

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF CORRECTIONS

RULE TITLE: Legal Documents and Legal Mail
 RULE NO.: 33-210.102

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to specify that drop boxes are not permitted for outgoing legal mail in order to ensure that inmates present legal mail personally for stamping and to ensure that the stamp is applied at the time the mail is submitted so as to reflect the correct date of receipt by staff.

SUBJECT AREA TO BE ADDRESSED: Legal mail.

SPECIFIC AUTHORITY: 20.315, 944.09, 944.11 FS.

LAW IMPLEMENTED: 944.09, 944.11 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-210.102 Legal Documents and Legal Mail.

- (1) through (7) No change.
- (8) Processing of Legal Mail.
- (a) No change.

(b) Inmates shall present all outgoing legal mail unsealed to the mail collection representative to determine, in the presence of the inmate, that the correspondence is legal mail and that it contains no contraband. Only the address may be read to determine whether it is properly addressed to a person or agency listed in subsection (2) of this rule. If the outgoing mail contains contraband or is not legal mail, the inmate shall be subject to disciplinary action. If the outgoing mail is legal mail and it contains no contraband, the mail collection representative shall stamp the document(s) to be mailed and the inmate's copy, if provided by the inmate, "Provided to (name of institution) on (blank to insert date) for mailing." The mail collection representative shall then have the inmate initial the document(s) next to the stamp. For confinement areas, the staff member who picks up the legal mail each day shall stamp the documents before they are sealed for mailing and shall have the inmate place his or her initials next to the stamp. The use of mail drop boxes for outgoing legal mail is prohibited.

(c) through (16) No change.

Specific Authority 20.315, 944.09, 944.11 FS. Law Implemented 944.09, 944.11 FS. History—New 10-8-76, Amended 4-19-79, 7-2-81, 6-8-82, 9-23-85, Formerly 33-3.05, Amended 10-7-86, 8-20-89, 4-4-91, 9-1-93, 4-28-96, 2-12-97, 5-25-97, 10-7-97, 12-7-97, 2-15-98, Formerly 33-3.005, Amended 12-20-99, Formerly 33-602.402, Amended 5-5-02, 12-4-02, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE TITLES:	RULE NOS.:
Definitions and Scope	61B-60.001
General Provisions; Forms and Fees	61B-60.002
Application for and Renewal of Broker or Salesperson License	61B-60.003
Principal Place of Business; Broker's Branch Office License Application and Branch Office License Renewal	61B-60.005
Escrow Trust Depository; Closing Transactions	61B-60.006

PURPOSE AND EFFECT: To clarify existing provisions and define statutory terms.

SUBJECT AREA TO BE CONSIDERED: Clarifies the definition of length, defines gross tons, employment, offer, and negotiate, sets a fee for reinstating a cancelled or surrendered license, clarifies the effective date of the temporary license, removes duplicative adverb from renewal time, and clarifies the statutory requirements for escrowing deposits.

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

TIME AND DATE: 2:00 p.m., January 27, 2003

PLACE: Conference Room B03, Fuller Warren Building, 202 Blount Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting: Sharon A. Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

Those persons who cannot attend the workshop in person may submit their comments in writing to Sharon Elzie, Senior Management Analyst II, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, within 14 days of this notice. Written comments received after the workshop may not be considered.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE. A COPY IS ALSO AVAILABLE ON-LINE AT [HTTP://WWW.STATE.FL.US/DBPR/LSC/INDEX.SHTML](http://www.state.fl.us/dbpr/lsc/index.shtml).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: Organization and Purpose
 RULE CHAPTER NO.: 61G1-11

PURPOSE AND EFFECT: The Board proposes to review the rules in this chapter to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: Board duties and responsibilities in probable cause determinations; any other business as required by Section 455.207(4), Florida Statutes; Board committees on educational advisory and interior design; definitions; and, criteria for investigators and consultants.

SPECIFIC AUTHORITY: 120.53(1), 455.203, 455.207, 455.225, 481.2055 FS.

LAW IMPLEMENTED: 120.53(1), 455.207, 455.225, 481.203, 481.209(2)(b), 481.211, 481.213(3)(b), 481.221(4),(8), 481.229(1)(c) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING ON FEBRUARY 5, 2003, IN PENSACOLA, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon Biegalski, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: Grounds for Disciplinary Proceedings
 RULE CHAPTER NO.: 61G1-12

PURPOSE AND EFFECT: The Board proposes to review the rules in this chapter to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: Grounds for disciplinary proceedings; guidelines, violations and penalties.

SPECIFIC AUTHORITY: 120.695, 455.2235, 455.2273, 455.224, 455.225, 455.227, 455.304, 481.306, 481.2055 FS.

LAW IMPLEMENTED: 455.303, 455.304, 455.2235, 455.224, 455.227, 455.2273, 481.219, 481.225, 481.2251 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING ON FEBRUARY 5, 2003, IN PENSACOLA, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon Biegalski, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: Education and Experience
 RULE CHAPTER NO.: 61G1-13

PURPOSE AND EFFECT: The Board proposes to review the rules in this chapter to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: Education and experience requirements and credits for architects.

SPECIFIC AUTHORITY: 481.2055, 481.209, 481.211 FS.

LAW IMPLEMENTED: 481.203(6), 481.209, 481.211, 481.213(3)(c) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING ON FEBRUARY 5, 2003, IN PENSACOLA, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon Biegalski, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: Architecture Examination
 RULE CHAPTER NO.: 61G1-14

PURPOSE AND EFFECT: The Board proposes to review the rules in this chapter to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: Licensure examination and grading requirements and criteria; transfer credit; foreign licensure examination; reexamination.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon Biegalski, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: Interior Design Examination and Grading System
 RULE CHAPTER NO.: 61G1-20

PURPOSE AND EFFECT: The Board proposes to review the rules in this chapter to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: Examination and grading for interior designers; transfer credit; reexamination.

SPECIFIC AUTHORITY: 455.217 FS.

LAW IMPLEMENTED: 455.217(1)(b),(2), 481.209 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING ON FEBRUARY 5, 2003, IN PENSACOLA, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon Biegalski, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: Continuing Education of Interior Designers
 RULE CHAPTER NO.: 61G1-21

PURPOSE AND EFFECT: The Board proposes to review the rules in this chapter to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: Continuing education requirements for interior designers; continuing education subjects and providers; definition of a complete application.

SPECIFIC AUTHORITY: 455.271, 481.2055, 481.215(5), 481.217 FS.

LAW IMPLEMENTED: 455.217, 455.271, 481.215(5) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING ON FEBRUARY 5, 2003, IN PENSACOLA, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon Biegalski, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: Interior Design Experience and Education
 RULE CHAPTER NO.: 61G1-22

PURPOSE AND EFFECT: The Board proposes to review the rules in this chapter to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: Interior design professional experience requirements; schedule for award of interior design professional experience; and, education requirements for interior designers.

SPECIFIC AUTHORITY: 481.203(8), 481.2055, 481.209(2) FS.

LAW IMPLEMENTED: 481.203(8), 481.2055, 481.209(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING ON FEBRUARY 5, 2003, IN PENSACOLA, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon Biegalski, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: Responsible Supervising Control
 RULE CHAPTER NO.: 61G1-23

PURPOSE AND EFFECT: The Board proposes to review the rules in this chapter to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: Responsible supervising control over architectural practice inside and outside of architect's office; responsible supervising control over interior design documents requiring architect's approval for building permit; standards of architectural supervision in construction and marketing offices; responsible supervising control over interior design architectural practice inside and outside of interior designer's office; standards for interior design supervision in field and marketing offices.

SPECIFIC AUTHORITY: 481.2055 FS.

LAW IMPLEMENTED: 481.221, 481.223, 481.225, 481.2251, 481.229 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING ON FEBRUARY 5, 2003, IN PENSACOLA, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon Biegalski, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: Continuing Education for Architects **RULE CHAPTER NO.:** 61G1-24

PURPOSE AND EFFECT: The Board proposes to review the rules in this chapter to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: Continuing education for architects; approval of continuing education subjects and providers; definition of a complete application for licensees and certificate holders.

SPECIFIC AUTHORITY: 481.2055, 481.215 FS.

LAW IMPLEMENTED: 455.271(6), 481.215, 481.217 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING ON FEBRUARY 5, 2003, IN PENSACOLA, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon Biegalski, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: Responsibility Rules of Architects **RULE CHAPTER NO.:**

Providing Threshold Building Inspection 61G1-25

PURPOSE AND EFFECT: The Board proposes to review the rules in this chapter to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: The requirements and definitions of responsibility for threshold building inspectors and architects providing threshold building inspection services.

SPECIFIC AUTHORITY: 481.2055, 481.225, 553.79(5)(a)-(d) FS.

LAW IMPLEMENTED: 120.52(9), 455.219(1), 481.207, 481.213 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING ON FEBRUARY 5, 2003, IN PENSACOLA, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leon Biegalski, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Simultaneous Qualification for Inspector **RULE NO.:**

and Plans Examiner 61G19-6.0105

PURPOSE AND EFFECT: The Board proposes to develop a new rule to address the issue of simultaneous qualification for Inspector and Plans Examiner.

SUBJECT AREA TO BE ADDRESSED: Simultaneous Qualification for Inspector and Plans Examiner.

SPECIFIC AUTHORITY: 468.606(1) FS.

LAW IMPLEMENTED: 468.609 FS.

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

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

Spivey, Executive Director, Board of Building Code Administrators and Inspectors, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Building Code Administrators and Inspectors

RULE TITLE: Voluntary Certification Categories
RULE NO.: 61G19-6.016
PURPOSE AND EFFECT: The Board proposes to review the existing rule to determine if any amendments are necessary.
SUBJECT AREA TO BE ADDRESSED: Voluntary Certification Categories.
SPECIFIC AUTHORITY: 468.606, 468.609(10) FS.
LAW IMPLEMENTED: 468.609(10) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Spivey, Executive Director, Board of Building Code Administrators and Inspectors, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Remediable Tasks Delegable to Dental Assistants
RULE NO.: 64B5-16.005
PURPOSE AND EFFECT: The Board proposes to update the rule with an additional task that may be delegable to dental assistants.
SUBJECT AREA TO BE ADDRESSED: The rule amendment would allow dental assistants to make study cast impressions for passive orthodontic retainers.
SPECIFIC AUTHORITY: 466.004(4), 466.024(3) FS.
LAW IMPLEMENTED: 466.024 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AT THE BOARD'S NEXT MEETING TO BE HELD ON FEBRUARY 1, 2003, IN TAMPA, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-16.005 Remediable Tasks Delegable to Dental Assistants.

(1) The following remediable tasks may be performed by a dental assistant who has received formal training and who performs the tasks under direct supervision:

(a) through (s) No change.

(t) Making impressions for study casts which are being made for the purpose of passive orthodontic retainers.

(2) through (5) No change.

Specific Authority 466.004(4), 466.024(3) FS. Law Implemented 466.024 FS. History—New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.005, Amended 3-30-94, Formerly 61F5-16.005, Amended 1-9-95, 9-27-95, 6-12-97, Formerly 59Q-16.005, Amended 1-8-01, _____.

**Section II
 Proposed Rules**

DEPARTMENT OF REVENUE

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Agreements For Scheduling	
Payments of Liabilities	12-17
RULE TITLES:	RULE NOS.:
Scope of Rules	12-17.001
Definitions	12-17.002
Requirements for Considering Entering into	
Stipulated Time Payment Agreements	12-17.003
Delegation of Authority	12-17.004
Factors Considered by the Department	12-17.005
Procedures	12-17.006
Form and Execution of Stipulated	
Time Payment Agreements	12-17.007
Terms of Stipulated Time Payment Agreements	12-17.008
Termination of Agreements	12-17.009
Public Use Forms	12-17.010

PURPOSE AND EFFECT: The purpose of these proposed rule revisions is to update the Department's procedures to reflect recent changes, to clarify the procedures that govern the Department's decision to offer a taxpayer a time payment agreement, and to provide procedures a taxpayer can use to protest the voiding of a time payment agreement. The effect of these proposed rule changes is to ensure taxpayers are fully informed about the Department's time payment agreement procedures.

SUMMARY: A) The proposed amendment to Rule 12-17.001, F.A.C., clarifies that the procedures in the rule chapter implement the provision in the Taxpayer Bill of Rights that guarantees taxpayers the right to procedures that retire an unpaid tax liability through a time payment agreement. B) The proposed changes to Rule 12-17.002, F.A.C., define the terms "closing agreement" and "collection action," which are used in the rule chapter. C) The proposed revisions to Rule 12-17.003, F.A.C., explain that the Department of Revenue (DOR) will not enter into a stipulated time payment (stip) agreement: if the taxpayer owes any outstanding bad checks to DOR; or, if the amount to be covered by the stip agreement is less than the cost of administering the agreement. D) The proposed amendments to Rule 12-17.004, F.A.C., adjust the references to the positions within DOR that are authorized to negotiate and sign a stip agreement on behalf of the Department to reflect organizational changes that have recently occurred. E) The proposed changes to Rule 12-17.005, F.A.C., modify the factors DOR will use to determine if a taxpayer has an existing economic hardship that renders him or her unable to satisfy an unpaid liability with a lump-sum payment, including: whether the taxpayer has implemented business practices to properly collect and remit tax in the future; any recommendation for a stip agreement suggested by a DOR auditor, if the recommendation is based on the auditor's review of the taxpayer's records; or, any written information presented to DOR by the taxpayer. F) The proposed revisions to Rule 12-17.006, F.A.C., enumerate the items of information a taxpayer must provide to DOR (unless DOR already has such information), including: 1. social data; 2. taxpayer identification or account numbers; 3. specific data on outstanding tax returns (amount due, tax type, and tax periods involved); 4. an agreement that the taxpayer owes the outstanding liability to be covered by the stip agreement; 5. an explanation of why the taxpayer cannot pay the liability owed in a lump-sum payment; and, 6. a proposal for the retirement of the liability owed. In addition, these revisions explain to the taxpayer where to file such information and how the Office of Technical Assistance and Dispute Resolution will handle recommended stip agreements arising from a taxpayer protest. Also, these proposed changes authorize DOR to take one or both of the following actions after receiving the taxpayer's required information: issuance of a warrant for the amount of the total liability, based on specific criteria; or, investigation of the taxpayer's financial condition, if the information submitted requires confirmation by DOR.

These proposed amendments notify the taxpayer that the execution of a stip agreement does not prevent DOR from conducting an audit for the taxes and taxable periods covered by the agreement. G) The proposed changes to Rule 12-17.007, F.A.C., explain that a single form (the DR-68) will be used to document a stip agreement, specify the taxpayer social information that must be included on the form, and require that DOR provide a detailed amortization schedule and payment

coupons with every stip agreement that is executed. H) The proposed amendments to Rule 12-17.008, F.A.C., state that every stip agreement must contain the following information: 1. the number of payments to be made; 2. the payment frequency (weekly, monthly); 3. whether a down payment is required, and the down payment amount; 4. whether each payment will be an equal amount, or equal payments with a final, balloon payment; 5. how DOR will distribute each payment to retire tax, penalty, and interest; and, 6. how DOR will handle any unpaid balance at the end of the current stip agreement (will the taxpayer be offered another stip agreement, or will payment in full be due?). Also, these proposed revisions require that every stip agreement notify the taxpayer about the following provisions: interest on the unpaid balance continues to accrue during the stip agreement; DOR will file a lien for the stip agreement amount, unless the employee negotiating the agreement documents the reason(s) for not filing a lien. DOR will void the agreement if the taxpayer fails to comply with the stip agreement terms or fails to submit any other taxes and returns due under Florida's revenue laws; the statutory provisions concerning jeopardy assessments continue to apply; the taxpayer must present cash, a cashier's check, or a money order to DOR within seven days if a stip agreement payment is made with a bad check; and, the protest rights granted to the taxpayer if the stip agreement is voided by DOR. I) The proposed changes to Rule 12-17.009, F.A.C., state that DOR will void the stip agreement if the taxpayer fails to make full payment pursuant to the agreement or fails to remit taxes due after execution of the agreement. These proposed revisions also establish procedures a taxpayer may follow to protest DOR's intent to terminate a stip agreement and explain the methods DOR will use to collect the balance of the unpaid liability; and, J) Proposed new Rule 12-17.010, F.A.C., creates form DR-68 (Stipulated Payment Agreement), which combines previous forms DR-68, DR-68A, and DR-68C into one form. This rule also explains how taxpayers may obtain a copy of the form.

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

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

SPECIFIC AUTHORITY: 20.05(1)(e), 213.06(1), 213.21(5) FS.

LAW IMPLEMENTED: 213.015(10), 213.21(4) FS.

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

TIME AND DATE: 9:00 a.m., February 4, 2003

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

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting Nancy Purvis, (850)488-0712. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

These proposed rules are available on the Department's web site: www.myflorida.com/dor/rules

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Larry Green, Tax Law Specialist, Rules and Policy Administrative Process, Office of the General Counsel, Department of Revenue, P. O. Box 6668, Tallahassee, Florida 32314-6668, (850)922-4830, e-mail: address.greenl@dor.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

12-17.001 Scope of Rules.

The rules set forth in this chapter shall be used by the Department in exercising the authority granted by Section 213.21(4), Florida Statutes, s. 213.21(4), F.S., to enter into agreements for scheduling payments of taxes, interest, and penalties. These rules also implement the Taxpayer Bill of Rights statutory provision that guarantees every Florida taxpayer the right to procedures for retiring unpaid tax liabilities through stipulated time payment agreements that are based on the taxpayer's financial position and the best interests of the state.

Specific Authority 213.06(1), 213.21(5) FS. Law Implemented 213.015(10), 213.21(4) FS. History--New 10-4-89, Amended _____.

12-17.002 Definitions.

(1) "Department" means the Florida Department of Revenue.

(2) "Taxpayer" means any person, as defined in Section 1.01, Florida Statutes, required to remit tax, interest, or penalty to the Department under any of the tax laws enumerated in Section 72.011(1), Florida Statutes, s. 72.011(1), F.S.

(3) "Stipulated time payment agreement" means a written agreement entered into by the Department and a the taxpayer which schedules payments of a liability for tax, interest, or penalty over a specified period of time.

(4) "Closing agreement" means a written agreement entered into by the Department and a taxpayer pursuant to Rule 12-13.009, F.A.C.

(5) "Collection action" means the issuance of a delinquent notice or billing, a tax warrant, or any other attempt to obtain payment of an unpaid amount. The term "collection action" does not include an attempt by an auditor to collect an assessment arising from the performance of an audit by such auditor.

Specific Authority 213.06(1), 213.21(5) FS. Law Implemented 213.21(4) FS. History--New 10-4-89, Amended _____.

12-17.003 Requirements for Considering Entering into Stipulated Time Payment Agreements.

(1) A taxpayer requesting a stipulated time payment agreement must first:

(a) Acknowledge the taxpayer's admit liability for the total amount of tax, interest, or and penalty finally determined to be due by the Department, and-

(b) Demonstrate

(2) The taxpayer must demonstrate to the satisfaction of the Department that he or she the taxpayer is currently unable to make a single lump sum payment to fully satisfy a liability for tax, interest, or penalty, or that a lump sum payment of the amounts due would impose an undue economic or financial hardship on the taxpayer, and-

(c) Pay all outstanding debts of tax, penalties, and interest not covered by the requested stipulated time payment agreement that are owed to the Department.

(2) Pursuant to Section 213.24, Florida Statutes, the Department will not agree to a stipulated time payment agreement if the amount due from the taxpayer is less than the costs the Department will incur to administer the taxpayer's stipulated time payment agreement.

(3) The taxpayer shall also waive the right to institute administrative or judicial proceedings under s. 72.011, F.S., with respect to the liability.

Specific Authority 213.06(1), 213.21(5) FS. Law Implemented 213.21(4) FS. History--New 10-4-89, Amended 10-5-92, _____.

12-17.004 Delegation of Authority.

(1) In addition to the statutory authority granted by Section 213.21(4), Florida Statutes, s. 213.21(4), F.S., the Executive Director of the Department has authority to enter into agreements with taxpayers for scheduling payments of taxes, interest, and penalties under authority granted by the Governor and Cabinet as the head of the Department. Cross Reference: Rule 12-3.007, F.A.C.

(2) The Executive Director of the Department delegates authority to enter into stipulated time payment agreements under section 213.21(4), Florida Statutes, s. 213.21(4), F.S., to the Deputy Assistant Executive Director, the General Counsel, and the Deputy General Counsel, the Program Director and the Deputy Program Director of the General Tax Administration Program of the Department, and:

(a) In cases where a tax matter is in litigation or in protest pursuant to Rule Chapter 12-6, F.A.C., to:

1. The Assistant General Counsels ~~General Counsel~~ of the Department;

2. The Director and Revenue Program Administrators in Technical Assistance and Dispute Resolution ~~Deputy General Counsel of the Department;~~

3. The Process Manager, Regional Managers, Service Center Managers, and Revenue Program Administrators in the Compliance Enforcement, Compliance Support, and Taxpayer Services Processes, and any additional positions designated in writing by the Executive Director or his or her designee, Director and Assistant Director of the Division of Taxpayer Assistance;

4. ~~The Chief of the Bureau of Hearings and Appeals; and~~

5. ~~The Tax Audit Specialist Supervisors III in the Bureau of Hearings and Appeals.~~

(b) In cases involving amounts assessed pursuant to an audit of the taxpayer, to:

1. The Process Manager, Regional Managers, Service Center Managers, Revenue Program Administrators, Tax Audit Supervisors, Senior Revenue Administrators, Revenue Administrators, and Revenue Specialist Supervisors of the Compliance Enforcement Process, and any additional positions designated in writing by the Executive Director or his or her designee; Director and the Assistant Director of the Division of Audits;

2. The Process Manager, Revenue Program Administrators, Tax Specialist Administrators, Tax Law Specialists, Senior Management Analysts II, and Senior Tax Specialists in the Compliance Support Process, and any additional positions designated in writing by the Executive Director or his or her designee, Chief and the Assistant Chief of the Bureau of Central Audit and Selection;

3. ~~The Chiefs and the Assistant Chiefs of the Bureaus of In-State Audit and Multi-State Audit;~~

4. ~~Chief and the Assistant Chief of the Bureau of Audit Standards;~~

5. ~~The Administrator of the Receivables Section, Bureau of Collections;~~

6. ~~The Administrator of the Audit Assistance Section;~~

7. ~~The Tax Audit Specialist Supervisors in the Audit Assistance Section;~~

8. ~~The Tax Audit Specialists in the Audit Assistance Section; and~~

9. ~~The Senior Audit Supervisors in the Division of Audits.~~

(c) In cases involving a billing or assessment issued by the General Tax Administration Program, Division of Collection and Enforcement; to:

1. The Process Manager, Regional Managers, Service Center Managers, Revenue Program Administrators, Tax Audit Supervisors, Senior Revenue Administrators, Revenue Administrators, and Revenue Specialist Supervisors in the Compliance Enforcement Process, and any additional positions designated in writing by the Executive Director or his or her designee; Director and the Assistant Director of the Division of Collection and Enforcement;

2. The Process Manager, Revenue Program Administrators, Revenue Administrators, Revenue Specialist Supervisors, Revenue Specialist IIIs, and Tax Specialist Administrators in the Taxpayer Services Process, or any additional positions designated in writing by the Executive Director or his or her designee; Chief and the Deputy Bureau Chiefs of the Bureau of Collections;

3. ~~The Chief and the Deputy Bureau Chiefs of the Bureau of Enforcement;~~

4. ~~The Chief and the Assistant Chief of the Bureau of Field Services;~~

5. ~~All District Administrators;~~

6. ~~All Area Administrators;~~

7. ~~All Deputy Administrators;~~

8. ~~All Collection Consultants and Collection Supervisors of the Bureau of Field Services;~~

9. ~~The Section Administrators of the Bureau of Collections;~~

10. ~~The Section Administrator of the Special Programs Section and the Section Administrator of the Investigations Section; and~~

11. ~~All Special Programs Supervisors of the Bureau of Collection and Enforcement.~~

(d) The Executive Director ~~has~~ shall have discretionary authority to delegate authority to sign stipulated time payment agreements to specific employees or positions which are not enumerated in these rules. However, a delegation of authority to an employee or position beyond those described herein shall be in writing, signed by the Executive Director, and shall be for a specified time period. Such delegations may be renewed in writing. Copies of any such written delegations of authority shall be maintained on file with the agency clerk in the Office of General Counsel.

Specific Authority 20.05(1)(e)(5), 213.06(1), 213.21(5) FS. Law Implemented 20.53(1)(b), 213.21(4) FS. History—New 10-4-89, Amended 10-5-92, 8-17-94,_____.

12-17.005 Factors ~~Which May Be Considered~~ by the Department.

The ~~factors which~~ the Department will apply one or more of the following factors when consider in determining whether to enter into a stipulated time payment agreement and in determining the existence of undue economic or financial hardship or the ~~current~~ inability of a taxpayer to satisfy a liability for tax, interest, or penalty in a lump sum ~~are~~:

(1) ~~Taxpayer's current and anticipated financial position;~~

(2) ~~Insolvency of taxpayer;~~

(1)(3) The taxpayer's Taxpayer's previous payment record with the Department;

(2)(4) The taxpayer's ability to meet a payment schedule obligation based on projected cash flow;

(3) The payment amount and the length of time required to retire the liability;

(4) The future outlook of the taxpayer's business and the industry;

(5) The financial impact on the taxpayer if required to make a lump sum payment; Length of time required to retire the liability;

(6) Future outlook of the taxpayer's business and the industry involved;

(7) Effect on the taxpayer of making a current lump sum payment;

(6)(8) Whether the taxpayer collected, but did not remit the tax addressed by the agreement; and

(7) Whether the taxpayer institutes business practices to ensure the proper collection and remittance of tax in the future;

(8)(9) Whether the state would eventually receive more of the taxes due by entering into a stipulated time payment agreement than by requiring a current lump sum payment;

(9) Any recommendation submitted by a department auditor based on an examination of the taxpayer's records; and,

(10) Any additional written information the taxpayer presents for the Department's consideration.

Specific Authority 213.06(1), 213.21(5) FS. Law Implemented 213.21(4) FS. History—New 10-4-89, Amended _____.

12-17.006 Procedures.

(1) In instances where the Department does not already have the following information and items, a taxpayer requesting applying for relief under this chapter shall provide file a written request containing the following such information and items to the Department:

(a) Taxpayer's name, address, federal employer employer's identification number or social security number, audit identification number, and all any account identification numbers number issued by the Department;

(b) Any outstanding tax returns identifying any tax due, by tax type, and the taxable period(s) that apply (any penalty and interest that is due will be computed at the time the agreement is completed) The amount of tax, penalty, and interest due, the type of tax, and the taxable period covered by the request;

(c) An acknowledgment of the An admission of liability for the total amount of tax, fees, collection costs, or other amounts assessed, and interest, and penalty determined to be due by either the Department Division of Audits, the Division of Taxpayer Assistance, or the Division of Collection and Enforcement, and an agreement to waive the right a waiver of the taxpayer's rights to institute administrative or judicial proceedings under Section 72.011, Florida Statutes, s. 72.011, F.S., with respect to the acknowledged liability;

(d) An oral or written explanation regarding the The factual basis for the undue hardship or current inability to satisfy the liability in a lump sum and documentary evidence to support the taxpayer's basis for relief; and,

(e) A proposal proposed payment schedule for satisfaction of the liability for tax, interest, and penalty wherein the taxpayer indicates its projected cash flow for the succeeding 12 months,; and

(f) Financial statements, in a form acceptable to the Department, demonstrating the taxpayer's inability to satisfy the liability in a lump sum.

(2) Where the tax, interest, or penalty is assessed as a result of an audit of the taxpayer, the taxpayer shall file the written request with the Process Manager, Compliance Support Process, Chief of the Bureau of Audit Standards, Department of Revenue, P. O. Box 5139, Tallahassee, Florida 32314-5139, prior to the date an assessment becomes final. Upon execution of the stipulated agreement, it will be referred to the Taxpayer Services Process Bureau of Collections for administration.

(3) In cases involving notices, billings, jeopardy billing assessments, audit assessments, and tax warrants referred by the Division of Audits for collection, and tax warrants issued by the Department Division of Collection and Enforcement, the taxpayer shall file the information and items required by subsection (1) written request with the office which issued the notice, billing, jeopardy assessment, audit or assessment, or tax warrant and direct it to the attention of the appropriate position within that office.

(a) Written requests regarding first and second notices of billing should be directed to the Deputy Chief, Bureau of Collections, Department of Revenue, 5050 West Tennessee Street, Capital Center Complex, Tallahassee, Florida 32399-0100;

(b) Written requests regarding tax billings which have been referred to a taxpayer service center for collection should be directed to the Area Administrator of the local Collection and Enforcement office for the taxpayer's location; or

(c) Written requests regarding billings or assessments issued by the Special Programs Section should be directed to the Deputy Chief of the Special Programs Section, P. O. Box 6417, Tallahassee, Florida 32314.

(4) In those instances where a protest is referred to the Office of Technical Assistance and Dispute Resolution (the Office) the Division of Taxpayer Assistance by the Compliance Enforcement Process, the Compliance Support Process, or the Taxpayer Services Process, Division of Audits or the Division of Collection and Enforcement, all final assessments will be referred back to the originating process division. If a taxpayer has requested a payment agreement, and the Office agrees that the taxpayer qualifies pursuant to this rule chapter, the Office the Bureau of Hearings and Appeals will include, as part of the closing agreement, the terms of any stipulated payment plan that the Office has determined is appropriate provide a recommendation to the respective division as to whether the Department should exercise its authority to enter into a payment agreement pursuant to Section 213.21(4), Florida Statutes, s. 213.21(4), F.S.

(5) On receipt of the taxpayer's request for a stipulated time payment agreement, the Department will take any of the following ~~may request~~ additional actions ~~information~~ required by the taxpayer's specific circumstances:-

(a) ~~The~~ ~~When it is deemed necessary,~~ the Department will issue a warrant for the total liability ~~for any one or more of the following reasons:-~~

1. To protect the state's interest in the taxpayer's assets;
2. To establish priority in real or tangible property rights;
3. To establish priority in the event of possible bankruptcy;
4. To prevent the disposal of assets without the state's consent;
5. The taxpayer has failed to respond to previous collection actions by the Department; or,
6. The taxpayer has a previous history of delinquent filings or payments.

(b) ~~The issuance of levy instructions to the Sheriff to execute~~ ~~Execution upon~~ the warrant will be withheld as long as:

1. ~~This~~ a stipulated time payment agreement is in force and the taxpayer has not defaulted under the terms of the agreement; ~~and,-~~
2. The taxpayer is in complete compliance with all other requirements of the revenue laws.

(c)~~(b)~~ The Department will ~~may~~ also investigate the financial position of the taxpayer, when the Department determines that the information submitted pursuant to subsection (1) requires confirmation.

(6) After consideration of the taxpayer's request for relief, the Department shall:

- (a) Accept the request by executing a stipulated time payment agreement; may make a counter-proposal; or,
- (b) Reject ~~may reject~~ the request in whole or in part; ~~or,~~
- (c) Make a counter-proposal ~~or may accept the request by the execution of a stipulated time payment agreement.~~

(7) Excluding stipulated time payment agreements arising from audit assessments, any stipulated time payment agreement entered into by the Department does not prohibit the Department from conducting a future audit for the periods and taxes covered by the payment agreement.

(8) A request for a stipulated time payment agreement which is not accepted on behalf of the Department shall not be deemed an admission by the Department or the taxpayer and will not prejudice either party's position in administrative or judicial proceedings.

Specific Authority 20.05(1)(c)~~(5)~~, 213.06(1), 213.21(5) FS. Law Implemented ~~20.53(1)(b)~~, 213.21(4) FS. History—New 10-4-89, Amended 10-5-92,

12-17.007 Form and Execution of Stipulated Time Payment Agreements.

(1) ~~Every~~ A stipulated time payment agreement executed under this chapter shall specify the name, account identification number, and audit identification number, if applicable, of the taxpayer; the taxpayer's current business address and the current address of the physical location of the business; the type of tax(es) and the taxable period(s) covered; ~~and~~ the date of the proposed assessment or warrant, ~~and the terms of the agreement.~~

(2) ~~The~~ ~~Except when subsection (3) applies,~~ the Department prescribes ~~form~~ ~~Form~~ DR-68 (Stipulated Time Payment Agreement), ~~Stipulation Agreement, dated October, 1989,~~ as the form to be used by the ~~Department General Tax Administration Program~~ for the purposes of this chapter, ~~and hereby adopts this form by reference. Copies of this form may be obtained as discussed in subsection (9) of this rule.~~

(3) ~~The~~ ~~Department prescribes~~ ~~Form~~ ~~DR-68B,~~ Stipulated Agreement, dated August 1994, as the form to be used by the ~~General Tax Administration Program for the purposes of this chapter and hereby adopts this form by reference. Copies of this form may be obtained as discussed in subsection (9) of this rule.~~

(4) ~~The~~ ~~Department prescribes~~ ~~Form~~ ~~DR-68C,~~ Stipulation Agreement, dated October, 1989, as the form to be used by the ~~General Tax Administration Program for the purposes of this chapter and hereby adopts this form by reference. Copies of this form may be obtained as discussed in subsection (9) of this rule.~~

(3)~~(5)~~ ~~Every~~ A stipulated time payment agreement shall be signed on behalf of the Department by a person with delegated authority to enter into the agreement under Rule 12-17.004, F.A.C.

(4)~~(6)~~ ~~Every~~ A stipulated time payment agreement shall be signed by the taxpayer or the taxpayer's representative with authority to enter into the agreement on behalf of the taxpayer.

(a) In the case of a corporate taxpayer, an officer of the corporation shall sign the agreement ~~and the corporate seal, if any, shall be affixed and attested by the secretary of the corporation~~ unless paragraph (c) of this subsection is applicable.

(b) An officer's or fiduciary's signature on a stipulated time payment agreement made by or for a taxpayer shall be prima facie evidence that such individual was authorized to sign the agreement on behalf of the taxpayer.

(c) A stipulated time payment agreement may be signed by a representative of the taxpayer who files with the Department a power of attorney form (DR-835), which grants the representative authority to execute the agreement on behalf of the taxpayer.

~~(5)(7)~~ A stipulated time payment agreement will become effective when it has been executed by both parties. Upon ~~presentation execution~~ of the agreement, the Department will ~~provide furnish~~ the taxpayer with:

~~(a) A a detailed amortization schedule of payments required for satisfaction of the tax, interest, and penalty referenced in the stipulated time payment agreement, which will be placed on the stipulated time payment agreement above the signature lines; and~~

~~(b) Payment coupons.~~

~~(8) The Department prescribes Form DR-68S, Amortization Schedule, dated October, 1989, as the form to be used to furnish the schedule of payments required under a stipulated time payment agreement and hereby adopts this form by reference. Copies of this form may be obtained as discussed in subsection (9) of this rule.~~

~~(6)(9) Form DR-68 is incorporated by reference in Rule 12-17.010, F.A.C., and can be obtained as discussed in that rule. The forms discussed in this rule chapter may be obtained by writing the Florida Department of Revenue, Forms Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304; or faxing the Forms Distribution Center at (850)922-2208; or using a fax machine telephone handset to call the Department's automated Fax on Demand system at (850)922-3676; or visiting any local Department of Revenue Service Center to personally obtain a copy; or calling the Forms Request Line during regular office hours at 1(800)352-3671 (in Florida only) or (850)488-6800; or downloading selected forms from the Department's Internet site at the address shown inside the parentheses (<http://sun6.dms.state.fl.us/dor/>). Persons with a hearing or speech impairment may call the Department's TDD at 1(800)367-8331.~~

Specific Authority 213.06(1), 213.21(5) FS. Law Implemented 213.21(4) FS. History—New 10-4-89, Amended 10-5-92, 8-17-94, _____.

12-17.008 Terms of Stipulated Time Payment Agreements.

~~(1) Every stipulated Stipulated time payment agreement agreements will include a discussion and determination of each of the following issues:~~

~~(a) The number of payments to be made during the term of the agreement (e.g., 6, 12, or 24 payments);~~

~~(b) The frequency of each payment to be made during the term of the agreement (e.g., weekly, bi-weekly, or monthly);~~

~~(c) Whether a down payment is required as part of the terms of the agreement, and the amount of such down payment;~~

~~(d) Whether each payment will be an equal amount (e.g., an equal amount due each payment period, or equal payments with the final payment being a balloon payment);~~

~~(e) How the Department will allocate each payment to reduce the outstanding debt of tax, penalty, or interest as provided by section 213.75, Florida Statutes;~~

~~(f) Whether any portion of the liability will remain unpaid at the end of the current payment agreement, and if so, which of the following actions will be taken by the Department:~~

~~1. The terms and conditions of another payment agreement will be negotiated upon full compliance with the current agreement; or,~~

~~2. The Department will request the taxpayer to pay the unpaid balance in full based on:~~

~~a. The taxpayer's failure to fully comply with the current agreement; or,~~

~~b. An improvement in the taxpayer's financial condition. ordinarily provide for payments to be made over a period of 12 months or less, with all payments being equal amounts except for the final payment of the remaining liability. The period established will be determined by the ability of the taxpayer to make payments.~~

~~(2) The determinations made in paragraphs (1)(a) through (f) of this rule by the Department will be based on the factors contained in Rule 12A-17.005 and subsection 12-17.006(5), F.A.C. A down payment on the total tax, penalty, and interest is normally required of the taxpayer upon execution of the stipulated time payment agreement.~~

~~(a) The Department shall determine the amount of down payment required based on the facts and circumstances of each case as they relate to the factors for consideration in Rule 12-17.005, F.A.C.~~

~~(b) In cases involving amounts assessed pursuant to an audit by the Division of Audits, the taxpayer will normally be required to make a down payment of 25 percent of the total amount of tax, interest, and penalty due for the period covered by the agreement. However, the amount of the down payment required may be reduced or increased based on the factors considered in Rule 12-17.005, F.A.C., and the facts and circumstances of the particular case.~~

~~(3) In cases involving a billing or assessment issued by the Division of Collection and Enforcement, a warrant is normally filed for the total liability covered by the agreement.~~

~~(4) Every agreement In all agreements made pursuant to this chapter, shall include a notification to the taxpayer that:~~

~~(a) Interest interest shall continue to accrue on the unpaid balance of the tax at the rate provided by law; and,-~~

~~(b) The Department will file a lien for the full amount of the unpaid liability, unless the Department representative who negotiates the agreement documents in writing the reason(s) for not filing a lien. Also, the establishment of a stipulated time payment agreement does not invalidate or withdraw a warrant issued with respect to the liability covered by the agreement;~~

~~(c) The current stipulated time payment agreement will be void if the taxpayer fails to:~~

1. Comply with all conditions of the agreement; or.

2. Submit all returns and pay all taxes in full pursuant to the revenue laws of Florida enumerated in Section 213.05, Florida Statutes, that become due during the term of the agreement.

(d) The provisions of the statutes relating to jeopardy assessments will continue to apply to a taxpayer who has entered into a stipulated time payment agreement.

(e) A taxpayer must submit cash, a cashier's check, or a money order to the Department within seven calendar days of being informed that he or she has paid a stipulated time payment with a check that is not valid due to insufficient funds.

(f) Explains the rights granted to each taxpayer by subsection (2) of Rule 12-17.009, F.A.C., to protest the termination of a stipulated time payment agreement.

~~(5) Upon a showing of good cause, the Department is authorized to renegotiate stipulated agreements for an extended period. In determining whether good cause exists, the Department will consider the taxpayer's payment record during the initial term of the agreement, the current financial ability of the taxpayer to continue to satisfy the liability, and whether the best interest of the state will be served by renegotiating the said agreement.~~

~~(6) The execution of a stipulated time payment agreement does not invalidate a warrant issued with respect to the liability covered by the agreement.~~

Specific Authority 20.05(1)(e)~~(5)~~, 213.06(1), 213.21(5) FS. Law Implemented ~~20.53(1)(b)~~; 213.21(4) FS. History—New 10-4-89, Amended 10-5-92, 6-15-93, _____.

12-17.009 Termination of Agreements.

(1) The Department ~~will~~ ~~may~~ void a stipulated time payment agreement under one or both of the following conditions:

(a) The taxpayer fails to make full payment when due under the terms of the agreement, or

(b) The taxpayer fails to remit in full amounts taxes which become due and payable after the execution of the agreement.

(2) Before voiding a stipulated time payment agreement, the Department will notify the taxpayer in writing of the taxpayer's failure to meet the terms of the agreement and afford the taxpayer the opportunity to present evidence of compliance with the current agreement, unless jeopardy to the revenue has previously been assessed timely remittance of the payment(s) in question.

(a) If the taxpayer fails to respond to this notification within 15 consecutive calendar days of the date on the notification from the Department, the agreement is voided.

(b) If the agreement is voided by the Department, the taxpayer shall have an additional 15 consecutive calendar days after the date the Department notifies the taxpayer that the agreement has been voided to request that the Department reconsider voiding the agreement and to submit written proof

that there are "reasonable cause" grounds for not voiding the agreement, pursuant to the "reasonable cause" provisions in section 213.21, Florida Statutes, and Rule 12-13.007, F.A.C.

(c) If the taxpayer does not establish "reasonable cause" within the 15 consecutive calendar day period discussed in paragraph (b) of this subsection, the Department's decision to void the agreement is final.

(3) Should the Department void the agreement, any unpaid balance due under the stipulated time payment agreement ~~is~~ ~~will~~ immediately ~~become~~ due and payable.

(4) If ~~paragraph (a) or (b) of~~ subsection (1) ~~is~~ ~~are~~ applicable or if an agreement has otherwise expired, ~~after notice and demand for payment,~~ the Department will implement one or more of the following steps:

(a) Issue levy instructions to the sheriff to ~~may~~ issue a warrant for the remaining liability ~~or and may~~ execute that warrant or a warrant previously issued with respect to the liability.

(b) Refer the issue to the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation for beverage license action;

(c) Implement the garnishment provisions of Section 213.67, Florida Statutes, and Part II of Rule Chapter 12-21, F.A.C.;

(d) Implement the collection referral provisions of Section 213.27, Florida Statutes;

(e) Cancel the sales tax registration certificate of a taxpayer pursuant to section 212.18(3)(b), Florida Statutes.

~~(5) The provisions of the Florida Statutes relating to jeopardy assessments will continue to apply to a taxpayer who has entered into a stipulated time payment agreement.~~

Specific Authority 213.06(1), 213.21(5) FS. Law Implemented 213.21(4) FS. History—New 10-4-89, Amended _____.

12-17.010 Public Use Forms.

The following public use forms are used by the Department in the processing and scheduling of stipulated time payment agreements and are hereby incorporated by reference. These forms are available by one or more of the following methods:

1) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Distribution Center at (850)922-2208; or, 3) using a fax machine telephone handset to call the Department's automated Fax On Demand system at (850)922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or, 6) downloading selected forms from the Department's Internet site stated in the parentheses (www.myflorida.com/dor). Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

Form Number	Title	Effective Date
(1) DR-68	Stipulated Time Payment Agreement (n. 02/03)	xxxx

Specific Authority 213.06(1) FS. Law Implemented 213.21(4) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry Green, Tax Law Specialist, Rules and Policy Administrative Process, Office of the General Counsel, Department of Revenue, P. O. Box 6668, Tallahassee, Florida 32314-6668, (850)922-4830, e-mail address greenl@dor.state.fl.us

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sylvan Strickland, Senior Attorney, Rules and Policy Administrative Process, Office of the General Counsel, Department of Revenue, P. O. Box 6668, Tallahassee, Florida 32314-6668, (850)922-4711

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 24, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT WORKSHOP PUBLISHED IN FAW: November 1, 2002, Vol. 28, No. 44, pp. 4730-4737. A workshop was held on November 21, 2002. No testimony was received during the workshop and no written comments were submitted.

METROPOLITAN PLANNING ORGANIZATION

Orlando Urban Area

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

RULE TITLE:	RULE NO.:
Procedures for Amending the Long Range Transportation Plan and the Transportation Improvement Program (TIP)	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.

SUMMARY: 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.

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

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

SPECIFIC AUTHORITY: 339.175 FS. (2002)

LAW IMPLEMENTED: 339.175 FS. (2002)

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: Ms. Muffet Robinson, Director of Communications & Public Outreach, METROPLAN ORLANDO, 315 East Robinson Street, Suite 355, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

35I-1.009 Procedures for Amending the Long Range Transportation Plan and the Transportation Improvement Program (TIP).

(1) The process for amending the adopted Orlando Urbanized Area Long Range Transportation Plan is established as follows:

(a) Amendments to the Long Range Transportation Plan may be requested for consideration by the MPO at any time.

(b) Amendments shall be requested in writing and shall be addressed to the MPO Chairperson with a sufficient number of copies for the following:

1. Metropolitan Planning Organization Board members;
2. Transportation Technical Committee members;
3. Bicycle and Pedestrian Advisory Committee members;
4. Citizens' Advisory Committee members;
5. Municipal Advisory Committee members; and
- ~~6.5.~~ MPO Staff.

(c) Projects subject to the amendment request and review process:

1. Any transportation project, which involves a major improvement, either widening an existing road or constructing a new transportation facility, and funded either entirely or in part by Federal or State funds, that is proposed to be added to or deleted from the adopted Long Range Transportation Plan shall be subject to the amendment request and review process.

2. Any proposed transportation project that is of a new or prototype technology, and will impact the adopted Long Range Transportation Plan, shall be subject to the amendment request and review process.

3. Any ~~privately or locally funded~~ non-Federal or non-State funded proposed transportation project that has a major impact on the transportation system shall be reported to the MPO for addition into ~~by the person requesting an amendment incorporation in or deletion from~~ the Long Range Transportation Plan.

(d) Who may submit an amendment request:

1. Amendment requests may be initiated by either a government or quasi-government agency such as the State, a city or county or a transportation or expressway authority.

2. Amendment requests originating from the private sector shall be sponsored by the local government of jurisdiction.

(e) Who shall approve an amendment request:

1. The Transportation Technical Committee shall review the requested amendment based upon a technical evaluation of its merit and shall recommend approval or disapproval to the MPO.

2. The Citizens' Advisory Committee shall review the requested amendment and shall recommend approval or disapproval to the MPO.

3. The Bicycle and Pedestrian Advisory Committee shall review the requested amendments that impact existing or proposed bicycle and pedestrian facilities and shall recommend approval or disapproval to the MPO ~~through the Transportation Technical Committee.~~

4. The Municipal Advisory Committee shall review the requested amendment and shall recommend approval or disapproval to the MPO.

~~5.4.~~ The recommendations of either the Citizens' Advisory Committee or the Bicycle and Pedestrian Advisory Committee shall be reported ~~in writing~~ to the Transportation Technical Committee.

~~6.5.~~ The MPO shall consider the recommendations of its subsidiary committees and shall exercise final approval or disapproval of the amendment request.

(f) Action upon submittal of an amendment request.

1. The Plans and Programs Subcommittee of the Transportation Technical Committee shall screen the amendment request to determine if there is a major impact upon the transportation system and if a detailed analysis of the project, as defined in the following paragraphs, is needed.

2. Projects that have a total construction cost of less than \$4 million are to be considered a minor transportation improvement and a detailed analysis will not be required.

~~(g) If a detailed analysis is required, the a~~Amendment requests shall describe the project and its location and shall include an analysis of the project impacts, as follows:

1. Traffic.

a. Current year and future year consistent with current adopted Long Range Transportation Plan.

b. Average daily traffic (ADT) and peak-hour.

c. Directional traffic load.

d. Level of Service and roadway capacity.

2. Environmental and social impacts.

a. Minimal, moderate, or major impact on air quality.

b. Minimal, moderate, or major impact on wetlands displaced.

c. Minimal, moderate, or major impact on homes and businesses displaced.

d. Minimal, moderate or major impact on public facilities.

3. Compatibility with all applicable local comprehensive plans and programs.

a. Existing and future land use.

b. Capital Improvement Programs.

c. Traffic Circulation and Transit Elements.

4. Compatibility with MPO adopted Long Range Transportation Plan and ECFRPC Strategic Regional Plan.

5. Financial impact.

a. Project capital cost subdivided according to preliminary engineering and design, right-of-way acquisition, and construction.

b. Identification of the funding source, time period and impact on other projects.

6. Contribution to implementation of multi-modal transportation system.

a. Potential for inclusion of future transit facilities; such as, but not limited to, light rail transit, and exclusive bus lanes.

b. Proximity to existing or proposed transit routes, transit centers and/or multi-modal facilities, and major activity centers.

c. Inclusion of transit passenger amenities.

d. Inclusion of bicycle and pedestrian facilities based on the following criteria:

I. Expected facility usage.

II. Contribution to regional bicycle and pedestrian systems.

III. Accident reduction.

IV. Linkage with other transportation modes.

V. Improvement to school access.

VI. Inclusion in adopted Growth Management Plans.

(g) Process of Evaluation:

1. As used in this rule, the term one month shall constitute the period between regularly scheduled meetings.

2. The following checklist of evaluation criteria developed by the MPO will be utilized to evaluate each amendment request.

a. Have the categories of information required in MPO Rule 351-1.009, F.A.C., been provided in sufficient detail?

I. Traffic.

II. Environmental and Social Impacts.

III. Compatibility with Local Comprehensive Plans.

IV. Compatibility with ECFRPC Strategic Plan and MPO currently adopted Long Range Transportation Plan.

V. Financial Impact.

VI. Contribution to implementation of multi-modal transportation system.

b. Has an adequately-sized impact area been identified which includes the major arterials affected?

c. Has the applicant used officially adopted Levels of Service tables (FDOT) in preparing its report on traffic impacts?

d. Has the applicant assumed various transportation projects which may be of benefit to its project to be funded and constructed in the immediate time period when there may be no commitments for doing so?

e. Has the applicant used an acceptable method for measuring impacts to air quality.

f. Will the applicant prepare a mitigation plan for environmental (wetlands, etc.) impacts?

g. Has the applicant identified not only the project costs, but also the sources of funding?

h. Has the applicant provided evidence of funding commitments, both from itself and other parties if involved?

i. Does the project incorporate mobility improvements that address capacity or concurrency improvements?

j. If it is a transit project, is it compatible with the adopted Transit Development Plan or Regional Systems Plan?

k. Does the project add to the connectivity of the current transportation system, and/or enhance the movement toward a seamless transportation system?

3. Within 30 days of receipt of the amendment request, the Plans and programs Subcommittee of the Transportation Technical Committee shall review the amendment request to determine if a detailed analysis is needed. Concurrently, the MPO staff will review the request to determine if it contains sufficient information upon which to base an analysis of the project.

a. If the MPO staff finds that the amendment request contains insufficient information upon which to rule, the staff shall identify and request in writing from the applicant, prior to the expiration of the 30 day examination period, the additional information needed.

b. If the MPO staff finds that the amendment request contains sufficient information upon which to rule, the staff shall notify the applicant in writing that the amendment request has been accepted for review.

4. Upon determination that the amendment request contains sufficient information upon which to rule, the MPO staff shall distribute the amendment request copies to all members of the MPO Board and its subsidiary committees. The MPO staff shall initiate a justification analysis of the amendment request three months prior to formal action being requested of the Transportation Technical Committee, Citizens' Advisory Committee, ~~and~~ Bicycle and Pedestrian Advisory Committee and Municipal Advisory Committee.

5. The applicant and the MPO staff will present the amendment request and the staff justification analysis findings to the Transportation Technical Committee, Citizens' Advisory Committee, ~~and~~ Bicycle and Pedestrian Advisory Committee and Municipal Advisory Committee, one month prior to the regularly scheduled meeting at which this committee will present its formal recommendations to the MPO. The applicant will be advised in writing by the MPO when the amendment request has been placed on the MPO meeting agenda. The Transportation Technical Committee, Citizens' Advisory Committee, ~~and~~ Bicycle and Pedestrian Advisory Committee and Municipal Advisory Committee shall present their formal

recommendations to the MPO within three months from the date the applicant is notified that the amendment request has been accepted for review.

6. The applicant and the MPO staff also will present the amendment request and the staff justification analysis findings to the MPO, one month prior to the regularly scheduled meeting at which the MPO will take formal action on the amendment request, approving or disapproving the request. The applicant will be advised in writing by the MPO when the amendment request has been placed on the MPO meeting agenda. The MPO shall exercise final approval or disapproval of the amendment request within three months from the date the applicant is notified that ~~the his~~ amendment request has been accepted for review.

7. Upon approval of the requested amendment, MPO staff will initiate appropriate network changes to the Long Range Transportation Plan.

(2) The process for amending the adopted Orlando Urban Area Transportation Improvement Program (TIP) is established as follows:

(a) When amendments may be requested:

1. Amendments involving Federal and/or State funded projects may be accomplished at any time.

2. Projects funded locally are included in the TIP for information purposes and may be amended at any time by the local government or transportation agency.

(b) Amendments requesting additions, deletions or rescheduling must be requested in writing and shall be addressed to the MPO Chairperson with 5 copies to:

1. Transportation Technical Committee Chairperson;

2. Bicycle and Pedestrian Advisory Committee Chairperson;

3. Citizens' Advisory Committee Chairperson; ~~and~~

4. Municipal Advisory Committee; and

~~5.4.~~ MPO Staff.

(c) Project Requirements:

1. If the amendment request involves a major improvement, either widening an existing road or constructing a new transportation facility, it must also be included as part of the MPO's adopted Long Range Transportation Plan and an amendment to the Long Range Transportation Plan must be requested in accordance with this rule.

2. If the amendment request involves a Transportation Systems Management (TSM) improvement, it must have had a:

a. Traffic Study completed, if it is a turning lane project, or

b. Signal Warrant completed, if it is a signalization project.

3. Amendment requests must include the project's location, description, the reason for its addition, deletion or rescheduling, source of funds and its impact on other projects.

(d) Process for approval:

1. Upon receipt of an amendment request, the MPO staff shall include the request on the agenda of the next regularly scheduled meeting of the Transportation Technical Committee, Citizens' Advisory Committee, Bicycle and Pedestrian Advisory Committee, Municipal Advisory Committee and the MPO.

2. The Transportation Technical Committee, Citizens' Advisory Committee, ~~and~~ Bicycle and Pedestrian Advisory Committee and Municipal Advisory Committee shall review the requested amendment at their next regularly scheduled meeting and shall recommend approval or disapproval to the MPO.

3. Upon MPO approval of requested amendments involving highway transportation projects, MPO staff will send copies of the MPO action to FDOT for submittal to the Florida Department of Community Affairs (DCA) and the Federal Highway Administration (FHWA).

4. Upon MPO approval of requested amendments involving mass transit projects, MPO staff will send copies of the MPO action directly to the Federal Transit Administration (FTA).

5. Upon MPO approval of requested amendments involving mass transit projects, MPO will send copies of the MPO action directly to all private providers of transportation in the Central Florida area who have requested to be placed on the mailing list for such copies.

Specific Authority 163.01 FS. Law Implemented 339.175 FS. History--New 10-16-78, Amended 2-18-79, Formerly 351-1.09, Amended 9-2-90, 4-14-92, 1-23-95, 1-5-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Harry Barley, Executive Director, METROPLAN ORLANDO, 315 East Robinson Street, Suite 355, Orlando, Florida 32801

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Harry Barley, Executive Director, METROPLAN ORLANDO, 315 East Robinson Street, Suite 355, Orlando, Florida 32801

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 13, 2002

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

RULE TITLES:	RULE NOS.:
Purpose and General Provisions	40E-8.011
Definitions	40E-8.021
Minimum Flows and Levels Surface Waters	40E-8.221
Prevention and Recovery Strategies	40E-8.421

PURPOSE AND EFFECT: The purpose and effect of the rule development is to establish minimum flows and levels for the Loxahatchee River, in accordance with Chapter 373, Florida Statutes.

SUMMARY: The proposed rule establishes minimum flows and levels ("MFLs") for the Northwest Fork of the Loxahatchee River identifying when salinity levels and minimum flows would cause significant harm to the water resources and ecology of the area. The MFLs are established using best available information. The Technical Documentation to Support Development of Minimum Flows and Levels for the Loxahatchee River is available on the District's website at www.sfwmd.gov/org/wsd/mfl/index.html.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None was prepared.

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

SPECIFIC AUTHORITY: §§9, 10 P.L. 83-353, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS.

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

TIME AND DATE: 8:30 a.m., February 13, 2003

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

Although Governing Board meetings, hearings, and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: For technical issues contact, Dave Swift (internet: dswift@sfwmd.gov), at South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045. For procedural issues contact: Julie Jennison (internet: jjenniso@sfwmd.gov), at South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6294 or (561)682-6294

THE FULL TEXT OF THE PROPOSED RULES IS:

40E-8.011 Purpose and General Provisions.

(1) through (4) No change.

(5) In concert with establishment of the MFL for the Northwest Fork of the Loxahatchee River in subsection 40E-8.221(5), F.A.C., the District commits to the following

activities that are described in greater detail in the Recovery and Prevention Strategy section, subsection 40E-8.421(6), F.A.C.:

(a) Restore freshwater flows to the Northwest Fork of the Loxahatchee River beyond the MFL by developing programs and projects that will provide surface water flows as identified in a practical restoration goal and plan, to be developed with the Florida Department of Environmental Protection.

(b) Implement the restoration plan through structural and non-structural projects associated with the Comprehensive Everglades Restoration Plan and the regional water supply plan;

(c) Establish water reservations to deliver and protect water supplies for restoration of the Loxahatchee River; and

(d) Revise the MFL and the associated recovery and prevention strategy, as necessary, to be consistent with established restoration goals and future water reservations.

(e) Establish Minimum Flows and levels for other tributaries to the Northwest Fork of the Loxahatchee River including Loxahatchee Slough, Cypress Creek, Kitching Creek and Hobe Grove Ditch as committed to in the District's Priority Water Body List, as updated.

Specific Authority §§9.10 P.L. 83-358, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421 FS. History--New 9-10-01, Amended _____.

40E-8.021 Definitions.

The terms set forth herein shall have the meanings ascribed to them, unless the context clearly indicates otherwise, and such meanings shall apply throughout the rules contained in this Chapter. The terms defined in Rule 40E-8.021, F.A.C., shall apply throughout the District's consumptive use permit rules. In the event of a conflict or difference between the definitions contained in Rule 40E-8.021, F.A.C., and the definitions set forth in other District rules, the definitions in this Rule 40E-8.021, F.A.C., shall control for purposes of this chapter.

(1) through (18) No change.

(19) Northwest Fork of the Loxahatchee River: Means those areas defined below (see Map 1, incorporated herein):

INSERT MAP

(a) Northwest Fork of the Loxahatchee River that has been federally designated as Wild, Scenic and Recreational uses (as defined in the Loxahatchee River Wild and Scenic River Management Plan 2000), including the river channel that extends from river mile 6.0 (latitude 26.9856, longitude 80.1426) located near the eastern edge of Jonathan Dickinson State Park and continues upstream to the G-92 structure (latitude 26.91014, longitude 80.17578), including the C-14 Canal. The river channel includes the physical water flow courses and adjacent floodplain up to the limits of the floodplain swamp and wetlands within Riverbend Park, as determined by state wetland delineation criteria;

(b) Cypress Creek which extends westward from river mile 10.6 to the intersection of Gulf Stream Citrus Road (latitude 26.96484, longitude 80.1855) located approximately one mile west of the Florida Turnpike and includes its natural river channels and contiguous floodplain as determined by state wetland delineation criteria;

(c) Kitching Creek which extends from river mile 8.1 (latitude 26.9908, longitude 80.1540) northward through Jonathan Dickinson State Park to north of Bridge Road (longitude 27.05513, latitude 80.17580), including its natural river channels and contiguous floodplain as determined by state wetland delineation criteria, and;

(d) Hobe Grove Ditch which extends west from river mile 9.1 (latitude 26.9854, longitude 80.1594) westward to the Hobe-St. Lucie Conservancy District pump station outfall (latitude 26.5908, longitude 80.1031) including its natural river channels and contiguous floodplain as determined by state wetland delineation criteria.

(20)(19) Operations – means activities taken by the District for the movement of surface water through works of the District pursuant to Chapter 373, F.S.

(21)(20) Prevention Strategy(ies) – means the structural and non-structural actions approved by the District in regional water supply plans, pursuant to Section 373.0421, F.S., or by rule, for areas where MFLs are currently not violated, but are projected to be violated within twenty (20) years of the establishment of the minimum flow or level, if said prevention strategies are not implemented.

(22)(21) Recovery Strategy(ies) – means the structural and non-structural actions approved by the District in regional water supply plans, pursuant to Section 373.0421, F.S., or by rule, for areas where MFLs are currently violated.

(23)(22) Regional Water Supply Plan – means a plan approved by the District pursuant to Section 373.0361, F.S.

(24)(23) St. Lucie River North Fork – means the surface waters that extend from the Gordy Road Bridge structure (state plane coordinates, x851212.831, y1116105.7470), combined with tributary contributions below Gordy Road and collectively flow south to the confluence with the C-24 canal (state plane coordinates, x873,712.20, y1064,390.41).

(25)(24) St. Lucie River South Fork – means the surface waters that extend from the culverts located at state plane coordinates x902,512.67, y1,001,799.91, north to the confluence of the river and the St. Lucie Canal (C-44).

(26)(25) St. Lucie Estuary – means the surface water body south of the confluence of the St. Lucie River North Fork and C-24, north of the confluence of the St. Lucie River South Fork and C-44, and west of the western boundary of the Intracoastal Waterway, exclusive of canals.

(27)(26) Serious Harm – means the long-term loss of water resource functions, as addressed in Chapters 40E-21 and 40E-22, F.A.C., resulting from a change in surface or ground water hydrology.

(28)(27) Significant Harm – means the temporary loss of water resource functions, which result from a change in surface or ground water hydrology, that takes more than two years to recover, but which is considered less severe than serious harm. The specific water resource functions addressed by a MFL and the duration of the recovery period associated with significant harm are defined for each priority water body based on the MFL technical support document.

Specific Authority §§9, 10 P.L. 83-358, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 F.S. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 F.S. History—New 9-10-01, Amended 11-6-02, _____.

40E-8.221 Minimum Flows and Levels Surface Waters.

The MFLs contained in this Part identify the point at which further withdrawals would cause significant harm to the water resources, or ecology, of the area as applicable, pursuant to Sections 373.042 and 373.0421, F.S. It is the District's intent to correct or prevent the violation of these MFLs through management of the water resources and implementation of a recovery strategy.

(1) through (3) No change.

(4) Northwest Fork of the Loxahatchee River.

(a) An enhanced freshwater regime is necessary to prevent significant harm to the water resources and ecology of the Northwest Fork of the Loxahatchee River, pursuant to Sections 373.042 and 373.0421, F.S. By establishing the MFL set forth in subsections (b) and (c), along with implementation of the associated recovery strategy, it is the interim goal of the District to provide sufficient freshwater flows to create at River Mile 9.2 the freshwater regime found at River Mile 10.2.

(b) A MFL violation occurs within the Northwest fork of the Loxahatchee River when an exceedance, as defined in subsection (c), occurs more than once in a six year period.

(c) A MFL exceedance occurs within the Northwest Fork of the Loxahatchee River when:

1. Flows over Lainhart Dam decline below 35 cfs for more than 20 consecutive days; or

2. The average daily salinity concentration expressed as a 20-day rolling average exceeds two parts per thousand. The average daily salinity will be representative of mid-depth in the

water column (average of salinities measured at 0.5 meters below the surface and 0.5 meters above the bottom) at river mile 9.2 (latitude 26.9839, longitude 80.1609)

(d) In addition to this MFL, which is intended to achieve partial enhancement of the Northwest Fork of the Loxahatchee River to prevent significant harm, restoration of the Loxahatchee River beyond the MFL will be addressed pursuant to subsection 40E-8.421(6), F.A.C., and other applicable provisions of state law. This MFL will be reviewed within two years of adoption and revised, if necessary, to ensure consistency with the restoration goal and plan identified pursuant to Rule 40E-8.421, F.A.C., or other applicable provisions of state law.

Specific Authority §§9, 10 PL 83-358, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History—New 9-10-01, Amended 11-6-02,_____.

40E-8.421 Prevention and Recovery Strategies.

(1) through (6) No change.

(7) Northwest Fork of the Loxahatchee River Recovery Strategy: Purpose and Intent.

(a) The Northwest Fork of the Loxahatchee River is currently not meeting the MFL and requires implementation of a recovery strategy to achieve the MFL as soon as practicable, consistent with Section 373.0421, F.S. The recovery strategy consists of projects contained within the following approved plans: the Lower East Coast Regional Water Supply Plan (LEC Plan), the Comprehensive Everglades Restoration Plan (CERP), and the Northern Palm Beach County Comprehensive Water Management Plan (NPBCCWMP). Four phases of recovery are identified in the Technical Documentation to Support Development of Minimum Flows and Levels for the Northwest Fork of the Loxahatchee River, November 2002, which are projected to increase flows to meet the MFL for the Northwest Fork of the Loxahatchee River. As part of the recovery strategy, as provided in this rule, the consumptive use permitting and water shortage requirements in this Chapter and Chapters 40E-2 and 40E-21, F.A.C., shall apply to consumptive use direct and indirect withdrawals from surface and groundwater sources from the Northwest Fork of the Loxahatchee River and those areas directly tributary to the Northwest Fork.

(b) In addition to implementation of this MFL recovery strategy, the District commits to restore freshwater flows to the Northwest Fork of the Loxahatchee River above the MFL through Chapter 373, F.S., and the Comprehensive Everglades Restoration Plan and its associated authorities. The District will continue to partner with the Florida Department of Environmental Protection in establishing a practical restoration goal and plan for the Loxahatchee River watershed. Recognizing that natural seasonal fluctuations in water flows are necessary to ensure that the functions of the Loxahatchee River are protected, this restoration goal and plan will include

a more complete set of seasonally managed flow criteria for the river that are driven primarily by natural rainfall and runoff patterns within the watershed.

(c) The District shall continue to operate the G-92 structure and associated structures to provide approximately 50 cfs or more over Lainhart Dam to the Northwest Fork of the Loxahatchee River, when the District determines that water supplies are available.

(d) Additionally, it is the intent of the District to continue the current operational protocols of the G-92 structure so as not to reduce the historical high, average and low flows as estimated over the 30 year period of rainfall record used as the basis for the MFL for the Northwest Fork of the Loxahatchee River.

(e) It is the District's intent to implement, along with other partners, projects to meet the practical restoration goal developed according to subsection (b). Projects contained in the Comprehensive Everglades Restoration Plan, the LEC Plan and the NPBCCWMP will provide increased storage and conveyance within the basin with a goal of providing more water for restoration of the Northwest Fork of the Loxahatchee River.

(f) To protect water made available for the recovery and restoration of the Loxahatchee River through implementation of these associated projects, the District intends to adopt water reservations for the Loxahatchee River, pursuant to Section 373.223(4), F.S., on a project by project basis over the next 20 years. In addition, the SFWMD intends to adopt an initial reservation to protect existing water used for protection of fish and wildlife, consistent with the practical restoration goal identified for the Loxahatchee River, by 2004. Future reservations related to the Loxahatchee River will be consistent with the reservations being developed for restoration of the Everglades under CERP, and will reflect the needs of the natural system through a range of hydrologic conditions. These water reservations are intended to prevent the future allocation to consumptive uses the freshwater intended for restoration of the Loxahatchee River. The reservations will be implemented through the consumptive use permit program, operational protocols, water shortage rules, and other appropriate provisions in Chapter 373, F.S.

(g) As reservations are adopted to restore the Loxahatchee River beyond that to be achieved by the MFL, the District shall revise the minimum flow and level and associated prevention and recovery strategy, as appropriate, under Sections 373.042 and 373.0421, F.S., to be consistent with the reservation.

Specific Authority §§9, 10 PL 83-358, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History—New 9-10-01, Amended 11-6-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kenneth G. Ammon, Director, Water Supply Division

For more information, contact: Michael D. LeRoy, PE, 2600 Blair Stone Road, MS 3520, Tallahassee, Florida 32399-2400, (850)245-8632.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: Patient Records; Costs of Reproduction;
 RULE NO.: 64B15-15.003

PURPOSE AND EFFECT: The Board proposes the rule amendments to address the conditions for the release of patient medical records, and also to update the law implemented citation.

SUMMARY: The proposed rule amendments address the requirements and the timeliness for release of patient medical records, and also deletes an incorrect law implemented citation.

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

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

SPECIFIC AUTHORITY: 456.057, 459.005 FS.

LAW IMPLEMENTED: 456.057, 455.242 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AT THE BOARD'S NEXT MEETING TO BE HELD ON FEBRUARY 22, 2003 IN FT. LAUDERDALE, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pam King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-15.003 Patient Records; Costs of Reproduction; Timely Release Reproducing Medical Records.

(1) Any Osteopathic Physician ~~person licensed pursuant to Chapter 459, F.S., who makes an examination of or administers treatment to any person shall upon request of such person or his/her legal representative required to~~ release copies of all reports or patient medical records made of such examination or treatment, including x-rays. The furnishing of such copies shall not be conditioned upon payment of an unpaid or disputed fee for services rendered, but may be conditioned may condition such release upon payment by the requesting party of the reasonable costs of reproducing the records.

(2) through (3) No change.

(4) An Osteopathic Physician shall comply with a patient's written request for copies of records and reports in a timely manner, with due regard for the patient's health needs. In the absence of circumstances beyond the control of the licensee, timely shall mean less than 30 days.

Specific Authority 456.057, 459.005 FS. Law Implemented 456.057, ~~455.242~~ FS. History--New 10-28-91, Formerly 21R-15.003, 61F9-15.003, 59W-15.003, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2002

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

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER NO.: 9B-3
 RULE CHAPTER TITLE: Florida Building Commission – Operational Procedures

RULE NO.: 9B-3.047
 RULE TITLE: State Building Code Adopted

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. 46, November 15, 2002, issue of the Florida Administrative Weekly.

9B-3.047 State Building Code Adopted.

(1) The Florida Building Code as revised by the Florida Building Commission on ~~November 6, 2001~~, is hereby adopted and incorporated by reference as the building code for the State of Florida.

NOTE: The following sections of the Florida Building Code were changed as a result of public comments received at the Rulemaking Hearing of December 10, 2002. The text of the proposed amendments may be viewed on-line at www.floridabuilding.org.

Specific Authority 553.73(1),(2),(7), ~~553.842~~ FS. Law Implemented 553.72, 553.73(2),(3),(7),(9), ~~553.842~~ FS. History--New 7-18-90, Amended 3-30-93, 10-17-93, 8-28-95, 9-24-96, 12-26-96, 4-27-97, 10-5-97, 10-14-97, 9-7-00, 11-28-00, 2-7-01, 12-16-01, _____.

- Florida Building Code, Building
 - Section 419, Hospitals
 - Section 420, Nursing Homes
 - Section 424.2.2, Definitions
- Section 424.2.6.6.3, Entrapment Avoidance
- Section 424.2.6.6.5, Cleaner Fitting
- Section 424.2.17.1.15 Child Safety Barriers
 - Section 1004.1.2

Chapter 13 was revised to update the reference, ASHRAE Handbook of Fundamentals, from the previous edition to the 2001 edition for code consistency.
 Section 1507.9.2 was revised to revert to the original language.
 Section 1707.4.3.3
 Florida Building Code, Mechanical
 Section 403.3 Ventilation Rate.
 Section 601.4
 Section 507.13.3 Medium Temperature.

THE PERSON TO BE CONTACTED REGARDING THE NOTICE OF CHANGE IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-6091.

DEPARTMENT OF REVENUE

RULE NO.: RULE TITLE:
 12-6.001 Application of Rules
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed amendments to Rule 12-6.001, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., as originally published in the Florida Administrative Weekly (Vol. 28, No. 44, pp. 4748-4758). These changes are in response to written comments received from the Joint Administrative Procedures Committee of the Florida Legislature.

Subsection (3) will be added to the proposed amendments to Rule 12-6.001, F.A.C., so that, when adopted, this subsection will read as follows:

(3)(a) For the purposes of the extensions of time authorized in Rules 12-6.002, 12-6.003, 12-6.0033, 12-6.030, and 12-6.032, F.A.C., a taxpayer’s request for an extension will be granted, unless the Department determines that the request should be denied. A request for an extension will be denied when it is apparent from the best information available to the Department that: the taxpayer does not intend to comply with the requirements of the rule; or, the taxpayer intends to delay the procedures established by the rule; or, there is significant endangerment to the revenues involved in the protest. The Department will notify the taxpayer in writing of such determination, and such notification will grant the taxpayer 10 consecutive calendar days to comply with the rule’s requirements.

(b) For the purposes of any joint agreement to extend the time to conduct a conference authorized in Rules 12-6.0023 or 12-6.030, F.A.C., a taxpayer’s request to schedule the conference after the 40-day period will be granted, unless the Department determines that the request should be denied. A request will be denied when it is apparent from the best information available to the Department that: the taxpayer does not intend to comply with the requirements of the rule; or, the taxpayer intends to delay the procedures established by the rule; or, there is significant endangerment to the revenues involved in the protest. The Department will notify the taxpayer in writing of such determination, and such notification will grant the taxpayer 10 consecutive calendar days to comply with the rule’s requirements.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.:	RULE TITLES:
64B5-14.001	Definitions
64B5-14.002	Prohibitions
64B5-14.003	Training, Education, Certification, and Requirements for Issuance of Permits
64B5-14.004	Additional Requirements
64B5-14.005	Application for Permit
64B5-14.006	Reporting Adverse Occurrences
64B5-14.007	Inspection of Facilities
64B5-14.009	Parenteral Conscious Sedation

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 45, November 8, 2002 issue of the Florida Administrative Weekly. The changes are being made in response to further review by the Board during the November, 2002 meeting. In addition to new text as set forth below in Rules 64B5-14.001 and 64B5-14.002, F.A.C., the Board decided to retain the word “parenteral” in every instance where it had been marked for deletion in the November 8, 2002 Notice of Proposed Rulemaking.

The changes are as follows:

1. Rule 64B5-14.001(10) to read as follows: Minimal Sedation (anxiolysis) – The perioperative use of medication to relieve anxiety before or during a dental procedure which does not produce a depressed level of consciousness and maintains the patient’s ability to maintain an airway independently and to respond appropriately to physical and verbal stimulation. This minimal sedation shall include the administration of a single enteral sedative or a single narcotic analgesic medication administered in doses appropriate for the unsupervised treatment of anxiety and pain. If clinically indicated, an opioid analgesic may also be administered during or following a procedure if needed for the treatment of pain. Except in extremely unusual circumstances, the cumulative dose shall

not exceed the maximum recommended dose (as per the manufacturers recommendation). It is understood that even at appropriate doses a patient may occasionally drift into a state that is deeper than minimal sedation. As long as the intent was minimal sedation and all of the above guidelines were observed, this shall not automatically constitute a violation. A permit shall not be required for the perioperative use of medication for the purpose of providing anxiolysis.

2. Rule 64B5-14.001(11), F.A.C., to read as follows: Titration of Oral Medication – The administration of small incremental doses of an orally administered medication until an intended level of conscious sedation is observed.

3. Rule 64B5-14.002(7), F.A.C., to read as follows: Titration of Oral Medication. The Board of Dentistry has determined that the perioperative titration of oral medication(s) with the intent to achieve a level of conscious sedation poses a potential overdosing threat due to the unpredictability of enteral absorption and may result in an alteration of the state of consciousness of a patient beyond the intent of the practitioner. Such potentially adverse consequences may require immediate intervention and appropriate training and equipment. Beginning with the effective date of this rule, no dentist licensed in this state shall use any oral medication(s) to induce conscious sedation until such dentist has obtained a permit as required by the provisions of this rule chapter. The use of enteral sedatives or narcotic analgesic medications for the purpose of providing minimal sedation (anxiolysis) as defined by and in accordance with Rule 64B5-14.001(10) shall not be deemed titration of oral medication and shall not be prohibited by this rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF HEALTH
Board of Osteopathic Medicine**

RULE NO.: 64B15-12.003
RULE TITLE: Applications for Licensure
NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 47, November 22, 2002 issue of the Florida Administrative Weekly. The change is being made in response to comments from the Joint Administrative Procedures Committee.

Paragraph (2) shall read as follows: Applicants for licensure examination must have their application forms and fees submitted and received by the Board office and all information and documentation complete at least 30 days before the scheduled Board meeting in order to be considered by the Board. Applicants making initial application for licensure shall complete educational courses approved by the board pursuant

to Rule 64B15-13.001, F.A.C., on human immunodeficiency virus and acquired immune deficiency syndrome, domestic violence, and prevention of medical errors. Any applicant who has not completed any such courses at the time of licensure shall, upon an affidavit showing good cause, be allowed 6 months to complete this requirement.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pam King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF CITRUS

NOTICE IS HEREBY GIVEN that on December 20, 2002, the State of Florida, Department of Citrus, received a Petition from Tropicana Products, Inc., a licensed citrus fruit dealer located in Bradenton, Florida, for an Emergency Variance/Waiver from Chapter 20-66.004, Florida Administrative Code, which provides for 100% Florida Grapefruit Juice products to carry the statement “100% Florida Grapefruit Juice” on the label. The request for an emergency variance/waiver is to allow Tropicana Products, Inc., to ship 22,000 cases of 10 ounce bottles of Tropicana brand Grapefruit Juice from concentrate without adding the required statement to the labels.

A copy of the Petition may be obtained from: Alice P. Wiggins, License and Regulation Specialist, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148.

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
Martha Ann Doctor, Clewiston, Florida	December 20, 2002
Ivan J. Fraga, Hialeah, Florida	December 24, 2002
Mickford Mackoon, Cape Coral, Florida	December 24, 2002
Mary A. Murphy, Spring Hill, Florida	December 24, 2002
Jessica Sanchez, Orlando, Florida	December 23, 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.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on December 12, 2002, Florida Housing Finance Corporation received a Petition for Waiver of Rule 67-48, F.A.C., the section (.010) which requires the cash flow interest payment approach.

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

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Department of Education
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: January 28, 2003, 9:00 a.m.
 PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida
 PURPOSE: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the

Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Information Resource Commission will take action on matters duly presented on its agenda, which may include administrative procedures matters, adoption of rules, approval of agency plans for the use of information technology resources, adoption of policies for the use of such resources, and other matters under the commission's authority pursuant to law.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management

matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation And Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Elections Commission** announces a meeting. Parts of the meeting are confidential.

DATE AND TIME: Thursday, February 20, 2003, 8:30 a.m. – 5:00 p.m.

PLACE: Wyndham Miami Airport, 3900 N. W. 21st Street, Miami, Florida 33142 (Meeting room to be assigned at a later date)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer's reports.

For a copy of the agenda call: Patsy Rushing, (850)922-4539.

If you need an accommodation because of disability in order to participate, please call Patsy Rushing, at least 48 hours before the meeting.

If a person decides to appeal any decision of the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and will need to assure that a verbatim record of the proceedings is made.

The Executive Committee of the Florida **Commission on the Status of Women** will hold a telephone conference on:

DATE AND TIME: Thursday, January 16, 2003, 10:30 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

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 16, 2003, 9:00 a.m. – 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold an Orientation Meeting regarding Florida's Art in State Buildings Program for BR-663 Student Support Services.

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 Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, January 25, 2003, 9:00 a.m.

PLACE: FSDB Campus, Wilson Music Building, Auditorium, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by writing: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799 or by calling (904)827-2000.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance from the aforementioned address.

The Florida **Community Colleges Risk Management Consortium** announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, January 23, 2003, 8:00 a.m. – 12:00 Noon

PLACE: Embassy Suites Orlando Airport, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Florida Community Colleges Risk Management Consortium, 5700 Southwest 34th Street, Suite 1205, Gainesville, FL 32608 or by telephoning (352)955-2190, Ext. 6.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Affordable Housing Study Commission** (AHSC) announces a meeting of its Legislative Committee to which all persons are invited.

COMMITTEE: Legislative Committee

DATE AND TIME: Monday, January 27, 2003, 8:30 a.m. – 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference call will be to discuss the upcoming 2003 Florida Legislative session and any pertinent legislative initiatives dealing with affordable housing that may be of interest to the Commission.

More information regarding this conference call, the work of the Commission or 2003 Commission meetings, may be obtained by contacting: Melba Hawkins, Commission Staff Analyst, Affordable Housing Study Commission, 2555 Shumard Oak, Tallahassee, Florida 32399-2100, (850)922-1460, melba.Hawkins@dca.state.fl.us.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact the office at least 48 hours in advance of the meeting.

The **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: Wednesday, January 29, 2003, 1:00 p.m. – 3:00 p.m.

PLACE: County of Hillsborough, Lee Davis Center, Tampa, Florida 33605

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking public or nonprofit entities to administer the Weatherization Assistance Program and related programs in Hillsborough County. Entities interested in contracting with DCA to provide these services should be present at this public hearing in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the entities' experience and performance in weatherization or housing renovation activities and in assisting low-income persons in the area to be served, and their capacity to undertake a timely and effective weatherization program. Preferences will be given to any Community Action Agency, other public or nonprofit entity which has, or is currently administering an effective DCA funded Weatherization Assistance Program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; and (4) the ability of the entity to secure volunteers, training participants, and public service employment workers. Since no more than one entity will be funded in the county, the entity must be capable and willing to provide services to all eligible low-income citizens in the geographic area.

ACTIONS TO BE TAKEN: The DCA will review all comments received at the public hearing, the submitted applications, and make a decision regarding each entity's eligibility to provide Weatherization Assistance Program services to Hillsborough County. Recommendations will then be prepared by the Department staff for the selected entity for subsequent consideration and approval or disapproval by the Department's Secretary.

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to: Norm Gempel, Manager, Florida Department of Community Affairs,

Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541 or Fax (850)488-2488.

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 formal record of the proceeding, and for such purposes he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Anyone who wants a copy of the agenda or additional information on this hearing may write or call: Mr. Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541 or Fax (850)488-2488.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Department of Community Affairs, (850)488-7541, at least five (5) calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs, Division of Emergency Management** announces a meeting for the State of Florida Hazard Mitigation Plan Advisory Team (SHMPAT). **DATE AND TIME:** Thursday, January 23, 2003, 10:00 a.m. – 4:00 p.m.

PLACE: Kelly Training Center, Department of Community Affairs, Sadowski Building, 3rd Floor, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: A facilitated session for state and federal agencies, non-profit organizations, and interested groups that have a stake in:

1. Participating to the development of long-term state hazard mitigation strategy.
2. Contributing to the formulation of the state hazard mitigation plan as required by federal law (DMA2K: the Disaster Mitigation Act of 2000).
3. Identifying policies, plans, and programs that pertain to hazard mitigation (initiatives that help reduce the long-term risk to human life and property from natural and technological hazards).
4. Establishing the goals and objectives of the state mitigation strategy.
5. Participate in the process of identifying the state critical facilities.

For further information please contact: Dr. Arthur Oyola-Yemaiel, (850)413-1422, e-mail arhur.oyola-yemaiel@dca.state.fl.us.

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public hearing to which all persons are invited.

DATE AND TIME: January 28, 2003, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: The Capitol, Lower Level, Cabinet Meeting Room, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of repeal of Rules 12-26.005, 12-26.006 and 12-26.007, Florida Administrative Code. Notice of these proposed repeals was published in the Florida Administrative Weekly of November 1, 2002 (Vol. 28, No. 44, p. 4758).

NOTICE OF CHANGE – The Department of Revenue announces a public hearing to which all persons are invited.

DATE AND TIME: January 28, 2003, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: The Capitol, Lower Level, Cabinet Meeting Room, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of new and amended rules in Chapter 12-6, Florida Administrative Code. Notice of this proposed adoption was published in the Florida Administrative Weekly of November 1, 2002 (Vol. 28, No. 44, pp. 4748-4758).

DEPARTMENT OF TRANSPORTATION

The **Florida High Speed Rail Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 22, 2003, 1:00 p.m. – Conclusion

PLACE: Florida Department of Transportation, Auditorium, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Florida High Speed Rail Authority business.

Information may be obtained by contacting: Nazih Haddad, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4500.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the Authority at least 48 hours before the meetings by contacting Betty Sizemore, (850)414-5244.

FLORID PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 22, 2003, 9:00 a.m.

PLACE: Florida Parole Commission, Bldg. C, Third Floor, 2601 Blairstone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction and Recovery and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980).

A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No.: 011354-TP – Petition by Global NAPS, Inc. for arbitration pursuant to 47 U.S.C. 252(b) of interconnection rates, terms and conditions with ALLTEL Florida, Inc.

DATE AND TIME: January 29, 2003, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the petition by Global NAPS, Inc. for arbitration pursuant to 47 U.S.C. 252(b) of interconnection rates, terms and conditions with ALLTEL Florida, Inc., and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on January 6, 2003. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any

person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No.: 020507-TL – Complaint of Florida Competitive Carriers Association against BellSouth Telecommunications, Inc. regarding BellSouth's practice of refusing to provide FastAccess Internet Service to customers who receive voice service from a competitive voice provider, and request for expedited relief.

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the complaint of Florida Competitive Carriers Association against BellSouth Telecommunications, Inc. regarding BellSouth's practice of refusing to provide FastAccess Internet Service to customers who receive voice service from a competitive voice provider, and request for expedited relief, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on January 6, 2003. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

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

EXECUTIVE OFFICE OF THE GOVERNOR

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, January 13, 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: Wednesday, January 15, 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 17, 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 20, 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: Wednesday, January 22, 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 24, 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 27, 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: Wednesday, January 29, 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).

NOTICE OF CHANGE – The **Governor's Select Task Force on Healthcare Professional Liability Insurance** announces a change of location to a telephonic meeting for the Conference meeting scheduled on Thursday, January 16, 2003, published in Vol. 28, No. 51, December 20, 2002, Vol. 28, No. 52, December 27, 2002, Vol. 29, No. 1, January 3, 2003 issue of the Florida Administrative Weekly.

The conference call telephone number is as follows: 1(888)422-7101. To access conference, use Participant Code #589222.

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

DATE AND TIME: Thursday, January 16, 2003, 9:00 a.m. – Conclusion of business

PLACE: Call: 1(888)422-7101 (To access conference, use Participant Code #589222)

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).

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

DATE AND TIME: Friday, January 17, 2003, 10:00 a.m. – 4:00 p.m.

PLACE: Florida Legislature, 116 Knott Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hear public testimony; to complete unfinished business from December 19, 2002; and to vote on conceptual recommendations to be included in final report regarding 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.

For more information or to obtain a copy of the agenda, please contact: Maria I. Matthews, Florida Senate-Judiciary Committee, 515 Knott Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100, (850)487-5198, e-mail matthews.maria@flsenate.gov or Tom Tedcastle, Florida House of Representatives, Bill Drafting, (850)488-5644 or e-mail tedcastle.tom@myfloridahouse.com.

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.

REGIONAL PLANNING COUNCILS

The **South Florida Regional Planning Council**, Revolving Loan Fund Loan Administration Board announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 27, 2003, 3:00 p.m.
 PLACE: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Revolving Loan Fund Policy and Procedures and review loan applications.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021, or by calling (954)985-4416 in Broward, Suncom 473-4416 or 1(800)985-4416 for area codes 305, 561 and 407.

The **Treasure Coast Regional Planning Council** announces the following meetings of Council’s Comprehensive Economic Development Strategy Committee to which all persons are invited.

DATE AND TIME: January 9, 2003, 2:00 p.m.
 PLACE: Treasure Coast Regional Planning Council, Suite 300, 301 E. Ocean Boulevard, Stuart, FL 34994
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Treasure Coast Regional Planning Council Comprehensive Economic Development Strategy Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need

to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

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

DATE AND TIME: January 17, 2003, 9:30 a.m.
 PLACE: Ramada Inn, 1200 S. Federal Highway, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Council.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

The Florida District X **Local Emergency Planning Committee** announces the following meeting to which all persons are invited.

DATE AND TIME: January 30, 2003, 10:00 a.m.
 PLACE: Treasure Coast Regional Planning Council, Suite 300, 301 E. Ocean Boulevard, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida District X Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Florida District X LEPC with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The District II, **Local Emergency Planning Committee** (LEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: January 15, 2003, 10:00 a.m. Eastern Time, 9:00 a.m. Central Time

PLACE: Jefferson County Emergency Operations Center, 1240 N. Jefferson Street, Monticello, Florida 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regularly scheduled LEPC meeting.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue, East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices, (850)674-4571, prior to the meeting.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

METROPOLITAN PLANNING ORGANIZATIONS

The **Florida Metropolitan Planning Organization Advisory Council** (MPOAC) announces a meeting of the Staff Directors' Advisory Committee to which all persons are invited.

DATE AND TIME: January 23, 2003, 12:00 Noon – 3:00 p.m.

PLACE: Crowne Plaza Hotel, Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state and federal agencies.

A copy of the agenda may be obtained by contacting: Heidi Langston, MPOAC, 605 Suwannee Street, MS #28B, Tallahassee, FL 32399-0450, 1(866)374-3368, Ext. 4037 or e-mail heidi.langston@dot.state.fl.us.

The Florida **Metropolitan Planning Organization Advisory Council** (MPOAC) announces a meeting of the Governing Board to which all persons are invited.

DATE AND TIME: January 23, 2003, 4:00 p.m. – 7:00 p.m.

PLACE: Crowne Plaza Hotel, Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state and federal agencies.

A copy of the agenda may be obtained by contacting: Heidi Langston, MPOAC, 605 Suwannee Street, MS #28B, Tallahassee, FL 32399-0450, 1(866)374-3368, Ext. 4037 or e-mail heidi.langston@dot.state.fl.us.

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

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

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business and conduct public hearings on regulatory and land acquisition matters. Public hearing in accordance with Section 373.59, F.S., concerning the proposed acquisition of the Maxwell Foods, Inc./Horseshoe Beach Wellhead Tract, 100 acres +/-, Dixie County, Florida, with funds from the Florida Forever Trust Fund; also the proposed acquisition of The Conservation Fund/Fletcher Landing Tract, 178 acres +/-, Levy County, Florida with funds from the Florida Forever Trust Fund.

DATE AND TIME: January 14, 2003, following Board Meeting

PLACE: Camp Weed and Cerveney Center, 11057 Camp Weed Place, Live Oak, Florida 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Land Management Workshop.

A copy of the agenda(s) may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Cheshire, (386)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meeting to which all interested persons are invited.

NATURE'S CLASSROOM SITE VISIT

DATE AND TIME: Tuesday, January 21, 2003, 9:00 a.m.

PLACE: 13100 Verges Road, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tour of the educational facilities under construction.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4604, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Regular Board Meeting to which all persons are invited.

DATE AND TIME: Monday, January 27, 2003, 10:00 a.m.

PLACE: Tampa Bay Water, Suite 211-A, 2535 Landmark Drive, Clearwater, Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting.

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

A copy of the regular meeting agenda may be obtained by writing to Tampa Bay Water or can be accessed on the Web at www.tampabaywater.org.

If an accommodation is needed for a disability, in order to participate in this activity, please notify: Holly Wells, (727)796-2355, at least 3 business days prior to the meeting.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a teleconference meeting of the Comprehensive Health Information System Advisory Council to which all interested parties are invited.

DATE AND TIME: Tuesday, February 4, 2003, 10:00 a.m.

PLACE: Anyone interested in participating may telephone (850)488-5778 or Suncom 278-5778

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the collection, analysis and dissemination of health care data.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

DEPARTMENT OF MANAGEMENT SERVICES

The **Division of Human Resource Management** (HRM) announces a meeting to which all persons are invited.

DATE AND TIME: January 28, 2003, 9:00 a.m.

PLACE: The Capitol, Cabinet Meeting Room LL-03, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regularly scheduled Cabinet meeting. HRM intends to request that the Administration Commission include on its agenda, and approve, the proposed "broad-banding" amendments to Chapters 60L-31, 60L-32, and 60L-33 of the rules governing the State Personnel System. The proposed amendments, which implement Section 110.2035, Florida Statutes, were published in the Florida Administrative Weekly on October 18, 2002 (Vol. 28, No. 42), as changed in the Florida Administrative Weekly on December 13, 2002 (Vol. 28, No. 50). Additional information about the broad-banding initiative is available at <http://www.fcn.state.fl.us/dms/hrm>.

For more information about the Cabinet meeting agenda, or for information concerning special accommodations because of a disability or physical impairment, please contact: Ms. Barbara Leighty, (850)487-1884, e-mail: Barbara.leighty@laspbs.state.fl.us.

For more information about the proposed rule amendments, please contact: Mr. Fred Springer, (850)487-1898, e-mail springf@dms.state.fl.us.

Notice is hereby given this 10th day of January, 2003, that a meeting of the **Emerging Technology Commission** ("Commission") will be conducted on:

DATE AND TIME: January 16, 2003, 9:45 a.m. – at or before 6:00 p.m.

PLACE: The Florida State University, University Club, 1 Champions Way, Tallahassee, Florida

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 brett.doster@myflorida.com or by mail at the Governor's Office of Tourism, Trade and Economic Development, The Capitol, Suite 2001, Tallahassee, Florida 32399-0001.

By: Joseph Lacher, Chair

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces a public meeting of the Regulatory Council of Community Association Managers to which all persons are invited.

DATE AND TIME: Friday, January 24, 2003, 10:30 a.m. or soon thereafter

PLACE: Via telephone conference. To connect, dial (850)488-8295, Suncom 278-8295

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

A copy of the agenda may be obtained by writing: Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-1040 or by calling their office, (850)922-6096.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Regulatory Council of Community Association Managers, (850)922-6096. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771(TDD).

If any person decides to appeal any decision made with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

NOTICE OF CANCELLATION – Notice is hereby given by the **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes** of the cancellation of the timeshare workshop scheduled for January 16, 2003. The workshop was noticed in Vol. 28, No. 38 publication of the Florida Administrative Weekly on September 20, 2002.

AGENCY CONTACT PERSON: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1030.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: January 28, 2003, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 725 South Bronough Street, Tallahassee, Florida 32301, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202 or by phone, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The Florida **Electrical Contractors' Licensing Board** announces Official Board Meetings to which all interested persons are invited.

DATE AND TIME: January 23, 2003, 8:30 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting (portions closed to the public). The Probable Cause Panel will review cases for possible findings of probable cause.

DATE AND TIME: January 23, 2003, 10:00 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

DATE AND TIME: January 24, 2003, 8:00 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

PLACE: Crowne Plaza Orlando Airport, 5555 Hazeltine National Drive, Orlando, FL 32812, (407)856-0100

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence, Electrical Contractors' Licensing Board, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Gregory Spence 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 (DEP)** announces a public meeting of the Environmental Regulation Commission on January 23-24, 2003, which will continue the rule adoption proceeding on Section 62-302.540, F.A.C., proposed phosphorus criterion for the Everglades Protection Area.

For more information contact: Jacqueline McGorty, email jackie.mcgorty@dep.state.fl.us or phone (850)245-2231.

The full text of this notice, which includes specific information about meeting time, location and anticipated subject matter to be covered, is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The Florida **Board of Massage Therapy** will hold the following meeting to which all persons are invited.

DATES AND TIMES: PCP – January 28, 2003, 6:00 p.m. or soon thereafter; General Business Meeting – January 29-31, 2003, 9:00 a.m. or shortly thereafter

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel – Review of those cases previously heard by the panel. General Business Meeting – To review and discuss regular Board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Massage Therapy, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact the Board of Massage Therapy 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 Podiatric Medicine** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, January 24, 2003, 9:00 a.m.

PLACE: Double Tree Rocky Point, 3050 North Rocky Point Drive, West, Tampa, FL 33607, (813)888-8800

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board Office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

The **Department of Health** announces a meeting of the Technical Review and Advisory Panel to which all persons are invited.

DATE AND TIME: January 17, 2003, 11:00 a.m. – 1:00 p.m.

PLACE: This is a conference call meeting. The telephone number is (850)921-6623 or Suncom 291-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: Identify and discuss issues relating to onsite sewage treatment and disposal systems which may require changes to Chapter 64E-6, Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Shirley Kugler, Department of Health, Bureau of Water and Onsite Sewage Programs, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1713.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, District 8, will begin negotiating their Community-Based Care start-up contract for foster care and related services with Camelot Community Care, Inc.

DATES AND TIME: January 16, 2003; January 23, 2003; January 30, 2003; February 6, 2003; February 13 2003; February 20, 2003, 9:00 a.m.

PLACE: Regional Service Center, Room 123, 2295 Victoria Avenue, Fort Myers, FL

For further information, contact: Mary Lynn Smith, (239)338-1490.

The Family Preservation and Support Coalition, Executive Committee sponsored by the District 12, **Department of Children and Family Services** announces a public meeting to which all persons are invited.

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

PLACE: Domestic Abuse Council, 211 North Ridgewood Avenue, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Business Meeting.

A copy of the agenda may be obtained by writing: Family Preservation and Support, Department of Children and Family Services, 210 North Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn: Lynn Kennedy.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Lynn Kennedy, (386)226-7826, at least 48 hours in advance of the meeting. (Hearing impaired please use Florida Relay 1(800)955-8771.)

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** (TRDA) announces a general meeting of its Board of Directors to which all persons are invited to participate.

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

PLACE: Technological Research and Development Authority, 5195 South Washington Avenue, Titusville, Florida 32780

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board of Director's Meeting.

A copy of the agenda may be obtained by contacting: Linda D. Lundy, TRDA Office Manager, (321)269-6330 or llundy@trda.org.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed December 9, 2002, by the authority having jurisdiction for High Springs. The Petition is seeking the Department's interpretation of proposed Rule Chapter 4A-40, Florida Administrative Code and the 1994 edition of NFPA 101. The specific question involves the requirement of sprinkler systems for assisted living facilities.

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340 or by calling Kimberly Riordan, (850)413-3170 or by faxing the request (850)922-1235, Attn: Gabriel Mazzeo.

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed December 20, 2002, by the Director of Code Enforcement and Permitting, the District School Board of Collier County. The Petition is seeking the Department's interpretation of proposed Rule Chapter 4A-58, Florida Administrative Code, to become effective in February, 2003. The specific question involves the requirement of commercial hoods over residential type stoves or ranges in public schools.

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340 or by calling Kimberly Riordan, (850)413-3170 or by faxing the request (850)922-1235, Attn: Gabriel Mazzeo.

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed December 23, 2002, by the authority having jurisdiction for Collier County. The Petition is seeking the Department's interpretation of proposed Rule Chapter 4A-58, Florida Administrative Code, to become effective in February, 2003. The specific question involves the requirement of commercial hoods over residential type stoves or ranges in public schools.

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340 or by calling Kimberly Riordan, (850)413-3170 or by faxing the request (850)922-1235, Attn: Gabriel Mazzeo.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received Petitions for Declaratory Statement on April 22, 2002 and August 23, 2002, from Richard M. Johnston, on behalf of Royal Concept 2000. They were assigned the numbers DCA02-DEC-128 and DCA02-DEC-240. A Final Order dismissing the petitions for failure to meet the requirements of Section 120.565, Florida Statutes and Rule 28-105.002(5), Florida Administrative Code was entered by the Clerk on December 17, 2002.

A copy of the Final Order 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 December 13, 2002, from Joseph R. Hetzel, P.E., regarding calculation of loads on garage doors pursuant to sections 1601, 1621, 1705 and 1707, Florida Building Code, Building Volume. It has been assigned the number DCA02-DEC-369.

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 December 18, 2002, from the Florida Association of the

American Institute of Architects, with regards to plan review and inspection services performed by engineers and architects pursuant to the provisions of Section 553.791, Florida Statutes, and section 104.3.2, Florida Building Code, Building Volume. It has been assigned the number DCA02-DEC-370.

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 REVENUE

NOTICE IS HEREBY GIVEN THAT the Florida Department of Revenue has issued a Declaratory Statement to the Miami Herald Publishing Company regarding the application of Section 212.05(h)(1), Florida Statutes, and Rule 12A-1.045(1), Florida Administrative Code, to determine whether the charge for newspaper delivery by an independent carrier is subject to sales tax and local option sales surtax. The Declaratory Statement concludes that the Miami Herald is not required to collect sales tax on the charge for newspaper delivery by independent carriers, if 1) at the time of the initial subscription or subsequent renewal, the subscriber is informed of the carrier delivery charge and mail delivery charge, 2) at the time of the initial subscription or subsequent renewal, the subscriber is informed that the delivery charge can be avoided by an election to either pick-up the newspapers at a distribution center or to receive the newspapers by mail, and 3) the carrier delivery charge is separately stated on the invoice.

A copy of the Declaratory Statement may be obtained by contacting: Judy Langston, Agency Clerk, Office of General Counsel, Florida Department of Revenue, P. O. Box 6668, Tallahassee, FL 32314-6668.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Castillo Grand Residences, Petitioner, on December 13, 2002.

Petitioner requests a declaratory statement as to whether an escrow agent may release interest earned on deposits to the developer for use in construction prior to closing under Section 718.202, Florida Statutes.

A copy of the Petition for Declaratory Statement, Docket Number CD2002-064, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF HEALTH

The Dietetics and Nutrition Council hereby gives notice that it has issued a Final Order on the Petition for Declaratory Judgment filed on behalf of Arlene L. Kasner. The Notice of Petition for Declaratory Statement was published on November 27, 2002 in Vol. 28, No. 48 of the Florida Administrative Weekly. The Council considered the Petition at its meeting held on December 6, 2002, by telephone conference call. The Council's Final Order, filed December 19, 2002, grants the Petition for Declaratory Statement. However, the Council finds that Petitioner, who is licensed as a nutrition counselor but not as a dietitian/nutritionist, may not review the program of, consult with, or approve program changes for an unlicensed person pursuant to Section 468.505(1)(j), Florida Statutes.

A copy of the Council's Final Order may be obtained by contacting: Dietetics and Nutrition Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3253.

**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 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.

SARASOTA MEMORIAL HOSPITAL

ANNOUNCEMENT OF INTENT

TO CONTRACT FOR ARCHITECTURAL AND
ENGINEERING PROFESSIONAL SERVICES FOR A
COMMUNITY HEALTH CENTER FOR THE SARASOTA
COUNTY PUBLIC HOSPITAL BOARD
SARASOTA MEMORIAL HOSPITAL

The Sarasota County Public Hospital Board of Sarasota County, Florida is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants' Competitive Negotiation Act, Section 287.055, Florida Statutes. The scope of work may include programming, schematic design, design development, construction documents and construction administration for architectural, mechanical, electrical, structural and site design work for construction of a new Community Health Center building of approximately 25,000 square feet.

Firms qualified to submit include Architectural/Engineering firms or an association of firms under the direction of the Architect. Firms interested in being considered as candidates are required to submit six bound submittals of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida Professional and Corporate Registration certificates.
2. Completed GSA Standard Forms 254 and 255.
3. Proof of General and Professional Liability Insurability.

4. A separate statement as to whether the firm is a certified Small and/or Minority Business Enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985.
5. Examples of related projects.
6. Any additional information to be included at the discretion of the submitting firm.

Comments:

1. The Hospital reserves the right to reject any or all submittals. No fewer than three qualified firms will be short-listed. These candidates may be asked to make final presentations to a selection committee.
2. Considerations in the selection of candidates include: the firm's recent related design experience, location and ability to respond rapidly, and qualifications of personnel.
3. The final product of all design services shall include digital data in the form of disks (CD, floppy, etc.) (AutoCAD, 2000).
4. Questions regarding submissions shall be directed to: Dan McDaniel, (941)917-2048.
5. Submissions shall be titled "COMMUNITY HEALTH CENTER" and shall be submitted no later than 3:30 p.m., January 14, 2003 at the office of:

Dan McDaniel
 Director of Architecture and Facility Planning
 Sarasota Memorial Hospital
 Design and Construction Office
 1833 Hawthorne Street
 Sarasota, Florida 34239

Published: Sarasota Herald Tribune
 Florida Administrative Weekly

Section XII
Miscellaneous

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application. 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 Rule 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 31, 2003):

APPLICATION FOR A NEW FINANCIAL INSTITUTION
 Applicant and Proposed Location: Gulf Coast Community Bank, 40 N. Palafox Street, Pensacola, Florida 32501
 Correspondent: James Goodson, Consultant, SC&G, Post Office Drawer 13207, Pensacola, Florida 32591-3207
 Received: December 24, 2002

DEPARTMENT OF COMMUNITY AFFAIRS

**NOTICE OF APPROVAL
 FOR FLORIDA FOREVER FUNDS**

The Florida Communities Trust (“Trust”) reviewed and approved project plans for land acquisition projects submitted under the Florida Forever Program, Series FF1 funding cycle. The project plan listed below was approved by the Executive Director under authority delegated from the governing body. The Executive Director is authorized to execute the agreements for acquisition of the project site and all other documents necessary to close the project and that funds be released as follows:

Project: 01-136-FF1/Melrose Heritage Park
 Grantee: Putnam County
 Amount of Approved Funds: the lesser of 60.00% of the final total project costs or \$190,024.50

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer’s recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled “Petition for Administrative Proceedings” within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by

the Trust Clerk, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

DEPARTMENT OF TRANSPORTATION

NOTICE OF MEDIATION

The Florida Department of Transportation (FDOT), pursuant to Uniform Rule 28-106.111(5), Florida Administrative Code (F.A.C.), hereby gives notice of the existence of a mediation proceeding to which all persons whose substantial interests may be determined or affected thereby are invited to participate. The mediation proceeding is being conducted pursuant to Section 120.573, Florida Statutes, and Rules 28-106.401-.405, F.A.C.

The FDOT’s Intent to Issue a Permit to open a highway at-grade crossing over the Florida East Coast Railway to be located at the re-aligned State Road 710, Palm Beach County, Florida, pursuant to Section 335.141, Florida Statutes, and Rule 14-46.003, F.A.C. The subject of the mediation proceeding is a determination as to whether the Permit should be issued, and if issued, the appropriate conditions for its issuance; revisions to the permit application; alternative proposals for achieving the transportation improvements proposed; and any other matter reasonably related to the transportation project in accordance with applicable statutes and rules. Furthermore, the subject matter of the mediation proceeding embraces all matters raised in the following administrative proceeding before the Division of Administrative Hearings:

FLORIDA EAST COAST RAILWAY, L.L.C., Petitioner, vs. DEPARTMENT OF TRANSPORTATION, Respondent, FDOT Case 02-104; DOAH Case 02-3368.

A copy of the FDOT proposed agency action on the permit application, a description of the project, and rules referenced in this notice may be obtained by contacting: Jan Bordelon, Rail Specialist, Florida Department of Transportation, 605 Suwannee Street, Mail Station 25, Tallahassee, Florida 32399-0450, (850)414-4500 or Suncom 994-4500.

Any person whose substantial interest may be determined or affected by the subject matter of this proceeding and who desires to participate in the mediation proceeding shall, within

21 days from the date of publication of this notice, file a request to participate in the mediation proceeding. The request shall be in writing and shall contain the following information:

1. The name, address, and telephone number of the person requesting to participate in the mediation proceeding and the name, address, and telephone number of that person's representative, if any;
2. A reference to the file numbers of the subject matter of the mediation proceeding, which numbers are DOT Case 02-104; DOAH Case 02-3368.
3. An explanation of how the person's substantial interests will be affected by FDOT's determination in the subject matter; and
4. A statement of the relief sought.

The request shall be filed with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0458. (Persons who are named in the above-mentioned administrative proceeding do not need to file a request to continue their participation.)

Please take notice that this mediation proceeding could result in a settlement adopted by final agency action by FDOT and that the final action arising from the mediation proceeding may be different from the proposed agency action that is the subject matter of the mediation proceeding.

In the absence of a timely request to participate in the mediation, any person whose substantial interests are or may be affected by the result of the mediation waives any right to participate in the mediation, and that waiver of participation in the mediation is also a waiver of that person's ability to challenge the mediated final agency action pursuant to Chapter 120, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Orange County Choppers, Inc., intends to allow the establishment of Custom Bikes of Lauderdale LLC, as a dealership for the sale of Orange County chopper motorcycles, at 1201 East Sunrise Blvd., Ft. Lauderdale (Broward County), Florida 33304, on or after December 19, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Custom Bikes of Lauderdale LLC are dealer operator(s) and principal investor(s): Bradley O'Hara, 1616 S. Oceanna, Ft. Lauderdale, FL 33316.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Paul Teutul, President, Orange County Choppers, Inc., 27 Stone Road, Rock Tavern, NY 12575.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Pitbull Motorsports, intends to allow the establishment of Car Collection of Winter Park, as a dealership for the sale of Pitbull ProStreets and Pitbull Chopper motorcycles, at 2714 Orlando Ave., Sanford (Seminole County), Florida, on or after November 1, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Car Collection of Winter Park are dealer operator(s) and principal investor(s): Ashly Kohly, Post Office Box 2295, Winter Park, FL 32790.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer

License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mark Evans, President, Pitbull Motorsports, 2620 N. OBT, Orlando, FL 32804.

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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO GRANT A WATER QUALITY EXEMPTION

The Department of Environmental Protection gives notice of its intent to grant (renew) a water quality exemption, under Rule 62-520.500, Florida Administrative Code, for the drinking water standard for sodium for the Florida Power and Light Company's Port Everglades Power Plant located at 8100 Eisenhower Boulevard, Fort Lauderdale, Florida 33316.

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."

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN December 23, 2002
 and December 27, 2002

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF LEGAL AFFAIRS

2-40.006	12/23/02	1/12/03	28/47	
----------	----------	---------	-------	--

DEPARTMENT OF BANKING AND FINANCE

Division of Finance

3D-40.170	12/27/02	1/16/03	28/46	
3D-40.175	12/27/02	1/16/03	28/46	

DEPARTMENT OF INSURANCE

4-157.001	12/24/02	1/13/03	28/36	
4-157.002	12/24/02	1/13/03	28/36	
4-157.004	12/24/02	1/13/03	28/36	
4-157.010	12/24/02	1/13/03	28/36	
4-157.023	12/24/02	1/13/03	28/36	28/47
4-157.101	12/24/02	1/13/03	28/36	
4-157.102	12/24/02	1/13/03	28/36	
4-157.103	12/24/02	1/13/03	28/36	28/47
4-157.104	12/24/02	1/13/03	28/36	28/47
4-157.105	12/24/02	1/13/03	28/36	
4-157.106	12/24/02	1/13/03	28/36	
4-157.107	12/24/02	1/13/03	28/36	28/47
4-157.108	12/24/02	1/13/03	28/36	28/47
4-157.109	12/24/02	1/13/03	28/36	
4-157.110	12/24/02	1/13/03	28/36	28/47
4-157.111	12/24/02	1/13/03	28/36	28/47
4-157.112	12/24/02	1/13/03	28/36	
4-157.113	12/24/02	1/13/03	28/36	28/47
4-157.114	12/24/02	1/13/03	28/36	28/47
4-157.115	12/24/02	1/13/03	28/36	
4-157.116	12/24/02	1/13/03	28/36	
4-157.117	12/24/02	1/13/03	28/36	
4-157.118	12/24/02	1/13/03	28/36	
4-157.119	12/24/02	1/13/03	28/36	
4-157.120	12/24/02	1/13/03	28/36	
4-157.121	12/24/02	1/13/03	28/36	28/47
4-157.122	12/24/02	1/13/03	28/36	28/47
4-235.003	12/27/02	1/16/03	28/40	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF TRANSPORTATION

14-100.001	12/27/02	1/16/03	28/47	
------------	----------	---------	-------	--

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

61G15-22.010	12/27/02	1/16/03	28/48	
--------------	----------	---------	-------	--

Board of Professional Surveyors and Mappers

61G17-3.003	12/23/02	1/12/03	28/34	28/46
-------------	----------	---------	-------	-------

Florida Building Code Administrators and Inspector

61G19-1.009	12/27/02	1/16/03	28/48	
61G19-6.0085	12/27/02	1/16/03	28/48	

DEPARTMENT OF HEALTH

Board of Medicine

64B8-8.011	12/23/02	1/12/03	28/47	
64B8-8.017	12/23/02	1/12/03	28/47	

Board of Nursing

64B9-8.006	12/23/02	1/12/03	28/47	
------------	----------	---------	-------	--

Board of Opticianry

64B12-16.008	12/23/02	1/12/03	28/47	
--------------	----------	---------	-------	--

Board of Pharmacy

64B16-26.103	12/23/02	1/12/03	28/43	
64B16-26.203	12/23/02	1/12/03	28/43	
64B16-26.320	12/23/02	1/12/03	28/43	
64B16-26.606	12/23/02	1/12/03	28/43	
64B16-28.904	12/23/02	1/12/03	28/43	
64B16-30.003	12/23/02	1/12/03	28/45	

Division of Disease Control

64D-3.016	12/26/02	1/15/03	28/37	28/48
-----------	----------	---------	-------	-------