of existing and installation of new 25 KV and 5 KV medium-voltage underground feeders, including associated ancillary work. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, (352)392-1331. A Mandatory Pre-bid Meeting will be held December 19, 2002, 1:30 p.m., in the Physical Plant Division Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL.

All questions should be directed to: A. J. Sontag, C.P.M., Assistant Director, UF Purchasing, (352)392-1331, Ext. 306. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 03L-51, Housing Project BOR131-297, Diamond Village Building 297 Renovation, estimated budget: \$450,000 – \$500,000, to be opened January 7, 2003, 2:00 p.m. Local Time. Scope of work: The interior spaces are vacant and scheduled for partial demolition followed by the reconstruction with new materials. A complete new mechanical split system is included. Portions of the existing electrical and plumbing systems will be reused. A Mandatory Pre-Bid Meeting will be held December 18, 2002, at 11:00 a.m., in the Housing Office Conference Room, Southwest corner of Museum Road and Southwest 13th Street, Gainesville, FL.

All questions should be directed to: A. J. Sontag, Assistant Director, UF Purchasing, (352)392-1331, Ext. 306. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No. BR-251

Project and Location: Parking Garage No. 3
Florida State University
Tallahassee, Florida

The project seeks to develop the University's third parking garage, a minimum 1,500 car facility to be constructed on the western edge of the Main Campus. Unlike the University's two preceding garages, this one is not expected to include any complimentary retail, administrative or instructional space, though that is a feature that should not be ruled out entirely for future phases. As it is currently envisioned, the garage will simply house cars. The selected firm will provide design, construction documents and administration for the referenced project which is budgeted at \$12,937,500 for construction. The University is considering either bid or construction management as potential construction delivery methods for this project. A decision on which approach will be used is forthcoming. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000, 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. A completed Board of Regents "Professional Qualifications Supplement," dated either 2/99 or 9/99. Applications on any other form, or on versions dated prior to 2/99, will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions 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 \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained through our website, www.fpc.fsu.edu or by contacting: Lynetta Mills, Facilities Planning and Construction, 109

Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 Telephone, (850)644-8351 Facsimile

For further information on the project, contact: John Ward, Project Manager, at the address and phone listed above.

Submittals must be received in the above office, by 2:00 p.m. Local Time, Wednesday, January 22, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

CALL FOR BIDS

Florida A & M University (FAMU), a unit of the Florida Board of Education (Division of Colleges and Universities).

PROJECT NAME: Utilities Improvements/Central Chilled Water Plant, PH-VI. PROJECT NUMBER: BR-389, LOCATION: Florida A & M University, Tallahassee, FL 32307. This advertisement is for the labor and related costs to install a new Owner Purchased Chiller and Piping Modifications for the Plant.

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

DATE AND TIME: January 14, 2003, until 2:00 p.m. Local Time.

PLACE: Plant Operations Facilities, Building A, Room 100, 2400 Wahnish Way, Florida A & M University, Tallahassee, FL, immediately after which time and place they will be publicly opened and read aloud down the hall in Conference Room 124 (Bid Tabulation will be posted back in Suite 100).

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer: TECO BGA, Inc., 3303 Thomasville Road, Suite 102, Tallahassee, FL 32312, (850)422-1763, Fax (850)422-1502.

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Office of Supplier Diversity, Department of Management Services. Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is required to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. This mandatory meeting has been scheduled for:

DATE AND TIME: January 6, 2003, 2:00 p.m. Local Time

PLACE: Florida A & M University, Plant Operations Building, Room 124, 2400 Wahnish Way, Tallahassee, FL

DEPOSIT: \$150.00 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work, and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the Architect/ Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer for \$150.00 per set for the printing and handling cost. Partial sets may be purchased at \$50.00 per Project Manual, \$5.00 per sheet of the drawings and \$.50 per copy per page of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

NOTICE TO CONSTRUCTION MANAGERS

Florida A & M University (FAMU), a unit of the Florida Board of Education (Division of Colleges and Universities) announces that Construction Management services will be required for Project No.: FM-301, University Housing Phase-IV, Florida A & M University, Tallahassee, Florida.

This project consists of the construction of a 360 bed apartment-style student housing complex. The buildings are to be constructed of brick veneer over concrete block. The units will consist of a mix of three and four bedrooms. In addition, a 3,456 square feet Commons/Laundry Building and 960 square feet Maintenance Building are included. The site is approximately 6 acres and slopes down to the north giving a wide vista of the Downtown, Tallahassee Skyline.

The estimated construction budget is \$8,328,350.

The contract for Construction Management services will consist of two phases. Phase one is pre-construction services, for which the Construction Manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 75% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the Construction Manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract,

or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the Construction Manager's contract.

Selection of finalists for interviews will be made on the basis of Construction Manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program, the latest documentation prepared by the project architect/engineer and a description of the final interview requirements. The Selection Committee may reject all proposals and stop the selection process at any time. The Construction Manager shall have no ownership, entrepreneurial or financial affiliation with the selected Architect/Engineer involved with this project.

Firms desiring to provide Construction Management services for the project shall submit a letter of application and a completed Board of Education/Division of Colleges and Universities (former Board of Regents – "BOR") "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Construction Management firm 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 Construction Management firm 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.

The Board of Education/Division of Colleges and Universities Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Eugenio Nicoloso, Associate Director, Facilities Planning and Construction by Phone (850)599-3197, Fax (850)561-2289. 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.

Six (6) ring, comb or coil/spiral (no hard, solid or tack) bound copies of the required proposal data shall be submitted to: Samuel J. Houston, Director, Facilities Planning and Construction, Florida A & M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307.

Submittals must be received by 2:00 p.m. (Local Time), January 22, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida announces that Professional Consulting Services in the discipline of campus master planning will be required for the project listed below:

Project Number: 506

Project and Location: Lakeland Campus Master Plan, University of South Florida.

This project consists of multi-phase service for a new University of South Florida campus in Lakeland. The phased services will include:

1. Assistance in confirmation of a projected facilities program for maximum future enrollment accommodation. These facilities will include academic administration, student support, housing, parking, infrastructure, physical plant, athletics, recreation and others to be determined.
2. Assistance in the evaluation of potential sites, as offered through a separate RFP, to determine the property which will best accommodate USF-Lakeland's future needs in terms of capacity, cost, visibility, availability of infrastructure, pedestrian and vehicular access, etc.
3. Development of alternative master plan concepts for the selected site.
4. Development of a final comprehensive Campus Master Plan document which fulfills statutory requirements, including determination any impacts to the LOS of services/roadways, participate in two public hearings, and assist USF-Lakeland in provision of information for the creation of the Development Agreement with the host municipality.

The required Elements include Future Land Use, Academic Facilities, Support Facilities, Housing, Recreation and Open Space, General Infrastructure, Utilities, Intergovernmental Coordination, Transportation, Capital Improvements Elements, and others. The successful consultant must demonstrate experience in campus planning, including resolution of parking and traffic issues, as well as familiarity with Florida's campus master planning program and statutory and administrative rule requirements. Consultants must demonstrate the ability to assess the impacts of university facilities development on public facilities and services (i.e. stormwater management, potable water, sanitary sewer, solid waste, roads and parks and recreation facilities). Greater consideration will be given to

those consultants with previous experience in master planning, local government comprehensive plans and concurrency management in Florida.

The selected firm shall provide comprehensive consulting services for the referenced project. The proposed Subconsultants, if required by the Primary Consultant firm to meet project scope requirements, shall be identified by discipline on the USF PQS form, but shall not be identified specifically by firm name. Subconsultant firms shall be recommended after selection, at the time of contract negotiations, for the University's approval.

Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability; past experience; design ability; minority participation; volume of work; and distance from project. However, distance will not be the determining factor.

The selected firm will be required to provide computer-generated drawings according to the standards of the University of South Florida. Blanket professional liability insurance will not be required for this project. Project development, including professional services, is contingent upon availability of funds.

INSTRUCTIONS

Firms desiring to apply for consideration shall submit a letter of application. The letter of application shall have attached:

1. A completed USF "Professional Qualifications Supplement", January 16, 2003. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data, bound in the order listed above. Letter of application shall be addressed to: Barbara Donerly, R.A., Division Head of Planning and Programming, Facilities Planning and Construction, University of South Florida, FPC 110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550.

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 \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Kathy Bennett, Program Assistant – Contracts, Facilities Planning and Construction, University of South Florida, FPC 110, 4202 East Fowler Avenue, Tampa, FL 33620-7550, Phone (813)974-2625, Fax (813)974-3542.

Submittals must be received in the University of South Florida, Facilities Planning and Construction Office, FPC 110 by 2:00 p.m., Local Time, Thursday, January 16, 2003.

Facsimile (FAX) submittals are not acceptable and will not be considered. Interested firms are invited to attend a presubmittal meeting at the University of South Florida, Tampa Campus, to be held at 10:00 a.m., Monday, January 6, 2003, at the Facilities Planning Conference Room, FPC 110, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. All interested firms are encouraged to attend. Requests for meetings by individual firms will not be granted.

It shall be noted that no verbal or written communication shall take place between the short listed applicants and other University of South Florida employees or representatives. Any questions or requests for project information must be in writing to the above named persons at the address listed. The Selection Committee may reject all proposals and stop the selection process at any time.

**PUBLIC ANNOUNCEMENT
OF A/E SELECTION RESULTS**

The Florida School for the Deaf and the Blind announces its intention to negotiate, in accordance with the Consultants Competitive Negotiation Act, for the following:

PROJECT NUMBER: FSDB 20030002
PROJECT NAME: Walker Hall Renovations

1. Smith*McCrary Architects Inc.
2. Akel Logan Shafer Architects/Planners
3. Ebert Norman Brady Architects
4. Reynolds, Smith and Hills, Inc.

REGIONAL PLANNING COUNCILS

LEGAL NOTICE

The Central Florida Regional Planning Council is accepting proposals from qualified agencies or firms for the award of a contract to coordinate transportation services for the transportation disadvantaged in Hardee, Highlands and Okeechobee Counties, Florida. The selected contractor will be the designated Community Transportation Coordinator for the Transportation Disadvantaged, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2 of the Florida Administrative Code. The complete request for

proposals may be obtained on or after January 7, 2003, from the contact person listed below. Proposals must be received by 4:00 p.m. (EST), February 11, 2003, at the Office of the Central Florida Regional Planning Council. One (1) original and nine (9) copies of the proposal must be submitted. Proposals must include a separate and sealed envelope containing one (1) original and nine (9) copies of a proposed annual budget and cost proposal and the envelope shall be clearly marked, "Annual Budget and Cost Proposal." Send proposal contents to:

Marcia Staszko, Senior Program Manager
 Central Florida Regional Planning Council
 555 E. Church Street – P. O. Box 2089
 Bartow, FL 33830
 (863)534-7130, Ext. 103

The outside of the package containing the proposal must be marked "Proposal for Community Transportation Coordinator." The Central Florida Regional Planning Council will accept no responsibility for proposals not so marked. The Central Florida Regional Planning Council reserves the right to reject any and all proposals, to waive any formality concerning proposals or negotiate changes to the proposal whenever such rejection or waiver or negotiation is in the best interest of the Central Florida Regional Planning Council, the service area, the State and the Transportation Disadvantaged.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE REGARDING ELECTRONIC POSTING

Pursuant to Section 287.042(3)(b)2., 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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

REQUEST FOR SOLICITATION OF QUALIFICATIONS

RFSOQBDRS 04-02/03

Sealed responses will be received by the Department of Environmental Protection (DEP), at Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, until the time and date shown below:

PROPOSAL DUE DATE: 3:30 p.m.

Tuesday, January 14, 2003

This Request for Solicitation of Qualifications (RFSOQ) is for Coastal Engineers, licensed in the State of Florida, as part of a statewide continuing services contract, to act as prime consultants for Florida State Parks and other State owned facilities/properties. Minority businesses are encouraged to participate. The Department reserves the right to reject any or all proposals.

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 MILITARY AFFAIRS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS, LICENSED BY THE STATE OF FLORIDA, FOR THE CONSTRUCTION OF:

PROJECT NO: CFMO-202023 ACCOUNTING CODE: NA
 PROJECT NAME AND LOCATION: CONSTRUCT AIRBORNE REFRESHER TRAINING FACILITY at CAMP BLANDING TRAINING SITE, STARKE, FLORIDA

PROJECT DESCRIPTION: The Airborne Facility will consist of a 34' mock-up jump tower and associated cabling system, a 50 x 120 pre-engineered building containing various Aircraft mock-ups. Construct a Latrine facility approximately 375 sq. ft. of masonry construction. Site work will include removal of 6" to 8" of existing hard stand material approximately 73,000 sq. ft. and replacing with fill dirt. There will be associated underground utility installation, finish grading, and seeding.

FOR: Department of Military Affairs, Construction and Facility Management Office

MINORITY PROGRAM: Utilization of MBE participation is highly encouraged from all Bidders.

QUALIFICATIONS: General Contractors licensed by the State of Florida.

PUBLIC ENTITY CRIME INFORMATION STATEMENT:

A person, or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

BID SECURITY: If the bid proposal amount is \$100,000 or less, a bid security (5%) is not required.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and Labor and Material Payment Bond are not required.

Sealed bids will be received and publicly read aloud on:

DATE AND TIME: January 15, 2003 until 2:00 p.m. (Local Time)

PLACE: Robert F. Ensslin Armory, 2305 State Road 207, Saint Augustine, Florida

PROPOSAL: Bids must be submitted to the Department of Military Affairs, CFMO ATTN: Mr. Mark Watkins, 2305 State Road 207, St. Augustine, Florida 32086, Telephone (904)823-0284, in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained, as of December 13, 2002, from Metroplex Industries, Inc. for \$150.00 (non-refundable) to include shipping 1st class US mail.

All Technical questions shall be directed to the A/E until close of business January 14, 2003.

ARCHITECT-ENGINEER: METROLPLEX INDUSTRIES, INC., 2715 OAK STREET, JACKSONVILLE, FLORIDA 32205

TELEPHONE: (904)384-8772, Scott Lee or Chad Jacobs

There will be a mandatory Pre-Bid at the job site January 7, 2003, 10:00 a.m.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted at the location where the bids were opened. In the event that the Bid tabulation and Notice of Award Recommendation can not be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner. AWARD OF CONTRACT IS CONTINGENT UPON THE AVAILABILITY OF FUNDS.

SARASOTA COUNTY PROPERTY APPRAISER

REQUEST FOR PROPOSALS

The Sarasota County Property Appraiser's Office, Sarasota, Florida, is requesting proposals for the purpose of adding annotation to the existing Sarasota County GIS Base Map.

To obtain a copy of the "Request for Proposals" please see "What's New" at www.sarasotaproperty.net. Proposals must be submitted no later than 11:00 a.m., January 17, 2003.

TAMPA BAY ESTUARY PROGRAM

REQUEST FOR PROPOSALS

The Tampa Bay Estuary Program (TBEP), is requesting proposals from qualified respondents to conduct the following projects:

- T-01-2002 Technical Support and
- T-02-2003 Grant Writer

Request for proposal instructions and associated proposal documents may be obtained from TBEP, 100-8th Avenue, Southeast, MS:I-1/NEP, St. Petersburg, Florida 33701,

(727)893-2765. Sealed proposals will be received at the above-stated address until 3:00 p.m., Thursday, January 23, 2003, at which time they will be publicly opened.

The total TBEP FY 2002-2003 budget is \$1,020,000, 50% of which is federally funded. TBEP encourages and promotes the utilization of organizations owned or controlled by socially and economically disadvantaged, Minority Business Enterprises and Women's Business Enterprises.

TBEP reserves the right to reject any and all proposals. Dated this December 13, 2002.

CENTER FOR URBAN TRANSPORTATION RESEARCH

**REQUEST FOR PROPOSAL
FVPP-03-SC**

Notice is hereby given that Edward Bart, representing the Florida Vehicle Procurement Program (FVPP), University of South Florida, Center for Urban Transportation Research will receive sealed proposals on behalf of agencies within the state of Florida, herein referred to as the "Purchasers" to establish a statewide contract for the manufacture and delivery of the following 2003 model year vehicle type:

	Minimum	Maximum
20 feet 6 inch Small Cutaway Type Vehicle	5	500

The quantities reflect the immediate and foreseeable needs of agencies within Florida and were determined by using the most recent State of Florida Program of Projects, historical data from previous FVPP contracts, and Agency(s) vehicle replacement schedules. All or part of the quantity of vehicles stated herein may be assigned to other public transit agencies desiring to purchase the same equipment specified in Part 2 of this solicitation. The FVPP reserves the right to reject any and all proposals, or any part of any or all proposals.

Copies of the RFP may be obtained from Edward Bart, FVPP Project Manager, University of South Florida, Center for Urban Transportation Research, 4202 E. Fowler Ave., Tampa, Florida 33620 or by telephone (813)974-9813.

A mandatory pre-proposal meeting will be held at 10:00 a.m. (EST), January 6, 2003, at Big Bend Transit, 2201 Eisenhower, Tallahassee, Florida 32399. The purpose of this meeting is to answer questions and discuss specifications/clarifications relative to the RFP. Interested proposers are required to attend. Subcomponent representatives are welcome but are not required.

Sealed proposals in original and five (5) copies must be received at the above address (Attn: Edward Bart) not later than 1:00 p.m. (EST), February 12, 2003.

The successful proposer will be required to comply with all Equal Opportunity Laws and Regulations, Buy America Laws, Chapter 287, Florida Statutes, and other applicable Federal and State regulations.

**Section XII
Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

**INTEREST RATE SET PURSUANT
TO SECTION 55.03, FLORIDA STATUTES**

Subsection 3A-25.003(3), F.A.C., requires the Department of Banking and Finance, at least once between December 1 and January 1, to provide notice of the interest rate set by the Comptroller pursuant to Section 55.03, F.S. The interest for the year 2003 has been set at 6% per annum or .0001644 per day. For additional information contact: Vendor Ombudsman Section, Bureau of Accounting, (850)410-9724, Suncom 210-9724 or on the internet at www.dbf.state.fl.us/interest.html.

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Section 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., January 3, 2003):

**APPLICATION FOR AUTHORITY
TO EXERCISE TRUST POWERS**

Applicant and Location: Charlotte State Bank, 1100 Tamiami Trail, Port Charlotte, Florida 33953
Received: December 2, 2002

DEPARTMENT OF INSURANCE

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL
CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
CASE NO.: 02-CA-1128**

In Re: The Receivership of ARIES INSURANCE COMPANY, a Florida corporation.
**NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND
CLAIMANTS HAVING BUSINESS WITH ARIES
INSURANCE COMPANY.**

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 14th day of November, 2002, the Department of Insurance of the State of Florida was appointed as Receiver of ARIES INSURANCE COMPANY, and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of ARIES INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59 p.m., November 14, 2003, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Insurance, Receiver for ARIES INSURANCE COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110.

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA02-OR-362

In Re: **MONROE COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY
MONROE COUNTY ORDINANCE NO. 024-2002**

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On October 11, 2002, the Department received for review Monroe County Ordinance No. 024-2002 which was adopted by the Monroe County Board of County Commissioners on September 18, 2002 ("Ord. 024-2002"). Ord. 024-2002 amends Section 9.5-285 of the Monroe County Code to permit a percentage of the area in the rear yard setback of dry lots to contain certain accessory uses and structures.
3. Ord. 024-2002 is consistent with the County's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002).

5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2002) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2002). The regulations adopted by Ord. 024-2002 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 024-2002 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
9. Ord. 024-2002 is not inconsistent with the remaining Principles. Ord. 024-2002 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 024-2002 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR

PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION

SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ___ day of November, 2002.

Paula Ford, Agency Clerk

- By U.S. Mail:
- Honorable Charles "Sonny" McCoy
Mayor of Monroe County
500 Whitehead Street
Key West, Florida 33040
Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040
Timothy J. McGarry, AICP
Director, Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, Florida 33050
- By Hand Delivery or Interagency Mail:
- Jim Quinn, Bureau of State Planning, DCA Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office
Richard A. Lotspeich, Assistant General Counsel, DCA Tallahassee

DCA Final Order No.: DCA02-OR-363
In Re: CITY OF KEY WEST LAND DEVELOPMENT REGULATIONS ADOPTED BY CITY OF KEY WEST ORDINANCE NO. 02-20

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2002), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The City of Key West is a designated area of critical state concern.
2. On November 4, 2002, the Department received for review City of Key West Ordinance No. 02-20 which was adopted by the City of Key West City Commission on August 6, 2002 ("Ord. 02-20"). Ord. 02-20 adds Section 18-228 to the Land Development Regulations to prohibit certain signs in windows of buildings in the Historic District of Key West that are inconsistent with the purpose and intent of the Comprehensive Plan's aesthetic goals of historic preservation.
3. Ord. 02-20 is consistent with the City's Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in an area of critical state concern. §§ 380.05(6) and (11), Fla. Stat., (2002).
5. The City of Key West is an Area of Critical State Concern. § 380.05, Fla. Stat. (2002) and Rule 28-36.001, Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2002). The regulations adopted by Ord. 02-20 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the "Principles"). § 380.05(6), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles for the City of Key West Area of Critical State Concern are set forth in Rule 28-36.003(1), Fla. Admin. Code.

8. Ord. 02-20 promotes and furthers the following Principles in Rule 28-36.003(1), F.A.C.:
- (a) Strengthen local government capabilities for managing land use and development.
 - (e) Protection of the historical heritage of Key West and the Key West Historical Preservation District.
 - (h) Protection of the public health, safety, and welfare and economy of Key West and maintenance of Key West as a unique Florida resource.
9. Ord. 02-20 is not inconsistent with the remaining Principles. Ord. 02-20 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-20 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

 SONNY TIMMERMAN, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A

WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ___ day of November, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

Jimmy Weekley
Mayor of the City of Key West
P. O. Box 1409
Key West, Florida 33041
Cheri Smith
Clerk to the City Commission
P. O. Box 1409
Key West, Florida 33041
Robert Tischenkel
City Attorney
P. O. Box 1409
Key West, FL 33041
Julio Avel
City of Key West
P. O. Box 1409
Key West, FL 33041

By Hand Delivery or Interagency Mail:

Jim Quinn, Growth Management Administrator, DCA
Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office
Richard A. Lotspeich, Assistant General Counsel, DCA
Tallahassee

NOTICE OF PROJECT APPROVAL AND FUNDING

The Florida Communities Trust (Trust) has approved funding applications submitted under the Florida Communities Trust Florida Forever Program, Series FF2 funding cycle. On November 14-15, 2002, applications were scored, ranked and selected for funding according to the criteria and procedures set forth in Rule Chapter 9K-7, F.A.C. In accordance with Rule 9K-7.009, F.A.C., the projects are considered to have received approval for funding. The funds awarded derive from the sale of Florida Forever bonds. Certain applications were selected for funding contingent upon funds becoming available either through other projects terminating, projects closing under budget, or interest accruals.

Those applications approved for funding and the amount of funding conceptually approved are listed below. The approval is subject to appeal and may change following the appeals process. For this reason, final approval of awards cannot be made until any appeals have been resolved.

The following projects were approved for funding with funds currently already available:

Selected/Funded

Project No.	Project Name	Applicant	Amount
02-006-FF2	Robinson Preserve	Manatee County – Florida West Coast Resource Conservation and Development Council	\$ 6,056,250.00
02-022-FF2	Last Cypress West	Broward County – City of Lauderdale Lakes	\$ 338,200.00
02-027-FF2	Red Bug Slough	Sarasota County	\$ 1,640,720.00
02-034-FF2	Wilson Family Park	Sarasota County	\$ 2,407,560.00
02-035-FF2	Wall Springs Coastal Addition II	Pinellas County	\$ 6,600,000.00
02-044-FF2	Barr Hammock Ledwith Prairie	Alachua County	\$ 5,110,000.00
02-045-FF2	Green Cove Springs Nature Preserve	City of Green Cove Springs	\$ 3,392,600.00
02-051-FF2	Blue Lake Scrub	Palm Beach County – City of Boca Raton	\$ 5,786,000.00
02-059-FF2	Indian River Farms Coastal Preserve	Indian River County	\$ 1,530,000.00
02-071-FF2	North Fork of the St. Lucie River Phase Three	St. Lucie County	\$ 1,537,500.00
02-072-FF2	San Carlos Bay – Bunche Beach Preserve	Lee County	\$ 3,190,012.00
02-073-FF2	Fish Hawk Creek Preserve	Hillsborough County	\$ 2,600,000.00
02-080-FF2	Hopkins Creek Preserve – Phase II	City of Jacksonville	\$ 3,467,500.00
02-085-FF2	Strawberry Creek Preserve	City of Jacksonville	\$ 400,500.00
02-089-FF2	San Felasco Conservation Corridor – Alachua Phase	City of Alachua	\$ 630,000.00
02-091-FF2	Indrio Blueway Buffer	St. Lucie County	\$ 1,102,500.00
02-093-FF2	Ft. Brooke – Phase III	City of Tampa	\$ 6,311,250.00
02-097-FF2	Moccasin Slough	Clay County	\$ 4,147,500.00
02-098-FF2	Newton Beach Park	Town of Ft. Myers Beach	\$ 1,279,250.00
02-099-FF2	Garfield Access Addition	Walton County	\$ 810,000.00
02-105-FF2	Upper Lake Lafayette	Leon County	\$ 6,600,000.00
02-109-FF2	Tram Road Karst Ponds	City of Tallahassee	\$ 245,100.00
02-110-FF2	Tallahassee Junction	City of Tallahassee	\$ 237,600.00
		Total Funded Amount	\$ 65,420,042.00

Contingent Funded

Project No.	Project Name	Applicant	Amount
02-002-FF2	Central Broward Regional Park	Broward County – City of Lauderhill	\$ 5,065,000.00
02-004-FF2	Southern Pines Plantation	Volusia County	\$ 1,274,692.40
02-038-FF2	Downtown Stormwater Park	City of Titusville	\$ 474,600.00
02-043-FF2	Mill Creek Nature Preserve	Alachua County	\$ 1,490,000.00
02-049-FF2	Southwest Nature and Recreational Park	City of Pembroke Pines	\$ 340,000.00
02-056-FF2	Ten Mile Creek East	St. Lucie County	\$ 2,617,500.00
		Total Contingent Funded Amount	\$ 11,261,792.40

The following projects were not approved for funding with funds currently available:

Non-Funded

Project No.	Project Name	Applicant	Amount
02-001-FF2	Helene Klein Pineland	Broward County	\$ 1,676,720.00
02-003-FF2	Catholic Diocese Tract	Volusia County	\$ 310,545.20
02-005-FF2	Phase II Cocoa Beach's Thousand Island Conservation Area	City of Cocoa Beach	\$ 742,500.00
02-007-FF2	Strickland Park Hammock	City of Chiefland	\$ 163,612.00
02-008-FF2	Ocoee Center Lake Park	City of Ocoee	\$ 612,000.00
02-009-FF2	Linear Park & Sculpture Garden	City of Punta Gorda	\$ 102,550.00
02-010-FF2	Goffinsville-Nassau River Park	Nassau County	\$ 729,840.00
02-011-FF2	Pines and Ponds Preserve	City of Panama City Beach	\$ 6,500,000.00
02-012-FF2	Conway Park	City of Belle Island	\$ 1,600,000.00

02-013-FF2	Mirror Lake Watershed	City of Flagler Beach	\$ 2,040,000.00
02-014-FF2	Town Square Nature Boardwalk	Town of Indian Shores	\$ 150,400.00
02-015-FF2	Herman Property	City of Fort Lauderdale	\$ 48,000.00
02-016-FF2	North Beach Trailhead	City of Fort Lauderdale	\$ 663,750.00
02-017-FF2	Bridgeside Square	City of Fort Lauderdale	\$ 540,000.00
02-018-FF2	Florence Hardy Park Addition	City of Fort Lauderdale	\$ 1,040,000.00
02-019-FF2	Pier Property	City of Fort Lauderdale	\$ 3,130,000.00
02-020-FF2	Petty Branch Ravine Park	St. Johns County	\$ 2,850,000.00
02-021-FF2	Last Cypress East	Broward County – City of Lauderdale Lakes	\$ 313,100.00
02-023-FF2	Cypress Creek Scrub Preserve	Broward County – City of Fort Lauderdale	\$ 1,086,660.00
02-024-FF2	Lake Minnehaha Urban Nature Park	City of Clermont	\$ 509,325.00
02-025-FF2	Mills Pond Addition	Broward County – City of Fort Lauderdale	\$ 309,550.00
02-026-FF2	Shingle Creek Upland Preserve	Osceola County	\$ 1,545,000.00
02-028-FF2	Fort Christmas Community Park Addition	Orange County	\$ 376,160.00
02-029-FF2	West Beach Park Addition	Orange County	\$ 765,720.00
02-030-FF2	Tamarac Sports Complex Phase II	City of Tamarac	\$ 1,630,000.00
02-031-FF2	Dodson Creek Properties	City of Ormond Beach	\$ 224,661.70
02-032-FF2	The “Preserve the Preserve” Barefoot Beach Outparcel	Collier County	\$ 2,386,500.00
02-033-FF2	Goodland Boating Park	Collier County	\$ 2,308,500.00
02-036-FF2	Mobbly Bayou Wilderness Preserve North	City of Oldsmar	\$ 262,500.00
02-037-FF2	Southwest Meadows Sanctuary	Town of Southwest Ranches	\$ 4,749,165.00
02-039-FF2	Marianna Performing Arts Park	City of Marianna	\$ 550,000.00
02-040-FF2	Carrabelle Wildlife Park	City of Carrabelle	\$ 550,000.00
02-041-FF2	Hawks Park Addition	City of Edgewater	\$ 177,960.00
02-042-FF2	Lake Henderson Addition	City of Inverness	\$ 1,016,800.00
02-046-FF2	6000 Collins Avenue Open Vista	City of Miami Beach	\$ 2,200,000.00
02-047-FF2	Ponce Preserve First Addition	Town of Ponce Inlet	\$ 554,631.00
02-048-FF2	Tract R-C Pathway and Urban Habitat	City of Marco Island	\$ 51,250.00
02-050-FF2	Village of El Portal Recreation and Open Space Initiative	Village of El Portal	\$ 70,000.00
02-052-FF2	Hutchinson-Long Bayou Passive Park	City of Seminole	\$ 1,275,000.00
02-053-FF2	St. Sebastian River Greenway	Marine Resources Council	\$ 3,373,660.00
02-054-FF2	Ancient Oaks Addition	St. Lucie County	\$ 255,000.00
02-055-FF2	Rockledge Greenbelt Project	City of Rockledge	\$ 470,700.00
02-057-FF2	Indrio Scrub Preserve 2	St. Lucie County	\$ 427,500.00
02-058-FF2	Kroegel Homestead	Indian River County	\$ 926,250.00
02-060-FF2	Orca South Link	Indian River County	\$ 56,000.00
02-061-FF2	Mount Dora Nature and Recreation Park	City of Mount Dora	\$ 2,482,600.00
02-062-FF2	Tyrrell Gardens Acquisition	City of LaBelle	\$ 556,000.00
02-063-FF2	Bronson Recreation Park	Town of Bronson	\$ 25,500.00
02-064-FF2	Wilderness	City of Port St. Lucie	\$ 1,172,241.00
02-065-FF2	17th Avenue Stormwater Retrofit Project and Waterfront Park	City of Pensacola	\$ 300,000.00
02-066-FF2	City Plaza	City of Oakland Park	\$ 445,472.44
02-067-FF2	Plantation Bay Wetland Preserve	Islamorada, Village of Islands	\$ 1,220,000.00
02-068-FF2	London Tract	City of St. Augustine Beach	\$ 6,600,000.00
02-069-FF2	North Bay Village Community Park	City of North Bay Village	\$ 1,820,000.00
02-070-FF2	Forever Florida Conservation Land, Phase 1 Expansion	Allen Broussard Conservancy	\$ 6,600,000.00
02-074-FF2	Wildwood Park	Town of Belleair	\$ 160,000.00

02-075-FF2	Tucker Ranch Recreation and Nature Center	City of Winter Garden	\$ 2,047,500.00
02-076-FF2	Nature Park Addition	City of Belle Glade	\$ 581,250.00
02-077-FF2	Duval Neighborhood Regional Stormwater Park	City of Gainesville	\$ 180,000.00
02-078-FF2	Rus in Ur'be	City of Sarasota – Friends of Seagate, Inc.	\$ 1,505,625.00
02-079-FF2	Bob Graham Beach Addition	Martin County	\$ 1,912,150.00
02-081-FF2	Winter Miles Addition	City of Oviedo	\$ 415,000.00
02-082-FF2	Morrison Springs Acquisition	Walton County	\$ 2,260,000.00
02-083-FF2	North Barfield Waterfront Park and Boat Launch	City of Marco Island	\$ 344,500.00
02-084-FF2	Mitchell Hammock Land Acquisition	City of Oviedo	\$ 2,658,750.00
02-086-FF2	Yellow Water Creek Trailhead	City of Jacksonville	\$ 1,902,500.00
02-087-FF2	Village Center Park	Village of Biscayne Bay	\$ 660,000.00
02-088-FF2	Davie's Wetlands Restoration	Town of Davie	\$ 4,539,000.00
02-090-FF2	DeGross Park	Broward County – City of Lighthouse Point	\$ 1,209,720.00
02-092-FF2	Ten Mile Creek West	St. Lucie County	\$ 675,000.00
02-094-FF2	Town Center – Marcantonio Property	City of Port Orange	\$ 136,850.00
02-095-FF2	Lake Tohopekaliga Recreation Park	Osceola County	\$ 570,000.00
02-096-FF2	Joe Henry Anderson Senior Park	Dixie County	\$ 350,000.00
02-100-FF2	Limestone Creek	Palm Beach County	\$ 1,174,982.00
02-101-FF2	St. Andrews Link Acquisition	City of Dunedin	\$ 851,145.00
02-102-FF2	City of Key West Botanical Gardens	City of Key West	\$ 3,700,000.00
02-103-FF2	Adams Beach	Taylor County	\$ 2,579,000.00
02-106-FF2	Historic Melbourne Harbor	City of Melbourne	\$ 356,000.00
02-107-FF2	Tedford Greenway	City of Melbourne	\$ 300,000.00
02-108-FF2	Tanyard Creek Preservation Park	City of Quincy	\$ 660,000.00
02-112-FF2	Jetta Point Property	Seminole County	\$ 2,175,000.00
02-113-FF2	Lansing Property	Seminole County	\$ 1,237,500.00
		Total Non-Funded Amount	\$ 106,874,795.34
Withdrawn			
02-104-FF2	Halls River Community Park	Save the Homosassa River Alliance	\$ 1,326,000.00
02-111-FF2	Lefevre/Powell Property	Seminole County	\$ 1,250,000.00
02-114-FF2	Tomoka Greenway	City of Daytona Beach	\$ 0.00
		Total Withdrawn Amount	\$ 2,576,000.00

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk at 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that DaimlerChrysler Motors Company LLC, intends to allow the relocation of AN/FGJE Acquisition Corp. d/b/a Mike Shad Chrysler Jeep at Southpoint, as a dealership for the sale

of Chrysler and Jeep vehicles, from its present location at 7155 Bonneval Road, Jacksonville, Florida to a proposed location at 5735 Phillips Highway, Jacksonville (Duval County), Florida 32245, on or after December 1, 2002.

The name and address of the dealer-operator of AN/FGJE Acquisition Corp. d/b/a Mike Shad Chrysler Jeep at Southpoint is: Ronald M. Salhany, 13600 Icot Boulevard, Clearwater, FL 33760. The principal investor of AN/FGJE Acquisition Corp. d/b/a Mike Shad Chrysler Jeep at Southpoint is AutoNation Enterprises Incorporated ("AEI"). The name and address of the person who manages AEI is Michael E. Maroone, 110 Southeast 6th Street, Ft. Lauderdale, FL 33301. The principal investor of AEI is Auto Holding Corp. ("Auto Holding"). The name and address of the person who manages Auto Holding is Michael E. Maroone, 110 S. E. 6th Street, Ft. Lauderdale, FL 33301. The principal investor of Auto Holding is AutoNation, Inc. ("AutoNation"). The name and address of the person who manages AutoNation is Mike Jackson, 110 S. E. 6th Street, Ft. Lauderdale, FL 33301.

The notice indicates intent to relocate the franchise 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, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: J. J. Browne, Zone Manager, DaimlerChrysler Motors Company LLC, 10300 Boggy Creek Road, Suite 110, Orlando, FL 32824.

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 relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mitsubishi Motor Sales of America, Inc., intends to allow the establishment of B Auto Group, LLC d/b/a Beck

Mitsubishi, as a dealership for the sale of Mitsubishi vehicles, at 2640 U.S. Highway 1, South, St. Augustine (St. Johns County), Florida 32086 on or after December 10, 2002.

The name and address of the dealer operator(s) and principal investor(s) of B Auto Group, LLC d/b/a Beck Mitsubishi are dealer operator(s): Preston B. Sloan, 2601 Fairway Drive, Palatka, FL 32177 principal investor(s): Carl C. Beck, Jr., 100 Raintree Woods Trail, Palatka, FL 32177, Preston B. Sloan, 2601 Fairway Drive, Palatka, FL 32177 and Bradley C. Sloan, 129 Walton Road, East, Palatka, FL 32177.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Robert N. Ozburn, Regional Franchise Development Manager, Mitsubishi Motor Sales of 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.

AGENCY FOR HEALTH CARE ADMINISTRATION

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Palm Beach County District: 9
 ID #: 0200026 Decision: A Issue Date: 11/21/2002
 Facility/Project: Sandy Pines
 Applicant: Tequesta HMA, Inc.
 Project Description: Add 10 Intensive Residential Treatment Facility beds
 Proposed Project Cost: \$50,000

**NOTICE OF BATCHED APPLICATION RECEIPT
AND NOTICE OF TENTATIVE PUBLIC HEARINGS**

The Agency For Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Other Beds and Services review cycle with an application due date of November 27, 2002.

County: Sumter Service District: 3
 CON#: 9624 Application Receipt Date: November 27, 2002
 Facility/Project: Avante at the Villages, Inc.

Applicant: Avante at the Villages, Inc.
 Project Description: Establish up to a 150-bed community nursing facility through delicensure of like number of beds at Avante at Inverness, Leesburg and Mt. Dora and Oakwood Ctr.

County: Lake Service District: 3
 CON#: 9625 Application Receipt Date: November 27, 2002
 Facility/Project: Hospice of Lake & Sumter, Inc.

Applicant: Hospice of Lake & Sumter, Inc.
 Project Description: Convert four residential hospice beds to four inpatient hospice beds

County: Lake Service District: 3
 CON#: 9626 Application Receipt Date: November 27, 2002
 Facility/Project: Hospice of Lake & Sumter, Inc.

Applicant: Hospice of Lake & Sumter, Inc.
 Project Description: Convert eight residential hospice beds to eight inpatient beds

County: Pinellas Service District: 5
 CON#: 9627 Application Receipt Date: November 27, 2002
 Facility/Project: Mease Hospital – Countryside

Applicant: Trustees of Mease Hospital, Inc.
 Project Description: Establish an adult open heart surgery program

County: Pinellas Service District: 5
 CON#: 9628 Application Receipt Date: November 27, 2002
 Facility/Project: St. Anthony's Hospital

Applicant: St. Anthony's Hospital, Inc.
 Project Description: Establish an adult open heart surgery program

County: Pinellas Service District: 5
 CON#: 9629 Application Receipt Date: November 27, 2002
 Facility/Project: Helen Ellis Memorial Hospital

Applicant: Tarpon Springs Hospital Foundation, Inc.
 Project Description: Establish an adult open heart surgery program

County: Pinellas Service District: 5
 CON#: 9630 Application Receipt Date: November 27, 2002
 Facility/Project: Sylvan Health Center

Applicant: Sylvan Health Systems, L.L.C.
 Project Description: Add up to 60 community skilled nursing beds through delicensure of up to 60 community beds at Swanholm Nursing and Rehab Center

County: Pinellas Service District: 5
 CON#: 9631 Application Receipt Date: November 27, 2002
 Facility/Project: The Springs at Boca Ciega Bay
 Applicant: Fountains Senior Properties of Florida, Inc.
 Project Description: Add up to 20 community nursing beds through delicensure of 20 community beds at Swanholm Nursing and Rehab Center

County: Pinellas Service District: 5
 CON#: 9632 Application Receipt Date: November 27, 2002
 Facility/Project: College Harbor Retirement Community
 Applicant: Senior Living Centers, Inc.
 Project Description: Add up to 10 community nursing beds through delicensure of 10 community beds at Swanholm Nursing and Rehab Center

County: Polk Service District: 6
 CON#: 9633 Application Receipt Date: November 27, 2002
 Facility/Project: Heart of Florida Regional Medical Center
 Applicant: Haines City HMA, Inc.
 Project Description: Establish an adult open heart surgery program

County: Polk Service District: 6
 CON#: 9634 Application Receipt Date: November 27, 2002
 Facility/Project: Winter Haven Hospital
 Applicant: Winter Haven Hospital, Inc.
 Project Description: Establish an adult open heart surgery program

County: Hillsborough Service District: 6
 CON#: 9635 Application Receipt Date: November 27, 2002
 Facility/Project: TR & SNF, Inc.
 Applicant: TR & SNF, Inc.
 Project Description: Establish up to a 120-bed community skilled nursing facility through delicensure of up to 120 community skilled nursing beds at University Villages Nursing Ctr.

County: Orange Service District: 7
 CON#: 9636 Application Receipt Date: November 27, 2002
 Facility/Project: Orlando Lutheran Towers, Inc.
 Applicant: Orlando Lutheran Towers, Inc.
 Project Description: Establish a hospice program

County: Orange Service District: 7
 CON#: 9637 Application Receipt Date: November 27, 2002
 Facility/Project: Florida Hospital
 Applicant: Adventist Health System/Sunbelt, Inc.
 Project Description: Establish a pediatric cardiac catheterization program

County: Orange Service District: 7
 CON#: 9638 Application Receipt Date: November 27, 2002
 Facility/Project: Florida Hospital
 Applicant: Adventist Health System/Sunbelt, Inc.

Project Description: Establish a pediatric open heart surgery program

County: Lee Service District: 8
 CON#: 9639 Application Receipt Date: November 27, 2002
 Facility/Project: Hope of Southwest Florida, Inc.
 Applicant: Hope of Southwest Florida, Inc.

Project Description: Establish up to a 24-bed inpatient hospice house

County: Dade Service District: 11
 CON#: 9640 Application Receipt Date: November 27, 2002
 Facility/Project: Aventura Hospital and Medical Center
 Applicant: Miami Beach Healthcare Group, Ltd.

Project Description: Establish an adult open heart surgery program

County: Dade Service District: 11
 CON#: 9641 Application Receipt Date: November 27, 2002
 Facility/Project: Palmetto General Hospital
 Applicant: Lifemark Hospitals of Florida, Inc.

Project Description: Establish an adult open heart surgery program

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

PROPOSALS: District 3
 DATE AND TIME: Friday, January 10, 2003, 10:00 a.m.
 PLACE: North Central Florida Health Planning Council, Conference Room
 18 N. W. 33rd Court
 Gainesville, FL 32607

PROPOSALS: District 5
 DATE AND TIME: Thursday, January 9, 2003, 9:00 a.m.
 PLACE: Baker Building, Conference Room
 888 Executive Center Drive, North St. Petersburg, FL 33702

PROPOSALS: District 6
 DATE AND TIME: Friday, January 10, 2003, 9:00 a.m.
 PLACE: Baker Building, Conference Room
 888 Executive Center Drive, North St. Petersburg, FL 33702

PROPOSALS: District 7
 DATE AND TIME: Tuesday, January 14, 2003, 9:00 a.m.
 PLACE: Health Council of East Central Florida, Inc.
 1155 South Semoran Boulevard
 Conference Room
 Winter Park, FL 32792

PROPOSALS: District 8
 DATE AND TIME: Thursday, January 9, 2003, 9:00 a.m.
 PLACE: The Health Planning Council of S. W. Florida, Inc.
 9250 College Parkway, Suite 3
 Ft. Myers, FL 33919

PROPOSALS: District 11
 DATE AND TIME: Thursday, January 9, 2003, 9:00 a.m.
 PLACE: Health Council of South Florida
 Conference Room
 8095 N. W. 12th Street, Suite 300
 Miami, FL 33126

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida 32308 by 5:00 p.m., December 27, 2002. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by 5:00 p.m., January 2, 2003.

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on December 2, 2002, concerning certificate of need decision. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine substantial interest of person. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves according and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 28-5.111 and 28-5.207, F.A.C. In deference to rights of substantially affected person, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON# INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)
 7734 Denial, extension of validity period to construct an 84
 8985A bed nursing home, Duval County Sawgrass Care Center, Inc., (PRH) same as applicant

DEPARTMENT OF HEALTH

On November 21, 2002, 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 Matthew Kachlany, R.Ph., license number PS 0033489. 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.

On December 2, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Jessica Randazzo Palumbo, license number RN 1375942. Jessica Randazzo Palumbo's last known address is 2233 Washington Avenue, Naples, Florida 33962-4670. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On December 2, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Laura Lee Steirheim, license number RN 2731482. Laura Lee Stierheim's last known address is 18704 Bellmore Street, Bithlo, Florida 32820. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN November 25, 2002
 and November 27, 2002

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION
State Board of Education

6A-1.09412	11/27/02	12/17/02	28/41	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF PROFESSIONAL REGULATION
Board of Pilot Commissioners

21SS-6.003	11/27/02	12/17/02	28/38	28/42
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COMMISSION FOR THE TRANSPORTATION
DISADVANTAGED

41-2.012	11/27/02	12/17/02	28/23	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-210.340	11/27/02	12/17/02	28/33	28/44
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