

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Office of Agricultural Water Policy

RULE CHAPTER TITLE: Water Quality Best Management Practices (BMPs) for Nursery Operations
 RULE CHAPTER NO.: 5M-8

PURPOSE AND EFFECT: The purpose of this notice is to initiate the development of a Best Management Practices (BMPs) manual for Florida Nursery Operations, to effect pollution reduction through the implementation of voluntary-incentive based practices determined to have a positive impact on water quality. Subsequently, the Department will initiate the formal rule adoption process in order to adopt these voluntary-incentive based practices by rule.

Multiple grower workshops and rule development meetings will be planned and noticed separately in the Florida Administrative Weekly as those dates are established. A preliminary draft of the BMP manual and/or draft rule language will be made available two weeks prior to each workshop and may be obtained by contacting the Department at the address below.

SUBJECT MATTER TO BE ADDRESSED: The subjects to be addressed at the workshops are the development of practices, the procedures for filing a Notice of Intent, and the appropriate record keeping requirements necessary for landowners to receive a presumption of compliance with state water quality standards.

SPECIFIC AUTHORITY: 403.067, 576.045 FS.

LAW IMPLEMENTED: 403.067(7)(d)1., 576.045(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kenneth A. Kuhl, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governors Square Blvd., Suite 200, Tallahassee, FL 32301, (850)488-6249, Fax (850)921-2153

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NOT CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Noncertificated Instructional Personnel
 RULE NO.: 6A-1.0502

PURPOSE AND EFFECT: The purpose of the rule development is to amend the rule to clarify that the requirements for employment of instructional personnel who do not hold a valid educator certificate are applicable to Florida public charter schools and that the governing boards of the charter schools shall adopt policies pursuant to this rule for the employment of such noncertificated personnel. Technical changes are also proposed. The effect will be a rule that delineates the requirements for charter school governing boards for instructional personnel who do not hold a valid Florida educator certificate.

SUBJECT AREA TO BE ADDRESSED: Charter school governing board policies for employment of instructional personnel who do not hold a valid Florida certificate.

SPECIFIC AUTHORITY: 1002.33(12), 1012.32, 1012.55(1), 1012.56(6) FS.

LAW IMPLEMENTED: 1002.33, 1012.32, 1012.55, 1012.56 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ADVERTISED IN A FUTURE EDITION OF THE FLORIDA ADMINISTRATIVE WEEKLY.

Requests for the rule development workshop should be addressed: Lynn Abbott, Agency Clerk, Department of Education, Room 1514, Turlington Building, Tallahassee, Florida 32399-0400, (850)245-9661

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Betty Cox, Deputy Chancellor, Department of Education, Room 514, 325 West Gaines Street, Tallahassee, Florida 32399-0400

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Definition of Qualified Instructional Personnel
 RULE NO.: 6A-1.0503

PURPOSE AND EFFECT: The purpose of the rule development is to amend the rule to authorize the governing board of a Florida public charter school to approve the appointment of and monitor the compliance of a charter school instructional employee who does not hold a valid Florida educator certificate in the subject(s) to which he or she may be assigned to teach. Technical changes are also proposed. The effect will be a rule that delineates the requirements and responsibilities of a charter school governing board in the employment of a teacher who is deemed to be out-of-field.

SUBJECT AREA TO BE ADDRESSED: Requirements, criteria, and responsibilities for charter school governing boards for the employment of out-of-field teachers are established and other technical changes are made.

SPECIFIC AUTHORITY: 1002.33(12), 1012.32, 1012.55(1), 1012.56(6) FS.

LAW IMPLEMENTED: 1002.33, 1012.32, 1012.55, 1012.56 FS.

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

Requests for the rule development workshop should be addressed to Lynn Abbott, Agency Clerk, Department of Education, Room 1514, Turlington Building, Tallahassee, Florida 32399-0400, (850)245-9661.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Betty Coxe, Deputy Chancellor, Department of Education, Room 514, 325 West Gaines Street, Tallahassee, Florida 32399-0400

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES:	RULE NOS.:
Definitions	6A-14.002
Composition of Boards of Trustees	6A-14.024
Employment of a President	6A-14.026
Staff and Program Development	6A-14.029
Instruction and Awards in Community Colleges	6A-14.030
Withdrawal and Forgiveness	6A-14.0301
Personnel Contracts	6A-14.041
Issuance of Continuing Contracts	6A-14.0411
Personnel Records	6A-14.047
Instructional Personnel – Availability to Students	6A-14.049
Student Fees	6A-14.054
Student Fee Refunds	6A-14.0541
Student Activities	6A-14.057
Accountability Standards	6A-14.060
Financial Records and Reports	6A-14.072
Community College Budgets	6A-14.0716
Bidding Requirements	6A-14.0734
Receipt and Deposit of Funds	6A-14.075
FTE Calculation for the Community College Program Fund	6A-14.076
Investment of Funds	6A-14.0765
Auxiliary Enterprises	6A-14.077
Campus, Center, Special Purpose Center and Instructional Site Designations	6A-14.080

PURPOSE AND EFFECT: The purpose of these rules is to update, delete and clarify community college rules in keeping with the 2002 revision to the Florida Education Code. The effect of these rules is to update, delete and clarify community college rules in keeping with the 2002 revision to the Florida Education Code.

SUBJECT AREA TO BE ADDRESSED: Provisions concerning definitions; composition of boards of trustees; employment of a president; general powers of the president; staff and program development; instruction and awards in community colleges; withdrawal and forgiveness; acceleration mechanisms for program completion; personnel contracts; issuance of continuing contracts; military leave; personnel records; instructional personnel’s availability to students; student fees; student fee refunds; student activities; athletics; accountability standards; community college budgets, financial records and reports; procurement requirements; receipt, deposit and withdrawal of funds; FTE calculation for the community college program fund; capital outlay and debt service; investment of funds; auxiliary services and enterprises and undesignated gifts; campus, center, special purpose center, and instructional site designations; and religious observance by students.

SPECIFIC AUTHORITY: 1001.02-.03, 1001.10, 1001.61, 1001.64-.65, 1002.21, 1004.70, 1004.91-.94, 1006.53, 1007.22-.271, 1009.23, 1009.27, 1010.01-.02, 1010.08, 1010.58, 1011.01, 1011.30, 1011.82-.85, 1012.81-.83, 1012.855, 1013.36 FS.; Section 2, Chapter 2003-397, Laws of Florida.

LAW IMPLEMENTED: 1001.02-.03, 1001.10, 1001.61, 1001.64-.65, 1002.21, 1004.70, 1004.91-.94, 1006.53, 1007.22-.271, 1009.23, 1009.27, 1010.01-.02, 1010.08, 1010.58, 1011.01, 1011.30, 1011.82-.85, 1012.81-.83, 1012.855, 1013.36 FS.; Section 2, Chapter 2003-397, Laws of Florida.

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

TIME AND DATE: 1:00 p.m., February 27, 2004

PLACE: Rm. 1703, Turlington Building, 325 West Gaines Street, Tallahassee, Florida

Requests for the rule development workshop should be addressed to: Lynn Abbott, Department of Education, 325 W. Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Edward L. Cisek, Vice-Chancellor for Financial Policy, Department of Education, 325 West Gaines Street, Rm. 1324, Tallahassee, Florida 32399-0400, (850)245-0448

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Construction Aggregates	14-103
RULE TITLES:	RULE NOS.:
Scope	14-103.001
Purpose	14-103.002
Definitions	14-103.003
Source Approval Requirements	14-103.004
Supplemental Source Requirements for Alternate Open-Graded Friction Course (FC) Aggregate	14-103.005
Quality Control Program	14-103.006
Approval Levels	14-103.007
Source and Product Certification Systems	14-103.0071
Producer Initiated Status Change	14-103.008
Suspension, Revocation, Expiration, or Denial of Source Approval	14-103.009
Emergency Action	14-103.010
Sampling and Testing Methods	14-103.011

PURPOSE AND EFFECT: Rule Chapter 14-103, F.A.C., is being amended.

SUBJECT AREA TO BE ADDRESSED: Rule Chapter 14-103, F.A.C., is being substantially amended, including the repeal of two rules and adoption of one new rule. The rule chapter title is revised.

SPECIFIC AUTHORITY: 334.044(2),(10)(c) FS.

LAW IMPLEMENTED: 334.044(10),(13), 337.105(1), 337.11, 337.164 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-103.001 Scope.

This rule chapter provides the requirements and procedures for obtaining and maintaining Department approval of developed and operational construction mineral aggregate sources (mines and redistribution terminals) and their individual construction aggregate products which are intended to be the source of specific construction aggregates for use on Department projects. Department approval is based upon the existence of suitable raw materials; processing facilities capable of producing specified aggregate meeting Department specification requirements; and an effective Quality Control Program assuring the continuing quality and uniformity of that production. ~~This source approval recognizes the existence of~~

~~suitable raw materials; processing facilities capable of producing specified aggregate meeting Department specification requirements; and an effective Quality Control Program assuring the continuing quality and uniformity of that production. Source approval for specific aggregates is the initial step in the Department's method of acceptance of aggregate for use on Department projects.~~

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(e),(13), 337.105(1), 337.11, 337.164 FS. History-New 10-20-92, Amended _____.

14-103.002 Purpose.

(1) This rule chapter sets out a standardized method for producers of construction aggregates to apply for, receive, and maintain Department approval of construction aggregate sources for use on Department projects. Source and product approval, and maintenance of an on-going effective Quality Control Program, as monitored by the Department's Quality Assurance procedures, the Department to approve sources for specific aggregates through a producer Quality Control Program (QCP). The Department's procedures for source approval and Quality Assurance, at the source and/or at the point of use or project, comprise the Department's primary methods of determining acceptability of accepting aggregate for use on Department projects. NOTE: A producer's failure to comply with the provisions of this rule chapter may also constitute matters affecting the status of the producer for purposes of qualification and responsibility under Rule Chapter 14-22, F.A.C.

(2) A Quality Control Program requires producers of construction materials to be responsible for their products; to establish, maintain, and implement their own individualized process control system; and to certify to the Department compliance of their product with applicable standards and contract specifications.

(3) Approval of a source by the Department and implementation of a Quality Assurance Program by the Department does not relieve the producer of the responsibility for compliance with the Quality Control Program or shipping aggregate which meet specifications. Contractors are also responsible for transporting and handling aggregate in a manner which will preclude significant variation in the properties of the aggregate. The Department reserves the right to test all aggregate at the point of use or at the project site to determine acceptability for use according to contract specifications.

~~(4) Nothing in this rule chapter is intended to prohibit the evaluation and approval of any operation not specifically covered within this rule, that in the opinion of the Department, complies with the criteria set forth in this rule.~~

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(e),(13), 337.105(1), 337.11, 337.164 FS. History-New 10-20-92, Amended _____.

14-103.003 Definitions.

~~As used in this rule chapter, the term: The following words and phrases, as used in these rules, shall have the following meaning, except where the context clearly indicates a different meaning:~~

(1) ~~“Addendum” means an approved revision to a written Quality Control Program. Addenda are in the form of an updated “record of changes” page, and the appropriate replacement page(s) modifying existing sections of the Quality Control Program submitted under cover letter for review and approval by the Department.~~

(2)(4) ~~“Aggregate” means a granular construction mineral material such as sand, limerock, limestone, gravel, shell, slag, and crushed stone; manufactured materials such as expanded shales, slates, and clays; and recycled materials such as and crushed concrete, used as a component of mortars, concrete, or bituminous mixtures, or used alone as a base or sub-base courses, as a stabilizing material for base or subgrade, or as a loose assemblage for drainage, foundation, shore protection, bank protection, water barrier, filter material, bedding purposes, or for other construction materials and uses not yet developed, but which may have potential usage by the Department.~~

(3) ~~“Certify” means that the producer affixes the statement “CERTIFIED FOR FDOT” or “CERT. FOR FDOT” to a shipping ticket to attest that this specific aggregate shipment was produced and shipped under a Department approved Quality Control Program and for which Quality Control tests indicate that the specific aggregate meets Department specifications and Department quality and uniformity requirements set out in Section (II)(B) of the Construction Aggregate Manual.~~

(4) ~~“Construction Aggregate Manual” means the Department’s manual entitled “Construction Aggregate Manual, February 2001, prepared by the Department’s Aggregate Control Unit, which prescribes standardized methods of outlining the limits and frequencies for Quality Control sampling and testing of construction aggregates and material quality criteria for Department approval levels, which is incorporated in this rule chapter by reference.~~

(5)(2) ~~“Department” means the Department of Transportation.~~

(6) ~~“Direct Shipment” means a specified quantity of material shipped and certified in its entirety from an approved Type I, Type II, or Type IV source to a single point of use, or a location or conveyance controlled by and identified by the end user in its Department approved Quality Control Program~~

(7)(3) ~~“Independent Assurance Program (IAP)” Samples” or “IAS” means an independent evaluation of all the sampling and testing procedures used in the Quality Control Program and the Department’s Quality Assurance Program. The Department will administer the IAP using personnel that do not otherwise have direct responsibility for the specific functions~~

~~under review, samples and tests performed by Department personnel who do not normally have direct responsibilities for Quality Control or Quality assurance sampling and testing. They are used for the purpose of making independent checks on the reliability of the QC QA program, and are not used for determining the quality and acceptability of aggregate.~~

(8)(4) ~~“Instructions for Coding of Aggregate Test Data for Computerization” means the Department’s manual of directions for completing standardized forms for the recording of aggregate test data and listing of the Department’s aggregate codes, Instructions for Coding of Aggregate Test Data for Computerization, prepared by Aggregate Control Unit July 1989, which is incorporated in this rule chapter by reference herein.~~

(5) ~~“LBR” means Limerock Bearing Ratio, a quality test for base and sub-base materials.~~

(9)(6) ~~“Lot” means an isolated quantity of a specified aggregate produced from a single source from in a single process operation.~~

(10)(7) ~~“Lot-size” means a quantity of a specified material produced in a specified time period.~~

(a) ~~The number of test results to be analyzed for compliance shall be the number of samples established by the Construction Aggregate Manual, but not to include results more than one calendar year old. For purposes of determining QC sampling frequencies, the data base lot-size shall be the most recent 30 test results available, but not to include results more than one calendar year old.~~

(b) ~~The time period for which frequencies will be assigned shall be as specified in the Construction Aggregate Manual. For purposes of assigning QC sampling frequencies, the basic lot-size for which frequencies will be assigned, is one calendar week. However, for materials which exceed minimum specification requirements consistently, the lot-size may be increased in increments to a maximum of one calendar month.~~

(c) ~~For purposes of material control, a lot shall consist of all materials of a specified grade or type that are produced over the time period specified in (b), above, from a single process at a mine, or received at a redistribution terminal, and are represented by test results obtained in accordance with assigned sampling frequencies. Lots that are to be evaluated and/or disposed of separately must be kept physically separated and distinct from other lots and material. For purposes of material acceptance, a lot size shall consist of all materials of a specific grade or type produced during one calendar week (Monday through Friday).~~

(11)(8) ~~“Manual of Florida Sampling and Testing Methods” means the Department’s manual of standardized methods of sampling and testing of aggregates entitled “Manual of Florida Sampling and Testing Methods,” 2002 edition, which can be found on the World Wide Web (Internet) at <http://www11.myflorida.com/statematerialsoffice/QualitySystems/fstm/fstm.htm>, and (Topic No.:~~

675-050-027 e), as supplemented by the April 1997, version of Florida Method of Test FM 1-T-084 and Florida Method of Test FM 1-T-085, which is incorporated in this rule chapter by reference herein. If a dispute arises, the test methods that were in force at the time of the project letting date shall control for point of use acceptance of any aggregate products used on a specific project.

(9) “Mineral Aggregate Manual” means the Department’s manual entitled “Mineral Aggregate Manual, April 1997, Edition,” prepared by the Department’s Aggregate Control Unit, which prescribes standardized methods of outlining the limits and frequencies for Quality Control sampling and testing of mineral aggregates and material quality criteria for Department approval levels, which is incorporated herein.

(12) “Origin” means a single location serving as a recognized supply of raw material for subsequent processing by a Department-approved Type IV source.

(13) “Origin Number” means a unique number assigned by the Department to a location serving as a recognized supply of raw material for identification purposes. The origin number is the property of the Department, and is non-transferable.

(14)(10) “Point-of-Production” means any physical operation, not including redistribution terminals, involved with removing and processing material from the earth or involved with processing material for use as aggregate, and shall be described as a mine.

(15)(11) “Point-of-Use” refers to that point where the aggregate is incorporated into the project (i.e., project site, asphalt or concrete plant, etc.).

(16)(12) “Producer” means any business or individual seeking to supply aggregate to the Department or contractors of the Department. The producer must have legal rights to mine the aggregate and must be responsible for the mining (where applicable), processing, quality control, stockpiling, load-out, and certification of the aggregate. Evidence of the mining rights of the producer shall be provided in the form of a recorded deed or recorded leasehold interest that includes mineral rights to the surface and subsurface materials.

(17)(13) “Product” means a type, grade, or Department code of aggregate from a single process.

(18)(14) “Quality Assurance” or “QA” means the Department’s management method of evaluating the effectiveness of the producer’s Quality Control Program including the use of verification QA samples and test results, the IAP, and source inspections to monitor the quality, uniformity, and acceptability of aggregate.

(19)(15) “Quality Control” or “QC” means the producer’s management method of controlling and making adjustments to mining materials processing techniques, and materials handling, stockpiling, and load-out, including the use of QC samples and tests and other available information to establish and maintain the specified quality and uniformity of a product.

(20)(16) “Quality Control Program” or “QCP” means the over-all system developed and used by a producer that ensures that a product will meet specified quality standards, including documentation supporting its effectiveness.

(21)(17) “Recycled Material Processing Site” means any physical operation involved with processing previously used or manufactured material for reuse as aggregate, not to include recycled asphalt pavement (RAP); and is treated as a mine by the Department. Such a site is treated as a source by the Department.

(22)(18) “Redistribution Terminal” means a physical operation at a fixed location, not including the point-of-production, where aggregates are received from one or more approved sources, recombined from discrete haul units into common storage units, then redistributed for resale to more than one point of use mines for redistribution for use on Department projects.

(23)(19) “Source” means a physical location including mines, recycled material processing sites, and redistribution terminals, which has aggregate.

(24) “Source Number” means a unique number assigned by the Department to a source for identification purposes. The source number is the property of the Department, and is non-transferable.

(25) “Split Sample” means a representative portion of aggregate collected for testing purposes that is subdivided into two or four approximately equal sub-portions.

(26) “Verification Sample” means a sample collected by the Department or its designated agent for testing purposes to validate the quality of an aggregate product.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History—New 10-20-92, Amended 11-3-97.

14-103.004 Source Approval Requirements.

(1) A letter requesting source approval for specific aggregates shall be sent to the State Materials Engineer, Gainesville, Florida, and shall include:

(a) The producer’s QCP Quality Control program. The evaluation and acquisition of a deposit shall be the responsibility of the producer. During initial preparation, the producer must formulate and implement a QCP Quality Control Program meeting the requirements of Rule 14-103.006, F.A.C. The QCP program must be individualized for each source based on the deposit characteristics, mining and processing and rehandling techniques, and initial test data or past performance. The QC program must be submitted in writing to the State Materials Engineer for approval.

(b) Product Identification. The producer must identify the specific product(s) for which source approval is sought, establish that the identified product(s) meet Department standards and requirements, and establish process control of each product through sampling and testing. The producer must be able to demonstrate each product’s quality and degree of

control to the Department's satisfaction. The specific type and minimum number of tests required to establish quality and degree of control of each product is found in Section- (I)(A) of the Construction Mineral Aggregate Manual.

(c) Test ~~Data~~. Test ~~Data~~ submitted by the producer to the Department must indicate that each product from a single process meets the Department's quality and uniformity requirements for Department specifications as provided given in Section- (II)(A) of the Construction Mineral Aggregate Manual. The minimum testing and sampling requirements of Section- (I)(A) of the Construction Mineral Aggregate Manual must be met upon application for approval by the producer. Subsequent requests for product approval must meet the requirements of subsection 14-103.0071(3), F.A.C.

(2) Continuing approval is contingent upon the effectiveness of the producer's QCP Quality Control Program as evidenced by the quality and uniformity of the product(s) in accordance with Section- (II) of the Construction Mineral Aggregate Manual.

(3) It shall be the responsibility of the producer to ensure that all conditions of the QCP Quality Control Program are met and complied with.

(4) All sources must pass initial on-site inspection by the Department, and subsequent monitoring and inspections, to verify compliance with this section and Rule 14-103.006, F.A.C. (QCP). Verification sSamples will may be obtained by the Department to monitor the effectiveness of the producer's QCP as a check for correlation with samples submitted by the producer.

(5) The producer shall identify the means that will be used to certify its aggregate shipments. The producer shall certify each individual conveyance of aggregate intended for use on Department projects, unless the Department provides a written waiver of this requirement. Certifications must be made at time of shipment and be provided to the end user or Redistribution Terminal at time of delivery. A copy of each type of certification shall be included in the QCP. The following information must appear on each document (shipping ticket) used to certify or transmit certification of aggregate for Department use, regardless of mode of transport. Each individual shipment, of aggregate intended for usage on Department projects, by whatever mode of transport, must be certified by the producer as being produced under their QC program and meeting all applicable specifications. The following information must appear on each certification document (ticket or bill of lading):

(a) Department Source Numbers (Mine Number and/or Terminal Number) and Origin Number, where applicable. FDOT Mine Number and/or Terminal Number.

(b) Date.

(c) Quantity, aAggregate description and corresponding Department material code (from the Instruction For Computer Coding of Aggregate Test Data).

(d) Producer Ticket Number, which must be sequential for each individual source certifying the material.

(e) The statement "CERTIFIED FOR FDOT" or "CERT. FOR FDOT" is to be placed only on those shipping tickets for specific aggregates that the producer certifies were produced under a Department approved QCP Quality Control Program and for which QC Quality Control tests indicate that the specific aggregate meets quality and uniformity requirements set out in Section- (II)(B) of the Construction Mineral Aggregate Manual. Certification shall be made at time of shipment when the quantity of material is recorded on the shipping ticket.

(f) Aggregate for which known test results indicate non-compliance with specifications shall not be certified.

(g) The statement "DIRECT SHIPMENT CERT. FOR FDOT FROM MINE" is to be placed only on Redistribution Terminal shipping tickets used to deliver direct shipments of certified material through a Redistribution Terminal without additional testing in accordance with the following provisions:

1. The Redistribution Terminal must list this alternative method of delivery in its QCP and maintain at least one of its products on the full certification system.

2. The Redistribution Terminal must have on record written documentation that the specific end-user has identified this method of delivery in its QCP.

3. A direct shipment stored at a Redistribution Terminal shall be identified as to end-user and be kept isolated from other material.

4. The Redistribution Terminal must abide by storage, handling, and load-out procedures as described in its QCP.

5. The Redistribution Terminal must notify the Department by facsimile or electronic mail of the receipt of direct shipments.

6. The shipping ticket shall reference the producer ticket number (bill of lading) from the mine.

7. The statement "CERTIFIED FOR FDOT" or "CERT. FOR FDOT" shall not be used for direct shipments.

(6) Source Classifications. These classifications are based on the Department's ability and resources. In circumstances that preclude the Department's ability to perform its QA function at the source, the Department reserves the right to change a source classification with a minimum of one a month's notice given to the producer.

(a) Mines may be located in-state, out-of-state, or out-of-country.

1. Type I Mines are those mines located within Florida, and those out-of-state mines which are a one-way distance of less than 200 miles a half day (four hours) travel by roadway automobile from a Department District Materials Office. These mines will be inspected weekly by the Department. The mine may may make direct shipments for use on ship directly to Department projects or make shipments for subsequent testing

and re-certification by approved Redistribution Terminals or re-processing, testing, and certification by Type IV Mines, self certifying each shipment.

2. Type II Mines includes out-of-state mines, which are between 200 and 400 miles ~~more than a one-way distance of a half day's (four hours) travel by roadway automobile from a Department District Materials Office but are within an overnight's trip range.~~ These mines will be inspected quarterly by the Department. The mine may make direct shipments for use on ship directly to Department projects or make shipments for subsequent testing and re-certification by approved, or Redistribution Terminals or re-processing, testing, and certification by Type IV mines, self certifying each shipment. ~~QA samples will be obtained at the point of use or redistribution terminal.~~

3. Type III Mines includes out-of-state (and out-of-country) mines which are more than 400 miles a one-way distance of a day's (eight hours) travel by automobile or cannot be accessed by automobile from a Department's District Material Office. The mine may not make direct shipments for use on Department projects. The mine may make shipments for Department use only for subsequent testing and re-certification by approved Redistribution Terminals or re-processing, testing, and certification by Type IV Mines. ~~Shipments may only be made to Redistribution Terminals self certifying each shipment. The mine will be monitored at the redistribution terminal.~~ These mines must provide their QC test date substantiating their compliance with Section (II)(B) of the *Construction Aggregate Manual*, prior to a Redistribution Terminal shipping any of its material for Department use, even if the Redistribution Terminal has completed its own testing mine numbers, material identifications and QC test data for each shipment to a Terminal. These mines will be inspected annually by the Department, with inspections of out of country mines being at the producer's expense.

4. Type IV Mines are those mines located within Florida that receive and process their raw (or partially processed) material from other sources or origins. Only one origin or source of material may be used to produce any single product. The producer (Type IV Mine) must obtain notarized documentation of the origin of each shipment of raw material used in its production. The producer shall supply a report certified under the requirements of Chapter 492, Florida Statutes, that aggregates in the origin are free of deleterious materials in accordance with all applicable Department specifications. Material certification from approved sources will be accepted to establish suitability of the raw or partially processed material; however, the producer shall be responsible for final processing and testing of each individual product. Type IV Mines receiving raw material from other than approved sources shall confirm the acceptability of the physical, chemical, and mechanical properties prior to final processing and certification of the material. The producer may

make direct shipments for use on Department projects and/or make shipments for subsequent testing and re-certification by approved Redistribution Terminals. Certification by the producer will require both the source and origin numbers. A Type IV Mine may seek dual status as a Redistribution Terminal. In such cases, the Department will issue separate source numbers and the producer will be required to keep functions of the two sources separate and distinct.

(b) Redistribution Terminals may ~~only~~ be located in state in-state, or out of state if they are a one-way distance of less than 100 miles travel by roadway from a Department District Materials or Branch Office with the exception of those presently approved as of the date of the original adoption of this rule chapter. Redistribution Terminals may receive shipments for testing and re-certification from all approved sources. Prior to re-certifying the material for Department use, the Redistribution Terminal must perform additional QC tests for those aggregate characteristics subject to change due to handling, shipping, stockpiling, or other actions affecting aggregate characteristics. The Redistribution Terminal shall also perform additional QC tests as required by the *Construction Aggregate Manual* for material received from Type III Mines. Re-certification by the terminal will require both the Source Numbers (terminal and mine) and the origin number, if applicable. Redistribution Terminals may re-certify products to Department projects, end-users, Type IV Mines, or other Redistribution Terminals. Redistribution Terminals may also deliver direct shipments of certified material from Type I, Type II, or Type IV Mines without additional testing subject to the provisions of paragraph 14-103.004(5)(f), F.A.C. Approval of the terminal and the Quality Control Program at the terminal will be required, and the Department will assign a Terminal number. Material certification by the mine will be accepted; however, additional Quality Control tests for those aggregate characteristics subject to change due to handling, shipping, stockpiling, or other actions affecting aggregate characteristics, will be required at the time of reshipment from the terminal. Additional L.A. ("Los Angeles") Abrasion and Soundness QC tests will be required for materials from Type III mines. Certification by the terminal of materials for Department usage will require both mine and terminal numbers. These terminals will be inspected weekly by the Department.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(e),(13), 337.105(1), 337.11, 337.164 FS. History-New 10-20-92, Amended 10-22-02, _____.

14-103.005 Supplemental Source Requirements for Alternate Open-Graded Friction Course (FC-2) Aggregate. Approval may be sought for coarse aggregate use in open-graded Friction Course (FC-5 2) not specifically mentioned by name in the Department's Standard Specifications for Road and Bridge Construction. The following approval requirements are in addition to the requirements of Rule 14-103.004, F.A.C., for such alternate

materials having characteristics which will result in a friction course providing acceptable long-term frictional characteristics. Once approved, coarse aggregate may be submitted in all Department friction course mixes subject to specification requirements.

(1) A detailed description of the location within the overall mining site of the specific deposit proposed for use in an FC-5, open graded friction course and a description of the unique characteristics of this deposit which can be used to differentiate it from other material occurring at the site. These characteristics will include such things as color, texture, hardness, physical or chemical properties, and other properties determined in accordance with the *Manual of Florida Sampling and Testing Methods* or in accordance with paragraph 14-103.006(14)(c), F.A.C. ~~other recognized testing procedures in accordance with ASTM C295-85.~~

(2) An estimate of the quantity of material available.

(3) A determination of the acid insoluble material retained on the No. 200 mesh sieve (FM 5-510) must be submitted on at least five samples.

(4) Submission of any test data which the producer considers significant to potential friction characteristics, such as wear tests, hardness, crushed faces, angularity, and other relevant characteristics.

(5) The construction of a trial section of FC-5 pavement from the material will be required ~~prior to a test section evaluation of the material as deemed necessary~~ by the State Materials Office based on history of use and performance. The construction of the FC-5 trial section will be the sole responsibility of the producer. The State Materials Office will design the mix, monitor construction, obtain samples for evaluation, and test the friction characteristics of the surface. The trial section will be a minimum of 500 feet in length to accommodate friction testing, and shall be constructed on a roadway not maintained by the Department. No minimum traffic volume will be required for approval of trial sections.

(6) The information supplied by the producer, the inspection of the mine, and any ~~the~~ test results from a trial section ~~(when required)~~ will be reviewed by the State Materials Office. If the material indicates a potential for use in an FC-5 open graded friction course (FC-2), the producer will be notified and a test section will then be selected by the producer for Department evaluation of the wear characteristics of the material. The State Materials Office will assist the producer in the selection of a test section which meets the following criteria:

- (a) Minimum 50 miles per hours speed limit.
- (b) Minimum 14,000 Average Daily Traffic.
- (c) No intersection, ramps, driveways or curves.
- (d) Minimum of four lanes.
- (e) Minimum length of 1,000 feet.

A control section meeting the test section criteria and adjoining the test section will be constructed with a Department approved aggregate.

(7) Following the selection of a suitable test section, the producer will then provide sufficient material and make the necessary arrangements with the pPaving cContractor for construction of the FC-5 test section and FC-5 control section. Any additional costs incurred by the pPaving cContractor for the test section and control section will be the responsibility of the producer. The Department's State Materials Office will design the mixes, monitor construction and obtain samples for evaluation.

~~(8)~~ Friction tests will be conducted by the State Materials Office on the test section immediately after construction, then monthly for two months and thereafter at intervals of two months until the accumulated traffic reaches six million (vehicles) coverage ~~and/or~~ the friction number stabilizes. Friction tests will be conducted at 40 mph in accordance with ASTM E274-85 using both E501 (Rib) and the E524 (Blank) test tires. ~~Additional testing at 60 mph will also be conducted by the State Materials Office if determined to be necessary.~~ In the event that the friction number falls below 30 or the test section is otherwise determined to be a threat to public safety within the first two years of construction completion, the evaluation will be terminated and the producer will bear the cost of removing the FC-5 ~~2~~ and resurfacing the test section with an approved material. Prior to the construction of the test section, the producer must provide a signed and notarized statement agreeing to this responsibility.

~~(8)(9)~~ At the conclusion of the evaluation period ~~(six million coverage)~~ the friction number in the test section will be compared to friction numbers obtained in the control section and with friction numbers obtained using previously approved FC-5 2 aggregates. If the test section is equivalent or better comparison is favorable, the State Materials Office will grant approval of the proposed aggregate contingent upon:

(a) The aggregate consistently maintaining the unique characteristics established by the State Materials Office that identify the specific deposit, ~~and~~

(b) The friction course utilizing the aggregate consistently producing friction numbers and other performance characteristics that the Department considers equivalent to the test section ~~be acceptable~~ on a job by job basis.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History-New 10-20-92, Amended _____.

14-103.006 Quality Control Program.

~~(1)~~ The QCP Quality Control Program developed by the producer for each source shall contain at a minimum the following elements:

~~(1)(a)~~ Identification of the Physical Location of Source. The identification of the physical location of the source must include a description of the property site, township, range, and

section, and reference to the nearest identifiable points such as highways and towns, in order to find the location easily by public roadway ~~ear~~.

(2) Location of Designated QC Office. The source shall designate the location of its QC office, which shall have responsibility for the administration of its QCP and the custodianship of QC records. When the QC office is located separate from the source, the identification must include the physical address and reference to the nearest identifiable points such as highways and towns, in order to find the location easily by public roadway. An office, so designated, shall be immediately available to its own QC personnel and the Department during all QC operations. A copy of the QCP, *Construction Aggregate Manual*, and all pertinent excerpts and references of the *Manual of Florida Sampling and Testing Methods*, as well as current test data and control charts, shall be available at the QC office and to its personnel at all times.

(3) Notarized Documentation of the Producer's Status. See subsection 14-103.003(16), F.A.C.

(4)(b) A Production Flow Diagram. The production flow diagram must include a step-by-step written description or flow chart indicating the points involved with all aspects of mining, and processing, sampling, and testing the aggregate from natural state to finished product.

(5)(e) Labeling Stored or Stockpiles of Aggregate. The labeling of stockpiles, storage silos, bins, etc. of aggregate must include the clear and precise labeling by sign of the aggregate, or the placement of the aggregate in designated labeled areas identifying it as to grade and intended for Department code use.

(6)(d) Prevention of Contamination, and Segregation, and Degradation. The handling and storage of aggregates shall be in such manner as to minimize any segregation or degradation and to prevent contamination by foreign materials. When stockpiles of aggregates cannot be stored sufficiently remote from each other to prevent mixing, suitable baffles shall be provided which will prevent intermingling of the different stockpiles.

(7)(e) A Loading and Shipping Controls Program. A loading and shipping controls program must include a detailed description of the methods by which the product is to be loaded and shipped for use on Department projects, including safeguards against loading improper aggregate and contamination, degradation, or and segregation of aggregate. The program shall also include methods of ensuring cleaning of all shipping units and accurate identification and certification of products.

(8)(f) A Sampling Plan. A sampling plan identifying all must contain a complete sampling description including specific sampling points and or locations, including intermediate points in process control even though the data will not be entered into the Department's computer program, as well as sampling of the finished product that is as closely

representative of shipped material as possible sampling devices or techniques and sampling frequencies. Sampling methods must be described in detail and much meet approval by Department standards in accordance with the *Manual of Florida Sampling and Testing Methods*, and must be based on standard statistical practices, including the designation of lots and sub-lots, if applicable.

(g) Minimum Quality Control. The sampling and testing frequencies are set by the Department in accordance with Sec. (I)(B) of the *Mineral Aggregate Manual*.

(9)(h) Initial Quality Control. The Department will assign the initial sampling and testing frequencies for newly approved products until a history of test data is developed. The initial sampling and testing frequencies are assigned by the Department until a history of test data is developed. Any Quality Control sampling and testing frequency reduction must be applied for in writing to the Department and supported by applicable QC data.

(10) Minimum Quality Control. The Department will assign QC sampling frequencies for products on the Conditional QC Certification System in accordance with subsection 14-103.007(2), F.A.C. For products on the Full QC Certification System, the producer shall monitor its data to assure continued compliance with Section (I)(B) and Section (II) of the *Construction Aggregate Manual*. The producer shall notify the Department in writing of any prescribed changes in product status or QC sampling frequencies. Any reduction in QC sampling and testing frequencies must be pre-approved by the Department and be supported by applicable QC and verification data. The Department will assign QC sampling frequencies for products on the Full QC Certification System in accordance with Section (I)(B) of the *Construction Aggregate Manual*.

(11)(i) Analysis and Recording of Data.

(a)†. The producer must have the necessary equipment (i.e., computer calculator, etc.) to perform statistical analyses and maintain adequate records of all samples, tests results (including worksheets and sample weights), and other actions to verify the effectiveness of its QCP and to substantiate aggregate compliance with all applicable to Department specifications. These records shall indicate the nature and number of tests made, statistical analysis, the number and types of deficiencies found, the quantities approved and rejected, and the nature of the corrective actions taken, as appropriate. Producer test data is to be recorded in standardized format or appropriate. The Department will initially provide the appropriate computer coding forms and/or electronic submittal formats Computer Coding forms initially provided by the Department.

(b) The QCP shall include a procedure that will chart, review, and analyze test data so as to effectively evaluate control of the process. The control charts and analyses shall be maintained current with each day's test results and be

immediately available for review by QC and Department personnel. Other data must be maintained and available for inspection by Department personnel. As a minimum, the Department will require control charts for gradation on critical sieves, and for other required tests for which the producer's initial approval data indicates less than the 100% compliance level shown in Appendices 1 through 21 of the *Construction Aggregate Manual*. The producer may determine the type of control chart most useful in the process; however, control charts using average and range will be considered the minimum acceptable in the absence of more advanced charting. The producer may chart process control tests in lieu of QC tests, provided that process control samples are taken from the finished product and are at a greater frequency than the QC tests. ~~2. Control charts shall be maintained and visibly displayed by the Producer at the source on the aggregate characteristics designated by the Department; other data must be maintained and available. The QCP must include examples of the control charts used.~~

(c) All QC test results for materials produced under this rule chapter must be reported to the Department. The producer shall monitor its own data for compliance with Section (I)(B) and Section (II) of the *Construction Aggregate Manual*. When there is an indication that the process is not being adequately controlled in compliance with the QCP, the producer shall immediately take the necessary steps to adjust the process. ~~3. All conforming and nonconforming test results representing materials which will be certified for use on Department projects must be recorded and all charts kept up to date. A copy of the QCP, *Mineral Aggregate Manual*, all pertinent excerpts of the *Manual of Florida Sampling and Testing Methods*, as well as current test data and control charts shall be available at the source at all times. The producer must monitor their own QC program. When there is an indication that the process is not being adequately controlled, the producer must immediately take the necessary steps to adjust the process.~~

(12)(f) Responsibilities of Personnel List. The producer must have a list describing the responsibilities and authority of all personnel involved with the QCP, including supervisors, analysts, technicians, and contact(s). All personnel should be informed of the exact nature of their duties as they apply to the program. By January 1, 2005, a QC Manager must be designated as having control over the QCP, and a QC technician designated for each mine. A copy of the QCP shall be on site at the source and available for review by all source personnel during all hours of operation. The QC Manager must: A person must be designated as having control over the QCP.

(a) Have full authority to act as the source's agent to institute any and all action necessary for the successful implementation of the QCP.

(b) Fluently speak and understand English.

(c) Be on site at the source or be available upon four hours notice to administer the QCP.

(d) Be qualified as an Aggregate Quality Control Manager through the Department's Construction Training Qualification Program.

(13)(k) A Plan for Dealing with Control Failures. Control failures are defined by the producer in the QCP to deal with those failures in the QCP administration that may lead to material not complying with Department specifications and standards, or when production under the QCP must be halted to resolve problems leading to product not meeting the specifications. The producer must submit a contingency plan in the event of test results indicating a control failure, to include the following three points:

(a)1. Notification of the Department as—As soon as results indicating a control failure results are known, the Department is to be notified.

(b)2. Investigation.—An investigation to determine the extent and location of the cause of the control failure.

(c)3. Resolution. Corrective action will be taken to eliminate the cause of the failure.

4. FDOT Notification. The Department shall will be notified in writing as to the corrective actions taken to assure quality and the disposition of aggregate represented by the control failure. This written notification will become part of the QCP.

1. Corrective actions need not be in the form an Addendum if no changes are being made to the QCP; however, documentation of corrective actions, to include maintenance logs, process control reports, or other supporting documentation must be provided. The Department will notify the producer of unacceptable submittals that are not in compliance with this rule chapter within five business days of receipt. Addenda that do not comply with the provisions of this rule chapter will be rejected.

2. Procedural steps to detect and prevent future occurrences of the conditions leading up to the control failure should be addressed through Addenda to the QCP. Addenda shall consist of a cover letter explaining the corrective action, an updated "record of changes," and the appropriate revised pages to the QCP. Addenda are subject to review and approval by the Department. The Department will notify the producer of unacceptable submittals that are not in compliance with this rule chapter within five business days of receipt. Addenda that do not comply with the provisions of this rule chapter will be rejected.

(14)(4) Testing.

(a)1. Laboratory. Each source must designate either its their own laboratory and/or a commercial laboratory for the performance of QC testing. Laboratories so designated must be equipped to run all applicable tests with equipment and technicians meeting Department standards. A list of testing equipment and facilities meeting Department requirements

must be submitted. Only a Department approved laboratory shall be used for QC testing. Laboratories shall be qualified under one of the following and have current Department approval during testing of Department products: If the laboratory has not been inspected for compliance with Department methods, as specified in Section 14-103.006(1)(i)3., it must be inspected and found satisfactory prior to approval. Records on instrument calibration and maintenance, sample collection and analyses times must be maintained at the laboratory. The Department may require a demonstration of the accuracy of the equipment.

1.2. QC Technicians. QC technicians must be designated and identified by the producer and include with a list of qualifications; they must have successfully completed the Department's Construction Training Qualification Program for Aggregate Technicians. QC technicians must successfully participate in the Department's IAP in order to remain qualified, be capable of running all applicable tests, and must demonstrate proficiency to the Department and be certified by the Department for test procedures as applicable.

2.3. Methods. Testing or sampling methods and the equipment, technicians, and procedures to be used as the basis for producer certification of materials must be described in detail and must be by standard Department methods in accordance with the Manual of Florida Sampling and Testing Methods (sections pertaining to aggregates), incorporated by reference under subsection 14-103.003(11), F.A.C., or by methods published as standards by the American Association of State Highway and Transportation Officials, or as incorporated in Standard Methods, American Society for Testing and materials, or the Construction Aggregate Manual incorporated by reference under subsection 14-103.003(4), F.A.C. (8). Alternative testing methods and procedures may be used by the producer when such procedures provide, at a minimum, the quality control required by the program. Equivalent, alternative methods must be approved by the Secretary of the Department as meeting the required QC. Prior to utilizing such alternatives the producer must describe the changes proposed in a written proposal and demonstrate that their effectiveness is equal to or better than the standard Department procedures in the Manual of Florida Sampling and Testing Methods. Such approval of alternate methods shall be based upon a technical demonstration, through comparison of analyses of replicate samples, that the proposed alternate method measures the relevant characteristics with the same degree of accuracy as the approved method. Prior to utilizing such alternatives the producer must describe the changes proposed in a written proposal and demonstrate that their effectiveness is equal to or better than the standard Department procedures in the Manual of Florida Sampling and Testing Methods. In the case of disputes as to whether certain procedures provide equal control, the procedures specified in the Manual of Florida Sampling and Testing Methods required by the Department shall apply.

(d)4. Turn-Around-Time. All producers must state the period of time it will take for test results to be available at their QC office and to be reported to the Department inspection personnel in accordance with the limits of Section- (I)(C) of the Construction Mineral Aggregate Manual.

(15)(m) Identification of Aggregate. Each producer must furnish a list of aggregate grades, product number, or other identification of aggregate it they produces or redistributes under an approved OCP and intends to certify for use on Department projects with the corresponding Department Aggregate Description and Code from the Instructions for Coding of Aggregate Test Data for Computerization Instructions for Computer Coding of Aggregate Test Data.

(2) The Department will monitor all data and set the source level of approval as necessary. It will also review the data upon request by the producer and make all the source's data available for inspection at the State Materials Office in Gainesville.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(e),(13), 337.105(1), 337.11, 337.164 FS. History-New 10-20-92, Amended _____.

14-103.007 Approval Levels.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(e),(13), 337.105(1), 337.11, 337.164 FS. History-New 10-20-92, Repealed _____.

14-103.0071 Source and Product Certification Systems.

Approved sources may certify approved products through either a Conditional QC Certification System or a Full QC Certification System. The Department will inspect the source, monitor the producer's OCP, and determine the system under which the producer may certify the product.

(1) Full QC Certification System. A producer may employ the Full QC Certification System for an approved source and its approved products that meet the conditions of this subsection, including paragraphs (a) through (k) below. The Department will inform the producer in writing at such time as the Department will accept certification of a product pursuant to the Full QC Certification System. Under the Full QC Certification System, the producer may certify and ship a product based on its own QC data meeting the requirements of Section (II)(B) of the Construction Aggregate Manual. However, the Department reserves the right to reject any defective material based on its own verification testing. The Department will periodically direct the collection of verification samples from selected products that are being certified under the Full QC Certification System. The verification data will be compared with the QC data over an equivalent time period in order to validate the quality of aggregate certified under the Full QC Certification System. The Department may consider supporting documentation in its evaluation of the data. The Department will investigate the possible cause(s) for any unfavorable comparisons through additional verification inspections, sampling and testing, and

review of its own verification procedures. The producer shall fully participate in the Department's review of the QC operation, including, but not limited to: increased sampling frequencies, sample retention, split sample comparisons, and additional inspections. If the Department is unable to validate the QC data's compliance with the limits and standards of Section (II)(B) of the *Construction Aggregate Manual*, the product will be removed from the Full QC Certification System. The following additional requirements apply to sources using the Full QC Certification System:

(a) The producer shall consistently perform proper and timely sampling and testing of its aggregate products pursuant to the frequencies approved by the Department as modified by the increased minimum requirements set out in Section (I)(B) of the *Construction Aggregate Manual*, and Appendices 1 through 22 thereto.

(b) The producer shall maintain proper and timely records and have accurate test data and control charts available for itself and for Department inspectors in accordance with the limits of Section (I)(C) of the *Construction Aggregate Manual*.

(c) The producer shall keep in force the procedures specified in its approved QCP, except upon prior Department approval.

(d) The producer shall certify only shipments of approved products, consisting solely of aggregate produced under its Department-approved QCP.

(e) The producer shall keep materials not processed under its QCP separate and distinct from aggregates intended for certification.

(f) The producer shall properly certify or transmit certification for all shipments of aggregate intended for usage on Department projects in accordance with subsection 14-103.004(5), F.A.C., unless the Department specifically changes the project's certification requirement.

(g) The producer shall demonstrate effective implementation of its QCP by consistently controlling production of aggregates so as to comply with Section (II)(B) of the *Construction Aggregate Manual*.

(h) The producer's plan for dealing with control failures as specified in subsection 14-103.004(13), F.A.C., shall be effective in identifying control failures prior to the product falling below the limits set out in Section (II)(B) of the *Construction Aggregate Manual*.

1. Upon timely notification to the Department of a control failure, the producer may continue to certify material under the Full QC Certification System even though affected data subsequent to the notification falls outside the limits set out in Section (II)(C) of the *Construction Aggregate Manual*, provided the following additional requirements are met:

a. The producer shall identify the cause of the control failure pursuant to subsection 14-103.006(13), F.A.C., and implement corrective actions to prevent reoccurrence.

b. The producer may request a re-initialization of the product's data, starting with the effective date of the corrective action, based on a determination by the Department that the corrective action can reasonably be expected to prevent reoccurrence of the control failure and assure continued compliance with Section (II)(B) of the *Construction Aggregate Manual*.

c. Analysis of data for test results generated subsequent to the corrective action must meet the requirements of Section (II)(B) of the *Construction Aggregate Manual*.

2. Three or more control failures that result in the use of subsection 1, above, for the same product during any 365-day period shall be considered prima facie evidence that the QCP has been ineffective in consistently controlling production of aggregates so as to comply with Section (II)(B) of the *Construction Aggregate Manual*.

3. When a product's compliance level mandates a change as described in Section (II)(B) and Section (II)(C) of the *Construction Aggregate Manual*, without the producer giving timely notification as specified in subsection 1, above, the Department will remove the product from the list of approved products. The producer may request re-instatement of the product under the Conditional QC Certification System.

(i) The producer's designated laboratory shall maintain up-to-date and accurate Quality Control records, including: a log of sample collection and identification, laboratory work sheets, test results, records of technician and laboratory qualifications, and information on instrument calibration and maintenance.

(j) The producer and its designated laboratory shall maintain properly trained and qualified QC personnel, accurate and satisfactory test equipment, and proper procedures.

(k) Independent verification testing, as performed by the Department, must confirm that material shipped complies with all applicable specifications.

(2) Conditional QC Certification System. A producer may employ the Conditional QC Certification System for an approved source and its approved products that meet the conditions of this subsection, including paragraphs (a) through (d) below. A producer that uses the Conditional QC Certification System may only certify aggregate from isolated stockpiles released for shipment by the Department. The producer must still comply with its QCP, and evaluate its data to determine compliance with Section (II)(C) of the *Construction Aggregate Manual*. However, only individual stockpiles for which QC data has been found to meet the requirements of Section II (B) of the *Construction Aggregate Manual* may be proposed for acceptance. The Department will set the QC sampling frequencies necessary to establish compliance. Pre-tested stockpiles will be subject to independent verification tests meeting specification requirements prior to release.

(a) When the Department determines that a producer has not met the requirements in subsection 14-103.0071(1), F.A.C., it will advise the producer in writing that the Department will no longer accept certification of products pursuant to the Full QC Certification System. The producer shall thereafter employ the Conditional QC Certification System and shall, within 90 days after receipt of the written Department notification, demonstrate that it is back in full compliance with the conditions of the Full QC Certification System. If the producer has not made this demonstration within this period, the source or product shall be subject to suspension pursuant to Rule 14-103.009, F.A.C.

(b) When QC results for aggregate properties determined by a test method fall below Department compliance levels in Section (II)(B) of the *Construction Aggregate Manual*, or cannot be validated by the Department's own verification testing, sampling frequency for that test method will be increased to a level no greater than the maximum stated in the *Construction Aggregate Manual*. For products reinstated under the Conditional QC Certification System, the Department will set the minimum QC sampling frequencies applicable for those test methods at a level specified for less than 95% compliance as shown in Appendices 1 through 21 of the *Construction Aggregate Manual*. Other test methods, for which the Department is able to establish continued compliance with Section (II)(B) of the *Construction Aggregate Manual*, may continue to be sampled, tested, and evaluated at the previously established frequencies. However, test methods for which data had previously fallen below compliance or could not be validated by the Department's own verification testing will be based on test results for the individual stockpile.

(c) The producer shall physically combine individual "lots" up to but not exceeding a total of one week's production, for the purposes of creating a pre-tested stockpile for evaluation and disposition in accordance with Section (II)(B) of the *Construction Aggregate Manual*.

(d) The producer may request approval to certify a product without the need for verification testing, based on Department review and a determination that the producer's QCP and its history of operations indicate that the producer can reasonably be expected to satisfy the conditions of Section (II)(B) of the *Construction Aggregate Manual*.

(e) The producer may request to ship part or all of a pre-tested stockpile, uncertified and not for usage on Department projects, prior to completion or evaluation of the stockpile. The producer shall provide timely notification to the Department to allow for the option of independent verification testing. Shipment of part or all of a pre-tested stockpile without such notification shall disqualify the stockpile for certification and void the use of its data for establishing product compliance.

(f) Limitations on the production of aggregate from specific layers, pits, or locations within a mine, and other controls or tests addressing specific mining or processing problems, will be imposed for a particular source or product to ensure the quality and acceptability of a source or product for use in Department projects. This will include limitations on uses of a product to certain types of projects where there are unique product performance characteristics or interactions.

(3) New Approvals.

(a) A producer that has received approval of a new source pursuant to Rule 14-103.004, F.A.C., shall employ the Conditional QC Certification System for a period necessary to demonstrate that it has fully and properly implemented its proposed QCP and to provide data for statistical analysis to determine whether at least one product satisfies the conditions of Section (II)(B) of the *Construction Aggregate Manual*. The Conditional QC Certification System may also be employed for new requests for the addition of aggregate products at Redistribution Terminals from Type I, Type II, and Type IV approved sources provided there are no changes in the terminal's process. The evaluation period for new sources shall not exceed 90 days of operation, except for base operations which shall not exceed 180 days. If, within this period, the producer has not demonstrated that it has fully and properly implemented its proposed QCP for the new source or has not provided data for statistical analysis to show that one of its products satisfies the conditions of Section (II)(B) of the *Construction Aggregate Manual*, the new source shall be subject to suspension pursuant to Rule 14-103.009, F.A.C.

(b) Mines and Redistribution Terminals operating under the Full QC Certification System may request approval of new products based on a full submission of data in accordance with Sections (I)(A) and (II)(A) of the *Construction Aggregate Manual*, provided there is no change to the process. The source must submit an Addendum to its QCP to reflect any changes in its production flow diagram, loading and shipping controls, or sampling plan. Upon approval of the product, the source may certify the material pursuant to the Full QC Certification System.

(c) An approved Redistribution Terminal may request approval to redistribute products from Type I, Type II, or Type IV Mines under the Conditional QC Certification System without a full submission of data as specified in Section I(A) of the *Construction Aggregate Manual*, provided there are no changes to the Redistribution Terminal's process. The Redistribution Terminal must notify the mine of its intent to seek approval of the Redistribution Terminal and request data for the material shipped. Gradation targets to establish control bands for the product will be set by the Department based on the correlation between the mine's data and the Redistribution Terminal's results for its first pre-tested stockpile. In no case shall the Redistribution Terminal's targets be set lower than the mine's. Products shall continue to be certified on the

Conditional QC Certification System until sufficient QC data is available for statistical analysis to determine that the product satisfies the conditions of Section (II)(B) of the *Construction Aggregate Manual*.

(4) Reinstated Products.

(a) Materials previously removed from the list of approved products due to a change in compliance level from Section (II)(B) to Section (II)(C) of the *Construction Aggregate Manual* will only be reinstated once the Department has received satisfactory written notification of the producer's corrective action.

1. The initial written notification need not be in the form of an Addendum if no changes are being made to the QCP; however, at a minimum, the notification must describe the extent of the non-compliance and the actions taken to assure the quality and the disposition of aggregate represented by the control failure. This written notification will become part of the QCP. The producer may request a reinstatement of the product under the Conditional QC Certification System pending review by the Department. The Department will notify the producer of unacceptable submittals within three business days of receipt.

2. Procedural steps to detect and prevent future occurrences of the conditions leading up to the non-compliance shall be addressed through an Addendum to the QCP. The Addendum shall consist of a cover letter explaining the corrective action, an updated "record of changes," and the appropriate revised pages to the QCP. Addenda that do not comply with the provisions of this rule chapter will be rejected. The Department will notify the producer of unacceptable submittals within five business days of receipt. Upon Department approval of the Addendum, the producer may request a return to the Full QC Certification System based on a full submission of data in accordance with Sections (I)(A) and (II)(A) of the *Construction Aggregate Manual*. Data generated while under the Conditional QC Certification System shall be included in the submittal.

(b) Suspended products may only be reinstated after the Department has received and accepted a satisfactory Addendum addressing steps to detect and prevent future occurrences of the conditions leading up to the suspension. Addenda that do not comply with the provisions of this rule chapter will be rejected. The Department will notify the producer of unacceptable submittals within five business days of receipt. Upon Departmental approval of the Addendum, the producer may request to re-instate the product under the conditional certification system based on a full submission of data in accordance with Sections (I)(A) and (II)(A) of the *Construction Aggregate Manual*.

Specific Authority 120.53(1), 334.044(2) FS. Law Implemented 120.53(1), 334.044(10),(13), 337.105(1), 337.11, 337.164 FS. History—New _____.

14-103.008 Producer Initiated Status Change.

With the concurrence of the Department, a A producer may request to be placed on voluntary suspension, or to remove a product or products from its approved products list, have their Quality Control program held in abeyance for reasons related to problems with the quality or control of its their aggregate.

(1) Should the producer elect to change a source's approval status take this action (i.e., from the Full or Conditional QC Certification System Approval to Suspension), the QC Quality Control required under the source's previous and Quality controls required under that approval level will be in effect; however, minimum time requirements restricting sources in some approval levels will not apply. The maximum time the source can remain in that approval level and restrictions on shipping of products will remain as stated stipulated in Rule 14-103.009, F.A.C.

(2) Upon resolution of the problem, the producer may request a return to its their former approval level and control. This These requests must be made in writing to the State Materials Engineer.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(e),(13), 337.105(1), 337.11, 337.164 FS. History—New 10-20-92, Amended _____.

14-103.009 Suspension, Revocation, Expiration, or Denial of Source Approval.

(1) Suspension. When source approval is suspended, the producer is restricted from shipping all products for use usage on Department projects.

(a) An individual product shall be suspended when QC test results fall outside the ranges specified in Section II (D) of the *Construction Aggregate Manual*.

(b)(a) A source shall be suspended when one of the following occurs:

1. Failure to timely supply information required by this rule.

2. Failure of material to meet specification requirements.

3. Failure to take immediate corrective action relative to deficiencies in the performance of the QCP. The producer fails to take immediate corrective action relative to deficiencies in the performance of the Quality Control Program.

4. Certification of material not produced under an approved QCP. The producer certifies material not produced under an approved QC Program for use on Department projects.

5. Failure to correct any identified deficiency within 30 days after Department notice. The producer fails to correct any deficiency related to any requirement of this rule, having received notice from the Department, within a reasonable amount of time not to exceed 30 days.

(c)(b) Time Limits. A source placed under suspension must remain suspended for a minimum period of 30 days, but not more than 90 days,; If the problems are corrected within

this time frame, the source will be placed on Conditional Approval. If the problems have not been corrected, the source's approval will be revoked.

(2) Revocation. When source approval is revoked, the producer is prohibited from shipping or certifying aggregates for Department use or on Department projects.

(a) A source's approval shall be revoked when one of the following occurs:

1. A suspended source has failed to correct its problems within 90 days of the date of suspension.

2. A source using the Conditional QC Certification System Conditionally Approved source following a period of Suspension fails to qualify for Full QC Certification System Approval within six months following a period of suspension.

3. Deliberate Shipping of non-specification aggregate or falsification of records.

4. Failure to meet or comply with any requirements of Rule 14-103.004, F.A.C.

(b) Time Limits. When a source's approval has been revoked, it will not be eligible for re-approval for a minimum period of six months from the date of revocation. Subsequent re-approval is subject to application requirements of Rule 14-103.004, F.A.C.

~~(c) Approval of out of country mines will expire if no annual inspection is made by the Department due to producer failure to pay the inspection transportation costs.~~

(3) Expiration or Extension of Approval. A source's approval will automatically expire if it has not furnished material for Department use or on Department projects for a period of 365 days one calendar year, unless an extension of approval is requested in writing, prior to the expiration date, by the producer to the State Materials Engineer.

(a) Extension of approval will be predicated on the continued operation of the source's QCP Quality Control Program during the previous 365 days calendar year and the source's continuing to meet all the requirements of this rule chapter.

(b) Approval will be extended only once for an additional 365 days calendar year. If, at the end of the extension, the source still has not furnished aggregate for Department use or Department projects, source approval will again expire and re-approval is subject to reapplication.

(c) Individual products from any source which have not been supplied for Department use or on Department projects for a period of 365 days one calendar year will be removed from the list of approved products for that source, unless an extension is requested. This includes existing material inventory stockpiles of material made under a QCP Program, meeting specifications, and for which identification and specific records and test data are available. Extensions will be granted for up to 365 days.

(4) Denial of Source Approval. A producer's request for source or product approval will be denied when any one of the following occurs:

(a) Incomplete or inadequate QCP Quality Control Program.

(b) Failure of material to meet specification requirements.

(c) Results of the Department's inspection and testing do not agree with information and test results furnished by the producer.

(d) Results of the Department's inspection indicate material properties or characteristics which may be a potential problem.

(e) Falsification of any approval information submitted by the producer.

(f) The producer fails, upon receipt of having received notice from the Department related to any requirement of this rule, to correct the that deficiency(ies) within a reasonable amount of time not to exceed 30 days.

(5) The Department shall give written notice of its intended action to suspend, revoke, or deny approval. Notice of the Department's intended action will be provided in accordance with Rule 28-106.111, F.A.C. The Department's action will become final unless a timely petition for a hearing is filed in accordance with Rules 28-106.104, 28-106.201 or 28-106.301, F.A.C. In order to be timely, the petition must be filed with the Department's Clerk of Agency Proceedings within 21 days after receipt of the Department's notice, in accordance with Rule 28-106.111, F.A.C.

~~(6) In the event that a producer petitions a change of status action of the Department, the Department may exercise its option to test all of the producer's aggregates at the point of use or project site until resolution of the request, and hold the material to a pass or fail status based on quality requirements of the specific contract for that project. Any construction delays resulting from Quality Assurance testing at the job site shall be the sole responsibility of the contractor.~~

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History—New 10-20-92, Amended 1-17-99, _____.

14-103.010 Emergency Action.

(1) The Department may summarily suspend, limit, or restrict approval if it finds that immediate serious danger to the public health, safety, or welfare or the integrity of a project under construction requires emergency suspension, limitation, or restriction.

(2) Notice of emergency suspension, limitation, or restriction shall be given by telegram and by written notice by certified mail, or express delivery, giving detailed reasons for the emergency action taken.

(3) The Department shall promptly initiate formal administrative proceedings after taking emergency action.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History--New 10-20-92, Amended _____.

14-103.011 Sampling and Testing Methods.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History--New 10-20-92, Amended 11-3-97, Repealed _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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."

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Advanced Registered Nurse Practitioner Services 59G-4.010

RULE NO.:

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Advanced Registered Nurse Practitioner Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Advanced Registered Nurse Practitioner Services Coverage and Limitations Handbook, January 2004. The handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new procedure codes, and an updated fee schedule effective January 2004. This Notice of Rule Development replaces the notice that was published in the Florida Administrative Weekly, Vol. 29, No. 11, on March 14, 2003. We are publishing a new Notice of Rule Development, because we changed the effective date to January 2004 to include the January 2004 procedure codes and maximum fee schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.907, 409.908, 409.9081 FS.

IF REQUESTED WITHIN 14 DAYS AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.

TIME AND DATE: 9:00 a.m., Monday, February 23, 2004

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lynne Metz, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7325

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.010 Advanced Registered Nurse Practitioner Services.

(1) No change.

(2) All advanced registered nurse practitioner services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Advanced Registered Nurse Practitioner Services Coverage and Limitations Handbook, ~~January 2004~~ ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, ~~CMSHCFA-1500 and Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-4.0015-020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.9081 FS. History--New 12-21-80, Formerly 10C-7.52, Amended 8-18-92, Formerly 10C-7.052, Amended 8-22-96, 3-11-98, 10-13-98, 6-8-99, 4-23-00, 8-5-01, 2-20-03, 8-5-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Ambulatory Surgical Center Services 59G-4.020

RULE NO.:

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook, January 2004. The handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new procedure codes, and an updated code and payment group list effective January 2004. This Notice of Rule Development replaces the notice that was published in the Florida Administrative Weekly, Vol. 29, No. 40, on October 3, 2003. We are publishing a new Notice of Rule Development, because we changed the effective date to January 2004 to include the January 2004 procedure codes and payment groups.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 FS.

IF REQUESTED WITHIN 14 DAYS AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., Monday, February 23, 2004

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Melissa Bassett, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7724

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.020 Ambulatory Surgical Center Services.

(1) No change.

(2) All ambulatory surgical center providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook, January 2004 ~~July 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMSHCFA-1500 ~~and Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-4.0015-020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History—New 10-25-84, Formerly 10C-7.531, Amended 5-13-92, 7-12-92, 7-27-93, Formerly 10C-7.0531, Amended 9-8-94, 7-3-95, 11-18-97, 10-27-98, 1-1-01, 7-26-01, 2-25-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Birth Center Services
 RULE NO.: 59G-4.030
 PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Birth Center and Licensed Midwife Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Birth Center and Licensed Midwife Services Coverage and Limitations Handbook, January 2004. The handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new procedure codes, and an updated fee schedule effective January 2004. This Notice of Rule Development replaces the notice that was published in the Florida Administrative Weekly, Vol. 29, No. 34, on August 22, 2003. We are publishing a new Notice of Rule Development, because we changed the effective date to January 2004 to include the January 2004 procedure codes and maximum fee schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 383.335, 409.906, 409.907, 409.908, 409.9081 FS.

IF REQUESTED WITHIN 14 DAYS AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., Monday, February 23, 2004

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lynne Metz, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7325

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.030 Birth Center Services.

(1) No change.

(2) All birth center services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Birth Center and Licensed Midwife Services Coverage and Limitations Handbook, January 2004 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMSHCFA-1500 ~~and Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-4.0015-020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 383.335, 409.906, 409.907, 409.908, 409.9081 FS. History—New 4-18-85, Formerly 10C-7.532, Amended 8-18-92, Formerly 10C-7.0532, Amended 4-22-96, 3-11-98, 10-13-98, 5-24-99, 4-23-00, 8-5-01, 2-20-03, 8-5-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Chiropractic Services
 RULE NO.: 59G-4.040
 PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Chiropractic Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Chiropractic Services Coverage and Limitations Handbook, January 2004. The handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new procedure codes, and an updated fee schedule effective January 2004. This Notice of Rule Development replaces the notice that was published in the Florida Administrative Weekly, Vol. 29, No. 7, on February 14, 2003. We are publishing a new Notice of Rule Development, because we changed the effective date to January 2004 to include the January 2004 procedure codes and maximum fee schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.9081 FS.

IF REQUESTED WITHIN 14 DAYS AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., Monday, February 23, 2004
PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Jackson, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7314

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.040 Chiropractic Services.

(1) No change.

(2) All chiropractic services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Chiropractic Services Coverage and Limitations Handbook, January 2004 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMSHCFA-1500 ~~and Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-4.0015-020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.9081 FS. History—New 6-1-89, Amended 7-1-91, 12-31-91, 3-17-92, 4-21-92, 11-9-92, 7-5-93, 1-19-94, Formerly 10C-7.066, Amended 10-10-94, 5-25-95, 1-9-96, 10-21-97, 5-24-99, 4-23-00, 7-5-01, 2-20-03, 8-5-03,

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Dental Services

RULE NO.: 59G-4.060

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Dental Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the current Florida Medicaid Dental Services Coverage and Limitations Handbook, January 2004. The handbook revisions include an updated fee schedule effective January 2004.

SUBJECT AREA TO BE ADDRESSED: Dental Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.912 FS.

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

TIME AND DATE: 9:00 a.m., Monday, February 23, 2004

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ouida Mazzoccoli, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7351

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.060 Dental Services.

(1) No change.

(2) All dental services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Dental Services Coverage and Limitations Handbook, January 2004 ~~October 2003~~ and the Florida Medicaid Provider Reimbursement Handbook, Dental 111, October 2003, which are incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS 1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. All handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.912 FS. History—New 7-10-80, Amended 2-19-81, 10-27-81, 7-21-83, Formerly 10C-7.523, Amended 9-11-90, 11-3-92, Formerly 10C-7.0523, Amended 6-29-93, Formerly 10P-4.060, Amended 7-19-94, 7-16-96, 3-11-98, 10-13-98, 12-28-98, 6-10-99, 4-23-00, 4-24-01, 7-5-01, 2-20-03, 8-5-03, 1-8-04,

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Hearing Services

RULE NO.: 59G-4.110

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Hearing Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Hearing Services Coverage and Limitations Handbook, January 2004. The handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new procedure codes, and an updated fee schedule effective January 2004. This Notice of Rule Development replaces the notice that was published in the Florida Administrative Weekly, Vol. 29, No. 34, on August 22, 2003. We are publishing a new Notice of Rule Development, because we changed the effective date to January 2004 to include the January 2004 procedure codes and maximum fee schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908 FS.

IF REQUESTED WITHIN 14 DAYS AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., Monday, February 23, 2004

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Jackson, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7314

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.110 Hearing Services.

(1) No change.

(2) All hearing services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Hearing Services Coverage and Limitations Handbook, January 2004 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMSHCFA-1500 ~~and Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-4.0015-020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908 FS. History--New 8-3-80, Amended 7-21-83, Formerly 10C-7.522, Amended 4-13-93, Formerly 10C-7.0522, Amended 12-21-97, 10-13-98, 5-7-00, 7-5-01, 2-20-03, 8-5-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Optometric Services
 RULE NO.: 59G-4.210
 PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Optometric Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Optometric Services Coverage and Limitations Handbook, January 2004. The handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new procedure codes, and an updated fee schedule effective January 2004. This Notice of Rule Development replaces the notice that was published in the Florida Administrative Weekly, Vol. 29, No. 11, on March 14, 2003. We are publishing a new Notice of Rule Development, because we changed the effective date to January 2004 to include the January 2004 procedure codes and maximum fee schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.9081 FS.

IF REQUESTED WITHIN 14 DAYS AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., Monday, February 23, 2004

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Jackson, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7314

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.210 Optometric Services.

(1) No change.

(2) All optometric practitioners enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Optometric Services Coverage and Limitations Handbook, January 2004 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMSHCFA-1500 ~~and Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-4.0015-020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.9081 FS. History--New 4-13-93, Amended 7-1-93, Formerly 10C-7.069, Amended 12-21-97, 10-13-98, 5-24-99, 4-23-00, 7-5-01, 2-20-03, 8-5-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Podiatry Services
 RULE NO.: 59G-4.220
 PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Podiatry Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Podiatry Services Coverage and Limitations Handbook, January 2004. The handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new procedure codes, and an updated fee schedule effective January 2004. This Notice of Rule Development replaces the notice that was published in the Florida Administrative Weekly, Vol. 29, No. 7, on February 14, 2003. We are publishing a new Notice of Rule Development, because we changed the effective date to January 2004 to include the January 2004 procedure codes and maximum fee schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.907, 409.908, 409.9081 FS.

IF REQUESTED WITHIN 14 DAYS AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., Monday, February 23, 2004

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Jackson, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7314

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.220 Podiatry Services.

(1) No change.

(2) All podiatry services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Podiatry Services Coverage and Limitations Handbook, January 2004 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMSHCFA-1500 ~~and Child Health Check-Up 221~~, which is incorporated by reference in Rule ~~59G-4.0015-020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, ~~409.907~~, 409.908, 409.9081 FS. History—New 1-23-84, Amended 10-25-84, Formerly 10C-7.529, Amended 4-21-92, 11-9-92, 7-1-93, Formerly 10C-7.0529, 10P-4.220, Amended 1-7-96, 3-11-98, 10-13-98, 5-24-99, 4-23-00, 7-5-01, 2-20-03, 8-5-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Physician Services

RULE NO.: 59G-4.230

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2004. The handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new procedure codes, and an updated fee schedule effective January 2004. This Notice of Rule Development replaces the notice that was published in the Florida Administrative Weekly, Vol. 29, No. 7, on February 14, 2003. We are publishing a new Notice of Rule Development, because we changed the effective date to January 2004 to include the January 2004 procedure codes and maximum fee schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.907, 409.908, 409.9081 FS.

IF REQUESTED WITHIN 14 DAYS AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., Monday, February 23, 2004

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lynne Metz, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7325

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.230 Physician Services.

(1) No change.

(2) All physician services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2004 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMSHCFA-1500 ~~and Child Health Check-Up 221~~, which is incorporated by reference in Rule ~~59G-4.0015-020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.9081 FS. History—New 1-1-77, Revised 2-1-78, 4-1-78, 1-2-79, 1-1-80, Amended 2-8-82, 3-11-84, Formerly 10C-7.38, Amended 1-10-91, 11-5-92, 1-7-93, Formerly 10C-7.038, Amended 6-29-93, 9-6-93, Formerly 10P-4.230, Amended 6-13-94, 2-9-95, 3-10-96, 5-28-96, 3-18-98, 9-22-98, 8-25-99, 4-23-00, 8-05-01, 2-20-03, 8-5-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Physician Assistant Services

RULE NO.: 59G-4.231

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Physician Assistant Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Physician Assistant Services Coverage and Limitations Handbook, January 2004. The handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new procedure codes, and an updated fee schedule effective January 2004. This Notice of Rule Development replaces the notice that was published in the Florida Administrative Weekly, Vol. 29, No. 34, on August 22, 2003. We are publishing a new Notice of

Rule Development, because we changed the effective date to January 2004 to include the January 2004 procedure codes and maximum fee schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.9081 FS.

IF REQUESTED WITHIN 14 DAYS AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., Monday, February 23, 2004

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lynne Metz, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7325

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.231 Physician Assistant Services.

(1) No change.

(2) All physician assistant providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Physician Assistant Services Coverage and Limitations Handbook, January 2004 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMSHCFA-1500 and ~~Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-~~4.0015-020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, ~~409.907~~, 409.908, 409.9081 FS. History—New 8-21-95, Amended 5-28-96, 3-11-98, 10-13-98, 8-9-99, 4-23-00, 8-5-01, 2-20-03, 8-5-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Registered Nurse First Assistant Services

RULE NO.: 59G-4.270

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Registered Nurse First Assistant Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Registered Nurse First Assistant Services Coverage and Limitations Handbook, January 2004. The handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new procedure codes, and an updated fee schedule effective January 2004. This Notice of Rule Development replaces the notice that was published in the

Florida Administrative Weekly, Vol. 29, No. 17, on April 25, 2003. We are publishing a new Notice of Rule Development, because we changed the effective date to January 2004 to include the January 2004 procedure codes and maximum fee schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.9081 FS.

IF REQUESTED WITHIN 14 DAYS AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., Monday, February 23, 2004

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Madeleine Nobles, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7326

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.270 Registered Nurse First Assistant Services.

(1) No change.

(2) All registered nurse first assistant services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Registered Nurse First Assistant Services Coverage and Limitations Handbook, January 2004 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMSHCFA-1500 and ~~Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-~~4.0015-020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, ~~409.907~~, 409.908, 409.9081 FS. History—New FS. 3-11-98, Amended 10-13-98, 5-24-99, 4-23-00, 7-5-01, 2-20-03, 8-5-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Visual Services

RULE NO.: 59G-4.340

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Visual Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Visual Services Coverage and Limitations Handbook, January 2004. The handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new procedure codes, and an updated fee schedule effective January 2004. This Notice of Rule Development

replaces the notice that was published in the Florida Administrative Weekly, Vol. 29, No. 34, on August 22, 2003. We are publishing a new Notice of Rule Development, because we changed the effective date to January 2004 to include the January 2004 procedure codes and maximum fee schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908 FS.

IF REQUESTED WITHIN 14 DAYS AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., Monday, February 23, 2004

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Jackson, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7314

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.340 Visual Services.

(1) No change.

(2) All visual services practitioners enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Visual Services Coverage and Limitations Handbook, January 2004 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMSHCFA-1500 ~~and Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-~~4.0015-020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908 FS. History—New 7-30-80, Formerly 10C-7.521, Amended 4-20-93, 8-25-93, Formerly 10C-7.0521, Amended 12-21-97, 10-13-98, 6-10-99, 4-23-00, 1-23-02, 2-20-03, 8-5-03, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE TITLE: _____ RULE NO.: _____

Licensing Procedure for Manager’s License 61-20.001

PURPOSE AND EFFECT: The Council proposes to amend the licensing procedures for applicants for a Manager’s License.

SUBJECT AREA TO BE ADDRESSED: Licensing Procedure for Manager’s License.

SPECIFIC AUTHORITY: 468.433 FS.

LAW IMPLEMENTED: 120.60, 468.432, 468.433, 468.435 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Malone, Executive Director, Regulatory Council of Community Association Managers, 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

Regulatory Council of Community Association Managers

RULE TITLE: _____ RULE NO.: _____

Status and Renewal of Manager’s License 61-20.002

PURPOSE AND EFFECT: The Council proposes to amend the processes involved in renewal of manager’s licenses.

SUBJECT AREA TO BE ADDRESSED: Status and renewal process of manager’s licenses.

SPECIFIC AUTHORITY: 468.433 FS.

LAW IMPLEMENTED: 468.433, 468.435, 468.436 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Malone, Executive Director, Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE TITLE: _____ RULE NO.: _____

Exemption of Spouses of Members of Armed Forces from Licensure Renewal Provisions 61-20.0025

PURPOSE AND EFFECT: The exemption of spouses of members of Armed Forces from licensure renewal provisions.

SUBJECT AREA TO BE ADDRESSED: The Council proposes to exempt spouses of members of the Armed Forces from licensure renewal provisions

SPECIFIC AUTHORITY: 455.02(2), 468.4315(3) FS.

LAW IMPLEMENTED: 455.02(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Malone, Executive Director, Regulatory Council of Community Association Managers, 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

Regulatory Council of Community Association Managers

RULE TITLE: Disbursement of Examination Fees
 RULE NO.: 61-20.504

PURPOSE AND EFFECT: The Board proposes to reflect a change of examination fees.

SUBJECT AREA TO BE ADDRESSED: Disbursement of Examination Fees.

SPECIFIC AUTHORITY: 468.4315, 943.053 FS.

LAW IMPLEMENTED: 455.2171, 455.219(3),(6), 455.2281, 455.271, 468.4315(2), 468.433, 468.435, 943.053 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Malone, Executive Director, Regulatory Council of Community Association Managers, 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

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE TITLES:	RULE NOS.:
Guarantees of Common Expenses Under Section 718.116(9)(a)2., Florida Statutes	61B-22.004
Financial Reporting Requirements	61B-22.006
Transition Financial Statements;	
Turnover Audit	61B-22.0062

PURPOSE AND EFFECT: The rule amendment changes the calculation of a developer's guarantee obligation in order to provide that expenses incurred during the production of non-assessment revenues may be offset by the revenues produced by the activity.

SUBJECT AREA TO BE ADDRESSED: The rule pertains to a developer guarantee issued pursuant to Section 718.116(9), Florida Statutes. Specifically, the rule provides a change in the calculation of the developer funding obligation during a developer guarantee period, and the final accounting at the expiration of such period.

SPECIFIC AUTHORITY: 718.111(13), 718.501(1)(f) FS.

LAW IMPLEMENTED: 718.116(9) FS.

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

TIME AND DATE: 10:00 a.m., February 23, 2004

PLACE: Conference Room B03, Fuller-Warren Building, 201 W. Bloxham Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the 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.

A copy of the rule amendment is available on line at <http://www.myflorida.com/portal>, <Find an Agency, <DBPR, <Land Sales, <Mobile Homes.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES:	RULE NOS.:
Definitions	61D-7.001
Trifecta and Superfecta Combinations	61D-7.015
Pari-Mutuels	61D-7.020
Mutuels Tickets, Cashing, Records, and Totalisator Security Requirements	61D-7.021
Outs Cashed After the End of the Meet	61D-7.022
Reporting of Wagering Activities, Permitholder and Totalisator Reports	61D-7.023
Totalisator Requirements	61D-7.024

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to accounting and auditing procedures, and totalisator security requirements.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in these rules are:

1. The procedure to allow payment of outs or lost tickets upon presentation of appropriate documentation by a pari-mutuel patron.
2. Requirement to provide the Division with copies of operations for account wagering and mobile or portable terminals.
3. Reporting of employees with access to the tote room at pari-mutuel facilities.
4. Security and reporting of pari-mutuel wagering data.

SPECIFIC AUTHORITY: 550.0251(3),(7), 550.105(2)(c), 550.125(2)(b), 550.155(1), 550.1645(1), 550.495(4),(5) FS.

LAW IMPLEMENTED 550.0251, 550.0425, 550.105, 550.125, 550.155, 550.1645, 550.2633, 550.3551, 550.495 FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 Noon, February 24, 2004

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES: **RULE NOS.:**
 Financial Reporting Requirements 61D-8.002
 Purse Requirements, Greyhound Racing 61D-8.006

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to accounting and auditing procedures, and totalisator security requirements.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in these rules are:

1. To provide reporting requirements for horse race permitholders regarding purse payments to breeders' and stallion awards fund.

2. To provide a 21-day period for a permitholder to respond to an audit report of the Division.

3. To provide a format for reporting of greyhound purses required by Section 550.0914(2)(d), Florida Statutes.

SPECIFIC AUTHORITY: 550.0251(3),(7),(9), 550.125(2)(b), 550.155(1), 550.3551(10), 550.6305(5) FS.

LAW IMPLEMENTED 550.0251, 550.0914(2)(d), 550.0951(5), 550.125, 550.155, 550.3551, 550.615, 550.6305, 550.6335 FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 Noon, February 24, 2004

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES:	RULE NOS.:
Interstate and Intertrack Broadcasts	61D-9.001
Interstate and Intertrack Broadcasts – Emergency Procedures	61D-9.003
Intertrack Wagering – Permitholder Accounting, Reporting and Ticket Cashing Responsibilities	61D-9.004
Intertrack and Interstate Wagering, Hub Systems Requirements	61D-9.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to accounting and auditing procedures, and totalisator security requirements.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in these rules are:

1. To provide requirements for purse reporting for interstate and intertrack broadcasts.
2. To provide for a totalisator security plan to be provided by the tote site manager.
3. Update rules regarding reporting of outs and ticket cashing responsibilities.

Revise rules regarding the location of Division Pari-Mutuel Wagering specialists to facilities which act as the totalisator hub.

SPECIFIC AUTHORITY: 550.0251(3),(7), 550.125(2)(b), 550.155(1), 550.2625(2)(d), 550.3551(10), 550.495(4), 550.6305(5) FS.

LAW IMPLEMENTED 550.0251, 550.125, 550.155, 550.2625, 550.3551, 550.495, 550.615, 550.625, 550.6305 FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 Noon, February 24, 2004

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLES:	RULE NOS.:
Who May Apply	61G5-18.001
Cosmetology Examination	61G5-18.003
Re-examination	61G5-18.004
Endorsement of Cosmetologists	61G5-18.007

PURPOSE AND EFFECT: The Board proposes development of these rules to address changes in the requirements for a cosmetologist license.

SUBJECT AREA TO BE ADDRESSED: Who May Apply, Cosmetology Examination, Re-examination, and Endorsement of Cosmetologists.

SPECIFIC AUTHORITY: 120.53, 455.217(1), 477.016, 477.019(2),(6) FS.

LAW IMPLEMENTED: 455.217(2),(3), 477.019(2),(6), 477.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Malone, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLES:	RULE NOS.:
Hair Shaping	61G5-22.007
Scalp Treatments and Hair Care Rinses	61G5-22.008
Shampoos and Rinses	61G5-22.009
Hair Arranging (Styling)	61G5-22.010
Hair Coloring	61G5-22.011
Chemical Waving and Relaxing/Straightening	61G5-22.012
Manicuring/Pedicuring/Nail Extension	61G5-22.0125

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE TITLES:	RULE NOS.:
Initial Licensure Fee	64B6-4.003
Biennial Renewal Fee for Active License	64B6-4.004
Special Assessment Fee	64B6-4.011

PURPOSE AND EFFECT: The Board proposes to review the existing language in Rules 64B6-4.003 and 64B6-4.004, F.A.C. to determine if amendments are necessary. The Board also proposes to promulgate a new rule in regards to a special assessment fee.

SUBJECT AREA TO BE ADDRESSED: Initial licensure fee, biennial renewal fee for active license and special assessment fee.

SPECIFIC AUTHORITY: 455.587(1), 456.013(2), 456.017, 456.025(1), 484.044, 484.0447(4),(6) FS.

LAW IMPLEMENTED: 456.013(2), 456.017, 484.0447(4),(8), 484.047(2) FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Licensure Requirements	64B14-4

PURPOSE AND EFFECT: The Board proposes to review the existing language in the entirety of this chapter to determine if amendments are necessary and/or new rules should be promulgated pertaining to licensure requirements.

SUBJECT AREA TO BE ADDRESSED: Licensure requirements.

SPECIFIC AUTHORITY: 456.017(1)(c),(d), 468.802, 468.803(2), 468.805(3) FS.

LAW IMPLEMENTED: 456.013(1),(7), 456.017(1)(c),(d), 468.803(2), 468.805(3) FS.

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

TIME AND DATE: 1:00 p.m., February 19, 2004

PLACE: Rosen Hotel, 9840 International Drive, Orlando, Florida, (407)996-9840

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board’s Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the board with respect to any matter considered at this hearing, they will need a record of proceedings, and for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Licensure Renewal	64B14-5

PURPOSE AND EFFECT: The Board proposes to review the existing language in the entirety of this chapter to determine if amendments are necessary and/or new rules should be promulgated pertaining to licensure requirements.

SUBJECT AREA TO BE ADDRESSED: Licensure renewal.

SPECIFIC AUTHORITY: 456.013, 468.802, 468.806(2) FS.

LAW IMPLEMENTED: 456.013, 456.024, 468.805(2), 468.806 FS.

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

TIME AND DATE: 1:00 p.m., February 19, 2004

PLACE: Rosen Hotel, 9840 International Drive, Orlando, Florida, (407)996-9840

Section II Proposed Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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.”

STATE BOARD OF ADMINISTRATION

RULE TITLES:	RULE NOS.:
Reimbursement Contract	19-8.010
Procedures to Determine Ineligibility for Participation and Exemption from Participation in the Florida Hurricane Catastrophe Fund	19-8.012
Revenue Bonds Issued Pursuant to Section 215.555(6), Florida Statutes	19-8.013
Insurer Reporting Requirements	19-8.029
Insurer Responsibilities	19-8.030

PURPOSE AND EFFECT: These rules are promulgated to implement Section 215.555, Florida Statutes, regarding the Florida Hurricane Catastrophe Fund, for the 2004-2005 Contract Year.

SUMMARY: Proposed amended Rule 19-8.010, F.A.C., adopts the reimbursement contract for the Contract Year 2004-2005. Proposed amended Rule 19-8.012, F.A.C., updates the name and address of the Florida Hurricane Catastrophe Fund Administrator and updates incorporated forms. Proposed amended Rule 19-8.013, F.A.C., replaces references to the statutory \$11 billion limit with a reference to the statute containing the limit and replaces the word “event” as used in the rule with the phrase “covered event.” Proposed amended Rule 19-8.029, F.A.C., adopts forms for insurer reporting to the Florida Hurricane Catastrophe Fund for the 2004-2005 Contract Year and updates incorporated forms. Also, the phrase “ground up or gross direct losses” has been replaced by the phrase “ultimate net losses.” Proposed amended Rule 19-8.030, F.A.C., adds those companies under regulatory supervision to the list of companies that have reimbursement premiums due on August 1 unless control or supervision occurs after that date. Also, the requirement that a company violating a rule “will” be referred to the Office of Insurance Regulation has been changed to “may” to take into account those situations in which the violation was the result of circumstances beyond the control of the company.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board has prepared a statement and found the cost to be minimal.

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

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(2),(3),(4),(5),(6),(7),(10) FS.

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

TIME AND DATE: 9:00 a.m. – 12:00 Noon, Monday, March 1, 2004

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, FL 32308

Any person requiring special accommodations to participate in this proceeding is asked to advise Patti Elsbernd, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1346, at least five (5) calendar days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jack E. Nicholson, Senior FHCF Officer, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1340

THE FULL TEXT OF THE PROPOSED RULES IS:

19-8.010 Reimbursement Contract.

(1) through (9) No change.

(10) The reimbursement contract for the 2004-2005 contract year required by Section 215.555(4), Florida Statutes, which is called Form FHCF-2004K – “Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC # () and The State Board of Administration of the State of Florida (“SBA”) which Administers the Florida Hurricane Catastrophe Fund (“FHCF”), is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2004 through May 31, 2005.

~~(11)(40)~~ Copies of the reimbursement contract may be obtained from the State Board of Administration. The mailing address is P. O. Box 13300, Tallahassee, FL 32317-3300. The street address is 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1346.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History--New 5-31-94, Amended 8-29-95, 5-19-96, 6-19-97, 5-28-98, 5-17-99, 9-13-99, 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03,_____.

19-8.012 Procedures to Determine Ineligibility for Participation in the Florida Hurricane Catastrophe Fund and to Determine Exemption from Participation in the Florida Hurricane Catastrophe Fund.

(1) No change.

(2) Procedures to Determine Ineligibility for Participation in the Fund.

(a) An insurer seeking ineligibility from participation in the Fund because it has surrendered its certificate of authority to write insurance in Florida shall submit a written request for ineligibility stating that it will have no covered policies, as that

term is defined in Section 215.555(2)(c), Florida Statutes, after May 31 of the year for which the ineligibility is sought and provide a copy of the Office of Insurance Regulation Order, if any, revoking the insurer's authority to write insurance in Florida. The request shall be sent to the Fund's Administrator, Paragon ~~Strategic Solutions Inc., Reinsurance Risk Management Services, Inc.~~, at 3600 ~~American Boulevard, West 80th Street~~, Minneapolis, Minnesota 55431.

(b) An insurer which is not surrendering its certificate to write insurance in Florida but which is seeking ineligibility from participation in the Fund because it does not have any covered policies, as that term is defined in Section 215.555(2)(c), Florida Statutes, shall submit a written request for a determination regarding its ineligibility for participation. The request shall be sent, no later than September 1 of the current contract year, to the Fund's Administrator, Paragon ~~Strategic Solutions Inc., Reinsurance Risk Management Services, Inc.~~, at 3600 ~~American Boulevard, West 80th Street~~, Minneapolis, Minnesota 55431, and shall contain the following information:

1. A detailed explanation of any premium appearing on the insurer's Florida Form 2 of the National Association of Insurance Commissioners annual statement for lines of business which may contain covered policies. These lines are: Fire, Allied Lines, Homeowners Multiple Peril, Commercial Multiple Peril (non-liability portion), Inland Marine, Farmowners Multiple Peril.

2. A copy of the insurer's Form 2 of the annual statement, required by Section 624.424, Florida Statutes, and any rules adopted thereunder, for the State of Florida for the applicable year.

3. Form FHCF-E1, "Statement related to Covered Policies as defined in Section 215.555(2)(c), Florida Statutes," rev. ~~5/04 8/96~~, signed by two executive officers attesting to the fact that the insurer writes no covered policies. Form FHCF-E1 is hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in this paragraph.

(c) Upon receipt of the information required by paragraphs (a) or (b), above, the Fund's Administrator will forward copies to the State Board of Administration of Florida (Board) for review.

1. If the Board determines that additional information is needed before a decision can be made, the Fund's Administrator will obtain the information and forward it to the Board.

2. If the Board determines that the insurer writes covered policies, as defined in Section 215.555(2)(c), Florida Statutes, and in Article V of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., and must therefore participate in the Fund as required by Section 215.555(4)(a), Florida Statutes, the Board will notify the insurer that its request has been denied. All insurers determined to be participants in the Fund will be required to

enter into a reimbursement contract with the Board and will be subject to all premium payments and interest thereon, as well as fees for inadequate exposure data.

3. If the Board determines that the insurer does not write covered policies, as defined in Section 215.555(2)(c), Florida Statutes, and in Article V of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., the Board will notify the insurer that its request has been approved and note that the insurer must immediately notify the Board if it begins writing covered policies. The Board will provide the Fund's Administrator with a copy of any approval letter so that the Fund's Administrator can update its information and can refund any overpayment of reimbursement premium.

(3) Procedures to Determine Exemption from the Fund Due to Limited Exposure.

(a) An insurer requesting exemption from participation in the Fund because its exposure for covered policies, as defined in Section 215.555(2)(c), Florida Statutes, and in Article V of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., is less than \$500,000 in the aggregate shall submit a written request for a determination regarding such an exemption no later than June 1 of the upcoming contract year. The request shall be sent to the Fund's Administrator, Paragon ~~Strategic Solutions Inc., Reinsurance Risk Management Services, Inc.~~, at 3600 ~~American Boulevard, West 80th Street~~, Minneapolis, Minnesota 55431. The insurer shall submit the following information:

1. through 2. No change.

3. Form FHCF-E2, "Information regarding FHCF Covered Policies In-force at May 31, _____," rev. ~~5/04 5/03~~. Form FHCF-E2 is hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in this paragraph.

4. Form FHCF-E3, "Statement related to Aggregate Exposure for Covered Policies as defined in Section 215.555(2)(c), Florida Statutes, on behalf of _____," rev. ~~5/04 8/96~~, signed by two executive officers attesting to the fact that the insurer writes no covered policies with an aggregate exposure of \$500,000 or more. Form FHCF-E3 is hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in this paragraph.

(b) No change.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2)(c), (3), (4), (5) FS. History—New 2-17-97, Amended 6-3-02, 5-13-03, _____.

19-8.013 Revenue Bonds Issued Pursuant to Section 215.555(6), Florida Statutes.

(1) through (2) No change.

(a) through (d) No change.

(e) Board or SBA means the ~~Florida~~ State Board of Administration of Florida.

(f) through (g) No change.

(h) ~~An “Event” or a “Covered Event” means a hurricane as defined in Section 215.555(2)(b), Florida Statutes, and in Article V of the Reimbursement Contract adopted and incorporated by reference in Rule 19-8.010, F.A.C.~~

(i) through (o) No change.

(3) No change.

(a) No change.

(b) ~~Regardless of its assets, ability to raise funds or the amount of covered losses, the obligation of the Fund with respect to all Reimbursement Contracts covering a particular Contract Year shall not exceed the limits set forth in Section 215.555(4)(c)1., Florida Statutes. ~~actual claims paying capacity of the Fund, as defined in Section 215.555(4)(e), Florida Statutes, up to a limit of \$11 billion for that Contract Year, unless the Board determines that there is sufficient estimated claims paying capacity to provide \$11 billion of capacity for the current Contract Year and an additional \$11 billion of capacity for the subsequent Contract Year.~~~~

(4) through (c)1. No change.

2. If Reimbursement Premiums received under Section 215.555(5), Florida Statutes, or earnings on such premiums are used to pay debt service on revenue bonds, such premiums and earnings shall be used only after the use of the monies derived from Emergency Assessments. If a Covered Event occurs which exhausts the Balance of the Fund as of December 31 of the Contract Year in which the Covered Event occurs and if Emergency Assessments are levied to provide revenues to pay debt service on revenue bonds issued to pay reimbursable losses related to such Covered Event, then Reimbursement Premiums collected in Contract Years following the Contract Year in which the Covered Event occurred are expected to be used to pay debt service only if the amounts raised through Emergency Assessments are not sufficient to make the required debt service payments on the revenue bonds issued for the Covered Event. If Reimbursement Premiums are used for debt service in the event of a temporary shortfall in the collection of Emergency Assessments, then the amount of the Reimbursement Premiums so used shall be returned, without interest, to the Fund when sufficient Emergency Assessments are received.

(d) through (e) No change.

(5) No change.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2),(3),(4),(5),(6),(7) FS. History—New 9-18-97, Amended 12-3-98, 9-12-00, 6-1-03, _____.

19-8.029 Insurer Reporting Requirements.

(1) No change.

(2) through (e) No change.

(f) Independent Consultant means the independent individual, firm, or organization with which the State Board of Administration of Florida (Board) SBA contracts to prepare the premium formula and any other actuarial services for the FHCF, as determined under the contract with the consultant.

(g) through (h) No change.

(3) through (b) No change.

(c) Reporting Regarding Insurers Withdrawing from the State or Discontinuing the Writing of All Kinds of Insurance Prior to June 30 of Each Year. Insurers which discontinue writing insurance in Florida and have no remaining Covered Policy exposure as of June 30 of each Contract Year ~~are~~ is required to petition for exemption from the Fund pursuant to Rule 19-8.012, F.A.C. Insurers which withdraw from the Florida insurance market prior to June 30 and have no remaining Covered Policy exposure as of that date shall not participate in the Fund. The affected insurer shall provide written evidence obtained from the Office of Insurance Regulation that it has surrendered its certificate of authority and currently has no outstanding Covered Policies in force. Nothing in this rule shall be construed to conflict with the requirements of Section 624.430(1), Florida Statutes.

(d) No change.

(4) through (e) No change.

(f) For the 2004/2005 Contract Year, the reporting shall be in accordance with the following: Form FHCF-D1A, “Florida Hurricane Catastrophe Fund 2004 Data Call,” rev. 5/04 and UNICEDE[®] /PX Data Exchange Format, Version 4.0.0.” The two forms identified in the immediately preceding sentence are hereby adopted and incorporated by reference. A new participant shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.

(5) Loss Reimbursement Reporting Requirements.

(a) As directed by the Board, after a covered event occurs, insurers shall report all their estimated ultimate net losses (as defined in the Reimbursement Contract, adopted and incorporated into Rule 19-8.010, F.A.C.) for Covered Policies ~~(ground up or gross direct losses without regard for the insurer’s retention)~~ on Form FHCF-L1A, “Florida Hurricane Catastrophe Fund Interim Loss Report,” rev. ~~5/04~~ 5/03, which is hereby adopted and incorporated by reference. Prompt reporting in the format requested will aid the Board in determining whether to seek additional sources of funds to pay for reimbursable losses. The losses reported on Form FHCF-L1A are expected to result from a good faith effort on the part of the insurer to report as accurately as possible. Preliminary reports will not be binding. Reimbursements by the Fund will be made on the basis of Form FHCF-L1B, adopted below, and on the basis of quarterly adjustments thereafter. After the initial report of losses on Form FHCF-L1A, only insurers expecting to exceed their retentions for covered losses are required to comply with paragraph (b), below.

(b) No change.

(c) Insurers shall report their ultimate net annual covered losses (all losses regardless of an insurer’s retention) for each occurrence on or before December 31 of the Contract Year

during which the covered event occurs and quarterly thereafter on the date the quarter ends on Form FHCF-L1B, "Florida Hurricane Catastrophe Fund Proof of Loss Report," rev. ~~5/03~~ 5/04, which is hereby adopted and incorporated by reference. In reporting losses, deductibles ~~and~~ or attachment points shall be applied first to the coverages provided by the FHCF. For the quarterly report due on 3/31, any insurer whose losses reach or exceed 50% of its FHCF retention shall report its losses on Form FHCF-L1B. For the quarterly report due on 6/30, any insurer whose losses reach or exceed 75% of its FHCF retention shall report its losses on Form FHCF-L1B. For the quarterly reports due on 9/30 and thereafter, any insurer which anticipates that its losses will reach 100% or more of its FHCF retention shall report its losses on Form FHCF-L1B until all its losses are paid to its policyholders and the insurer has received reimbursement from the Fund. For purposes of this rule, quarterly Loss Reports shall be those reports submitted at each quarter end date after December 31 of the Contract Year in which the covered event occurs and continuing until all claims and losses resulting from loss occurrences commencing during the Contract Year are fully discharged in accordance with the reporting requirements in this paragraph. "Fully Discharged" means the earlier of the date on which the insurer has paid its policyholders in full or the commutation clause, in Article X of the Reimbursement Contract, adopted in Rule 19-8.010, F.A.C., takes effect.

(d) As a result of reports submitted on Form FHCF-L1B, reimbursements to insurers shall be adjusted in accordance with Section 215.555(4)(b)3., Florida Statutes, which prohibits an insurer's recovery from all sources to exceed 100% ~~percent~~ of its losses from a covered event, and in accordance with Section 215.555(4)(d)1., Florida Statutes, which requires the Fund to pay additional amounts to insurers and insurers to return overpayments to the Fund, based on the most recent calculation of losses.

(6) All the forms adopted and incorporated by reference in this rule may be obtained from: Administrator, Florida Hurricane Catastrophe Fund, Paragon ~~Strategic Solutions Inc., Reinsurance Risk Management Services, Inc.,~~ at 3600 ~~American Boulevard, West 80th Street,~~ Minneapolis, Minnesota 55431.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2),(3),(4),(5),(6),(7),(15) FS. History-New 5-17-99, Amended 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, _____.

19-8.030 Insurer Responsibilities.

(1) through (2) No change.

(3) Definitions. The terms defined below will be capitalized in this rule.

(a) No change.

(b) Board or SBA means the ~~Florida~~ State Board of Administration of Florida.

(c) No change.

(d) Citizens Property Insurance Corporation or Citizens means the entity formed under Section 627.351(6), Florida Statutes, and includes both the High Risk Account (~~formerly the Florida Windstorm Underwriting Association~~) and the Personal Lines and Commercial Lines Accounts (~~formerly the Florida Residential Property and Casualty Joint Underwriting Association~~).

(e) through (n) No change.

(4) No change.

(5) Exposure Reporting Requirements:

(a) No change.

(b) Current Participants. Each Insurer, with Covered Policies as of June 1 of a Contract Year must participate in the FHCF and must complete and submit the Data Call. The Data Call is incorporated into Rule 19-8.029, F.A.C., and is due, correctly completed, no later than ~~by~~ September 1 of the Contract Year.

(c) through (d) No change.

(6) Premiums:

(a) through (c) No change.

(d) With respect to any Company where control of the Company has been transferred through any legal or regulatory proceeding to a state regulator or court appointed receiver or rehabilitator, or the Company has been placed under regulatory supervision, prior to December 1 of the Contract Year, the full annual provisional Reimbursement Premium as billed and any outstanding balances will be due on August 1, or the date that control is transferred if after August 1.

(7) No Changes.

(8) Loss Reporting: Participating Insurers are required to file the following two types of loss reports at the times prescribed in Rule 19-8.029, F.A.C. Form FHCF-L1A, "Florida Hurricane Catastrophe Fund Interim Loss Report," rev. 5/04 ~~5/03~~ and Form FHCF-L1B, "Florida Hurricane Catastrophe Fund Proof of Loss Report," rev. 5/04 ~~5/03~~. Both of these forms are hereby adopted and incorporated by reference into this rule.

(9) Penalties and Additional Charges: The Participating Insurers' responsibilities outlined in this rule are not an exhaustive list and Section 215.555, F.S. and other rules promulgated under that section may outline additional responsibilities ~~and~~ or deadlines. The failure by a Participating Insurer to meet any of the deadlines or responsibilities outlined in this rule, Section 215.555, F.S. ~~and~~ or any other Rules applicable to the FHCF constitute a violation of the Florida Insurance Code. In the event of a violation, in addition to the consequences outlined below, the FHCF may ~~will~~ notify the Office of Insurance Regulation of the violation. The Office of Insurance Regulation may take whatever action it deems appropriate in addressing the violation.

(a) through (b) No change.

(c) Consequences for Failure to meet the Advance Audit Preparation Record Requirements or the On-Site Audit Record Requirements in a timely manner: In addition to other penalties and/or consequences, the FHCF has the authority, pursuant to Section 215.555(4)(f), F.S., to require that the Insurer pay for the following services under the circumstances outlined below:

- 1. through 3. No change.
- (10) No change.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History--New 5-13-03, Amended.

DEPARTMENT OF CORRECTIONS

RULE TITLE: RULE NO.:

Rules of Conduct 33-208.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to correct staff titles and clarify circumstances when employees are required to report incidents to their supervisors.

SUMMARY: The proposed rule corrects staff titles and describes circumstances when employees are required to report incidents to their supervisors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 944.09, 944.14, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-208.002 Rules of Conduct.

The Department of Corrections requires all employees to familiarize themselves with all rules and regulations pertaining to their positions and duties, and that employees abide by these rules and regulations. The following rules of conduct and performance standards are applicable both on and off the job to all Department of Corrections employees. Some of these rules of conduct are found again in abbreviated form in the next section titled "Range of Disciplinary Actions," however, all rules of conduct are enforceable by appropriate disciplinary action regardless of whether they are listed in the range of disciplinary actions.

(1) Each warden, Officer-in-Charge, and circuit administrator, or District Supervisor, as well as designated Central Office Staff, shall be responsible for insuring that each employee under his supervision, before assuming the duties of his employment, is familiar with all rules and regulations of the Department and institution which pertain to such employee and to the protection, custody, control, care and treatment of persons under his supervision or control. Each employee shall keep himself completely familiar and comply with all such rules and regulations during his employment. Copies of the rules and regulations shall be made available for inspection by employees.

~~(2) Each employee shall make an immediate report to the Secretary, warden, or Officer-in-Charge of any violation of the law or the rules and regulations of the Department of which he has knowledge. Such employee's report may be required in writing at the discretion of the receiving official.~~

~~(2)(a)(3)~~ Each employee shall make a full written report within 3 calendar days of any:

- 1. Ceriminal charge filed against him or
- 2. Arrest any or receipt of a Notice to Appear for any violation of any criminal law involving a misdemeanor or felony, or ordinance except minor ~~traffie~~ violations for which the fine or bond forfeiture is \$200 or less.

3. Knowledge of any violation of the law, rules, directives or procedures of the Department.

~~(b) In field locations~~ This report shall be submitted to the warden, regional director, or circuit administrator or officer in charge; in central office this report shall be submitted to the employee's bureau chief or director.

(4) through (5) renumbered (3) through (4) No change.

~~(5)(6)~~ No employee shall solicit, trade, barter, or accept a gift or any compensation from or present a gift to, an inmate, an inmate's family, a person under supervision of the department, his family, or any other person in behalf of an inmate or person under supervision, except as authorized by the warden, officer-in-charge or circuit administrator or district supervisor.

(7) through (9) renumbered (6) through (8) No change.

~~(9)(10)~~ No employee shall report for duty or exercise supervision or control over any person while under the influence of a narcotic, barbiturate, hallucinogenic drug, central nervous system stimulant or an intoxicant. However, in the event any of the foregoing drugs is prescribed and administered to an employee, the employee shall report this to the circuit administrator, supervisor or Officer-in-Charge or District Supervisor and provide him or her with a prescription receipt detailing the type of medication, dosage, and possible side effects. The circuit administrator, supervisor or officer-in-charge or district supervisor shall then make a determination whether the employee can perform his duties without detrimental effect. No employee shall refuse to submit to a scientific test to measure his alcohol blood level when

reporting for duty or while on duty if the ~~district supervisor~~ circuit administrator, supervisor or Officer-in-Charge has reason to believe that the employee is under the influence of alcohol.

(11) through (27) renumbered (10) through (26) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09, 944.14, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47 FS. History--New 10-8-76, Amended 10-11-77, 4-19-79, 6-18-83, Formerly 33-4.02, Amended 8-15-89, 10-20-90, 1-31-91, 3-20-91, 1-30-96, 3-24-97, 4-19-98, Formerly 33-4.002, Amended 7-17-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ralph Kiessig

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 23, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 26, 2003

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
State Classification Office and Institutional Classification Teams	33-601.209
Elderly Offender Housing	33-601.217
Youthful Offenders – Definitions	33-601.220
Maximum Management	33-601.820

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to modify the definition of “institutional classification team” to clarify the intent of the rules, i.e., that security interests be represented in team decisions. The proposed rules replace the requirement that a specific individual be on the team with the requirement that a high-ranking member of security staff be a part of the team.

SUMMARY: The proposed rules modify the definition of “institutional classification team” to clarify the intent of the rules, i.e., that security interests be represented in team decisions. The proposed rules replace the requirement that a specific individual be on the team with the requirement that a high-ranking member of security staff be a part of the team.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULES IS:

33-601.209 State Classification Office and Institutional Classification Teams.

(1) No change.

(2) The State Classification Office shall be composed of a chairperson, a vice-chairperson and other members as designated by the Chief of Classification and Central Records.

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

(3) The Institutional Classification Team refers to the team consisting of the warden or assistant warden, classification supervisor, a correctional officer chief, and other members as necessary when appointed by the warden or designated by rule. ~~The ICT is responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO) local classification decisions as defined in rule and procedure. The Institutional Classification Team shall be comprised of the following members:~~

~~(a) Warden or assistant warden who shall serve as chairperson.~~

~~(b) Classification supervisor.~~

~~(c) Chief of Security.~~

~~(d) Other members as necessary when appointed by the warden or designated by rule.~~

Specific Authority 944.09 FS. Law Implemented 944.09, 944.17, 944.1905, 958.11 FS. History--New 9-19-00, Amended _____.

33-601.217 Elderly Offender Housing.

(1) Definitions.

(a) Institutional Classification Team (ICT) – refers to the team consisting of the warden or assistant warden, classification supervisor, a correctional officer and chief, and other members as necessary when appointed by the warden or designated by rule. ~~The ICT is of security,~~ responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification office (SCO).

(b) through (2) No change.

Specific Authority 944.09, 944.804 FS. Law Implemented 944.09, 944.804 FS. History--New 9-15-02, Amended _____.

33-601.220 Youthful Offenders – Definitions.

(1) through (6) No change.

(7) Institutional Classification Team (ICT) – refers to the team consisting of the warden or assistant warden, classification supervisor, a correctional officer and chief, and other members as necessary when appointed by the warden or designated by rule. The ICT of security which is responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO).

(8) through (9) No change.

Specific Authority 944.09, 958.11 FS. Law Implemented 944.09, 958.11 FS. History–New 3-13-01, Formerly 33-506.100, Amended 2-19-03, _____.

33-601.820 Maximum Management.

(1) No change.

(2) Definitions.

(a) No change.

(b) Institutional Classification Team (ICT) for Maximum Management Review – refers to the team consisting responsible for making local classification decisions. The Institutional Classification Team shall be comprised of the warden or aAssistant wWarden, who shall serve as Chairperson, cClassification sSupervisor, a correctional officer cChief of Security, and other members as necessary when appointed by the warden or designated by rule. The ICT is responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO).

(c) through (11) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 12-7-00, Amended 11-23-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Rathmann

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 26, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULES TITLES:	RULES NOS.:
Application Fees	61G2-3.002
Examination Fees	61G2-3.003

PURPOSE AND EFFECT: The Board proposes to add language to the rule to address an application fingerprinting processing fee; also the Board proposes to amend the rule to adjust the examination fees.

SUMMARY: The rules will be amended to address application fingerprinting processing fees and to adjust the examination fees.

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: 468.385, 468.386(1), 468.387, 943.053 FS.

LAW IMPLEMENTED: 455.2171, 468.385, 468.385(4), 468.387, 943.053 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julie Malone, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G2-3.002 Application Fees.

The application fee for those applying for an auctioneer license through examination is \$50; for an auctioneer license by endorsement or reciprocity \$75; for an apprentice license \$50; and for an auction business license \$50. Additionally, each application shall be accompanied by a \$47 fingerprint processing fee.

Specific Authority 468.386(1), 943.053 FS. Law Implemented 468.385, 468.387, 943.053 FS., as amended by s. 7, Ch. 87-210, Laws of Florida. History–New 5-4-87, Amended 10-19-87, Formerly 21BB-3.002, Amended

61G2-3.003 Examination Fees.

(1) When the examination is not conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, \$250.00 payable to the Department. When the examination is conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, \$241.00 237.00 payable to the Department plus \$9.00 13.00 payable to the testing service.

(2) When the re-examination is not conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, \$250.00 payable to the Department. When the re-examination is conducted by a professional testing service

pursuant to Section 455.2171, Florida Statutes, ~~\$241.00~~ ~~237.00~~ payable to the Department plus \$9.00 ~~13.00~~ payable to the testing service.

Specific Authority 468.386(1) FS. Law Implemented 455.2171, 468.385(4) FS. History—New 5-4-87, Amended 9-13-88, Formerly 21BB-3.003, Amended 5-3-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Auctioneers
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Auctioneers
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 26, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Qualification for Certification
RULE NO.: 61G4-15.001
PURPOSE AND EFFECT: The proposed rule amendment sets forth the qualification for certification of contractors.

SUMMARY: The proposed rule intends clarifies the guidelines for verification of active experience in the applicant’s specific category.

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: 489.111 FS.

LAW IMPLEMENTED: 489.111 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.001 Qualification for Certification.

(1)(a) An applicant for certification must, as a precondition thereto, submit proof that he meets the eligibility requirements set forth in Section 489.111(2)(c), F.S., for the particular category in which he seeks to qualify. An applicant who seeks to meet the educational standard set forth in Section 489.111(2)(c)1., 2., or 3., F.S., must direct the college, university, junior college, or community college which he attended to submit proof to the Department that the applicant

received the requisite amount of education. Active experience in the category in which the applicant seeks to qualify shall be verified by affidavits prepared or signed by a state certified Florida contractor, or an architect or engineer, in the applicant’s category, who is licensed in good standing or a licensed building official, who is active in the applicant’s category, employed by a political subdivision of any state, territory or possession of the United States who is responsible for inspections of construction improvements, listing chronologically the active experience in the trade, including the name and address of employers and dates of employment (which may be corroborated by investigation by the Board). Said affidavit shall be subscribed to in front of a notary.

(b) Applicants shall follow the guidelines set forth in this section when seeking to verify active experience in accordance with paragraph 61G4-15.001(1)(a), F.A.C.

If the applicant’s category is: The following licensees can verify the applicant’s active experience:

- | | |
|---|--|
| <u>1. General</u> | <u>General contractor</u> |
| <u>2. Building</u> | <u>General and/or Building contractor</u> |
| <u>3. Residential</u> | <u>General, Building and/or Residential contractor</u> |
| <u>4. Plumbing</u> | <u>General, Building, Residential, Plumbing and/or Underground Utility and Excavation contractor</u> |
| <u>5. Roofing</u> | <u>General, Building, Residential and/or Roofing contractor</u> |
| <u>6. Class A Air-Conditioning Contractor</u> | <u>General, Building, Residential, Class A air-conditioning contractor and/or Mechanical contractor</u> |
| <u>7. Class B Air-Conditioning Contractor</u> | <u>General, Building, Residential, Class A air-conditioning, Class B air-conditioning and/or Mechanical contractor</u> |
| <u>8. Commercial Pool/Spa Contractor</u> | <u>General, Building, Residential, Commercial Pool/Spa contractor</u> |
| <u>9. Residential Pool/Spa Contractor</u> | <u>General, Building, Residential, Commercial Pool/Spa and/or Residential Pool/Spa contractor</u> |
| <u>10. Swimming Pool/Spa Servicing</u> | <u>General, Building, Residential, Commercial Contractor Pool /Spa, Residential Pool/Spa and/or Swimming Pool/Spa Servicing contractor</u> |

- 11. Mechanical Contractor General, Building, Residential, Mechanical, Class A air-conditioning and/or Class B air-conditioning contractor
- 12. Sheet Metal Contractor General, Building, Residential, Sheet metal, Class A air-conditioning and/or Mechanical contractor
- 13. Specialty Structure Contractor General, Building, Residential and/or Specialty structure contractor
- 14. Solar Contractor General, Building, Residential, Solar, Commercial Pool/Spa and/or Residential Pool/Spa contractor
- 15. Underground Utility and Excavation General, Building, Residential, Contractor Underground utility and excavation, and/or Plumbing contractor
- 16. Residential Solar Water Heating General, Building, Residential, Residential Contractor Solar Water Heating, Plumbing, and /or Mechanical contractor
- 17. Gypsum Drywall Contractor General, Building, Residential and/or Gypsum Drywall contractor
- 18. Gas Line Specialty Contractor General, Building, Residential, Gas Line Specialty, Underground utility and/or Plumbing contractor
- 19. Glass and Glazing Specialty Contractor General, Building, Residential and/or Glass and Glazing contractor

(2)(a) In the case of applicants for certification in the general or building contractor categories, the phrases “active experience” and “proven experience” as used in Section 489.111(2)(c)1., 2., or 3., F.S., shall be defined to mean construction experience in four or more of the following areas:

1. Foundation/Slabs in excess of twenty thousand (20,000) square feet.
2. through 3. No change.
4. Elevated slabs Trusses.
5. Precast concrete structures ~~Structural wood framing~~ (excluding platform framing).
6. through 7. No change.
- (b) No change.
- (3) through (5) No change.

Specific Authority 489.111 FS. Law Implemented 489.111 FS. History—New 1-6-80, Amended 12-16-80, 6-30-82, 4-11-83, Formerly 21E-15.01, Amended 12-11-90, 8-21-91, 4-16-92, Formerly 21E-15.001, Amended 7-18-94, 12-16-01, 2-6-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Requirements for Certification and Registration RULE NO.: 61G4-15.005

PURPOSE AND EFFECT: The proposed rule amendment sets forth revisions to the net worth amounts.

SUMMARY: The proposed rule amendment increases the net worth amounts required for certification and registration of contractors.

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

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

IF REQUESTED 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.005 Requirements for Certification and Registration.

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

- (1) through (2) No change.

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

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

- 1. General Contractor, ~~\$80,000~~ ~~20,000~~;
 - 2. Building Contractor, ~~\$40,000~~ ~~20,000~~;
 - 3. Residential Contractor, \$20,000;
 - 4. Sheet Metal Contractor, ~~\$20,000~~ ~~10,000~~;
 - 5. Roofing Contractor, ~~\$20,000~~ ~~10,000~~;
 - 6. Class A Air Conditioning Contractor, ~~\$20,000~~ ~~10,000~~;
 - 7. Class B Air Conditioning Contractor, ~~\$20,000~~ ~~10,000~~;
 - 8. Class C Air Conditioning Contractor, ~~\$20,000~~ ~~10,000~~;
 - 9. Mechanical Contractor, ~~\$20,000~~ ~~10,000~~;
 - 10. Commercial Pool/Spa Contractor, ~~\$20,000~~ ~~10,000~~;
 - 11. Residential Pool/Spa Contractor, ~~\$20,000~~ ~~10,000~~;
 - 12. Swimming Pool/Spa Servicing Contractor, ~~\$10,000~~ ~~2,500~~;
 - 13. Plumbing Contractor, ~~\$20,000~~ ~~10,000~~;
 - 14. Underground Utility and Excavation Contractor, ~~\$20,000~~ ~~10,000~~;
 - 15. Solar Contractor, ~~\$20,000~~ ~~10,000~~;
 - 16. Residential Solar Water Heating Specialty Contractor, ~~\$5,000~~ ~~2,500~~;
 - 17. Specialty Structure Contractor, ~~\$20,000~~ ~~10,000~~;
 - 18. Pollutant Storage System Specialty Contractor, ~~\$20,000~~ ~~10,000~~;
 - 19. Gypsum Drywall Specialty Contractor, ~~\$5,000~~ ~~2,500~~;
 - 20. Gas Line Specialty Contractor, ~~\$20,000~~ ~~10,000~~; or
- (b) through (d) No change.
 (4) No change.

Specific Authority 489.115(5),(6), 489.129(1), 489.132(5) FS. Law Implemented 489.113(1), 489.115(5),(6), 489.129(1), 489.132(5) FS. History—New 1-10-80, Amended 4-15-82, 9-5-82, 3-21-83, Formerly 21E-15.05, Amended 4-18-86, 1-19-87, 7-1-87, 1-26-88, 1-1-89, 5-23-89, 6-5-90, 4-16-92, Formerly 21E-15.005, Amended 10-17-93, 7-18-94, 7-19-95, 4-24-96, 9-8-96, 10-31-96, 2-4-97, 8-2-98, 9-15-98, 4-5-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: _____ RULE NO.:

Original Cosmetologist Licensure Fee, Cosmetologist Examination and Endorsement Fees, Initial Specialist Registration; Application and Endorsement Fees 61G5-24.002

PURPOSE AND EFFECT: The proposed rule amendment is intended to modify the examination fees.

SUMMARY: The proposed rule amendment sets forth the fees for cosmetologists and specialists for licensure, examination, registration, application and endorsement.

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

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

SPECIFIC AUTHORITY: 455.2171, 477.016, 477.026 FS.

LAW IMPLEMENTED: 455.2171, 477.026(1)(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Malone, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-24.002 Original Cosmetologist Licensure Fee, Cosmetologist Examination and Endorsement Fees, Initial Specialist Registration; Application and Endorsement Fees.

(1) The following fees are adopted by the Board:

(a) No change.

(b) The examination fee for licensure as a cosmetologist by examination shall be fifty dollars (\$50.00). When the examination is not conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, the entire examination fee shall be payable to the Department. When the examination is conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, twenty-three dollars (\$23.00) ~~eleven dollars (\$11.00)~~ of the examination fee shall be payable to the Department; and twenty-seven dollars (\$27.00) ~~thirty-nine dollars (\$39.00)~~ shall be payable to the professional testing service.

(c) through (f) No change.

(2) No change.

Specific Authority 455.2171, 477.016, 477.026 FS. Law Implemented 455.2171, 477.026(1)(b) FS. History—New 11-2-80, Amended 5-18-82, 10-1-85, Formerly 21F-24.02, Amended 9-6-87, Formerly 21F-24.002, Amended 4-13-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Cosmetology
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Cosmetology
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 7, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Citations
RULE NO.: 61G5-30.004

PURPOSE AND EFFECT: The proposed rule amendment is intended to modify penalty fees and update language.

SUMMARY: The proposed rule amendment sets forth citation violations and the penalties applicable to such violations.

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

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

SPECIFIC AUTHORITY: 455.224, 477.016 FS.

LAW IMPLEMENTED: 455.224, 477.106 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Malone, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-30.004 Citations.

(1) through (5) No change.

(6) The Board hereby designates the following as citation violations, which shall result in a penalty of one hundred and fifty dollars (\$150.00) two hundred and fifty dollars (\$250.00):

(a) Practicing cosmetology or a specialty with an inactive or expired license for more than two months but not more than three months ~~Operating a salon without a wet sanitizer as required by Rule 61G5-20.002(2)(d), F.A.C.;~~

(b) Operating a salon with a delinquent license for more than two months but not more than three months ~~Three or more violations of the safety, sanitary, or other salon requirements specified in Rule 61G5-20.002, F.A.C.;~~

(c) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than two months but not more than three months;

(d) No change.

(7) The Board hereby designates the following as citation violations, which shall result in a penalty of two hundred dollars (\$200.00) three hundred dollars (\$300.00):

(a) Practicing cosmetology or a specialty with an inactive or expired license for more than three months but not more than four months without a license;

(b) Operating a salon with a delinquent license for more than three months but not more than four months without a license;

(c) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than three months but not more than four months without a license;

(d) No change.

(8) The Board hereby designates the following as citation violations, which shall result in a penalty of two hundred and fifty dollars (\$250.00):

(a) Operating a salon without a wet sanitizer as required by paragraph 61G5-20.002(2)(d), F.A.C.;

(b) Three or more violations of the safety, sanitary, or other salon requirements specified in Rule 61G5-20.002, F.A.C.;

(c) Practicing cosmetology or a specialty with an inactive or expired license for more than four months but not more than five months;

(d) Operating a salon with a delinquent license for more than four months but not more than five months;

(e) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than four months but not more than five months;

(9) The Board here by designates the following as citation violations, which shall result in a penalty of three hundred dollars (\$300.00):

(a) Practicing cosmetology or a specialty with an inactive or expired license for more than five months but not more than six months;

(b) Operating a salon with a delinquent license for more than five months but not more than six months;

(c) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than five months but not more than six months;

(d) Five or more violations of the safety, sanitary, or other salon requirements specified in Rule 61G5-20.002, F.A.C.

(10) The Board here by designates the following as citation violations, which shall result in a penalty of three hundred and fifty dollars (\$350.00):

(a) Practicing cosmetology or a specialty with an inactive or expired license for more than six months but not more than seven months;

(b) Operating a salon with a delinquent license for more than six months but not more than seven months;

(c) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than six months but not more than seven months;

(11) The Board here by designates the following as citation violations, which shall result in a penalty of four hundred dollars (\$400.00):

(a) Practicing cosmetology or a specialty with an inactive or expired license for more than seven months but not more than eight months;

(b) Operating a salon with a delinquent license for more than seven months but not more than eight months;

(c) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than seven months but not more than eight months;

(12) The Board here by designates the following as citation violations, which shall result in a penalty of four hundred and fifty dollars (\$450.00):

(a) Practicing cosmetology or a specialty with an inactive or expired license for more than eight months but not more than nine months;

(b) Operating a salon with a delinquent license for more than eight months but not more than nine months;

(c) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than eight months but not more than nine months;

(13) The Board hereby designates the following as citation violations, which shall result in a penalty of five hundred dollars (\$500.00):

(a) Practicing cosmetology or a specialty without a license;

(b) Operating a salon without a license;

(c) Employing a person to practice cosmetology or a specialty without a license;

(d) Practicing cosmetology or a specialty with an inactive or expired license for more than nine months but not more than twelve months;

(e) Operating a salon with a delinquent license for more than nine months but not more than twelve months;

(f) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than nine months but not more than twelve months.

Specific Authority 455.224, 477.016 FS. Law Implemented 455.224, 477.016 FS. History--New 11-17-91, Amended 4-15-93, Formerly 21F-30.004, Amended 8-8-95, 2-28-96, 10-1-97, 5-10-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Cosmetology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 19, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE TITLE: Minor Violations. Notice of Noncompliance

RULE NO.: 61G8-30.0021

PURPOSE AND EFFECT: The Board proposes to provide an alternative to the provisions of Section 455.225(1), F.S.

SUMMARY: The proposed rule amendment sets forth the criteria for minor violations that do not endanger the public health.

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

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

SPECIFIC AUTHORITY: 455.225(3) FS.

LAW IMPLEMENTED: 455.225(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G8-30.0021 Minor Violations. Notice of Noncompliance.

(1) As an alternative to the provisions of 455.225(1) and (2), Florida Statutes, the Department may provide a licensee with a notice of non-compliance for ~~an initial offense of~~ a minor violation.

(2) Minor violations that do not endanger the public health, safety and welfare, and which do not demonstrate a serious inability to practice the profession are:

(a) ~~First time failure to notify~~ Notification that a funeral establishment has moved to a new location, provided such notification does not exceed thirty days since the date of moving.

for kickboxing within the boxing and mixed martial arts rules in order to streamline the rules for all three disciplines; to update definitions, terms, and requirements to conform with their respective disciplines; to add additional clarification to the requirements, processes, and procedures for licensure and permitting; to provide for additional health and financial protection of licensees; to allow flexibility in license suspension, license revocation, and assessment of fines; to clarify distinction between kickboxing and mixed martial arts; to establish licensure requirement for concessionaires; to add additional clarification of the duties and responsibilities and safety standards to the roles and required conduct of licensees, the executive director, commission representatives, district coordinators, other employees of the commission, and the commissioners; to allow for additional neurological and medical tests that may be made available with future technology; to allow the ingestion of commission approved sports drinks; to ensure consistency and conformity with the rules and the commission’s forms; to provide for DBPR form numbers; and, to technically amend the rules for additional clarity, efficiency, and statutory conformity.

SUMMARY: The rule amendments address and update the requirements, safety standards, practices, and procedures for the regulation of mixed martial arts, kickboxing, and boxing, pursuant to Chapter 548, F.S.

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

Any person wishing 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: 548.003(2) FS.

LAW IMPLEMENTED: 548 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jason Penley, Assistant Executive Director, The Florida State Boxing Commission, 725 S. Bronough Street, Room 206, Tallahassee, Florida 32399, (850)488-8500

THE FULL TEXT OF THE PROPOSED RULES IS:

GENERAL RULES FOR BOXING, KICKBOXING AND MIXED MARTIAL ARTS

61K1-1.001 Purpose, Applicability and Scope of Rules.

(1) These rules implement the provisions of Chapter 548, F.S., and establish the regulations and standards set forth by the Florida State Boxing Commission ~~State Athletic Commission~~ relative to ~~the conduct of~~ professional boxing, kickboxing, and mixed martial arts. The rules contained herein

apply to all professional boxing, kickboxing, and mixed martial arts matches held in Florida or shown on a closed circuit telecast viewed in Florida.

(2) Chapter 548, F.S., and these rules do not apply to any:

(a) Match in which the participants are amateurs;

(b) Match conducted or sponsored by a university, college, or secondary school if all the participants are students regularly enrolled in the institution;

(c) Match conducted or sponsored solely by a nationally chartered veterans’ organization registered with the state;

(d) Match conducted or sponsored solely by any company or detachment of the Florida National Guard; or

(e) Official Olympic event.

(3) All forms referenced in these rules may be obtained by contacting, and shall be filed with, Executive Director, Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016.

Specific Authority 548.003, 548.006 FS. Law Implemented 548.004, 548.006, 548.007, 548.061 FS. History—New 2-7-85, Formerly 7F-1.01, Amended 4-6-89, 1-1-90, Formerly 7F-1.001, Amended 9-10-95, 4-3-00, _____.

61K1-1.002 Definitions.

The definitions contained in Section ~~§~~ 548.002, F.S., apply equally herein unless expressly indicated otherwise. As used in this Chapter the term:

(1) “Broadcast” means any audio or visual image sent by radio or television signals.

(2) “Closed Circuit Telecast” means any telecast which is not intended to be available for viewing without the payment of a fee, collected for or based upon each event viewed, for the privilege of viewing the telecast and includes the term “pay per view.” Examples of locations where a closed circuit telecast could occur include arenas, bars, clubs, entertainment or meeting centers and private residences.

(3) “Contact Exhibition” means any exhibition in which the participants intend, are allowed or are expected to hit, punch, or contact each other in any way.

~~(4) “Council” means the Medical Advisory Council.~~

~~(4)(5)~~ “Counted Out” means that a participant has been knocked down and the referee and knockdown timekeeper have performed the appropriate count as set forth in these rules, and the completion of such count signifies that the participant has been knocked out.

~~(5)(6)~~ “Face Value” means the dollar value of a ticket which value shall reflect the dollar amount that the customer is required to pay or, for complimentary tickets, would have been required to pay to purchase a ticket with equivalent seating priority, in order to view the match or program of matches. It shall include any charges or fees, such as dinner, gratuity, parking, surcharges or any other charges or fees which must be incurred in order to be allowed to view the match. However, if

the ticket specifies the amount of admission charges attributable to state or federal taxes, such taxes shall not be included in face value.

~~(6)(7)~~ "Fight Card" means a program of matches.

~~(7)(8)~~ "Gross Receipts" means the gross price charged for the sale or lease of broadcasting, television and motion picture rights without any deductions for commissions, brokerage fees, distribution fees, advertising, or other expenses or charges; the portion of the receipts from the sale of souvenirs, programs and other concessions received by the promoter or concessionaire; and the face value of all tickets sold and complimentary tickets issued.

(9) "Kickboxing" means to compete with the fists, feet, legs, or any combination thereof. Offensive full-contact professional karate punching, kicking, and striking techniques, with the exception of those techniques identified herein as fouls, are appropriate. ~~"He" or "His" shall also mean she or her.~~

(10) "Main Event" means the principal match or matches within a program of matches.

(11) "Mixed Martial Arts" means unarmed combat that includes, but is not limited to, a combination of skills such as wrestling, grappling, kickboxing, boxing and other martial arts. Variations of kickboxing that include strikes using forearms or knees are included in this definition for permitting purposes only and shall be referenced using their known titles such as, but not limited to, Muay Thai or Thai Boxing.

~~(12)(11)~~ "Person" ~~shall~~ means an individual, group of individuals, business, corporation, partnership or any other individual or collective entity.

~~(13)(12)~~ "Physician" means an individual licensed under Chapter 458 or 459, F.S., ~~to practice medicine and surgery in Florida and who has been licensed~~ to provide medical services to participants and other persons under the jurisdiction of the commission before, during, and after matches pursuant to Chapter 548, F.S.

~~(14)(13)~~ "Program of Matches" means, collectively, all of the matches that are scheduled or proposed to be scheduled under the same permit.

~~(15)(14)~~ "Cable System Operator" means any person who broadcasts or telecasts a closed circuit telecast regardless of the technology used to transmit or receive the broadcast or telecast.

~~(16)(15)~~ "Employee of the Commission" means the executive director, the commission's legal counsel, and, to the extent that they are assigned to work for the commission, any full time or part time salaried employee of the Department of Business and Professional Regulation, and all OPS employees of the Department of Business and Professional Regulation, except those OPS employees determined to be independent contractors and who are not involved in making policy decisions for the commission. This definition is only for the purposes of implementing Chapter 548, Florida Statutes F.S.,

Rule Chapter 61K1, Florida Administrative Code, and Pub. L. 104-272, October 9, 1996, as set forth in Title 15, Section 6301-6313, USCA, and does not confer employee status for any other purpose.

~~(17)(16)~~ "Boxing Registry" means any central repository or collection of match records person who maintains the fight by fight records of any boxer or kickboxer that is subsequently approved by the commission.

Specific Authority 548.003 FS. Law Implemented 548.002, 548.006, 548.013, 548.017, 548.021, 548.045, 548.046, 548.057, 548.06, 548.061 FS. History—New 2-7-85, Formerly 7F-1.02, Amended 4-6-89, Formerly 7F-1.002, Amended 9-10-95, 11-20-95, 4-3-00,_____.

61K1-1.0023 Commission, Commission Employees, Duties and Responsibilities; ~~Deputy Commissioners.~~

(1) A meeting of the commission shall be convened, after the executive director gives notice as required by Chapters 120 and 286, F.S., upon the call of the chairman or at least three members of the commission. The location of the meeting shall be determined by a majority of the commission. Under no circumstances shall a meeting of the commission occur unless notice has been made as required in Chapters 120 and 286, F.S.

(2) At the first meeting after June 1 of each year, the commission shall elect a chairman and vice-chairman from among its membership.

(3) No member or employee of the commission shall be a member of, belong to, contract with, or receive any compensation from; any person or entity who sanctions, arranges, ~~or~~ promotes, professional boxing or who otherwise has a financial interest in any active participant boxer currently registered with a boxing registry.

(4) No commissioner shall represent to another person or organization that the executive director ~~he~~ is acting for or representing the commission unless the executive director ~~he~~ has first obtained the authority of the commission to so act or represent.

(5) No member or employee of the commission shall supervise a boxing event in another state, except as authorized by Section ~~s~~- 548.003(7), F.S.

Specific Authority 548.003 FS. Law Implemented 548.003, 548.004, 548.006, 548.011, 548.025, 548.035, 548.054, 548.056, 548.07, 548.071, 548.073 FS. History—New 4-6-89, Amended 8-28-89, Formerly 7F-1.0023, Amended 4-3-00,_____.

61K1-1.0024 Medical Advisory Council.

~~A meeting of the council shall be convened, after the executive director gives notice as required by chapters 120 and 286, F.S., upon the call of the chairman of the commission, three members of the commission or the executive director to consider such matters as requested by the commission. The location of the meeting shall be determined by a majority of the council. Under no circumstances shall a meeting of the council occur unless notice has been made as required in chapters 120 and 286, F.S.~~

Specific Authority 548.003 FS. Law Implemented 548.046 FS. History—New 4-6-89, Formerly 7F-1.0024, Amended 4-3-00, Repealed.

61K1-1.0025 Executive Director Secretary, Duties and Responsibilities.

(1) The executive director shall:

(a) Maintain offices in the official headquarters of the commission located in Tallahassee, Florida;

(b) Perform all administrative functions to ensure that the commission operates and conducts carries on its business in a lawful manner;

(c) Be the custodian of ~~the records for~~ of the commission;

(d) Ensure that proper notice and recording is made of all meetings of the commission ~~and the council~~;

(e) Attend all meetings of the commission;

(f) Tentatively approve, issue, withhold or deny licenses and permits according to the provisions of Chapter 548, F.S., and the rules set forth herein;

(g) Be present at all matches and act as the commission representative in charge or, in the executive director's his absence, appoint an assistant executive director or an employee of the commission another commission representative to be the commission representative in charge;

(h) Ensure that all matches are conducted in accordance with the provisions of Chapter 548, F.S., and the rules set forth herein. This shall include appointing or causing to be appointed licensed match officials, in accordance with the criteria established within these rules, and reviewing and approving or disapproving a match or fight card based on, but not limited to, the prospective participant's: weights, abilities, records, ~~and~~ or physical condition of ~~the prospective participants~~. The executive director shall not approve a match where it is reasonable to believe assume, based on weights, abilities, records, or physical condition of the prospective participants, that the match would not be competitive, would be physically unsafe for one or both participants, would be in conflict with the suspension requirements imposed by any other jurisdiction's boxing commission against one or both participants, except as provided for in Pub. L. 104-272, October 9, 1996, as set forth in Title 15, Section 6306(b), USCA, or would not be in the best interest of the sport or the welfare of the public;

(i) Issue or cause to be issued administrative complaints and citations as set forth herein; and

(j) Shall have the authority to affix the executive director's his signature to documents which attest to or represent official commission action.

(2) The executive director secretary or any other employee of the commission shall not have any financial or pecuniary interest in any person under the jurisdiction of the commission.

(3) The executive director secretary shall be responsible for notifying the commission of any violation which would be grounds for suspension or revocation of any person's license,

of violations that could cause the cancellation of a match or any matter which could reasonably be anticipated to negatively affect the health of a participant, the safety and or welfare of the public or result in legal action being taken against the commission.

(4) The executive director, secretary and employees, and commission representatives ~~of the commission~~, while acting in their official capacity, shall be reimbursed for travel, food, and lodging expenses as provided for in Section s- 112.061, F.S.

Specific Authority 548.003 FS. Law Implemented 548.004, 548.006, 548.011, 548.056, F.S. History—New 4-6-89, Amended 1-1-90, Formerly 7F-1.0025, Amended 9-10-95, 4-3-00, Repealed.

61K1-1.0026 Deputy Commissioners, Duties and Responsibilities.

~~(1) A deputy commissioner shall be appointed by the commission for the purpose of assisting the commission or the executive secretary to carry out and enforce the provisions of chapter 548, F.S., and these rules. The executive secretary shall, whenever necessary, make temporary or emergency appointments of deputy commissioners for the same purposes as stated above, provided however, that such temporary or emergency appointments shall be valid for only such time period as necessary to carry out the temporary or emergency duties.~~

~~(2) The term of a deputy commissioner shall be from the date of appointment until December 31 of the year in which the appointment was effective or the first regular meeting of the commission after December 31, whichever is later, unless otherwise provided by the commission.~~

~~(3) The compensation of a deputy commissioner shall be the same as that of a commissioner, provided however that the commission shall be required to pre approve the expenditure of funds for attendance of a deputy commissioner at a commission meeting.~~

~~(4) No deputy commissioner shall have any direct or indirect financial or pecuniary interest in any person under the jurisdiction of the commission.~~

Specific Authority 548.003 FS. Law Implemented 548.004, 548.006, 548.056, 548.061, 548.071 FS. History—New 4-6-89, Amended 8-28-89, Formerly 7F-1.0026, Amended 9-10-95, Repealed.

61K1-1.0027 District Coordinators ~~Commission~~ Representatives, Duties and Responsibilities.

(1) A commission representative ~~shall be~~ appointed by ~~the commission or~~ the executive director for the purpose of supervising or assisting in the supervision of a weigh-in or match regulated under Chapter 548, F.S., and such other duties as described herein shall be referred to as a district coordinator. ~~The following process and criteria will be used to select commission representatives:~~

(a) Any person desiring to become a district coordinator ~~commission representative~~ must submit a State of Florida OPS employment application which may be obtained by writing to the Florida State Boxing Commission, 1940 North Monroe

Street, Tallahassee, Florida 32399-1016. ~~Any person desiring to assist the commission by attending closed circuit telecasts and accumulating information for the commission to use in the collection of taxes, needs only to contact the commission by writing to the commission address set forth above.~~

~~(b) Commission representatives will be appointed to perform a variety of functions such as supervising at weigh-ins and boxing events in the absence of the executive director, coordinate events at weigh-ins and boxing events, travel to closed circuit venues and audit ticket sales for tax purposes and attend meetings when requested by the commission or executive director.~~

~~(c) Recognizing that commission representatives require expertise in a variety of disciplines, each will be appointed to serve in positions in accordance with the particular expertise each commission representative possesses:~~

~~1. Commission representatives desiring to work boxing events will be referred to as District Coordinators.~~

~~2. Commission representatives desiring to be assigned to a closed circuit venue for the purpose of auditing ticket sales for taxes will be referred to as Commission Representatives and must be familiar with their duties and responsibilities as provided on Form BPR-0009-482, entitled Report Of Ticket Sales By Commission Representative For A Closed Circuit Telecast, incorporated herein by reference and effective May, 1993, and a form entitled Instruction Sheet For Form BPR-0009-482, Commission Representative's Report For Closed Circuit Event. A commission representative appointed to represent the commission at a facility during the telecast of a closed circuit match or program of matches shall be responsible for the following:~~

~~a. Arriving at the facility prior to the opening of the gates so as to become familiar with the layout of the facility and determine how many employees of the facility are present;~~

~~b. Taking a position at a location from which the number of customers being admitted to the facility can be observed and counted;~~

~~c. Ensuring that no person is admitted to the facility to view the telecast unless a ticket stub is deposited in the ticket stub container or unless such person is an employee of the facility and is actively working during the telecast;~~

~~d. Observing the telecast or portions of the telecast and reporting the quality of the picture and sound;~~

~~e. Reporting the refunding of any tickets; and~~

~~f. Completing Form BPR-0009-482, entitled Report Of Ticket Sales By Commission Representative For A Closed Circuit Telecast with an effective date of May 1993, and submitting such report to the commission office within 24 hours after the conclusion of the telecast. A commission representative, while representing the commission at a closed circuit telecast, shall not require or request that the operator or owner of the facility allow the complimentary admittance of any other person.~~

(2) The District coordinators commission representative shall be responsible for immediately notifying the executive director of any violation of Chapter 548, F.S., or the rules set forth herein any person under the jurisdiction of the commission or of problems that, if unresolved, could cause the cancellation of a match or any matter which could reasonably be anticipated to negatively affect the health of a participant or the safety or welfare of the public.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.045, 548.046, 548.057 FS. History—New 4-6-89, Amended 8-28-89, 1-1-90, 5-13-90, Formerly 7F-1.0027, Amended 9-10-95, 4-3-00, _____.

61K1-1.0028 Chief Inspector, Inspectors, Duties and Responsibilities.

(1) The executive director shall appoint a minimum of one chief inspector for each program of matches for the purpose of overseeing and coordinating the activities occurring in the dressing rooms with the activities occurring at ringside and the television coordinator, as appropriate. ~~The following process and criteria will be used to select chief inspectors:~~

(a) Any person desiring to become a chief inspector shall submit a State of Florida OPS employment application which may be obtained by writing to the Florida State Boxing Commission at 1940 North Monroe Street, Tallahassee, Florida 32399-1016.

(b) Chief Inspectors shall ~~The duties of a chief inspector are:~~

1. Enforce the rules regarding handwraps, glove weights and types, approved substances, and equipment and supplies that must be in the corner during a match, conduct of the seconds in the corner during the match, how a fight may be stopped by the chief second, and drug anti-doping test administration.

2. Have available and in good working condition two-way radios, drug testing kits, tape, pens, and gloves for use by the commission.

3. Ensure that the promoter has provided the required emergency medical personnel and their equipment.

~~3.(2) The chief inspector shall~~ Appoint a minimum of four inspectors for each program of matches for the purpose of overseeing, directing, and controlling the activities occurring in the dressing room and at ringside. ~~The following process and criteria will be used to select the inspectors:~~

(a) Any person desiring to become an inspector shall submit a State of Florida OPS employment application which may be obtained by writing to the Florida State Boxing Commission at 1940 North Monroe Street, Tallahassee, Florida 32399-1016.

(b) Applicants for inspector must:

1. Know ~~Be knowledgeable of~~ the rules governing handwraps, glove weights, and types of approved substances, and equipment and supplies that must be in the corner;

2. Be able to observe, assimilate and react to a variety of complex situations;

3. Be able to work in a highly stressful environment with a known deadline;

4. Be able to work as a team member;

5. Remain impartial as to participants and their affiliates;

~~6.5. Exhibit while exhibiting~~ a demeanor of control of the dressing room area and the activities of the seconds and participants at ringside;

~~7.5. Know~~ Be knowledgeable of the rules governing the conduct of the seconds in the corner;

~~8.6.~~ Be knowledgeable of the rules governing how a fight may be stopped by the chief second; and

9.7. Know Be knowledgeable and be proficient in the regarding anti-doping test administration of drug tests; and

~~10.8.~~ Have participated as an unofficial inspector for a minimum of 3 4 events.

~~(e) The duties of an inspector are to enforce the rules regarding handwraps, glove weights and types approved substances, equipment and supplies that must be in the corner during a match, conduct of the seconds in the corner during the match, how a fight may be stopped by the chief second, and anti-doping test administration.~~

Specific Authority 548.003 FS. Law Implemented 548.006 FS. History—New 4-6-89, Amended 8-28-89, Formerly 7F-1.0028, Amended 4-3-00, _____.

61K1-1.003 Licenses, Permits; Requirement, Procedure and Period, Fee.

(1) License; Requirement, Procedure and Period, Fee.

(a) License Requirement.

1. No person may act as an announcer, timekeeper, judge, physician, trainer, manager, promoter, foreign copromoter, second, referee, participant, matchmaker, booking agent, or representative of a booking agent or concessionaire for any match held in Florida without first obtaining the appropriate license.

2. No person shall be issued a license if such person has an unpaid fine or any delinquent indebtedness outstanding to the commission.

3. The commission shall not issue a license to: ~~No person shall be issued a license who, in any jurisdiction, has been convicted of any act which would constitute a violation of Chapter 548, F.S., or the rules set forth herein; or which would constitute any of the grounds set forth in Chapter 548, F.S., for suspension or revocation of a license; or against whom such charges are pending before any regulatory body.~~

a. Any person or business entity that has been convicted of any act, or that has a trustee, partner, officer, director, or owner that has been convicted of any act; that would constitute a violation of Chapter 548, F.S., or would constitute any of the grounds set forth in Chapter 548, F.S., for suspension or revocation of a license or against whom such charges are pending before any regulatory body; or

b. Any person or business entity that has been named in any information or indictment, or that has a trustee, partner, officer, director, or owner that has been named in an information or indictment, for any act that would constitute a violation of Chapter 548, F.S., or a ground for suspension or revocation of a license.

~~4. No person shall be issued a license who has been named in an information or indictment for any act which would constitute a violation of chapter 548, F.S., or which act would constitute a ground for suspension or revocation of a license.~~

~~4.5.~~ No person shall transfer or attempt to transfer, including by the use of a power of attorney, any rights, privileges, responsibilities, duties, obligations, or liabilities which by their nature are entitled to or encumbered by only those individuals holding a license to perform and be responsible for such activities.

~~5.6.~~ For the purposes of this Chapter, the requirements and responsibilities of a foreign copromoter shall be the same as that of a promoter, and wherever the term promoter is used it is deemed to include the term foreign copromoter.

(b) Licensing Procedure and Period.

1. All applications for a license shall be in writing on a form provided by the commission, verified by the applicant, complete and have any required attachments, and accompanied by the required fee. An applicant for a license as an announcer, booking agent, concessionaire, foreign copromoter, judge, manager, matchmaker, participant, physician, promoter, referee, representative of a booking agent, second, timekeeper or trainer shall utilize Form BPR-0009-450, entitled Application for License, incorporated herein by reference and effective _____ April 3, 2000. ~~An applicant for a license as a manager shall utilize Form BPR 0009 492, entitled Application for Manager License, incorporated herein by reference and effective April 3, 2000. An applicant for a license as a physician shall utilize Form BPR 0009 470, entitled Application for Physician License, incorporated herein by reference and effective April 3, 2000. An applicant for a license as a promoter or foreign copromoter shall utilize Form BPR 0009 452, entitled Application for Promoter or Foreign Copromoter License, incorporated herein by reference and effective April 3, 2000. An applicant for a license as a participant shall utilize Form BPR 0009 467, entitled Application for Participant License, incorporated herein by reference and effective April 3, 2000.~~

2. Upon receipt of an application for a license, the application shall be reviewed by the executive director, assistant executive director, or an authorized commission representative and, if the application is in compliance with the requirements of Chapter 548, F.S., and the rules set forth herein, ~~the executive director shall cause a temporary license shall to be issued pending final approval by the commission.~~ If it is determined that the application is not in compliance, the

applicant shall be immediately notified and advised of the reasons for the finding that the application is not in compliance.

3. A license issued pursuant to Chapter 548, F.S., and these rules shall be valid from the date of issuance until December 31 of the year in which the license was effective. An application for the renewal of a license shall be submitted on the same forms as referenced above and all of the requirements, standards, and criteria used to approve or disapprove an application for a new or initial license shall be used to approve or disapprove the application for the renewal of a license.

(c) License Fees. The following non-refundable fee shall accompany each application for a license:

1. Announcer	\$25.00
2. Booking Agent	\$50.00
3. Judge	\$25.00
4. Manager	\$50.00
5. Matchmaker	\$100.00
6. Participant	\$15.00
7. Promoter/ <u>Foreign Copromoter</u>	\$250.00
8. Referee	\$25.00
9. Representative of a Booking Agent	\$25.00
10. Second	\$15.00
11. Timekeeper	\$25.00
12. Trainer	\$15.00
<u>13. Concessionaire</u>	<u>\$100.00</u>

(2) Permit; Requirement, Procedure and Period, Fee.

(a) Permit Requirement.

1. No promoter shall present a program of matches or no promoter, foreign copromoter or concessionaire shall broadcast a program of matches unless he has first obtained a permit has first been obtained.

2. No promoter, foreign copromoter, or concessionaire shall be given tentative approval for or issued a permit if such person has an unpaid fine or any delinquent indebtedness outstanding to the commission.

(b) Permit Applications – Live Events Held in This State.

1. For live events held in this state, (The application for permit accompanied by the required fees shall be submitted by a promoter licensed under Chapter 548, F.S., and shall be required to be on file with the commission at least 7 seven calendar days prior to the scheduled program of matches. An applicant for a permit shall utilize Form BPR-0009-454, entitled Application for Permit, incorporated herein by reference and effective _____ July, 1996.

2. Upon receipt of the application for permit for a live event held in this state, the executive director secretary shall review the application and, if the application is in compliance with the requirements of Chapter 548, F.S., and the rules set forth herein, the executive director shall give tentative approval to the promoter for the proposed date of the program. The

approval shall be considered to be a tentative approval. If the executive director secretary determines that the application for permit is not in compliance with Chapter 548, F.S., or the rules as set forth herein, the executive director shall immediately advise the promoter that the application for permit has been disapproved and shall state the reasons that the application is not in compliance. The executive director shall deny an application for permit if another program of matches has previously been scheduled for the same date, and the executive director has determined that adequate staff would not be available to properly supervise both programs of matches or if the executive director determines adequate staff would not be available to properly supervise a single program of matches even if another program of matches is not scheduled for the same day.

3. The promoter or matchmaker shall be required to provide the proposed fight card not later than 7 calendar days prior to the proposed date of the program. Once a promoter has identified a licensed matchmaker for a specific program of matches, any proposed matches submitted by the promoter will be deemed to be received from the matchmaker. The promoter or matchmaker will be allowed to propose additional matches until 12 noon on the day prior to the scheduled program of matches. After such time, matches may only be proposed if records can be verified to the satisfaction of the executive director and prior to the conclusion of the weigh-in. At the conclusion of the weigh-in no further matches may be proposed or approved. The executive director shall review the proposed fight card and, if he determines that all the proposed matches meet the requirements of Chapter 548, F.S., and the rules set forth herein, he shall approve the proposed fight card or match(es). If the executive director determines that the proposed fight card or match(es) is not in compliance with Chapter 548, F.S., or the rules set forth herein, the executive director shall not approve the proposed fight card and shall immediately advise the promoter or matchmaker that the proposed fight card has been disapproved and the reasons for the disapproval. Approvals and disapprovals may be communicated for individual matches comprising the proposed fight card.

4. All other pre-match requirements of the promoter described in Chapter 548, F.S., and the rules set forth herein shall be accomplished before final approval is given and the permit issued. If the executive director or commission representative determines that the promoter is not in compliance with the requirements set forth herein above, the executive director or commission representative shall rescind the tentative approval of the permit and the program of matches shall be cancelled. If the program of matches is canceled, all tickets shall be refunded in accordance with the refund provisions set forth in Section 5- 548.066, F.S.

5. A permit shall only be valid for the program of matches for which it was issued. A new permit shall be required for each program of matches.

6. Permits may not be issued at the discretion of the executive director if the program of matches is not comprised of an acceptable number of scheduled rounds in order to protect purchasers of tickets. The executive director may take into account whether or not the live event permit application for a particular sport is combined with another live event permit application for a different sport and scheduled for the same date and venue in making a determination relative to the minimum number of rounds as a condition of approval for each permit application.

7. For mixed martial arts, the promoter shall submit the conditions of the match for the proposed event no later than 14 days in advance of the event to the executive director for review purposes. The executive director shall approve the proposed conditions of the match if they fall within the predetermined requirements as set forth by the commission. Any differences that fall outside of the scope of the predetermined requirements shall cause the executive director to obtain approval from the commission member appointed by the commission as the mixed martial arts point of contact.

(c) A non-refundable permit fee shall be submitted with the application for permit for a live event held in this state and, if boxing or kickboxing, shall be based on the seating capacity of the premises to be utilized to present the program of matches under ~~the following fee structure shall be utilized to determine the permit fee:~~

1. Seating capacity is less than 2,000 – Fee = \$50.00
2. Seating capacity is 2,000 or more but no greater than 5,000 – Fee = \$100.00
3. Seating capacity exceeds 5,000 – Fee = \$250.00

For mixed martial arts matches, a non-refundable permit fee of \$5,000 per event shall be submitted with the application for permit for a live event held in this state.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.012, 548.013, 548.014, 548.017, 548.021, 548.025, 548.026, 548.028, 548.032, 548.035, 548.045, 548.046, 548.057, 548.066 FS. History–New 2-7-85, Amended 11-24-85, Formerly 7F-1.03, Amended 4-6-89, 8-28-89, 5-13-90, Formerly 7F-1.003, Amended 9-10-95, 4-3-00,_____.

61K1-1.0035 Insurance.

(1) Each participant in a match held in Florida shall be covered by insurance for medical, surgical and hospital care for injuries sustained while engaged in a match as described in Section 548.049, F.S. Said coverage shall be for an amount not less than \$20,000 ~~\$5,000~~ for each participant. In addition, each participant shall have life insurance for an amount not less than \$20,000 ~~\$5,000~~ covering death caused by injuries received while engaged in a match ~~bout~~.

(2) The promoter of a program of matches for the match shall be responsible for providing evidence of the insurance coverage described above and filing with the commission

written evidence of insurance no later than the weigh-in. Such evidence of insurance shall specify, at a minimum, the name of the insurance company, the insurance policy number, the effective date of the coverage and evidence that each participant is covered by the insurance. ~~Any deductible associated with the insurance policy shall be paid by the promoter and shall not be paid by or charged to the participant.~~

(3) If, at the time of weigh-in, the promoter fails to provide evidence of insurance as required above, the permit shall not be issued or, if issued, shall be suspended and the program of matches shall be cancelled.

(4) The promoter for a program of matches shall be responsible for any deductible associated with the insurance policies described in paragraph (1) of this section and shall not be the responsibility of nor paid by or charged to the participant.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.049, 548.071 FS. History–New 10-16-88, Amended 8-28-89, Formerly 7F-1.0035, Amended 4-3-00,_____.

61K1-1.004 Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee.

(1) Weight Classes.

(a) The following weight classes are hereby established for boxing and kickboxing:

1. Flyweight – not over 112 pounds
2. Bantamweight – not over 118 pounds
3. Featherweight – not over 126 pounds
4. Junior Lightweight – not over 130 pounds
5. Lightweight – not over 135 pounds
6. Junior Welterweight – not over 140 pounds
7. Welterweight – not over 147 pounds
8. Junior Middleweight – not over 154 pounds
9. Middleweight – not over 160 pounds
10. Light Heavyweight – not over 175 pounds
11. Cruiserweight – over 175, not to exceed 190 pounds
12. Heavyweight – over 190 pounds.

(b) The following weight classes are hereby established for mixed martial arts:

1. Flyweight – up to 124.9 pounds
2. Bantamweight – 125 pounds to 135 pounds
3. Featherweight – 135.1 pounds to 145 pounds
4. Lightweight – 145.1 pounds to 155 pounds
5. Welterweight – 155.1 pounds to 170 pounds
6. Middleweight – 170.1 pounds to 185 pounds
7. Light Heavyweight – 185.1 pounds to 205 pounds
8. Heavyweight – 205.1 pounds to 265 pounds
9. Super Heavyweight – 265.1 pounds and over.
10. Other weight classes may be approved by the commission or the executive director.

(c) Weight differences between participants shall conform to the following requirements:

~~1.(b) No boxing or kickboxing contest shall be permitted when there is a difference of weights between the two participants as follows:~~

~~a. More than 12 pounds between the two participants when the lighter of the two weighs more than 160 pounds and not more than 175 pounds; or~~

~~b. More than 10 pounds between the two participants when the lighter of the two weighs more than 147 pounds and not more than 160 pounds; or~~

~~c. More than 8 pounds between the two participants when the lighter of the two weighs more than 135 pounds and not more than 147 pounds; or~~

~~d. More than 6 pounds between two participants when the lighter of the two weighs more than 112 pounds and not more than 135 pounds.~~

~~2. No mixed martial arts contest shall be permitted when there is a difference of weights between the two participants as follows:~~

~~a. More than 15 pounds when the lighter of the two weighs more than 155 pounds and not more than 185 pounds; or~~

~~b. More than 10 pounds when the lighter of the two weighs more than 125 pounds and not more than 155 pounds; or~~

~~c. More than 8 pounds when the lighter of the two weighs not more than 125 pounds.~~

~~(2) Weigh-In.~~

~~(a) Weigh-in procedures shall conform to section 548.043(4), F.S. Participants in matches shall be weighed on the same scale at a time and place to be determined by the commission representative, in the presence of the opponent and a commission representative, provided however, that if a participant fails to arrive at the weigh in at the time and place determined by the commission, the opponent of such participant shall be permitted to be weighed without the need for the participant to observe the weighing in of his opponent, provided however that the participant who arrived at the weigh in on time does not lose his privilege of observing the weighing in of his opponent. The weigh in shall occur no sooner than 4:00 p.m. the day preceding the date of the program of matches.~~

~~(b) Failure of a participant to be present at the weigh-in, at the time and place designated by the executive director or commission representative, may shall result in the following penalties not limited to a participant and may include other license types, which may shall be in addition to a participant's his loss of right to be present at view the official weigh-in of participant's his opponent:~~

~~1. In lieu of suspension or revocation of the participant's license(s) for the first occurrence, the executive director or commission representative may issue a citation and assess participant shall be penalized by assessing a fine of \$25 per licensee;~~

~~2. In lieu of suspension or revocation of a the participant's license for the second occurrence, the executive director or commission representative may issue a citation and assess participant shall be penalized by assessing a fine of \$50 per licensee;~~

~~3. The third occurrence shall result in the loss of the participant engaging in the program of matches of the weigh-in violation, and the suspension of be penalized by suspending the license(s) of the licensee(s) in violation of this rule participant for a period of time to be determined by the commission and not allowing the participant to engage in the program of matches; and,~~

~~4. The fourth occurrence shall result in the revocation of be penalized by revoking the license(s) of the participant and or licensee(s).~~

~~(c) If, at the time of the official weigh-in, the weight of any participant in a match contest fails to meet the weight parameters of the rules set forth herein, the participant he shall have 2 additional hours to meet such weight parameters.~~

~~(d) A participant is not permitted to lose more than 3 percent of the initial his body weight as recorded by the commission during the two additional hours established in (c) above.~~

~~(e) At the time of weigh-in, each participant in a match contest shall be required to provide to the commission representative for inspection the following:~~

~~1. Participants must present a federal an identification card issued by Florida or the state in which the participant resides or Florida. Such identification card shall contain a recent photograph of the participant, the participant's social security number, and a personal identification number assigned to the participant by the Association of Boxing Commissions' official boxer registry for boxers, or a personal identification number assigned to the participant by the Florida State Boxing Commission for kickboxers or mixed martial artists. In order to obtain an identification card issued by Florida, the participant must present to the commission a picture identification issued by a federal, state, or local unit of government or other similar authority, or a passport issued by the United States of America or a foreign government. This identification card must be renewed every four two years. If a participant presents fictitious identification to the commission, the commission shall, upon the first occurrence disallow the participant from participating in a boxing, mixed martial arts or kickboxing match for a period of one year. Upon the second occurrence, the participant shall be permanently banned from participating in a from boxing, mixed martial arts or kickboxing match in Florida.~~

~~(f) The participant shall be required to complete a participant information form which shall be provided by the commission. The participant shall utilize Form BPR-0009-~~455469~~, entitled Participant Information and Medical Sheet, incorporated herein by reference and effective~~

~~August, 1995.~~ Any participant who refuses to complete this form shall not be allowed to engage in any match in Florida.

(g) Each person identified on the participant information form by the participant as an authorized person to work in the participant's corner shall affirm to the commission of no personal knowledge as to why the participant should not compete in the match due to an accident or injury sustained prior to the fight while training or sparring. If a recent accident or injury is disclosed, the executive director shall consult with the physician in determining whether or not the participant should be permitted to fight.

(3) Pre-Match Physical of Participant and Referee.

(a) Each participant shall, at the time of the weigh-in, be examined by a physician. The physician shall certify in writing the participant's physical condition and ~~a his~~ professional assessment as to whether or not the participant may engage in the match. The physician shall, prior to the match, file with the commission representative ~~a his~~ written report of examination of the participant, which report shall state whether or not, in the opinion of the physician, the participant is physically fit to engage in the match. No participant shall be permitted to engage in a match unless he has been examined and pronounced fit to do so by a physician. Physicians shall utilize the information provided on the front and complete the reverse side of Form BPR-000908-455, entitled Participant Information and Medical Sheet Physical Examination By Physician, incorporated herein by reference and effective ~~May, 1990.~~

(b) The examination given all participants shall include the following:

1. Temperature;
2. Pulse; sitting, standing and running;
3. Lungs;
4. Heart; and
5. Blood pressure.

~~(c)(b)~~ No participant shall be allowed to engage in any match if any of the following conditions are found by the physician:

1. Hernia or bubonocoele;
2. Organic heart murmurs;
3. Active pulmonary lesions;
4. Abnormal temperature as determined by the physician;
5. Systolic pressure over 150;
6. Infectious skin lesions, such as boils or infected wounds;
7. Recent wounds, especially on face and ears;
8. Hand injuries, and fractures less than 6 weeks old, if, in the physician's opinion, the injury would be detrimental to the participant's health or ability to effectively compete or exhibit;

9. An indication that the participant is using or is under the influence of narcotics, drugs, stimulants, depressants, alcohol, local anesthetics or such a high level of analgesics as to render the participant unable to recognize if ~~participant he~~ is seriously injured. If the physician finds any indication or evidence that the participant is using, is under the influence, of unauthorized drugs or foreign substances such that the physician cannot make a definite determination and therefore allows the match to proceed, the physician shall immediately advise the commission representative who shall ensure that a urine sample is taken and processed in accordance with section 1.0043 of these rules;

10. Retinopathy or detached retina; provided however, that the applicant shall be permitted to participate in a fight if the participant provides, at or before the weigh-in, the written statement of a licensed ophthalmologist stating that the applicant's retina is completely healed and that in the ophthalmologist's medical opinion, no unusual or extraordinary risk to the applicant is anticipated as a result of the retinopathy or a previously detached retina.

11. Dental abscess;
12. Ophthalmological problem;
13. History of epilepsy or seizures;
14. Blindness;
15. History of kidney problems;
16. Change in gait or balance; or

17. History of any abnormality in a computerized axial tomography (CAT) CAT scan, electroencephalogram (EEG), or electrocardiogram (EKG), magnetic resonance imaging (MRI) scan, or other similar medical tests.

(c) Each participant may be required to submit to any medical examination or test ordered by the executive director or the commission. Any medical examination or test submitted to the executive director or the commission must be an original or certified copy of the results which were performed by an M.D., D.O., or laboratory no earlier than 30 days before the date on which the results are provided to the commission or its executive director.

1. Each participant shall provide the commission with lab results indicating no infection relative to the hepatitis virus. Negative results will be acceptable for a period of up to 1 year. After 1 year, the participant will need to be re-tested and provide the commission with current lab results.

2. Lab results filed with other commissions or jurisdictions in the United States may be verified in writing by them to the executive director in lieu of requiring a subsequent blood test for this purpose.

~~(d)(e)~~ The executive director or commission representative shall, whenever necessary, require that a referee undergo a physical examination prior to acting as a referee in any match.

~~(e)(d)~~ If at any time, evidence is revealed that indicates that the match may be unusually adverse to the health of a participant or referee, the executive director or commission

representative shall order a medical examination to be given to the participant or referee, the report of which examination shall be made to the executive director or commission representative.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.043, 548.045, 548.046, 548.071, 548.075 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.04, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.004, Amended 9-10-95, 4-3-00, _____.

61K1-1.0043 Drugs and Foreign Substances; Penalties.

(1) Drugs and Foreign Substances Ingested or Designed to be Ingested.

(a) No participant shall at any time, use or be under the influence of any drug or foreign substance that would unfairly increase or decrease his performance, or impair his or the physician's ability to recognize a potentially serious injury or physical condition. No substance, other than plain drinking water; or any commission approved sports drink, shall be given to or ingested by a participant during the course of a match.

(b) The following drug or foreign substance classifications are prohibited except as otherwise indicated:

1. Stimulants – All stimulants are banned with the following exceptions:

a. Caffeine – provided, however, that an amount greater than 12 mcg/ml in the urine is prohibited;

b. Beta 2 Agonist – provided it is selected from the following list and is in aerosol or inhalant form only:

- Drug ChemicalBrand Name
- (I) Bitolterol MesylateTornalate
- (II) Metaproterenol SulfateAlupent, Metaprel
- (III) Albuterol SulfateVentolin, Proventil
- (IV) Terbutaline SulfateBrethaire;

- 2. Narcotics;
- 3. Anabolic Steroids, including human growth hormone;
- 4. Diuretics;
- 5. Alcohol;
- 6. Local Anesthetics; and
- 7. Corticosteroids.

~~(c) Whenever the commission representative has reason to believe that a participant has ingested or used a prohibited drug or foreign substance, the commission representative shall request and the participant shall provide, under the supervision of the physician, commission representative or inspector, a sample of his urine taken not more than 1 hour after the conclusion of the match. No participant shall use substances or methods which would alter the integrity of the urine sample. Urine samples shall be taken in accordance with the protocol as agreed upon in writing between the commission and the laboratory used for processing the urine samples.~~

(d) Failure or refusal to provide a urine sample immediately upon request shall result in the revocation of the participant's license. Any participant who has been adjudged the loser of a match and who subsequently refuses or is unable

~~to provide a urine sample, shall forfeit his share of the purse to the commission. Any participant who is adjudged the winner of a match and who subsequently refuses or is unable to provide a urine sample shall forfeit the win and shall not be allowed to engage in any future match in Florida. A no decision result shall be entered into the official record as the result of the match. The purse shall be redistributed as though the participant found to be in violation of this subsection had lost the match. If redistribution of the purse is not necessary or after redistribution of the purse is accomplished, the participant found to be in violation of this section shall forfeit his share of the purse to the commission.~~

~~(c)(e)~~ After each match the physician shall advise the commission representative as to whether or not he observed any behavior or other signs that would indicate the advisability of processing the urine sample. The commission representative shall make the final decision as to the processing of the urine sample.

(d) The executive director or a commission representative may request a participant submit to a blood or urine test if reasonable suspicion is present that may indicate the potential use of anabolic steroids. Such test shall be performed within 7 days of the request and the cost of the examination shall be the responsibility of the participant.

(2) Drugs or Foreign Substances Used Eternally or Designed for External Use.

(a) No drug or foreign substance shall be used unless expressly provided for in these rules or as directed by the physician.

(b) The following drugs or foreign substances may be used by participants under the conditions described herein:

1. Petroleum Jelly – The discretionary use of petroleum jelly shall be allowed around the eyes. However, the use of petroleum jelly on the arms, legs and body of a participant is prohibited.

2. The discretionary use of Thrombin or a 1/1000 solution of Adrenalin and Avitine, or their generic equivalents, as approved by the physician, shall be allowed between rounds to stop bleeding of minor cuts and lacerations sustained by a participant.

~~(3) Any participant determined to have been using or under the influence of a prohibited drug or foreign substance and who has been adjudged the loser of a match, shall forfeit his share of the purse to the commission. Any participant determined to have been using or under the influence of a prohibited drug or foreign substance and who has been adjudged the winner of a match, shall forfeit the win, and a no decision result shall be entered into the official record as the result of the match. The purse shall be redistributed as though the participant found to be in violation of this subsection had lost the match. If redistribution of the purse is not necessary or after redistribution of the purse is accomplished, the participant found to be in violation of this section shall forfeit his share of~~

~~the purse to the commission.~~ The following penalties ~~may shall~~ be assessed against any participant found to be in violation of this section or Section 548.046, F.S.:

(a) ~~The first occurrence may shall be result in the suspension of penalized by suspending the participant's license and the banning of participant's participation his participating~~ in any manner, in any match, for a period of 180 calendar days, ~~and by assessing a fine in the amount of \$100;~~

(b) ~~The second occurrence may shall result in the suspension of be penalized by suspending the participant's license and the banning of participant's his participation in any manner, in any match for a period of 1 year, and the assessment of a fine in the amount of \$500;~~

(c) ~~The third occurrence may result in the revocation of shall be penalized by permanently revoking the participant's license and the permanent banning of participant's permanently his participation in any manner, in any match or activity regulated by Chapter 548, F.S.~~

(4) No person licensed by the commission shall participate in or contribute to the act of violating this section, and any violation ~~may shall~~ be grounds for suspension or revocation of all licenses held by such person(s). Any person(s) found to be in violation of this section ~~may be required to shall~~ forfeit ~~their his~~ share of the purse or other compensation to the commission and ~~may shall~~ be assessed the following penalty(ies):

(a) ~~The first occurrence may result in the suspension of shall be penalized by suspending the person's license and the banning of the licensee's participation his participating~~ in any manner, in any match, for a period of 180 calendar days, ~~and the assessment of a fine in the amount of \$100;~~

(b) ~~The second occurrence may result in the suspension of shall be penalized by suspending the person's license and the banning of the licensee's his participation in any manner, in any match, for a period of 1 year, and by assessing a fine in the amount of that share of the purse to which the licensee is entitled or \$500, whichever is greater;~~

(c) ~~The third occurrence may result in the permanent revocation of shall be penalized by permanently revoking the person's license and the permanent of the licensee's banning permanently his participation in any manner, in any match or activity regulated by Chapter 548, F.S., and the assessment of a fine in the amount that share of the purse to which the licensee is entitled or \$1,000, whichever is greater.~~

(5) Drugs, containers and other equipment used in conjunction with the match, regardless of why or how they are used or where they are located, shall at all times be available for inspection by the physician, referee, inspector or commission representative and shall be seized if there is any evidence that they may have been used to violate or are in violation of any provision of Chapter 548, F.S., or the rules promulgated herein these rules.

(6) It shall be the responsibility of every person under the jurisdiction of the commission to immediately advise the physician, referee, inspector or commission representative of any knowledge that any participant scheduled to be engaged in any match has, in violation of this section, ingested or is under the influence of any drug or foreign substance prohibited by these rules.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.045, 548.046, 548.047, 548.053, 548.054, 548.058, 548.071, 548.075, 548.079 FS. History—New 4-6-89, Amended 8-28-89, Formerly 7F-1.0043, Amended 4-3-00, _____.

61K1-1.005 Promoter and Matchmaker; Licensing and Bond; Duties and Conduct.

(1) Licensing and Bond.

(a) No person shall act as a promoter for any match held in Florida or telecast in or into Florida via closed circuit without first having obtained a promoter license. No person shall act as a matchmaker, including a matchmaker employed by a promoter, for any match held in Florida without first having obtained a matchmaker license.

(b) No licensed promoter or matchmaker shall act as a promoter or matchmaker for any boxing, mixed martial arts, or kickboxing match in this state unless the match is sanctioned by the commission.

(c) Ownership of Promoter License.

1. Any person licensed as an individual shall have sole ownership of such license, and such license shall not be transferable or assignable to another. If such person is no longer in business, the license shall become void.

2. Any license issued to and in the name of a corporation shall not be transferable or assignable to another. If such corporation is no longer in business or no longer operates as the corporation, the license shall become void. If any officer of the corporation is added or deleted, the licensee shall, within 10 calendar days, notify the commission of such addition or deletion. A newly added officer shall be required to submit an Application For Promoter Or Foreign Copromoter License.

3. Any license issued to a partnership shall not be transferable or assignable to another. If the partnership is no longer in business or no longer operates as the partnership, the license shall become void, provided however that if the business continues to operate but does not operate as a partnership and the sole remaining person was one of the licensed partners and all other previous licensed partners have, in writing, authorized such sole remaining person to have control and use of the licensed name, then the license may remain in force and effective until its expiration date, at which time the person shall apply as an individual.

(d) No promoter shall also be licensed as a booking agent, representative of a booking agent, matchmaker, manager, second, or trainer. A promoter may be licensed as a manager if

the licenses are held in different sports and participants under contract to the manager are not also being promoted by the same licensee within the same sport.

~~(e) No promoter shall have any financial or pecuniary interest in any participant under the jurisdiction of the commission.~~

(f) Bond or Other Security, Requirements.

1. An applicant for a promoter license shall deposit with the commission a surety bond, cash, or certified check in the amount of \$15,000 prior to being issued a promoter license. If, at any time and for whatever reason, the security bond, cash, or certified check is not maintained in full force and effect, the license shall be automatically void.

2. If it is determined that the projected liability for a match may exceed \$15,000, the commission ~~may~~ shall require the deposit of an additional bond, cash, or certified check as additional security for the match. The additional security bond, cash, or certified check shall be required and used only for the designated match and shall be released or returned 90 calendar days after the date of the match unless, as a result of violations or suspected violations, the commission determines that the additional security letter of credit issued by a bank bond, cash, or certified check shall be retained for a longer period.

3. The bond and other security, or additional bond and additional security shall be filed with the commission for the purpose of providing surety that the promoter will and does faithfully perform and fulfill his obligations as described in Chapter 548, F.S., and the rules set forth herein. Any fault, negligence, error or omission, failure to fulfill contractual obligations, violation of any rules of the commission or any other act or failure to act shall result in a claim for recovery from the bond and recovery from the other security. When the amount of recovery cannot be determined by the commission due to the failure of the promoter to perform as required by Chapter 548, F.S., or the rules set forth herein, the commission shall recover the face value of the bond and other security and the additional bond and additional security, as appropriate, provided, however, that the recovery shall not be greater than the amount of the bond and other security required to be deposited with the commission.

4. A bond or additional bond shall be acceptable if the following conditions are met:

a. The bond or additional bond shall be on a form provided by the commission and shall have attached a power of attorney, which power of attorney shall not have an expiration date. The promoter shall use Form BPR-0009-465, entitled Surety Bond For Promoter, incorporated herein by reference and effective May, 1990, and shall use Form BPR-0009-472, entitled Additional Surety Bond For Promoter, incorporated herein by reference and effective May, 1990;

b. The bond and additional bond shall provide surety in an amount equal to the face amount of the bond and additional bond and the aggregate annual liability shall be for the face amount of the bond and additional bond;

c. The bond and additional bond shall be made out in the name of the Florida State Boxing Athletic Commission and shall be negotiable on the sole authority of the executive director secretary;

d. The bond and additional bond may not be cancelled, for any reason, unless the following conditions have been met, provided however, when an additional bond is required, as referenced above, (II) below shall not apply:

(I) The surety company has provided the commission at least a 60-calendar-day written notice of intent to cancel; and

(II) The promoter's license has expired or the license has been returned to the commission with a request to cancel such license and canceled by the commission and the promoter has not filed an application for renewal of the license; and

(III) A period of 90 calendar days has elapsed since the most recent match of the promoter; and

~~e. The bond or additional bond is accompanied by a filing fee of \$10 for each bond or additional bond.~~

5. Other security may be provided in lieu of the bond or additional bond provided the following conditions are met:

a. The security must be in the form of cash, a certified check or direct obligations of the United States or this state;

b. The certified check shall be made payable to the Florida State Boxing Athletic Commission, and the certified check and the direct obligations of the United States or this state shall be negotiable on the sole authority of the executive director secretary;

c. The commission shall not pay interest or other charges or fees to the promoter;

d. The security may not be cancelled or requested to be returned, for any reason, unless the following conditions have been met, provided however, when an additional security is required, as referenced above, (II) and (IV) below shall not apply:

(I) The promoter has provided the commission at least a 60-calendar day written notice of request for return or release of the security; and

(II) The promoter's license has expired or the license has been returned to the commission with a request for cancellation and canceled by the commission and the promoter has not filed an application for renewal of the license, or the promoter has substituted a bond for the security and such bond indicates on its face that it shall retroactively cover the promoter for all times and for all obligations of the promoter covered by the security for which the bond is being substituted. In the event of substitution of a bond for the security on deposit with the commission, (III) and (IV) below shall not apply; and

(III) A period of 90 calendar days has elapsed since the most recent match of the promoter; and

(IV) A period of 1 year has elapsed since the security was deposited with the commission.

e. The promoter shall use Form BPR-08-468, entitled Security In Lieu of Bond For Promoter, incorporated herein by reference and effective May, 1990, and shall use Form BPR-08-471, entitled Additional Security In Lieu of Bond For Promoter, incorporated herein by reference and effective May, 1990; and

~~f. The security or additional security is accompanied by a filing fee of \$10.~~

(2) Duties and Conduct.

(a) More than one promoter may be involved in the promotion of a single program of matches. The promoter to whom the permit is issued shall be considered as the promoter of record, and such promoter shall be responsible for ensuring that all the requirements and responsibilities of the promoter are accomplished as set forth herein, provided however that the bonds or other securities deposited with the Commission of all promoters involved in the promotion of the program of matches shall be liable and used as surety against any claim or obligation involving the program of matches.

(b) A matchmaker shall make matches in which the participants are of similar ability and skill.

1. In boxing, a matchmaker or promoter shall be responsible for contacting a commission approved boxing registry to order the official record of any proposed participant and have the official record sent to the commission by mail, personal delivery, facsimile, or e-mail;

2. In kickboxing or mixed martial arts, the matchmaker shall certify as to the competitiveness of each match based upon weight, skill level, number of fights and discipline by facsimile or e-mail.

(c) A matchmaker or promoter shall not contract with or negotiate with any person licensed under Chapter 548, F.S., managers or participants who are under suspension or whose license has been revoked in Florida or any other state.

~~(d)1. Contracts between a manager and a professional shall contain provisions as required by s. 548.05(2), F.S.~~ Contracts between participants and the promoter for each bout shall be filed with the commission no later than at the time of weigh-in and shall contain:

a. The name of each licensed promoter and both participants;

b. The date of the contest to which the contract applies;

c. The location of the contest to which the contract applies;

d. The number of rounds to be fought in the contest to which the contract applies;

e. The weight at which each fighter is to qualify for the contest to which the contract applies;

f. The amount, to be set forth in American dollars, that will be paid to the participant for the contest to which the contract applies and a statement that the designated amount shall be paid directly to the participant ~~or the participant's designated agent;~~

g. The affixed signatures of the promoter and each participant in the contest to which the contract applies; however, the licensed manager of a participant may be authorized by the participant to sign the contract; and

h. The contracts for each participant in the same contest must include the same terms regarding the conduct of the contest, but are permitted to provide for different amounts of consideration provided to the participant.

2. Once the contracts are filed and after determination that they are in compliance with these rules, each contract will be affixed with the signature of the ~~Commission R~~ Representative.

(e) Contracts for broadcasting of a proposed match shall be filed with the commission within 14 business days after such contract is received by the promoter or when the Post Event Tax Report and 5% tax payment are filed, whichever is later, provided however that if the promoter pays to the commission the maximum amount of \$40,000, the contract is not required to be filed. Additionally, the promoter shall be responsible for assuring compliance with Rule 61K1-1.040, F.A.C., of these rules.

(f) After the application for a permit has been tentatively approved and a proposed match has been approved, the promoter may provide the names of the participants for the approved match to the media. Under no circumstances shall a promoter advertise, sell or cause to be sold any tickets, distribute or cause to be distributed any complimentary tickets, enter into any contracts or in any way make any obligations, commitments or announcements relative to a match or program of matches unless the match or program of matches has been approved and the permit has been tentatively approved.

(g) The promoter shall, in the case of a substitution in a main event participant or participants, post in a conspicuous place in front of the arena or directly over the cashier windows, notice of the substitution, and if time permits, shall advertise the substitution by radio and in a newspaper expected to have the widest circulation for the intended audience.

(h) No promoter may pay, lend, or give a participant an advance against his purse before a contest, except in accordance with the provisions of Section § 548.052, F.S.

(i) The promoter shall be responsible for ensuring that each participant scheduled to be engaged in a match shall have received any medical examination deemed necessary by the commission through its executive director, and that an ophthalmic examination has, which examination shall have been performed within the immediate past 12-month period. The results of the examinations shall be filed with the commission prior to the match. The promoter, participant and examining professional shall utilize Form BPR-0009-~~455485~~,

entitled Participant Information and Medical Sheet Ophthalmic Examination, incorporated herein by reference and effective _____ May, 1993 or a form submitted by the examining professional which form provides the same information as required in by Form BPR-0009-455485.

(j) The commission representative shall, if there is he has cause to believe that a participant may have suffered cardiac or neurological injury, direct the participant to undergo an EKG, EEG, neurological examination, MRI, CAT scan, or any other exam deemed by a physician licensed by the commission as medically necessary CAT scan. The interpretation and diagnosis shall be filed with the commission. It is the responsibility of the promoter to ensure that this requirement is satisfied.

(k) The promoter shall be responsible for acquiring insurance as described in Rule 61K1-1.0035, F.A.C., of these rules.

(l) The promoter shall advise all managers and participants under contract for a match or program of matches of the time and place of the weigh-in as designated by the commission representative and of the time and place of their appearance for the match or program of matches.

(m) The promoter shall be responsible for appointing a licensed announcer.

(n) The executive director shall appoint ~~It shall be the responsibility of the promoter to ensure that~~ a minimum of one physician for is present at the weigh-in and a minimum of two physicians for are present at the program of matches. ~~The promoter shall be responsible for providing to the commission representative, for approval, the names and license numbers of the proposed physicians. Each physician who is assigned to be present at the weigh-in, program of matches, or both shall be compensated by the promoter at a value not less than \$100 as established by the executive director. The physicians shall be currently licensed under Chapter 458 or 459, Florida Statutes.~~

(o) Each referee who is required to be present shall be compensated ~~\$125~~ by the promoter at a value not less than \$125 as established by the executive director based upon, but not limited to, the total number of rounds scheduled to be fought in the program of matches, the number of scheduled matches within the program, and whether or not the matches are to be televised, provided however, that if the promoter has a television contract greater than \$40,000, each referee shall be compensated \$175. Each judge who is required to be present shall be compensated ~~\$85.00~~ by the promoter at a value not less than \$85 as established by the executive director based upon, but not limited to, the total number of rounds scheduled to be fought in the program of matches, the number of scheduled matches within the program, and whether or not the matches are to be televised, provided however, that if the promoter has a television contract greater than \$40,000, each judge shall be compensated \$135. In the case of championship matches, the executive director may use the fee recommended

required by the sanctioning organization as a guide in determining the appropriate value that whichever is greater, shall be compensated to the referee and judges. Any above referenced official who must travel a distance greater than 30 miles from his home to the premises of the program of matches shall be compensated an additional amount as determined by the ~~e~~Executive ~~D~~Director. This additional amount shall be paid by the promoter. ~~No promoter shall pay, contribute to the pay of or provide any gift or other gratuity to any participant, referee, judge or other licensed official other than specifically provided in these rules.~~

(p) No promoter shall pay, contribute to the pay of or provide any gift or other gratuity to any participant, referee, judge or other licensed official other than specifically provided in these rules.

~~(q)(p)~~ The promoter shall be responsible for providing the proper arena equipment, seating and services as described in Rule 61K1-1.006, F.A.C., of these rules, facilities, personnel, ushers, ticket sellers, security and other equipment, services or personnel necessary to provide for the correct handling of the program of matches. The promoter is solely responsible for ensuring that adequate security is on site and prepared to immediately respond to any situation. If the seating capacity relative to a live event permit is filed with a seating capacity of 2,000 a permit fee of \$100 or greater is paid to the commission, the promoter shall ensure that, in addition to other regular security, a minimum of 2 certified law enforcement officers are located immediately adjacent to each of the red and blue corners and that additional certified law enforcement officers are located within the premises of the program of matches in positions to have a clear and unobstructed view of the ring and are able to immediately respond to their fellow officers at ringside.

(q) The promoter shall ensure that all tickets ~~shall~~ have clearly printed on them the admission price, and no ticket shall be sold for a price higher than the price shown on its face. In the case of generic tickets that are not printed with the ticket prices, each different priced ticket shall be a different color. Each complimentary ticket shall by some distinguishing mark indicate the face value of the ticket, and in no case shall the dollar value of a complimentary ticket be less than the lowest ticket price available for sale to the general public.

(r) No promoter shall sell or issue, or cause to be sold or issued more tickets of admission for any match or program of matches than can be accommodated by the seating capacity of the premises where the match or program of matches is to be held.

(s) The following criteria and procedure shall be used for the refunding of the purchase price of tickets:

1. The promoter shall refund the full purchase price of a ticket for a match or program of matches if:
 - a. The match or program of matches is postponed; or

b. There is a substitution of either participant in the main event or events; or

c. The main event or the entire program of matches is cancelled; and

d. The person presenting the ticket for refund has presented such ticket within 30 calendar days after the scheduled date of the match or program of matches.

2. Within 10 calendar days after the expiration of the 30-calendar day period, the promoter shall pay all unclaimed ticket receipts to the commission. The commission shall hold the funds in the Professional Regulation State Athletic Commission Trust Fund for 1 year and make refunds during such time to any person presenting a valid ticket for a refund. Thereafter, the commission shall pay all monies remaining from the unclaimed ticket receipts to the State Treasurer for deposit into the appropriate fund.

3. Failure to comply with this provision shall result in the forfeiture of the bond or other security and additional bond or additional security and revocation of the license of the promoter or foreign copromoter or concessionaire.

(t) The promoter or concessionaire shall retain all records necessary to justify and support the information submitted on any reports required by the commission for a period of 2 years following the date of the match or program of matches.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.012, 548.013, 548.014, 548.017, 548.028, 548.032, 548.037, 548.046, 548.049, 548.05, 548.052, 548.053, 548.054, 548.056, 548.058, 548.06, 548.061, 548.064, 548.066, 548.071 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.05, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.005, Amended 9-10-95, 4-3-00.

61K1-1.0055 Concessionaire; License; Bond.

(1) License.

(a) No person or business entity not licensed as a promoter shall receive revenues or other compensation from the sale of tickets or from the sale of souvenirs, programs, broadcast rights, or any other concessions in conjunction with the promotion of a professional boxing, kickboxing or mixed martial arts match without first having obtained the appropriate license.

(b) No concessionaire shall also be licensed as a judge, referee, or timekeeper and shall not act as a judge, referee or timekeeper.

(2) Bond.

(a) An applicant for a concessionaire license may be required to deposit with the commission a surety bond, cash, or certified check in an amount as determined by the executive director prior to being issued a concessionaire license. The executive director shall base this determination on the projected tax liability to the state for the license period of one year. If, at any time and for whatever reason, the security is not maintained in full force and effect, the license shall be automatically void.

(b) The bond shall be filed with the commission for the purpose of providing surety that the promoter will and does faithfully perform and fulfill his obligations as described in Chapter 548, F.S., and the rules set forth herein. Any fault, negligence, error or omission, violation of any rules of the commission or any other act or failure to act shall result in a claim for recovery from the bond. When the amount of recovery cannot be determined by the commission due to the failure of the concessionaire to perform as required by Chapter 548, F.S., or the rules set forth herein, the commission shall recover the face value of the bond, as appropriate, provided, however, that the recovery shall not be greater than the amount of the bond required to be deposited with the commission.

4. A bond shall be acceptable if the following conditions are met:

a. The bond shall be on a form provided by the commission and shall have attached a power of attorney, which power of attorney shall not have an expiration date. The concessionaire shall use Form BPR-0009-465, entitled Surety Bond For Promoter, incorporated herein by reference and effective May, 1990;

b. The bond shall provide surety in an amount equal to the face amount of the bond and the aggregate annual liability shall be for the face amount of the bond;

c. The bond shall be made out in the name of the Florida State Boxing Commission and shall be negotiable on the sole authority of the executive director;

d. The bond may not be cancelled, for any reason, unless the following conditions have been met:

(I) The surety company has provided the commission at least a 60-calendar-day written notice of intent to cancel; and

(II) The concessionaire's license has expired or the license has been returned to the commission with a request to cancel such license and canceled by the commission and the concessionaire has not filed an application for renewal of the license; and

(III) A period of 90 calendar days has elapsed since the most recent licensed activity generating taxable revenue owed to the commission

5. Other security may be provided in lieu of the bond or additional bond provided the following conditions are met:

a. The security must be in the form of cash, a certified check or direct obligations of the United States or this state;

b. The certified check shall be made payable to the Florida State Boxing Commission, and the certified check and the direct obligations of the United States or this state shall be negotiable on the sole authority of the executive director;

c. The commission shall not pay interest or other charges or fees to the concessionaire;

d. The security may not be cancelled or requested to be returned, for any reason, unless the following conditions have been met:

(I) The concessionaire has provided the commission at least a 60-calendar day written notice of request for return or release of the security; and

(II) The concessionaire's license has expired or the license has been returned to the commission with a request for cancellation and canceled by the commission and the concessionaire has not filed an application for renewal of the license, or the concessionaire has substituted a bond for the security and such bond indicates on its face that it shall retroactively cover the concessionaire for all times and for all obligations of the concessionaire covered by the security for which the bond is being substituted. In the event of substitution of a bond for the security on deposit with the commission, (III) and (IV) below shall not apply; and

(III) A period of 90 calendar days has elapsed since the most recent licensed activity generating taxable revenue owed to the commission; and

(IV) A period of 1 year has elapsed since the security was deposited with the commission.

e. The concessionaire shall use Form BPR-08-468, entitled Security In Lieu of Bond For Promoter, incorporated herein by reference and effective May, 1990.

Specific Authority 548.003 FS. Law Implemented 548.002, 548.011, 548.015, 548.025, 548.026, 548.028, 548.06, 548.061, 548.064, 548.071 FS. History--New _____.

61K1-1.006 Arena Equipment; Ring Requirements; Fenced Area Requirements for Mixed Martial Arts; Other Fight Mediums; Floor Plan and Apron Seating; Emergency Medical and Other Equipment and Services.

(1) Ring Requirements.

(a) For boxing and kickboxing, the ring shall be not less than 16 feet nor more than 24 feet square inside the ropes. For mixed martial arts, the ring shall not be less than 20 feet nor more than 32 feet square inside the ropes.

(b) The ring floor or apron shall extend beyond the ropes not less than 18 inches.

(c) The ring shall be formed of four posts and four ropes. The ropes shall extend in parallel lines 18, 30, 42, and 54 inches in height above the ring floor. The top three ropes shall be not less than 1 inch in diameter, and the lowest rope shall be not less than 1 1/2 inches in diameter. The lowest rope shall extend outward a distance of 4 inches beyond the other three ropes and in a line parallel to the other three ropes. All ropes shall be wrapped in velvet or other similarly soft material. Ropes shall be properly adjusted and sufficiently taut to inhibit the participant from falling between the ropes. An additional tie rope shall be centered on all four sides of the ring surrounding the ring ropes to prevent excessive separation of the ring ropes. The juncture of the ropes at each corner shall be padded with at least an inch and one half of foam rubber or other similar padding. In mixed martial arts, a fifth rope shall be installed at 12 inches in height above the ring floor.

(d) Ring posts shall be not less than 3 inches in diameter and shall extend from the floor of the ring to a height of no more than 58 inches.

(e) The ring platform shall not be more than 4 feet above the surrounding floor and shall be provided with steps for use of the participant in each participant's corner. Steps shall also be provided in a neutral corner for use by the announcer, referee, round card carrier and physicians.

(f) The ring floor, both inside and outside the ropes, shall be padded to a thickness of at least 1 inch and the padding shall consist of a soft material such as "Ensolite Ring Pad" or similar material applied over a 1-inch base of Celotex building board number two or a material which has similar impact absorbing characteristics. There shall be a top covering of canvas, duck, or equivalent material tightly stretched and laced to the ring platform.

(g) If the match or program of matches is being held outdoors, the ring, apron and seating for all officials shall be protected from inclement weather by use of a heavy duty weatherproof tarpaulin or cover of similar material. The covering shall be erected in such a manner as to ensure that the ring, apron and seating do not become wet. Under no circumstances will the referee or the commission representative allow a match to continue if the condition of the ring floor deteriorates such that its condition poses a hazard to the participants or the referee.

(h) A ring may be used for boxing, kickboxing or mixed martial arts.

(2) Fenced Area Requirements for Mixed Martial Arts.

(a) The fenced area must be circular or have at least eight equal sides;

(b) The fenced area shall not be less than 20 feet wide nor more than 32 feet wide inside the fencing;

(c) The fenced area within the fencing must be padded with Ensolite or another similar closed-cell foam with at least a 1 inch layer of foam padding;

(d) The fenced area padding described in (c) above must be covered with canvas, duck or similar material tightly stretched and laced to the platform. Any covering that is slippery or deemed by the commission as unsafe will not be allowed. Material that tends to gather in lumps or ridges must not be used;

(e) The fenced area platform must not be more than 4 feet above the surrounding floor and shall be provided with steps for use of the participants. In addition to the participants' steps, a neutral set of steps shall also be provided for use by the announcer, referee, round card carrier and physicians;

(f) Ring posts shall be made of metal with dimensions of not less than 3 inches nor more than 6 inches in diameter and shall extend from the floor of the building to a height of no less than 60 inches nor more than 84 inches above the floor of the fenced area. Ring posts must be properly padded in a manner

approved by the commission to include, but not limited to, no abrasive, sharp or potentially injuring materials may be utilized;

(g) Fencing must be made of a material that will prevent a participant from falling out of the fenced area or breaking through the fenced area onto the floor of the building or onto the spectators, including, without limitation, chain link fence coated with vinyl;

(h) Any metal portion of the fenced area must be covered and padded in a manner approved by the commission and must not be abrasive to the participants;

(i) When the fenced area is comprised of equal sections or panels of fencing, metal tubing or pipes are permissible along the outer dimensions or perimeter of the panels for structural purposes and must comply with (h) above. No metal tubing or pipes are allowed within each individual panel running horizontally or vertically from one panel perimeter to another. Each panel should have four sides with no metal tubing or pipes within each individual square;

(j) There must not be an obstruction on any part of the fence surrounding the fenced area in which the participants are competing.

(3) Other Fight Mediums for Mixed Martial Arts.

(a) Fight mediums other than a ring as described in (1) above or a fenced area as described in (2) above may be proposed to the commission at least 45 days prior to the proposed date of the live mixed martial arts event. At a minimum, detailed specifications regarding dimensions and materials used must be provided to the executive director. Any other information, including but not limited to video footage, requested by the executive director must be provided no later than 30 days prior to the proposed date of the live mixed martial arts event;

(b) Proposals are subject to approval by the commission member assigned by the commission as the mixed martial arts point-of-contact;

(c) Any decision made by the point-of-contact is final in terms of the timeline described above for a live event;

(d) Any decision made by the point-of-contact may be appealed to the full membership of the commission at a regularly scheduled meeting.

(4)(2) Floor Plan and Apron Seating.

(a) The executive director or commission representative shall determine the seating arrangements and space requirements for each location at which a match or program of matches is to be held and shall advise the promoter of the floor plan to be used.

(b) The executive director or commission representative shall designate seating at the ring apron as provided in these rules. Ring apron seating on all sides of the ring shall be exclusively controlled by the commission and no person shall be permitted to be seated or have access to the apron without the approval of the commission or the executive director. The

commission's control of the apron is for the purpose of providing for appropriate control of the event including participant, staff, and audience safety, ensuring that only those officials assigned by the commission are seated at the apron and ensuring that adequate seating for working officials is available at the apron. Apron seating not designated by the commission or executive director may be utilized as desired by the promoter, provided however that such use does not interfere with any of the officials or commission representatives seated at the ring apron. Alcoholic beverages shall not be consumed by anyone seated at the ring apron. The following seating shall be provided at the ring apron for all matches:

1. The appropriate number of Three stools for judges in such location and at such height that will allow them a clear and unobstructed view of the ring or fenced area and its ring floor;

2. A seat for the timekeeper shall be located in a neutral position and in such location and at such height that the timekeeper he and the referee shall have visual contact at all times during the match and that he shall have immediate and unobstructed access to the bell;

3. A seat for the knockdown or assistant timekeeper shall be located in a neutral position, adjacent to the timekeeper and at such height that the knockdown or assistant timekeeper he and the timekeeper and referee shall have visual contact at all times during the match and that the knockdown or assistant timekeeper he shall have immediate and unobstructed access to the instrument being used for the knockdown count;

4. Seats A-seat for the executive director or the commission representative and each commissioner present shall be located in such location and at such height that the executive director or commission representative and the commissioners he shall have a clear and unobstructed view of the ring, ring floor, referee, and timekeeper; ~~and~~

5. A seat for each district coordinator shall be located in such location and at such height that the district coordinator shall have a clear and unobstructed view of the ring, ring floor, referee, and timekeeper.

~~6.5.~~ A seat for each physician shall be located adjacent to each participant's corner in such location and at such height that each physician shall have a clear and unobstructed view of the ring, ring floor, the participant's corner, and the referee.

(c) No match shall begin or continue unless three judges, the timekeeper, knockdown timekeeper, and at least one physician are located in their designated seats, and the referee is in the ring.

(5)(3) Emergency Medical Equipment and Services.

(a) It shall be the responsibility of the promoter to provide the following:

1. A portable resuscitator with all additional equipment necessary for its operation;

2. An ambulance with two qualified attendants;

3. A clean stretcher and clean blanket, to be located along with the ambulance attendants, at a location determined by the executive director.

(b) No match shall begin or continue unless such equipment and personnel are on the premises, in a state of readiness and in a pre-designated readily accessible location known to the referee, physicians and the executive director or commission representative. A portable oxygen supply shall be immediately accessible to the ringside physicians at a location to be determined by the executive director or commission representative.

~~(6)~~(4) Other Equipment and Services.

(a) It shall be the responsibility of the promoter to have available at all times during the progress of a program of matches a person or persons capable of making emergency repairs, corrections and adjustments to the ring, lights and other necessary fixtures.

(b) The promoter shall supply the following items which shall be in good working order and available for use as needed:

1. A public address system;
2. Chairs, properly located in accordance with the floor plan and elevated to allow for unobstructed view as detailed in this section;

3. Five stools or chairs, a clean water bucket and a clean water container for drinking purposes for each participant's corner;

4. A supply of oxygen, to be stationed at the commission table;

~~5.4.~~ A spit bucket and three clean towels per corner; and

~~6.5.~~ A complete set of numbered round cards, which shall be of such size as to make them clearly legible from all parts of the arena.

(c) The promoter shall ensure that all food and beverages are dispensed in paper or plastic plates or cups and that only plastic utensils are provided to individuals intending or allowed to enter the arena area. The serving of food or beverages in cans, glass bottles or plates, or the use of metal utensils is prohibited. This requirement is not applicable to skybox or other premium seating areas that are considered separate areas from the arena area.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.032, 548.045, 548.046, 548.057 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.06, Amended 4-6-89, 1-1-90, Formerly 7F-1.006, Amended 4-3-00,

61K1-1.007 Participants' Apparel and Appearance.

(1) Each male boxing or kickboxing participant shall wear the following:

~~(a) Trunks: Boxing trunks must be worn, the belt of which shall not extend above the waistline;~~

1. For boxers, traditional boxing trunks must be worn, the belt of which shall not extend above the waistline;

2. For kickboxers, traditional boxing trunks or Thai boxing shorts must be worn, the belt of which shall not extend above the waistline;

(b) A protective cup, which shall be firmly adjusted before entering the ring;

(c) An individually fitted mouthpiece, which mouthpiece shall be in the participant's mouth at all times during the fight period of each round as provided by these rules;

(d) Shoes made for the purpose of boxing, except for kickboxing, where no shoes are allowed to be worn; and

(e) An abdominal guard of standard type which provides sufficient protection to withstand any low blow without inhibiting an opponent's ability to land a legal blow.

(2) Each female boxing or kickboxing participant shall wear the following in addition to those items listed in (1) above:

~~(a) A Boxing trunks, the belt of which shall not extend above the waistline and a close fitting tank or halter type top;~~

(b) A protective cup or protective pelvic girdle to cover the pubic area, ovaries, coccyx and sides of the hips;

(c) Breast protectors;

~~(d) An individually fitted mouth piece, which mouth piece shall be in the participant's mouth at all times during the fight period of each round as provided by these rules;~~

~~(e) Shoes made for the purpose of boxing; and~~

~~(f) An abdominal guard of standard type which provides sufficient protection to withstand any low blow without inhibiting an opponent's ability to land a legal blow.~~

(3) Mixed martial arts participants attire shall conform to the following:

(a) May not wear shoes or any padding on the feet during the match;

(b) Must wear shorts approved by the executive director or the commission representative;

(c) Must wear a protective cup as approved by the chief inspector;

(d) May use knee, ankle, or elbow support that is form-fitting with no rigid structural or abrasive materials.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.045, 548.046, 548.071 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.07, Amended 4-6-89, 1-1-90, Formerly 7F-1.007, Amended 9-10-95, 4-3-00,

61K1-1.008 Bandages and Handwraps.

(1) ~~In all weight classes, A~~all bandages and handwraps applied to each hand of a participant shall be restricted to soft cloth (gauze), not more than 10 yards in length and 2 inches in width, held in place by not more than 5 yards of 1 inch surgical tape. No tape may be applied across the knuckles of any participant.

(2) All bandages and handwraps shall be applied and adjusted in the dressing room in the presence of the inspector. The inspector shall initial or in some other manner mark the

bandage or handwrap on each hand so as to be able to determine at the conclusion of the match whether or not the bandage or handwrap was tampered with after the inspector initially examined the bandage or handwrap.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.043, 548.046 FS. History—New 2-7-85, Formerly 7F-1.08, Amended 4-6-89, 1-1-90, Formerly 7F-1.008, Amended 4-3-00, _____.

61K1-1.009 Gloves and Mouthpieces.

~~(1) Glove requirements for boxing and kickboxing When the lighter of the two participants in a match weighs 154 pounds or less, both participants shall use 8 ounce gloves. When the lighter of the two participants in a match weighs more than 154 pounds, both participants shall use 10 ounce gloves. Where the weights of the two participants are such that, based upon these rules, one would wear 8 ounce gloves and one would wear 10 ounce gloves, the lighter of the two participants shall make the decision as to the weight of the gloves to be used, and both participants shall wear the same weight gloves. Both participants shall use the same color and manufacturer of gloves.~~

~~(a) When the lighter of the two participants in a boxing or kickboxing match weighs 154 pounds or less, both participants shall use 8 ounce gloves. When the lighter of the two participants in a boxing or kickboxing match weighs more than 154 pounds, both participants shall use 10 ounce gloves. Where the weights of the two participants are such that, based upon these rules, one would wear 8 ounce gloves and one would wear 10 ounce gloves, the lighter of the two participants shall make the decision as to the weight of the gloves to be used, and both participants shall wear the same weight gloves. In boxing and kickboxing, both participants shall use the same manufacturer of gloves.~~

~~(b)(2) Prior to the beginning of each match each glove of each participant shall be examined and approved or disapproved by the chief inspector and the referee. Any glove intended to be used by a participant in a match shall be whole, clean, in sanitary condition and shall have the thumb attached. Gloves shall be thoroughly disinfected using formaldehyde and properly softened using neatsfoot oil. If the padding in a glove is found to be misplaced or lumpy, or if the glove shows evidence of breaking, roughing or twisting, the glove shall be disapproved and shall not be used. The match shall not begin or continue unless an approved glove has been substituted for the disapproved glove.~~

~~(c)(3) Laces of gloves shall be knotted on the back of the wrist and tape shall be applied over the laces so as to prevent injury to the opponent.~~

~~(d)(4) Gloves shall be adjusted in the ring or the dressing room under the supervision of the inspector.~~

(2) Glove requirements for mixed martial arts –

(a) Gloves shall weigh no less than 4 ounces nor more than 8 ounces; however, both participants shall wear the same weight gloves and use the same manufacturer of gloves as provided by the promoter unless both participants agree to use different manufacturers of gloves.

(b) Prior to the beginning of each match each glove of each participant shall be examined and approved or disapproved by the chief inspector or inspector and the referee. Any glove intended to be used by a participant in a match shall be whole, clean, in sanitary condition. Gloves shall be thoroughly disinfected using formaldehyde and properly softened using neatsfoot oil. If the padding in a glove is found to be misplaced or lumpy, or if the glove shows evidence of breaking, roughing or twisting, the glove shall be disapproved and shall not be used. The match shall not begin or continue unless an approved glove has been substituted for the disapproved glove.

(c) If laces are present, laces of gloves shall be knotted on the back of the wrist and tape shall be applied over the laces so as to prevent injury to the opponent. If velcro is present, the chief inspector may require the use of tape to prevent injury or to prevent loosening of the gloves during the match. Whenever the chief inspector decides to require tape, both corners must be subject to the same requirement.

(d) Gloves shall be adjusted in the ring or the dressing room under the supervision of the chief inspector or inspector.

(5) Each participant shall wear an individually fitted mouthpiece. The mouthpiece shall be in the participant's mouth at all times during the fight period of each round as provided herein. The referee shall handle the ejection of the mouthpiece from the participant's mouth in the following manner:

(a) If the referee believes that the mouthpiece was ejected from the participant's mouth as a result of natural fight action, the referee shall not charge the participant with the loss of a point. The referee shall wait until the flurry during which the mouthpiece was ejected has subsided. The referee ~~He~~ shall then take time out, direct the participant whose mouthpiece remains in place to retire to a neutral corner, and take the other participant to the participant's ~~his~~ own corner. The referee shall direct that the mouthpiece be rinsed and replaced in the participant's mouth. The referee shall direct that the fight period immediately continue; or

(b) If the referee believes that the participant spit out or allowed the mouthpiece to fall out of the ~~his~~ mouth the referee ~~he~~ shall:

1. Upon the first occurrence, wait until the flurry during which the mouthpiece was ejected has subsided. Referee ~~He~~ shall then take time out, direct the participant whose mouthpiece remains in place to retire to a neutral corner, and take the other participant to his or her own corner. The referee shall direct that the mouthpiece be rinsed and replaced in the participant's mouth and warn the participant that a point will

be deducted if ~~participant he~~ subsequently spits out or allows the mouthpiece to fall ~~out~~ ~~our of participant's~~ ~~mouth~~. The referee shall direct that the fight period immediately continue.

2. Upon the second occurrence, wait until the flurry during which the mouthpiece was ejected has subsided. Referee He shall then take time out, direct the participant whose mouthpiece remains in place to retire to a neutral corner, and take the other participant to his or her own corner. The referee shall direct that the mouthpiece be rinsed and replaced in the participant's mouth and warn the participant that ~~participant he~~ will be disqualified if ~~participant he~~ subsequently spits out or allows the mouthpiece to fall out ~~of his mouth~~. The referee shall direct each judge to deduct a point from the participant's score. The referee shall direct that the fight period immediately continue.

3. Upon the third occurrence, disqualify the participant who spit out or allowed his mouthpiece to fall out ~~of his mouth~~. The opponent of such participant shall be declared the winner due to disqualification of his or her opponent. The commission representative shall immediately advise the promoter that the purse of such participant shall be forfeited and paid over to the commission.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.043 FS. History--New 2-7-85, Amended 11-24-85, Formerly 7F-1.09, Amended 4-6-89, 1-1-90, 5-13-90, Formerly 7F-1.009, Amended 4-3-00, _____.

61K1-1.010 Physician; License and Duties; Authority.

(1) License.

(a) No person shall act as a physician in any match held in Florida without first having obtained a physician license pursuant to Chapter 548, F.S.

(b) No physician shall have financial or pecuniary interest in any participant under the jurisdiction of the commission.

(c) No physician shall also be licensed as a booking agent, promoter, foreign copromoter, concessionaire, manager, matchmaker or representative of a booking agent and shall not act as a booking agent, manager, matchmaker or representative of a booking agent.

(2) In addition to the duties, responsibilities and authority outlined in Rules 61K1-1.004, 61K1-1.0043, 61K1-1.012, 61K1-1.019, 61K1-1.035, and 61K1-1.037 of these rules, a physician shall also have the following duties, responsibilities, and authority:

(a) Two physicians shall be present at each match and render service and assistance as provided for in these rules. A physician shall be located near each participant's corner in a designated seat for the duration of each match. No match shall be allowed to begin or continue unless at least one physician is in his designated seat.

~~(b) The physician shall provide medical assistance for any illness or injury sustained by any person under the jurisdiction of the commission.~~

~~(b)(e)~~ If, at any time during the match, the physician is of the opinion that a participant has received severe punishment or injury, or that to continue the match would pose the threat of unreasonable harm or injury to a participant, the physician shall advise the referee that the match should be terminated. In this event, however, the referee is the sole arbiter of the match, and, as such, the referee is the only individual authorized to stop a match.

~~(d) If, in the opinion of the physician, the referee has received an injury, the seriousness of which prevents him from continuing to officiate, the physician shall notify the commission representative who shall temporarily halt the match. The injured referee shall be attended by the physician until he is no longer in danger or has been transferred to the care of another qualified person.~~

~~(c)(e)~~ In the event of injury to or illness of any person under the jurisdiction of the commission and while located on the premises where a program of matches is being conducted, the physician shall have complete charge of such person, shall provide medical assistance, and shall be accorded the full cooperation of all commission representatives and licensees present.

~~(d)(f)~~ Whenever a knockout occurs in any match, the physician shall examine the participant knocked out at the time of the knockout and in the his dressing room immediately after the match. In the event of a knockout or other serious injury, the physician shall remain on the premises to provide medical attention as needed. When the physician is satisfied that the injured or knocked out participant has recovered to the extent that the physician releases the participant from the physician's his care, the physician he shall, prior to releasing participant him, instruct participant him as to the danger signs of which the participant should be aware and which would indicate the need to seek immediate medical attention. The physician shall give to the injured participant Form BPR-0009-458, entitled Danger Signs, incorporated herein by reference and effective May, 1990.

~~(e)(g)~~ The physician shall not leave the premises until after the decision in the final match has been rendered, physician he is satisfied that physician's his services are no longer necessary and the executive director or commission representative have cleared participant to leave.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.021, 548.045, 548.046, 548.047, 548.056 FS. History--New 2-7-85, Formerly 7F-1.10, Amended 5-8-88, 4-6-89, 5-13-90, Formerly 7F-1.010, Amended 9-10-95, 4-3-00, _____.

61K1-1.011 Manager; License; Contract Between Manager and Participant.

(1) License.

(a) No person shall act as a manager for any participant without having first obtained a manager license.

(b) No manager shall also be licensed as a judge, physician, promoter or referee and shall not act as a judge, physician, promoter or referee. A manager can be licensed as a promoter if the licenses are held in different sports and participants under contract to the manager are not also being promoted by the same licensee within the same sport.

(c) No manager shall have financial or pecuniary interest in an opponent of manager's his participant.

(d) No licensed manager shall act as a manager in any boxing, kickboxing or mixed martial arts or kickboxing match in this state unless the match is sanctioned by the commission.

(2) Conduct of Manager.

(a) No manager shall attempt to select or insist upon the selection of any referee or judge in a match in which a participant under his or her management is to appear, nor shall a manager he have the name of any such referee or judge written into the contract governing such match.

(b) No manager shall pay or contribute to the pay of or provide any gift or gratuity to any opposing participant, referee, judge, physician or any licensed official.

(c) Other than provided in these rules no participant, referee, judge, physician or any licensed official shall accept any pay, gift or gratuity from any manager or promoter.

(d) A manager may verbally ~~shall not~~ coach ~~or in any way assist~~ a participant during a round match. A manager shall not use profanity or inappropriate language or excessively coach his or her participant while working in the corner. The executive director or commission representative shall determine whether a manager's coaching or behavior is excessive, inappropriate, disruptive, or otherwise, unbecoming a sportsman. A manager attempting or by word or action, attempt to heckle or annoy his or her participant's opponent or any official is strictly prohibited. A manager shall not enter the corner ~~or the ring, or fenced area~~ at any time during the match and not interfere with the conduct of a match during the match. If any manager enters the corner during any match, the match shall be temporarily stopped and the manager shall be immediately ejected by the referee, and the referee shall order the match to continue. If any manager enters the ring or fenced area during any match, the match shall be forfeited to the opposing participant. Whenever a person licensed as a manager in this state desires to work in the corner of a participant under contract to the manager, the manager shall be designated a second and shall be deemed to be a second for that specific bout without the need to apply for a second license. When working in such capacity, the manager shall comply with the requirements set forth for seconds in Section ~~§~~ 61K1-1.018, F.A.C., of these rules.

(e) The manager shall furnish to manager's his participant a statement of distribution of the purse together with the participant's share of the purse no later than 24 hours after the manager receives the purse and promoter's statement from the promoter. The manager shall retain a copy of the his statement

of distribution of the purse, certified by the manager him to be correct, with receipted vouchers for all expenditures and deductions for a period of 6 months following the date of the match and shall present such copy to the commission for inspection if requested to do so.

(f) Upon the proposal of a professional debut participant, the manager may be required to certify to the commission that the professional debut participant is physically competent and possesses the skills of a trained participant including, but not limited to:

1. Competence in the elements of offense and defense;
2. Clean hitting;
3. Ring generalship; and
4. Physical stamina to fight at least the minimum number of scheduled rounds and duration.

(g) Professional debut certification shall be made to the executive director or commission representative prior to or at the time of the weigh-in by completing and signing the Pro Debut Release Form as incorporated by reference herein effective _____.

(h) A manager shall be issued a citation for the first occurrence if the professional debut participant is not able to demonstrate the competence and skills listed above.

(i) A manager shall be issued a citation and fined the manager's share of the purse for the second occurrence if the professional debut participant is not able to demonstrate the competence and skills listed above.

(j) A manager's license may be suspended or revoked for the third occurrence and beyond.

(3) Contracts Between Manager and Participant.

(a) No unlicensed manager, unlicensed agent, or other unlicensed person shall negotiate or contract for or on behalf of any participant with any promoter or matchmaker under the jurisdiction of the commission. No contract or negotiation entered into by such unlicensed person shall be valid.

(b) No manager shall negotiate, obligate or contract for matches for a participant not under contract to him or her.

(c) All contracts shall be in writing and shall be filed with the commission within 7 calendar days of execution. The commission shall be notified immediately of any changes in contractual status, which change shall be in writing, signed by all parties to the contract and filed with the commission within 7 calendar days of execution.

(d) No contract shall be entered into which entitles a manager or group of managers to a total fee in excess of 33 1/3 percent of the gross earnings of the participant, and no contract containing such a provision shall be valid or binding.

(e) Release of a participant from a participant or manager contract by a manager shall be in writing and filed with the commission.

(f) No manager of a participant shall sell, assign, transfer any interest, or in any way encumber, or attempt to sell, assign, transfer any interest, or in any way encumber in whole or in part, which he holds in any contract for the services of such participant without notice to and written consent of the commission. The commission shall not approve an assignment or transfer of interest to any unlicensed, unnamed person.

(g) All contracts entered into in Florida between a manager and a participant, and all such contracts entered into outside of Florida involving participants and managers licensed by or subsequently licensed by the commission, shall expressly contain all provisions specifically as worded in Form BPR-009-451, entitled Letter of Agreement Between Participant and Manager, incorporated herein by reference and effective May, 1990, and if they do not, shall be deemed to contain such provisions as required by Section 548.05(2), F.S.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.05, 548.053, 548.054, 548.056, 548.057, 548.058 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.11, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.011, Amended 9-10-95, 4-3-00,

61K1-1.012 Participant; License; Conduct and Other Requirements.

(1) License.

(a) No person shall act or perform as a participant in any professional boxing, kickboxing, or mixed martial arts match held in Florida without having first obtained a participant license.

(b) No participant shall also be licensed as a judge, physician, promoter or referee and no participant shall not act as a judge, promoter or referee.

(c) No participant shall have any financial or pecuniary interest in participant's his opponent.

(d) No person shall be licensed as a participant and the license of any participant shall be suspended or revoked if such person:

1. Is under 18 years of age
2. Has had cardiac surgery;
3. Has not received an ophthalmic examination within the immediate 12-month period prior to the date of the scheduled match and the results of the examination filed with the commission;
4. Is found to have any blindness or whose vision is so poor as to cause a significant health hazard or impairment to his ability to effectively participate in a match;
5. Has suffered cerebral hemorrhage or any other serious head injury. The commission representative shall, if the commission representative he has cause to believe that a participant may have suffered neurological injury, direct the participant to undergo an EEG, complete neurological exam, EKG, MRI, or CAT scan, or other medical examination

deemed necessary by the executive director. ~~and The~~ ~~the~~ interpretation and diagnosis shall be filed with the commission; ~~or~~

6. Is no longer able to competently perform as determined by the commission. A determination that a participant is no longer able to competently perform shall be based on participant's ~~his~~ win/lose/draw record; participant's ~~his~~ previous opponents and the results of such matches; participant's ~~his~~ proposed opponent; ~~and~~ the results of the matches between participant's ~~his~~ proposed opponent and others; participant's ~~his~~ physical condition; and participant's ~~his~~ ability to perform effectively; ~~or~~

7. Participates in a boxing, mixed martial arts or kickboxing match in this state unless the match is sanctioned by the commission.

(2) Conduct and Other Requirements.

(a) No participant whose most recent match was eight rounds or more in duration, shall engage in a match with less than 7 calendar days between matches. No participant whose most recent match was less than ~~8~~ eight rounds in duration, shall engage in a match with less than 48 hours between matches.

(b) ~~A participant losing by knockout, technical knockout, or disqualification, or a participant who is under suspension for any of the reasons outlined under Chapter 548, F.S., shall have their license(s) suspended or revoked pursuant to section 548.041, F.S. A participant, losing by knockout or having been rendered a decision of technical draw as a result of being counted out in any jurisdiction, shall be automatically suspended for a period of time as determined by the physician or commission representative, or at least 60 calendar days from the date of the knockout or technical draw, whichever is longer. A participant shall not engage in any match, contact exhibition or contact sparring for training purposes during the suspension period. After the suspension period and prior to engaging in any match, contact exhibition or contact sparring for training purposes he shall be examined by a physician. The participant shall advise the physician of the previous knockout or technical draw and shall provide medical records or his permission for the physician to consult with the physician who treated him at the time of the previous knockout or technical draw. The results of this examination shall be filed with the commission prior to any further matches being approved for the participant.~~

(c) ~~A participant losing by technical knockout or disqualification shall be automatically suspended for a period of time to be determined by the physician or commission representative, or 30 calendar days from the date of the technical knockout, whichever is longer. A participant shall not engage in any match, contact exhibition or contact sparring for training purposes during the suspension period without the approval of the physician. After the suspension period and prior to engaging in any match, contact exhibition or contact~~

~~sparring for training purposes he shall be examined by a physician. The participant shall advise the physician of the previous knockout or technical draw and shall provide medical records or his permission for the physician to consult with the physician who treated him at the time of the previous knockout or technical draw. The results of this examination shall be filed with the commission prior to any further matches being approved for the participant. In the case of a disqualification, the commission representative shall determine whether a medical clearance shall be required following suspension.~~

~~(d) Any participant who has been suspended by any state as a result of a recent knockout or series of consecutive losses, an injury, requirement for a medical procedure, or physician denial of certification, failure of a drug test, or the use of false aliases, or the falsifying or attempting to falsify official identification cards or documents shall not be permitted to participate in this state until such time as the state in which the participant is suspended removes his name from the suspension list or until the requirements of such suspension have been fulfilled and proof of such has been provided to this state. If a participant has been suspended in another state for any reason other than those stated above, the participant may be permitted to participate if the state in which the participant is suspended is notified and consulted with by this state prior to the granting of approval to participate or the participant appeals to the Association of Boxing Commissions (ABC) and the ABC determines that the suspension of such participant was without sufficient grounds, for an improper purpose, or not related to the health and safety of the participant.~~

~~(c)(e) Any participant who fails to appear at a match or fails to appear timely at a match for which he or his manager has contracted and does not provide a valid reason or, in the case of physical disability, furnish a physician's certificate, shall be issued a citation by the commission representative, indefinitely suspended by the executive director, fined or any combination thereof for a period to be determined by the commission. In making this determination, the commission shall consider the following factors:~~

- ~~1. The relative importance of the match;~~
- ~~2. The participant's past record of punctuality and tardiness; and~~
- ~~3. The reasons for his failure to appear or appear timely.~~

~~(f) The license of any participant shall be revoked and shall not be reinstated, if such participant intentionally strikes, strikes at, or touches in any way or threatens to touch in any way, any official.~~

Specific Authority 548.003, 548.041 FS. Law Implemented 548.006, 548.011, 548.017, 548.041, 548.045, 548.046, 548.056, 548.071 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.12, Amended 4-6-89, 8-28-89, 1-1-90, 1-9-91, Formerly 7F-1.012, Amended 9-10-95, 4-3-00, _____.

61K1-1.013 Judge; License and Duties.

(1) License.

(a) No person shall act as a judge in a match held in Florida without first having obtained a judge license.

(b) A judge shall not also be licensed as a booking agent, manager, matchmaker, participant, representative of a booking agent, second, or trainer.

(c) No judge shall have a financial or pecuniary interest in any participant.

(d) No judge licensed in this state shall act as a judge at any boxing, mixed martial arts or kickboxing match in a state, territory, commonwealth, or Native American Reservation without a state boxing commission unless the match is supervised by a state boxing commission.

~~(e) No judge shall also serve as a supervisor or serve on the ratings committee or recommend boxers to the ratings committee for a sanctioning body.~~

(2) Applications for a professional judge's license will be reviewed, evaluated, and processed in the following manner:

(a) Any person desiring to become licensed for the first time as a professional boxing, kickboxing, or mixed martial arts judge shall submit to the commission the appropriate application using Form BPR-0009-450, effective _____ ~~September, 1997. Included in this~~

1. All applicants for a boxing, kickboxing, or mixed martial arts judge license must first be issued a temporary certificate by the executive director. Temporary certificates are required for any person desiring to unofficially score a match for evaluation purposes. A license application shall be submitted with the same information and fee as a judge license.

2. For boxing and kickboxing, the application shall include be a certification from the executive director attesting that the applicant has completed the unofficial scoring of a minimum of 350 rounds of professional boxing or kickboxing held in this state and has been unofficially judging in this state for a minimum of eighteen months with a temporary certificate issued by the commission which is in good standing. The applicant must have a demonstrated record and evidence that he/she has the ability to perform the duties outlined below. The ~~e~~Executive ~~d~~Director may issue a temporary license pending final action by the ~~c~~Commission. The commission shall render a decision as to whether or not the application for judge license shall be approved, which decision is solely that of the commission. If a license application is not granted by the commission, the commission shall set forth the reasons for not granting the license. ~~Any person whose application for a judge license has been denied shall not be permitted to reapply for a judge license for a period of six months. Any person whose application for a judge license has been denied on three occasions shall not be permitted to reapply.~~

3. For mixed martial arts, the application shall include a statement of experience inclusive of any certifications attained as an official in any of the martial arts, grappling, boxing, or kickboxing. If satisfied with the credentials of the applicant, the executive director may cause to be issued a temporary certificate for evaluation purposes, whereby the holder shall unofficially score professional mixed martial arts events held in this state for a period of time to be determined by the executive director; however, under no circumstances shall this period be longer than a total of 100 rounds and 18 months. If the temporary certificate holder has unofficially scored 100 rounds during an 18 month period, the executive director shall present the applicant to the commission for a final decision on licensure.

(b) Foreign licensed officials may be temporarily licensed by the executive director upon demonstrating an ability to perform the duties outlined below. The foreign licensed official's record and ability shall be verified by obtaining records from a central repository and any such other information as the Executive Director deems necessary to qualify the official. After issuance of a temporary license, the chairman of the Commission shall approve or disapprove the license, in accordance with these rules.

(c) At its first meeting after November 1 of each year, the commission shall review the performance of each licensed professional judge in Florida and shall approve or disapprove any the application for renewal or subsequent application.

(d) The executive director ~~commission~~ shall limit to three the number of unofficial judges at each event. The commission will make arrangements for unofficial judges to enter the premises of the program of matches free of charge and have an appropriate seat from which to judge the contests, provided however that in the case of television and such other events which by their nature severely limit ringside access, permission to sit and judge at ringside will not be authorized. In the case that the event is sold out, authorization will not be granted to attend the event free of charge. Travel and other expenses of the unofficial judge shall be borne solely by the unofficial judge. Unofficial judges must present their scorecards to the commission representative prior to the announcement of the result by the announcer and all contests within one program of matches must be judged by the unofficial judge in order for any contest within that program of matches to be included in the judge's statistical record.

(3) Duties.

(a) The number of judges shall be assigned in accordance with these rules and Section 548.057(9), F.S. In the event that sufficient judges are not available, a referee may shall be selected to act as a judge for that specific program of matches.

(b) The judges shall be located in seats designated for them by the commission representative.

(c) No match shall begin or continue unless the appropriate number of judges, according to these rules, ~~three~~ judges are in their designated seats.

1. For boxing, there shall be three judges.

2. For kickboxing, there shall be three judges for scoring and two judges for kick counts, if so required.

3. For mixed martial arts, the appropriate number of judges will be contingent upon the conditions of the match approved by the commission for each particular event.

(d) It shall be the duty of each judge to:

1. Be fully informed of and conversant with the rules, regulations, standards, guidelines and policies of Chapter 548, F.S., the rules set forth herein, with particular attention given to Rule 61K1-1.035, F.A.C. of these rules;

2. Observe carefully at all times during the match the performance of the participants;

3. Appraise such performance fairly, accurately and expertly using Chapter 548, F.S., and the rules set forth herein;

4. Inscribe the result of such appraisal after each round on the round score card or match score card, whichever is appropriate, according to the scoring system adopted herein; and

5. Complete and sign the round or match score card and deliver it to the referee, executive director or commission representative at the conclusion of each round ~~the match~~.

(e) Judges who are officially scoring a match shall utilize ~~for scoring~~, Form BPR-0009-459, entitled Round Score Card, incorporated herein by reference and effective May, 1990, and Form BPR-0009-457, entitled Match Score Card, incorporated herein by reference and effective May, 1990.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.056, 548.057 FS. History--New 2-7-85, Amended 11-24-85, Formerly 7F-1.13, Amended 4-6-89, 5-13-90, 1-9-91, Formerly 7F-1.013, Amended 9-10-95, 4-3-00, _____.

61K1-1.016 Announcer; License and Duties.

(1) License.

(a) No person shall act as an announcer at any match held in Florida without first having obtained an announcer license.

(b) No licensed announcer shall act as an announcer at any boxing, mixed martial arts or kickboxing match in a state without a state boxing commission or similar governmental authority unless the match is sanctioned by a national or international organization recognized by the commission, or at any boxing, mixed martial arts or kickboxing match held in this state unless the match is sanctioned by the commission.

(2) Duties.

(a) The announcer shall make all announcements in the English language unless approved to do otherwise by the executive director or commission representative. He may also announce the match in another language after he has first made all announcements in the English language.

(b) An announcer shall be neatly and appropriately dressed while discharging his duties. Dress shall include jacket and tie.

(c) The announcer shall be at all times, subject and responsible to the commission representative in the discharge of his duties and shall accept directions only from the commission representative.

(d) Announcers shall not make unauthorized announcements or introductions of persons other than the participants and officials unless the commission representative has determined that the announcement or introduction is appropriate for the match. Under no circumstances shall an individual be introduced if his license has been revoked or is currently under suspension.

(e) After both participants and their chief seconds are in the ring, the announcer shall announce the name of each participant, his weight as determined at the weigh-in, and such other announcements as directed by the commission representative.

(f) An announcer shall display strict impartiality in word and action while performing his duties.

(g) The number of the round shall be announced at the 1-minute interval between rounds.

(h) At the conclusion of each match, the announcer shall make the announcement of the result win or draw in the manner and at such time as directed by the commission representative.

(i) In the event of a knockout or a technical knockout, the announcer shall obtain the result and the official time of the termination of the match from the commission representative, and shall announce the result, the time and the round in which the knockout or technical knockout occurred.

(j) At the conclusion of each match and immediately after the announcements have been made, the announcer shall submit to the commission representative any match score cards used by the judges and the referee that he may have in his possession.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.057 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.16, Amended 4-6-89, 1-9-91, Formerly 7F-1.016, Amended 9-10-95, _____.

61K1-1.017 Timekeeper or Knockdown Timekeeper; License and Duties.

(1) License.

(a) No person shall act as timekeeper or knockdown timekeeper for any match held in Florida without first obtaining a timekeeper license. A licensed referee that is not acting as such during a particular match may serve as the knockdown timekeeper for that particular match.

(b) No licensed timekeeper shall act as a timekeeper at any boxing, mixed martial arts or kickboxing match in a state without a state boxing commission or similar governmental authority unless the match is sanctioned by a national or

international organization recognized by the commission, or at any boxing, mixed martial arts or kickboxing match held in this state unless the match is sanctioned by the commission.

(2) Duties, Timekeeper.

(a) The timekeeper shall possess during the performance of assigned duties a whistle, a bell, horn or gong, and a ~~3-minute~~ stopwatch.

(b) The timekeeper shall be located within his arm length of the bell in a seat designated by the commission representative. No match shall begin or continue unless the timekeeper is in his designated seat.

(c) The timekeeper shall not use the whistle, bell, or other instrument during the progress of a round except in the manner and at the time authorized herein.

(d) Ten seconds before the beginning of each round, the timekeeper shall give warning to the seconds of each participant by blowing the whistle. Ten seconds before the end of each round, the timekeeper shall give warning by pounding the table three times in succession with a hammer, block of wood or similar object once on the ring floor.

(e) If directed by the referee, the timekeeper shall take time out.

(f) In boxing and kickboxing, the ~~The~~ timekeeper shall strike the bell to signify the beginning and ending of each round.

1. In mixed martial arts, a horn may be used in lieu of a bell to signal the beginning and ending of each round.

(g) If a match ends before the scheduled number of rounds, the timekeeper shall inform the referee and the commission representative of the exact duration of the match.

(i) In the event that an automatic timekeeping machine is available, its use is authorized, provided however, that manual timekeeping is maintained in the event of equipment failure.(h) The timekeeper shall be familiar with and perform such other duties as set forth in Rules 61K1-1.019, 61K1-1.030 and 61K1-1.035, F.A.C., of these rules.

(3) Duties, Knockdown Timekeeper.

(a) The knockdown timekeeper shall be located adjacent to the timekeeper in a seat designated by the commission representative. No match shall begin or continue unless the knockdown timekeeper is in the designated seat.

(b) The knockdown timekeeper shall count each second for knockdowns by striking the floor of the ring or a suitable wooden striking-board with a substantially constructed hammer or wooden mallet and, by stating in a loud voice, the elapse of each second until such time as the referee has taken over the count, at which time the knockdown timekeeper shall no longer call the count aloud.

(c) The knockdown timekeeper shall be familiar with and perform such other duties as set forth in Rules 61K1-1.019 and 61K1-1.035, F.A.C., of these rules.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.057 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.17, Amended 4-6-89, 8-28-89, 1-1-90, 1-9-91, Formerly 7F-1.017, Amended 9-10-95, 4-3-00,_____.

61K1-1.018 Second; License and Duties.

(1) License.

(a) No person shall act as a second for a participant in any match held in Florida without first having obtained a second license except that a licensed manager may be designated as one of his participant's seconds.

(b) No second shall have any financial or pecuniary interest in the opponent of his participant.

(c) No second shall also be licensed as a judge, physician, promoter or referee and shall not act as a judge, physician, promoter or referee.

(d) No licensed second shall act as a second in any boxing, mixed martial arts or kickboxing match in this state unless the match is sanctioned by the commission.

(2) Duties.

(a) Each participant shall be allowed no more than three seconds, one of whom shall be designated the chief second, provided however that in the case of a championship match, each participant shall be allowed no more than four seconds. The chief second shall be in charge of the participant's corner and be responsible for the conduct of all seconds, and shall be held responsible for any violation committed by any second.

(b) The chief second of any participant shall have with him at the ringside the following articles:

1. One pair of scissors;
2. One towel;
3. One clean water bucket;
4. One container of drinking water;
5. The necessary tape and bandages; and,
6. Proper caustics as provided in Section 61K1-1.0043, F.A.C., of these rules to stop bleeding of minor cuts and lacerations.

(c) First aid and other ring equipment of a second shall in all cases and at all times before, during, and after use, be available for inspection by the physician, inspector, and the commission representative. The commission representative's decision shall be final as to the propriety of its use.

(d) Seconds may verbally ~~shall not~~ ~~coach or in any way assist~~ a participant during a round, ~~or by word or action attempt to heckle or annoy his participant's opponent.~~ A second shall not use profanity or inappropriate language or excessively coach his or her participant. The executive director or commission representative shall determine whether a second's coaching is excessive, inappropriate, disruptive, or otherwise, unbecoming a sportsman. A second attempting, ~~or~~ ~~by word or action,~~ ~~attempt~~ ~~to heckle or annoy his~~ ~~or her~~ participant's opponent or any official is strictly prohibited Seconds shall remain seated in place ~~and silent~~ during the fight period of any round and shall not knock or pound on the ring floor or apron.

(e) No second shall attempt to render aid to a participant who has been counted out during the course of a match before the physician has examined the participant.

(f) If any second steps up onto the ring apron during any fight period of any match unless ordered to do so by the referee, the participant for whom that second is performing as a second shall be immediately determined as the losing participant disqualified and the opponent shall be declared the winner by technical knockout disqualification, unless the executive director or commission representative at ringside determines the act was done to avoid the fighter losing by knockout, in which case the executive director or commission representative may order the result be announced and recorded as a knockout and administer the appropriate suspension accordingly.

(g) The excessive or undue spraying of water on any fighter between rounds is prohibited.

(h) Only one second shall be allowed in the ring. No second shall enter the ring until the timekeeper has indicated ~~bell~~ the end of a round. He shall leave the ring at the sound of the timekeeper's whistle indicating the beginning of the next round is imminent. Prior to the beginning of each round, the entire ring platform and ropes shall be cleared of all obstructions, including buckets, stools, towels, and other articles; and none of these articles shall again be placed on the ring platform until the bell has sounded indicating the end of the round.

(i) No second shall approach any other person and either verbally abuse, harass or threaten, or physically abuse, harass, threaten or touch such person. A second who violates this rule shall be immediately ejected from the premises and shall be automatically banned from any involvement with boxing, mixed martial arts or kickboxing in this state unless the commission decides otherwise ~~suspended until a final determination is made by the commission.~~

Specific Authority 548.003 FS. Law Implemented 548.002, 548.006, 548.011, 548.017, 548.046, 548.056, 548.057 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.18, Amended 4-6-89, 1-1-90, 1-9-91, Formerly 7F-1.018, Amended 9-10-95, 4-3-00,_____.

61K1-1.019 Referee; License and Duties.

(1) License.

(a) No person shall act as a referee in a match held in Florida without first having obtained a referee license.

(b) If, during the course of a match, the referee receives an injury or is unable to continue acting in his capacity as referee, the commission representative shall:

1. Select another qualified person to act as referee for the remainder of the match and program of matches; or
2. If no qualified person is available, cancel the remainder of the match and program of matches.

(c) No person who has financial or pecuniary interest in any participant shall be granted a referee license.

(d) No referee shall also be licensed as a booking agent, manager, matchmaker, participant, representative of a booking agent, second or trainer and shall not act as a booking agent, manager, matchmaker, participant, representative of a booking agent, second or trainer.

(e) No referee licensed in this state shall act as a referee at any boxing, mixed martial arts or kickboxing match in a state without a state boxing commission or similar governmental authority unless the match is supervised by a state boxing commission or similar governmental authority.

(f) No referee shall also serve as a supervisor or serve on the ratings committee or recommend boxers to the ratings committee for a sanctioning body. The applicant must have a demonstrated record and evidence that he/she has the ability to perform the duties outlined below. The ~~e~~Executive ~~d~~Director may issue a temporary certificate pending final action by the Commission.

(2) Applicants for a professional referee's license will be reviewed, evaluated and processed in the following manner:

(a) Any person desiring to become licensed for the first time as a professional boxing referee, shall submit the appropriate application for license.

(b) ~~At its first meeting after November 1 of each year, and its next meeting~~ following the ~~timely~~ submittal of the application for license, the commission shall render a decision as to whether or not the license will be granted.

(c) Applicants for a referee license will be permitted to officiate at the discretion of the executive director for observation purposes. The executive director shall cause to be issued a temporary certificate for this purpose by collecting a license application and fee from the applicant. The executive director shall be cognizant of the relative importance of the match, the number of scheduled rounds and any other factors that may contribute to a difficult set of circumstances for a referee early in his career.

~~(d)~~(e) Applicants for a referee license will be admitted free of charge to professional boxing venues for the purpose of observing and interacting with licensed referees, provided however, that in the case of television events and such other events which by their nature severely limit ringside access, permission to sit at ringside will not be authorized. In the case that an event is sold out, authorization will not be granted to attend the event. Travel and other expenses will be borne solely by the applicant.

~~(e)~~(4) At its first meeting after November 1 of each year, the executive director shall recommend to the commission a list of shall review the performance of each licensed professional referees to be licensed or renewed as officials in this state and the commission shall approve or disapprove the recommendations ~~applications for renewal~~.

(3) Duties.

~~(a) A referee, in addition to being examined by a physician prior to officiating,~~ shall submit to an annual physical examination to establish physical fitness. The result of this examination shall be filed with the commission. The executive director or commission representative may require the referee to be examined by a physician immediately prior to officiating a match at his discretion.

(b) Prior to the beginning of each match, and periodically for the duration of the match, the referee shall examine the participants' gloves, equipment, and person to ensure that no unsafe or improper condition exists. In boxing and kickboxing, before ~~Before~~ allowing a match to continue after a participant has been knocked down, the referee shall wipe clean the surface of the gloves of the participant who was knocked down.

(c) When a participant receives an injury which the referee believes may incapacitate the participant, the referee shall call time out and consult with the physician as to the advisability of allowing the match to continue. No person shall attempt to render aid to or move a participant other than what may be required to move the participant inside the ropes or to remove the mouthpiece of a participant who has been counted out during the course of a match before the physician has examined the participant. However, the referee shall remove the participant's mouthpiece.

(d) The referee shall have the authority to:

1. Terminate a match at any time when the referee determines that one of the participants has such superior skills or ability as to make such match unreasonably dangerous to the other participant and shall be recorded as a technical knockout;

2. Disqualify a participant who commits an intentional foul and award the decision to the opponent;

3. Terminate a match and disqualify either or both participants if the referee determines that either or both participants are not competing in earnest;

4. Terminate a match if either participant has been injured and is in such condition that to continue the match might subject the participant to a debilitating or life threatening injury;

5. Temporarily or permanently halt a match if the referee believes that a significant health hazard exists, when such hazard could reasonably be anticipated to create a significant danger to the participants or the public; and

6. Enforce discipline and the rules, as set forth herein, pertaining to the conduct and behavior of participants, managers, trainers, and seconds.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.056, 548.057, 548.058 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.19, Amended 4-6-89, 1-1-90, 1-9-91, Formerly 7F-1.019, Amended 9-10-95, 4-3-00, _____.

61K1-1.023 Trainer; License and Conduct.

(1) License.

(a) No person shall act as a trainer for any participant without having first obtained a trainer license.

(b) No trainer shall have financial or pecuniary interest in an opponent of his participant.

(c) No trainer shall also be licensed as a judge, referee, physician or promoter and shall not act as a judge, referee, physician or promoter.

(d) No licensed trainer shall act as a trainer in any boxing, mixed martial arts or kickboxing match in this state unless the match is sanctioned by the commission.

(2) Conduct.

(a) The trainer shall prepare the participant for the match in which he is to engage and shall provide information and direction so as to ensure that the participant is in good physical condition and is prepared to utilize and display his skills to the best of his ability.

(b) A trainer may verbally shall not coach or in any way assist a participant during a round; A trainer shall not use profanity or inappropriate language or excessively coach his or her participant while working in the corner. The executive director or commission representative shall determine whether a trainer's coaching or behavior is excessive, inappropriate, disruptive, or otherwise, unbefitting a sportsman. A trainer attempting or by word or action attempt to heckle or annoy his or her participant's opponent. A trainer shall not use profanity or inappropriate language or excessively coach his or her participant while working in the corner. The executive director or commission representative shall determine whether a trainer's coaching or behavior is excessive, inappropriate, disruptive, or otherwise, unbefitting a sportsman. A trainer attempting- or by word or action, attempt to heckle or annoy his or her participant's opponent or any official is strictly prohibited.

(c) A trainer shall not enter the corner or the ring or fenced area at any time during the match and shall remain seated in place during the fight period of any round and shall not knock or pound on the ring floor or apron and silent during the match.

(d) If any trainer steps up onto the ring apron during any match, the participant for whom the trainer is performing as a trainer shall be immediately determined as the losing participant disqualified and the opponent shall be declared the winner by technical knockout disqualification.

(e) No trainer shall approach any other person and either verbally abuse, harass or threaten, or physically abuse, harass, threaten, or touch such person. A trainer who violates this rule shall be immediately ejected from the premises and shall be automatically suspended until a final determination is made by the commission.

(f) Upon the proposal of a professional debut participant, the trainer may be required to certify to the commission that the professional debut participant is physically competent and possesses the skills of a trained participant including, but not limited to:

1. Competence in the elements of offense and defense;

2. Clean hitting;

3. Ring generalship; and

4. Physical stamina to fight at least the minimum number of scheduled rounds and duration.

(g) Professional debut certification shall be made to the executive director or commission representative prior to or at the time of the weigh-in by completing and signing the Pro Debut Release Form as incorporated by reference herein effective _____.

(h) A trainer shall be issued a citation for the first occurrence if the professional debut participant is not able to demonstrate the competence and skills listed above.

(i) A trainer shall be issued a citation and fined the trainer's share of the purse for the second occurrence if the professional debut participant is not able to demonstrate the competence and skills listed above.

(j) A trainer's license may be suspended or revoked for the third occurrence and beyond.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.056 FS. History—New 4-6-89, Amended 1-9-91, Formerly 7F-1.023, Amended 9-10-95, 4-3-00, _____.

61K1-1.024 Booking Agent, Representative of Booking Agent; License.

(1) No person shall act as a booking agent or representative of a booking agent without first having obtained the appropriate license.

(2) No booking agent or representative of a booking agent shall also be licensed as a judge, physician, referee or promoter and shall not act as a judge, physician, referee or promoter.

(3) No licensed booking agent or representative of a booking agent shall act as a booking agent or representative of a booking agent for any boxing, mixed martial arts or kickboxing match in this state unless the match is sanctioned by the commission.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017 FS. History—New 4-6-89, Amended 1-9-91, Formerly 7F-1.024, Amended 9-10-95, _____.

61K1-1.030 Rounds.

(1) The duration of each round of a boxing or kickboxing match shall be 3 minutes with 1-minute rest intervals between rounds. Women's boxing and kickboxing contests shall may be scheduled for 2-minute or 3-minute rounds, as approved by the executive director or commission representative to be determined by agreement of the participants.

(2) A boxing or kickboxing match shall be scheduled for four, six, eight or ten rounds, depending upon the experience of the participants and whether or not the match is a main event. Odd numbers of rounds may be approved by the executive director as long as the number of rounds does not exceed twelve. A championship boxing or kickboxing match shall be scheduled for 12 rounds. Women's championship boxing or kickboxing matches may be scheduled for no less than 10 rounds.

(3) The duration of each round of a mixed martial arts event shall not exceed 5 minutes with no less than 1 minute and no more than 1 and one-half minute rest intervals between rounds depending upon the approved conditions of the matches for the event.

(4) A mixed martial arts match shall be scheduled for two, three, four, five, six, eight or ten rounds, depending on the experience of the participants, whether or not the match is a main event and the conditions of the matches for the event. Under no circumstances can the total fight time for a match exceed 36 minutes.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.057 FS. History—New 4-6-89, Formerly 7F-1.030, Amended 4-3-00, _____

61K1-1.035 Scoring System; Scoring, Criteria; Knockdowns, Fouls; Determination of Win or Draw; Decision Final, Exceptions.

(1) Scoring System. Scoring shall be by the "10 point must" system. The winner of any round shall be awarded 10 points. The loser of any round shall be awarded six to nine points. When a round is even, each participant shall be awarded scored 10 points. Partial or incomplete rounds shall be scored. No score shall be given for any round that is not completed. However, Any point deduction occurring during the partial round will be deducted as if a complete round were being tabulated from the final score of the completed rounds. In kickboxing, points may be deducted from the points earned from each of the scoring judges for failure to execute the number of required kicks.

(2) Boxing and Kickboxing — Scoring, Criteria; Knockdowns, Fouls. The awarding or deducting of points by the judges and referee, the determination as to the occurrence of knockdowns, knockouts and fouls and the procedure to be used following such occurrence shall be accomplished in the following manner and based on the following criteria, which criteria is listed in the order of importance:

(a) The only fair punch is a punch delivered with the padded knuckle part of the glove to the front or side of the head or body above the belt, and the participant who delivers such a punch shall be awarded points in proportion to its damaging effects.

1. A clean knockdown shall be highly scored. A knockdown is scored as soon as it occurs. The participant who takes advantage of the full 9-second count shall be credited with ring generalship that would not be credited to him if he

arose immediately and, in a groggy condition, tried to continue. If he arises before the count of nine and handles himself well, either aggressively or defensively after he is on his feet, he shall be credited with ring generalship. If the participant who is down arises during the count, the referee may, if he deems it advisable, step between the participants for such period of time to assure himself that the participant who has just arisen is able to continue. When so assured, he shall, without loss of time, order both participants to proceed with the match. The following shall be used to determine when a knockdown has occurred and the procedure to be followed after a knockdown has occurred:

(I) Any part of his body, other than his feet, is on the floor; a. A participant shall be considered to be knocked down when:

(II) He is hanging helplessly over the ropes;

(III) He is rising from a down position; or

(IV) At the conclusion of a round in a match, he leaves the ring and fails to be in the ring when the bell sounds indicating the beginning of the next round.

b. When a participant is knocked down, the referee shall order the opponent to retire to the farthest neutral corner of the ring by pointing to that corner, and shall immediately begin a 10-second count over the participant who is down. He shall announce the passing of the seconds, accompanying the count with a downward motion of his arm. The knockdown timekeeper, by effective signaling, shall provide the referee the correct one second interval for his count. The referee's count is the official count.

c. If the participant taking the count is still down when the referee calls the count of 10, the referee shall wave both arms to indicate that the participant has been knocked out, provided however, that if the participant is counted out by virtue of his failure to be in the ring when the bell sounds indicating the beginning of the next round, the match shall be terminated and the participant who was counted out shall be declared the loser by technical knockout.

d. If a participant is knocked down and is down at the time the bell rings to end the round, the timekeeper shall continue to keep time and the referee shall continue to count. If the downed participant fails to rise before the count of 10, the participant shall be considered to have been knocked out in the next subsequent round. If the participant rises before the count of 10 and the referee determines that the contest can continue, both participants shall be afforded the full one minute rest period between rounds, beginning when one of their seconds comes onto the ring apron, regardless of the amount of time used during the knockdown and subsequent counting by the referee. If a participant is knocked down and is down at the time the bell rings in the final round, the timekeeper shall continue to keep time and the referee shall continue to count. If

the downed participant fails to rise before the count of 10, the participant shall be considered to have been knocked out in the final round.

e. If both participants are knocked down at the same time, counting shall be continued as long as either remains down. If both participants remain down until the count of 10, the match shall be terminated and the decision shall be a technical draw.

f. A participant who has been knocked down shall be required to take a count of eight whether or not he has regained his feet before the count of eight has been reached.

g. If a participant who is down arises before the count of 10 is reached, and then goes down immediately, without being struck, the referee shall resume the count where he previously stopped counting.

h. When a participant is knocked out, the referee shall perform a full 10 second count before terminating the match, provided however that if, in the opinion of the referee or physician, the participant requires immediate medical attention, the referee shall not be required to count to 10.

i. If a participant is knocked out of or has fallen out of the ring the referee shall immediately begin a count of 20. The referee shall not allow the match to resume until he has at least counted to 18.

j. If the participant who is not down and who has been ordered to a neutral corner, fails to stay in the neutral corner, the referee and knockdown timekeeper shall cease the count and shall not resume the count until the participant has retired to the neutral corner.

k. If a towel is thrown into the ring when a participant is down, the towel shall be ignored and the referee and knockdown timekeeper shall continue to count as if it had not appeared.

2. If a participant slips, falls down or is pushed down, the referee shall order him to his feet immediately.

3. An unintentional foul may result in a deduction of a point, as determined by the referee. The referee shall determine whether or not a point is to be deducted, using as his criteria the severity of the foul and its effect upon the opponent. When the referee determines that he shall deduct a point from a participant, he shall immediately advise the participants, judges, and commission representative supervising the event of such action. The referee shall not tolerate continual and repeated commission of fouls by a participant. The referee shall give warning to a participant who continually and repeatedly commits fouls and when, in the opinion of the referee, the participant has displayed persistent disregard for the rule governing the commission of fouls, the referee shall disqualify the participant, terminate the match and provide such findings to the commission for appropriate action. Points for fouls shall only be deducted in the round in which the fouls occurred. A participant shall not be penalized in a subsequent

round for fouls that occurred in a previous round. The following actions are considered to be fouls, the committing of which may result in a deduction of points:

- a. Punching below the belt;
- b. Punching an opponent who is down or is getting up after being down;
- c. Holding an opponent with one hand and punching with the other;
- d. Holding or deliberately maintaining a clinch after several warnings;
- e. Wrestling or kicking;
- f. Butting with the head or shoulder or using the knee;
- g. Punching with an open glove, or with the butt of the hand, the wrist or elbow and all backhand punches;
- h. Striking deliberately at that part of the back near the spine and over the kidneys;
- i. The deliberate use of the rabbit punch or any punch struck at the back of the neck near the base of the skull and which is not the result of the opponent turning his head to avoid a punch;
- j. Jabbing the opponent's eyes with the thumb of the glove;
- k. The use of abusive language in the ring;
- l. Any unsportsmanlike trick or action causing injury to an opponent;
- m. Punching on the break;
- n. Punching after the bell has sounded ending the round;
- o. Roughing at the ropes;
- p. Pushing an opponent around the ring or into the ropes;
- q. Tripping or stepping on the opponent's foot; or
- r. Spitting out of the mouthpiece or allowing the mouthpiece to fall out of the mouth. Referees shall handle ejection of the mouthpiece in the manner described in s. 61K1-1.009, F.A.C., of these rules.

s. Punching or flicking with the open glove; ~~and~~

t. Clinching after warning has been given;

u. The following apply to kickboxing in addition to a thought provided above:

(I) Kicking with the knee, or kicking into the knee or to the inside region of the thigh, and sweeps to the inside region of the leg or shin-to-shin sweeps;

(II) Leg checking which is the act of extending the leg to check an opponent's leg to prevent opponent from kicking;

(III) Grabbing or holding an opponent's leg or foot followed by a takedown, strike, or kick;

(IV) Anti-joint techniques which is the act of striking or applying leverage against any joint; and

(V) Holding the ropes with one hand while kicking, punching, or defending with the other hand or the legs.

4. Except in the case of biting or punching while the opponent is down, when the referee determines that a participant has intentionally committed a foul, the referee shall deduct one or more points. Point deductions for intentional fouls shall be accomplished in the same manner as subparagraph 3., above.

a. If an intentional foul causes an injury, and the injury is severe enough to terminate the bout immediately, the participant causing the injury shall lose by disqualification.

b. If an intentional foul causes an injury, and the injury results in the bout being stopped in a subsequent round, the injured participant shall be declared the winner by technical decision if the injured participant is ahead on a majority of the judges' score cards and if not, the bout will be declared a technical draw.

c. If at any time during the match the referee determines that a participant has bitten an opponent, the match will be halted and that participant shall be disqualified.

d. The first offense of punching while down shall result in the deduction of 2 points from the score of the participant who punches his opponent while his opponent is down, unless the first offense, as determined by the referee, is blatant and a clear disregard of the rule. If such determination is made by the referee, the participant committing the foul shall be immediately disqualified and his opponent shall be declared the winner by disqualification. The second offense of punching while down shall result in the disqualification of the participant committing the offense and his opponent shall be declared the winner by disqualification.

(b) Points for aggressiveness shall be awarded to the participant who sustains the actions of a round by the greatest number of skillful attacks;

(c) Consideration shall be given for sportsmanlike conduct, close adherence to the rules and refraining from taking technical advantage of situations which are unfair to his opponent. Points shall be deducted from a participant for unsportsmanlike conduct, disregard of the rules and taking technical advantage of situations which are unfair to his opponent;

(d) Consideration shall be given for clever defensive work such as avoiding or blocking a punch;

(e) Consideration shall be given where ring generalship is conspicuous. Ring generalship includes the ability to:

1. Quickly recognize and take advantage of every opportunity presented;
2. Cope with a diversity of situations;
3. Anticipate and neutralize an opponent's form of attack; and
4. Force an opponent to adopt a style at which he is not particularly skillful;

(f) Points shall be deducted when a participant persistently delays the action of a match by clinching, holding or lack of aggressiveness.

(g) In kickboxing, 8 legal kicks delivered above the belt shall be required. For each legal kick less than the minimum number required, a participant shall be penalized by the deduction of 1 point not to exceed 3 points in any one round. Each knockdown shall be recognized as a legal kick delivered above the belt.

(h) Sweeps must be obvious attempts to unbalance the opponent and not an attempt to injure the leg of the opponent. Sweeps must be executed with the arch part of the foot and delivered to the outside portion of the forward leg only.

(3) Determination of Win or Draw.

(a) A participant who knocks out his opponent shall be declared the winner of the match.

(b) If both participants are knocked down at the same time and both participants remain down until the count of 10, the match shall be considered a technical draw.

(c) A participant who is awarded a technical knockout shall be declared the winner of the match.

(d) When the winner of a match is to be determined by the number of points awarded or deducted or by the number of rounds awarded to each participant, the scores for all rounds shall be compiled for each judge and the following criteria shall be used:

1. Three wins shall be declared a win by unanimous decision;
2. Two wins and one draw shall be declared a win by majority decision;
3. Two wins and one loss shall be declared a win by split decision;
4. One win and two draws shall be declared a draw announced as a majority draw;
5. One win, one draw and one loss shall be declared a draw announced as a draw;
6. One win and two losses shall be declared a loss;
7. Three draws shall be declared a draw;
8. Two draws and one loss shall be declared a draw;
9. One draw and two losses shall be declared a loss; and
10. Three losses shall be declared a loss.

(e) A participant shall not be declared the winner of a match on a claim of low blow foul, and a participant shall not lose a match by reason of an unintentional low blow foul.

(f) No participant shall be awarded a match based on an unintentional foul unless the foul was unintentional butting. If a match is temporarily halted because of an unintentional foul, the referee shall determine whether the participant who has been fouled can continue. If the referee determines that the participant can continue, the referee shall order the match to be continued. If the referee determines that the participant is unable to continue the match as a result of an unintentional foul other than for butting, the referee will give the injured participant five (5) minutes in which to recover and continue. If at the end of the five (5) minute recovery period the fouled

participant is unable to continue the boxing match, the fouled participant shall be declared the loser by technical knockout. During the five (5) minute recovery period neither participant's seconds may assist the participants in any way. If a participant is unintentionally butted in a match so that he cannot continue, the referee shall declare the result of the match using the following criteria:

1. During a four round boxing match, if the unintentional butt occurs prior to the scoring of the third round and the fouled participant is unable to continue, the result shall be a no decision technical draw;

2. During a six, eight, ten or twelve round boxing match, if the unintentional butt occurs prior to the scoring of the fourth round and the fouled participant is unable to continue, the result shall be a no decision;

~~3.2.~~ During a four ~~or six~~ round boxing match, if the unintentional butt occurs in any round subsequent to the scoring of the third round or occurs prior to the scoring of third round but the participant is not determined to be unable to continue until after the scoring of the third round, the determination of win, loss or draw shall be based upon the score cards of the judges as a technical decision whereby partial rounds will be scored;

~~4.3.~~ During a ~~six, eight, ten or twelve~~ round boxing match, if the unintentional butt occurs in any round subsequent to the scoring of the fourth round or occurs prior to the scoring of fourth round but the participant is not determined to be unable to continue until after the scoring of the fourth round, the determination of win, loss or draw shall be based upon the score cards of the judges as a technical decision whereby partial rounds will be scored;

~~4.~~ During a ten round match, if the unintentional butt occurs in any round subsequent to the scoring of the fourth round or occurs prior to the scoring of fourth round but the participant is not determined to be unable to continue until after the scoring of the fourth round, the determination of win, loss or draw shall be based upon the score cards of the judges;

~~5.~~ During a twelve round match, if the unintentional foul occurs in any round subsequent to the scoring of the fourth round or occurs prior to the scoring of fourth round but the participant is not determined to be unable to continue until after the scoring of the fourth round, the determination of win, loss or draw shall be based upon the score cards of the judges.

(g) When an injury is produced by a fair punch but because of the severity of the injury the match cannot continue, the injured participant shall be declared the loser by a technical knockout.

(h) If a participant refuses to continue a match while physically able to do so, the referee shall disqualify him, award the match to his opponent, and shall direct that the purse be withheld. The referee shall provide a written report to the commission. If the commission determines that the participant refused to continue a match while physically able to do so, the

commission shall require that the participant's purse shall be forfeited to the commission and shall impose a period of suspension for a period not less than 6 months.

(i) In any case where the referee determines that both participants are not honestly competing, that a knockdown is intentional and predetermined by both parties or a foul has been pre-arranged so as to cause the match to be terminated, he shall not finish the knockdown count or disqualify either participant for fouling or render a decision, but shall instead terminate the match not later than the end of the round and order the promoter to surrender the purses of both participants to the commission representative pending an investigation of the alleged violation. The announcer or referee shall inform the audience that no decision has been rendered.

(j) If, in the opinion of the physician, the referee has received an injury, the seriousness of which prevents him from continuing to officiate, and the commission representative is unable to locate another qualified person to act as referee, the match shall be terminated, no decision shall be rendered and the purses of both participants shall be withheld. The commission shall then rule as to the disposition of the purses.

(4) Decision Final, Exceptions.

(a) A decision rendered at the conclusion or termination of any match is final and shall not be changed unless it is determined that any of the following occurred:

1. There was collusion affecting the result of any match;

2. The compilation of the round or match score cards of the referee and judges shows an error which indicates that the decision was awarded to the wrong participant;

3. There was a violation of Rule 61K1-1.0043, F.A.C., of these rules, relating to drugs or foreign substances; or

4. There was a violation of Chapter 548, F.S., or the rules set forth herein which violation affected the result of the match.

(b) If it is determined that any of the above occurred, the decision rendered shall be changed as directed by the commission.

(5) Conditions of the Match in Mixed Martial Arts.

(a) The conditions of the match for any mixed martial arts match as proposed to the executive director shall be deemed to include the following as fouls:

1. Butting with the head;

2. Eye-gouging of any kind;

3. Biting;

4. Hair pulling;

5. Fishhooking;

6. Groin attacks of any kind;

7. Small joint manipulation to include fingers and toes;

8. Putting a finger into any orifice, cut, or laceration on an opponent;

9. Striking to the spine or back of the head to include, without limitation, hand strikes, punches, kicks and knees;

10. Striking downward using the point of the elbow;
 11. Throat strikes of any kind to include, without limitation, grabbing the trachea;
 12. Clawing, pinching, twisting of the flesh;
 13. Grabbing the clavicle;
 14. Kicking or kneeing to the head of a grounded opponent;
 15. Stomping a grounded opponent;
 16. Kicking to the kidney with the heel of the foot;
 17. Spiking an opponent to the canvas on the head, crown of the head, or neck;
 18. Throwing an opponent out of the ring or fenced area;
 19. Holding the shorts or gloves of your opponent;
 20. Spitting at your opponent;
 21. Engaging in any unsportsmanlike conduct that causes injury to an opponent;
 22. Holding the ropes or fencing;
 23. Attacking an opponent during the rest period, while under the care of the referee or ringside physician, or after the bell has sounded the end of a round;
 24. Flagrant disregard for instructions of the referee;
 25. Timidity to include, without limitation, avoiding contact with an opponent, intentionally spitting or consistently dropping the mouthpiece, or faking an injury;
 26. Interference by the corner;
 27. Throwing in the towel by the corner;
 28. Using abusive language in the ring or fenced area.
- (b) A mandatory 1 point deduction will be standard for any intentional foul that produces an injury.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.054, 548.057, 548.058, 548.071 FS. History—New 4-6-89, Amended 8-28-89, 1-1-90, 1-9-91, Formerly 7F-1.035, Amended 9-10-95, 4-3-00, _____.

61K1-1.037 Post-Match Physical Requirements; Suspensions.

(1) As a result of injuries or suspected injuries sustained or suspected to have been sustained in any match, the commission representative shall order a medical examination to be given to any participant or referee at any time, if he has cause to believe that the health or safety of the participant or referee is in jeopardy.

(2) When it shall appear to a physician, for whatever reason and regardless of how the injury was sustained, that a participant or referee is no longer able to safely continue to compete or officiate, the physician shall report such findings, in writing, to the executive secretary. If the physician has so recommended, the participant or referee shall not be permitted to participate until such time as he is certified as fit to participate by the physician.

(3) A participant, losing by knockout or having been rendered a decision of technical draw as a result of being counted out in any jurisdiction, shall be automatically suspended for a period of time to be determined by the

executive director based upon the recommendation of the physician, or at least 60 calendar days from the date of the knockout or technical draw, whichever is longer. A participant shall not engage in any match, contact exhibition or contact sparring for training purposes during the suspension period. After the suspension period and prior to engaging in any match, contact exhibition or contact sparring for training purposes he shall be examined by a physician. The participant shall advise the physician of the previous knockout or technical draw and shall provide medical records or his permission for the physician to consult with the physician who treated him at the time of the previous knockout or technical draw. The results of this examination shall be filed with the commission prior to any further matches being approved for the participant.

(4) A participant losing by technical knockout or disqualification shall be automatically suspended for a period of time to be determined by the executive director based upon the recommendation of the physician or at least 30 calendar days from the date of the technical knockout, whichever is longer. A participant shall not engage in any match, contact exhibition or contact sparring for training purposes during the suspension period without the approval of the physician. After the suspension period and prior to engaging in any match, contact exhibition or contact sparring for training purposes he shall be examined by a physician. The participant shall advise the physician of the previous knockout or technical draw and shall provide medical records or his permission for the physician to consult with the physician who treated him at the time of the previous knockout or technical draw. The results of this examination shall be filed with the commission prior to any further matches being approved for the participant. In the case of disqualification, the commission representative shall determine whether a medical clearance shall be required following suspension.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.045, 548.046, 548.071 FS. History—New 4-6-89, Amended 1-1-90, Formerly 7F-1.037, Amended 9-10-95, 4-3-00, _____.

61K1-1.040 Post-Match Reports Required to be Filed; Penalty for Late Filing.

(1) Within 2 hours following the conclusion of a program of matches, unless otherwise directed by the commission, the promoter shall distribute to the participant's manager and the participant, the participant's share of the purse along with a written statement showing the distribution of the purse, which statement shall include each item of receipt and each expenditure or deduction. The promoter shall retain a copy of this statement, certified by the promoter to be correct, with receipted vouchers for all expenditures and deductions for a period of 6 months and shall provide such copy to the commission if requested to do so.

(2) Within 24 hours following receipt of the purse and statement from the promoter, unless otherwise directed by the commission, the manager shall distribute to the participant, the

participant's share of the purse and a statement of distribution. The manager shall retain a copy of the manager's statement, certified by him to be correct, with receipted vouchers for all expenditures and deductions for a period of 6 months and shall provide such copy to the commission if requested to do so.

(3) ~~Within 72 hours and 5 days for mailing time~~ Following a program of matches held in Florida, the promoter shall file with the commission ~~as required by section 548.06, F.S.~~ a written report of gross receipts on Form BPR-0009-453, entitled Post Event Tax Report For Live Event, incorporated herein by reference and effective May, 1993, which form shall be provided by the commission. This form shall be accompanied by a tax payment of 5 percent of the total gross receipts excluding any federal tax or state sales tax, except that the tax payment derived from the gross price charged for the sale or lease of broadcasting, television and motion picture rights shall not exceed \$40,000 for any single program of matches. All ticket stubs and unused tickets or an independently prepared ticket manifest shall be retained by the promoter for a period of 6 months and shall be provided to the commission upon request.

(4)(a) Failure to file either or both the report and tax payment within the time frame described above shall result in a daily fine of 10 percent of the amount of the tax payment due or \$25, whichever is greater. If the fine is calculated based upon the 10 percent of the tax payment due, such fine shall not exceed \$5,000. The fine shall begin the day following the end of the time frame described above and shall continue for each day that either or both the report is not filed or the tax payment remains unpaid.

(b) If the report and tax payment filed with the commission is determined to be understated, the fine assessment shall apply to the balance remaining after crediting the tax payment filed. The fine shall commence 72 hours following receipt of notice of the underpayment by the promoter responsible for the tax payment.

Specific Authority 548.003 FS. Law Implemented 548.053, 548.06, 548.075 FS. History—New 4-6-89, Amended 8-28-89, 5-13-90, Formerly 7F-1.040, Amended 9-10-95, 4-3-00, _____.

61K1-1.042 Closed Circuit Telecasts; Requirements; Penalty for Late Filing.

(1) Where the Florida distribution rights for a closed circuit telecast to be viewed in this state are in whole owned by, sold to, acquired by or held by any person who intends to or subsequently sells or, in some other manner, extends such rights in part to another, such person is deemed to be a promoter and must be licensed as such in this state. Closed circuit telecasts of boxing, mixed martial arts, or kickboxing events shall not be telecast from, in or into Florida except under the auspices of a promoter licensed in this state and such promoter shall be responsible for filing the appropriate reports and tax payments with the commission as referenced herein.

(2) A promoter holding, showing or telecasting a closed circuit telecast utilizing facilities other than a cable system's pay-per-view facilities, shall complete and submit to the commission Form BPR-0009-481, entitled Application For Permit For Closed Circuit Event, incorporated herein by reference and effective September, 1993. A promoter holding, showing or telecasting a closed circuit telecast utilizing facilities other than a cable system's pay-per-view facilities, shall complete and submit to the commission Form BPR-0009-480, entitled Application For Permit For Pay Per View Event, incorporated herein by reference and effective September, 1993. This form shall be submitted prior to the promoter selling or negotiating the sale of rights to broadcast such closed circuit telecast to any person.

(3) The promoter shall notify the commission of the names and addresses of all facilities to or through which the closed circuit match will be telecast.

(4) Any promoter holding, showing or telecasting any match via a closed circuit telecast and viewed within Florida, whether originating in Florida or not, shall file a written report. The report shall state the number of tickets or orders sold, the amount of gross receipts from the sale of tickets or orders excluding federal and state sales tax and the amount paid to the promoter by the facility for the right to receive the broadcast of the closed circuit event.

(5) Unless otherwise directed by the commission, a promoter holding, showing or telecasting a closed circuit telecast utilizing facilities other than a cable system's pay-per-view facilities, shall file such report within 72 hours following the date of the telecast and the report shall be accompanied by a tax payment of 5 percent of the total gross receipts derived from the sale of tickets excluding federal and state sales tax. If the required report and tax are filed by mail, the promoter shall be allowed an additional 5 days for mailing.

(6) Each cable system operator whose pay-per-view facilities were utilized to telecast a closed circuit program of matches shall, within 30 calendar days following the date of the telecast, file with the commission a report stating the number of orders sold. At such time as all cable systems have filed reports of orders, the commission shall provide a summary report to the promoter. This summary report shall list the name and address of each cable system, the number of orders reported to have been sold and the amount of tax due. The amount of tax shall be 5% of the total gross receipts from the sale of orders excluding state and federal sales tax. Within 15 days following the date of receipt of the summary report by the promoter, the promoter shall pay to the commission the amount of tax due as stated on the summary report. If such payment is made by mail, the promoter shall be allowed an additional 5 days for mailing.

(7)(a) Failure of the promoter to file either or both the report and tax payment within the prescribed time frame shall result in a daily fine of 10 percent of the amount of the tax

payment due or \$25, whichever is greater. If the fine is calculated based upon the 10 percent of the amount of tax due, the fine shall not exceed \$5,000. The fine shall begin the day following the end of the time frame described above, and shall continue for each day that either or both the report is not filed or the tax payment remains unpaid.

(b) If the report or tax payment filed with the commission is determined to be understated, the fine assessment shall apply to the balance remaining after crediting the tax payment filed. The fine shall commence 72 hours following receipt of notice by the promoter of the underpayment. In addition to the penalty stated above, no promoter shall be permitted to telecast, hold or show any future closed circuit matches or program of matches in this state unless all delinquent taxes and outstanding fines have been paid to the commission.

Specific Authority 548.003 FS. Law Implemented 548.061 FS. History—New 4-6-89, Amended 8-28-89, 5-13-90, Formerly 7F-1.042, Amended 9-10-95, 4-3-00, _____.

61K1-1.050 Method of Payment.

(1) Payment of fees and taxes shall be made by cash, check, cashier’s check or money order.

(2) If a check is returned for non-sufficient funds the commission shall:

(a) Advise the issuer at his last known address of the non-sufficient funds check and allow him 10 business days to provide a cashier’s check or money order in an amount equal to the non-sufficient funds check and the returned check processing fee;

(b) If the issuer fails to provide the commission with a cashier’s check or money order for the correct amount within the prescribed time, the commission shall cancel any licenses or permits issued or tentatively approved for which the non-sufficient funds check was presented. If the non-sufficient funds check was for the payment of taxes for a program of matches or closed circuit telecast, a fine of 10 percent of the payment due or \$25, whichever is greater, shall also be assessed for each day that the non-sufficient funds check and returned check processing fee remain unpaid after notification. Further, the commission shall recover the debt using the means available to the state to collect debts due the state;

(c) If a non-sufficient funds check is corrected within the prescribed time, the commission shall continue to accept checks from the issuer. However, any person who submits two non-sufficient funds checks within a 12-month period shall not be allowed to make payments to the commission in the form of a check for a period of 12 months.

Specific Authority 548.003 FS. Law Implemented 548.006 FS. History—New 4-6-89, Formerly 7F-1.050, Amended 9-10-95, Repromulgated _____.

61K1-1.070 Administrative Complaints.

(1) The executive director shall issue or cause to be issued all administrative complaints.

(2) The commission shall issue all final orders, provided however that the executive director shall be delegated the authority to affix his signature to documents which attest to or represent official commission action.

Specific Authority 548.003 FS. Law Implemented 548.004, 548.006 FS. History—New 4-6-89, Formerly 7F-1.070, Amended 9-10-95, 4-3-00, Repromulgated _____.

61K1-1.080 Forms.

The following forms are available from the commission. Their use is required optional.

(1) Form BPR-0009-466, entitled Letter of Agreement Between Promoter and Participant, incorporated herein and effective August, 1996.

(2) Form BPR-0009-486, entitled Post Event Order Report For Pay Per View Portion Of Closed Circuit Telecast By Cable System Operator, incorporated herein and effective May, 1993.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.05 FS. History—New 4-6-89, Amended 8-28-89, 5-13-90, Formerly 7F-1.080, Amended 9-10-95, 4-3-00, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Acupuncture Program Requirements

RULE NO.: 64B1-4.001

PURPOSE AND EFFECT: The Board proposes to delete subsection (2) of the rule section to conform to minimum education program statutory requirements.

SUMMARY: The proposed rule conforms the Board’s education program requirements to the minimum requirements of Section 457.105(2), Florida statutes.

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: 456.033, 457.102, 457.104, 457.105 FS.

LAW IMPLEMENTED: 456.033, 457.102, 457.105 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-4.001 Acupuncture Program Requirements.

In order to be certified to take the licensure examination, the applicant must establish that he/she has met the following minimal requirements. For persons who enrolled on or after July 1, 1997, the applicant must complete the program in which they have enrolled.

- (1) No change.
- ~~(2) For applicants who enroll on or after August 1, 1997, applicants must have completed a program that meets the following minimum requirements:~~
 - ~~(a) 330 hours of supervised instruction in Biomedical Clinical Science, to include 90 hours of pathology, 120 hours of anatomy and physiology and 120 hours of western biomedical and diagnostic terminology;~~
 - ~~(b) 1,155 hours of supervised instruction in Traditional Oriental Acupuncture Diagnosis and Treatment, to include 705 hours in Oriental Medical Theory, Diagnosis and Treatment Techniques in Acupuncture and Related Studies, and 450 hours in Herbal Studies;~~
 - ~~(c) 30 hours of supervised instruction in Introduction to Adjunctive Therapies and 200 hours of supervised instruction in Electives in Adjunctive Therapies;~~
 - ~~(d) 660 hours of supervised clinical experience as defined in Rule 64B1-4.0015, F.A.C.;~~
 - ~~(e) 15 hours of supervised instruction in Universal Precautions and 3 hours of HIV/AIDS that complies with the requirements of Section 456.033, F.S.;~~
 - ~~(f) 20 hours of supervised instruction in Florida Statutes & Rules, including Chapters 456 and 457, F.S., and this rule chapter.~~

(3) through (5) renumbered (2) through (4) No change.

Specific Authority 456.033, 457.102, 457.104 457.105 FS. Law Implemented 456.033, 457.102, 457.105 FS. History--New 8-30-84, Formerly 21AA-4.01, Amended 7-20-88, 4-30-89, 9-19-89, 3-18-92, Formerly 21AA-4.001, 61F1-4.001, Amended 3-24-96, Formerly 59M-4.001, Amended 12-31-97, 11-1-99, 6-21-00, 4-3-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2003
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2003

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE TITLE: Initial Active Status License Fee

RULE NO.: 64B20-3.004

PURPOSE AND EFFECT: The Board proposes to clarify and does clarify that persons applying for initial active status licensure during the biennial renewal cycle will not have to pay the biennial renewal fee, but will have to pay the unlicensed activity fee, the application fee and the initial licensure fee.

SUMMARY: The rule deletes the biennial renewal fee requirement for applicants who apply for initial active status licensure during the biennial renewal cycle, and clarifies the fees that have to be paid in that situation.

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: 468.1145(1) FS.

LAW IMPLEMENTED: 456.036, 468.1145 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela E. King, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-3.004 Initial Active Status License Fee.

The initial active status license fee shall be two hundred dollars (\$200.00). If the applicant is initially licensed in the second year of the biennium, the licensure fee shall be one hundred dollars (\$100.00). If an applicant is initially licensed during the biennial renewal licensure cycle, the applicant shall pay the renewal fee, initial licensure fee, unlicensed activity fee plus the application fee, and the license issued shall be good for the next biennium.

Specific Authority 468.1145(1) FS. Law Implemented 456.036, 468.1145, 456.065 FS. History--New 3-14-91, Amended 8-21-91, Formerly 21LL-3.004, 61F14-3.004, Amended 2-13-95, Formerly 59BB-3.004, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Speech-Language Pathology and Audiology
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Speech-Language Pathology and Audiology
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 27, 2003
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2003

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE TITLE: Continuing Education as a Condition For
 RULE NO.: 64B20-6.001

Renewal or Reactivation

PURPOSE AND EFFECT: The Board proposes to clarify that two (2) hours of medical errors continuing education is required for all licensees to renew their licenses, regardless of when they become initially licensed within a biennium.

SUMMARY: The rule requires all certified speech-language pathology and audiology assistants to obtain two (2) hours of medical errors continuing education as a condition of biennial licensure renewal. The rule clarifies that all speech language pathologists and audiologists are required to obtain two (2) hours of medical errors continuing education for biennial renewal, regardless of when during the biennium they were initially licensed.

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: 456.013(7), 468.1135(4)(a), 468.1195(1),(3), 468.1205(1) FS.

LAW IMPLEMENTED: 456.013(7), 468.1195(1),(3), 468.1205(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela E. King, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-6.001 Continuing Education as a Condition for Renewal or Reactivation.

(1) No change.

(2) As a condition of the biennial renewal of an active status assistant certificate, the assistant shall attend and certify attending twenty (20) credit hours, per biennium, of Board approved, clinically related continuing education. Two (2) of these hours must be in a Board approved course relating to the prevention of medical errors as required by subsection 64B20-2.001(3), F.A.C.

(3) through (4) No change.

(5) Licensees who are initially licensed during the second year of the biennium shall be required to attend and certify twenty (20) hours of Board approved, clinically related, continuing education, for their first renewal. Two (2) of these

hours must be in a Board approved course relating to the prevention of medical errors as described in subsection 64B20-2.001(3), F.A.C.

Continuing education hours obtained during the two year period prior to renewal, including hours obtained while holding a provisional license, may be used to satisfy the requirement.

(6) through (12) No change.

Specific Authority 456.013(7), 468.1135(4)(a), 468.1195(1),(3), 468.1205(1) FS. Law Implemented 456.013(7), 468.1195(1),(3), 468.1205(1) FS. History—New 3-14-91, Amended 8-11-91, 5-28-92, 2-24-93, Formerly 21LL-6.001, Amended 1-31-94, 7-5-94, Formerly 61F14-6.001, Amended 3-28-95, 10-1-95, 11-20-95, 4-1-96, Formerly 59BB-6.001, Amended 7-7-98, 1-6-00, 4-4-02, _____

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Speech-Language Pathology and Audiology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Speech-Language Pathology and Audiology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 27, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2003

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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 CORRECTIONS

RULE NO.: 33-507.201
 RULE TITLE: Substance Abuse Program Services – Determination of Need

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. 29, No. 48, November 28, 2003 issue of the Florida Administrative Weekly:

The second bulleted item in the first section of Form DC5-705, Refusal of Mandatory Substance Abuse Services, should be changed as follows:

In addition to disciplinary action, no inmate will be able to participate in a work release center assignment or program or study release if ~~he or she s/he~~ has ever refused to participate in mandated substance abuse program services ~~and/or~~ has not subsequently completed those services.

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-602.220	Administrative Confinement
33-602.221	Protective Management
33-602.222	Disciplinary Confinement

SECOND 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. 29, No. 48, (November 26, 2003), and Vol. 30, No.1, (January 2, 2004) issues of the Florida Administrative Weekly:

33-602.220 Administrative Confinement.

(1) Definitions.

(a) through (n) No change.

(o) Major rule violation – ~~for the purposes of this rule, means any assault, battery or attempted assault or battery; any spoken or written threat towards any person; inciting or attempting to incite or participating in any riot, strike, mutinous act or disturbance; fighting; possession of weapons, ammunition, explosives or escape paraphernalia; and any escape or escape attempt.~~

(2) through (11) No change.

33-602.221 Protective Management.

(1) Definitions.

(a) through (p) No change.

~~(q) Major Rule Violation, for the purposes of this rule only, means any assault, battery or attempted assault or battery; any spoken or written threat towards any person; inciting, attempting to incite or participating in any riot, strike, mutinous act or disturbance; fighting; possession of weapons, ammunition, explosives or escape paraphernalia; and any escape or escape attempt.~~

(2) through (3) No change.

(4) Conditions and Privileges.

(a) through (o) No change.

(p) Exercise - an exercise schedule shall be implemented to ensure a minimum opportunity of three hours per week of exercise out of doors. The ICT is authorized to restrict exercise for an individual inmate when the inmate is found guilty of a major rule violation as defined in Rule 33-602.220, F.A.C.

(q) through (10) No change.

33-602.222 Disciplinary Confinement.

(1) Definitions.

(a) through (l) No change.

~~(m) Major rule violation – for the purposes of this rule only, means any assault, battery or attempted assault or battery; any spoken or written threat towards any person; inciting, attempting to incite or participating in any riot, strike, mutinous act or disturbance; fighting; possession of weapons, ammunition, explosives or escape paraphernalia; and any escape or escape attempt.~~

~~(m)(#)~~ No change.

(2) through (3) No change.

(4) Conditions and Privileges.

(a) through (o) No change.

(p) Exercise.

1. through 2. No change.

3. The ICT is authorized to restrict exercise for an individual inmate only when the inmate is found guilty of a major rule violation as defined in Rule 33-602.220, F.A.C.

(5) through (14) No change.

LAND AND WATER ADJUDICATORY COMMISSION

Lakewood Ranch Community Development District 5

RULE CHAPTER NO.: RULE CHAPTER TITLE:

42EE-1 Lakewood Ranch Community Development District 5

RULE NO.: RULE TITLE:

42EE-1.002 Boundary

NOTICE OF CORRECTION

Notice is hereby given that the public hearing for Rule 42EE-1.002, F.A.C., as originally published in Vol. 30, No. 3, January 16, 2004, of the Florida Administrative Weekly, was inadvertently scheduled to be held prior to the expiration of the 21 day hearing request period. The public hearing for Rule 42-EE-1.002, F.A.C., is rescheduled as follows:

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Monday, February 23, 2004

PLACE: Room 1802M, The Capitol, Tallahassee, Florida

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.203 Gold Seal and Financial Requirements

NOTICE OF CHANGE

The Agency for Health Care Administration announces a change to the proposed amendment to Rule 59A-4.203, F.A.C., relating to the Gold Seal program, as published in Vol. 29, No. 47, November 21, 2003 issue of the Florida Administrative Weekly.

Proposed change to Rule 59A-4.203, F.A.C., should read as follows:

59A-4.203 Financial Requirements.

(1) To be eligible for a Gold Seal designation, a facility must have been in operation for a minimum of 30 months prior to the date of application and must provide evidence of financial soundness and stability. This subsection provides the criteria for use of financial statements. To demonstrate 30 months of financial soundness and stability prior to the date of the application:

(a) The licensee of the facility shall submit financial statements prepared in accordance with Generally Accepted Accounting Principles (GAAP) for the three consecutive fiscal years immediately preceding the date of application, including: a balance sheet, income statement and statement of cash flows and all relevant notes. The licensee concurrently shall submit a report from a certified public accountant (CPA) who has audited or reviewed these financial statements. A report of audited financial statements must specify an unqualified opinion. A report on reviewed financial statements must be a standard report and must not contain any departure from GAAP. Financial statements that have been reviewed by a CPA may not be substituted for audited financial statements when the audit was conducted for the same financial accounting period. Each licensee shall also submit a one-year set of pro-forma financial statements, including balance sheet, income statement and statement of cash flows. For a licensee whose audited or reviewed financial statements are prepared as part of a consolidated entity, the licensee can satisfy the requirements for submitting financial statements by submitting the three most recent consecutive years of CPA audited or reviewed consolidated financial statements if the statements break out the balance sheet, income statement and statement of cash flows of the individual licensee or submit accreditation documents in accordance with ss. 400.235(5)(b), Florida Statutes. In the event a continuing care retirement center has its designation as a CCRC revoked by the Department of Financial Services, the CCRC is required to submit financial statements as described in this rule.

Specific Authority 400.235 FS. Law Implemented 400.235(9) History—New 8-21-01, Amended 5-19-02, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Asbestos Consultants/Asbestos Consultant Examination

RULE NO.:	RULE TITLE:
61E1-1.001	Asbestos Consultants/Contractors; Licensure Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rulemaking to amend Rule 61E1-1.001, F.A.C., as noticed in Vol. 29, No. 41, October 10, 2003, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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.”

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-21.002	Definitions
67-21.003	Application and Selection Procedures for Developments
67-21.0035	Applicant Administrative Appeal Procedures

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. 29, No. 52, December 26, 2003, issue of the Florida Administrative Weekly.

67-21.002 Definitions.

(56) “Income Certification”, “Tenant Income Certification” or “Form TIC-1” means the Form TIC-1, which is adopted and incorporated by reference, effective January 2004, and which shall be used to certify the income of all residents residing in a ~~Set-a~~Side unit in a Development. A copy of such form is available on FHFC’s web site www.floridahousing.org or by contacting the Compliance Department at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

(75) “Program Report” or “Form PR-1” means the report format which is required to be completed and submitted to the Corporation pursuant to this rule chapter, and is adopted and incorporated herein by reference, effective June 2003. A copy of such form is available on FHFC’s web site www.floridahousing.org or by contacting the Compliance Department at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

(98) “Universal Application Package” or “UA1016 (Rev. ~~3 2-04~~)”

The Application forms have been changed as follows:
 Part III.A.3., Development Category, has been revised to add a new paragraph b.
 Part III.B.2., Optional Features and Amenities, opening paragraph has been revised.
 Part III.B.2., Optional Features and Amenities, paragraphs a., New Construction Developments, and b., Rehabilitation/Substantial Rehabilitation Developments, have been revised.
 Part III.D.2., Demographic Commitment, SAIL Applicant commitment paragraph has been deleted.
 Part IV.A.1., Local Government Contributions, has been revised.

The Application exhibits have been changed as follows:
 Verification of Front Porch Florida Community Form has been revised.

The Application instructions have been changed as follows:
 Part III.A.2.c. and d. renumbered as e. and f. and f.(1)(a) and (b) revised.

Part III.A.3., Development Category, has been revised to add a new paragraph b.

Part III.A.4., Development Type, has been revised.

Part III.A.10.b., 2004 FHFC Development Proximity List, has been revised.

Part III.A.10.b.(2) has been revised.

Part III.B.2., Optional Features and Amenities, opening paragraph has been revised.

Part III.D.2., Demographic Commitment, SAIL Applicant commitment paragraph has been deleted.

Part III.E.1.a., SAIL minimum set-aside commitment, has been revised.

Part V.D., Funding Commitments, firm commitment from non-regulated Financial Institution paragraph has been revised.

67-21.003 Application and Selection Procedures ~~Process~~ for Developments ~~Loans~~.

(7) Within 7 Calendar Days of the deadline for receipt by the Corporation of the documentation set forth in subsection (6) above, all Applicants may submit to the Corporation a Notice of Alleged Deficiencies (NOAD) in any other Application. Each NOAD is limited only to issues created by documents revisions, additions, or both ~~revised and/or added~~ by the Applicant submitting the Application pursuant to subsection (6) above. Each NOAD must specify the assigned Application number, the pages and the documents in question, as well as describe the alleged deficiencies in detail. Each NOAD is limited to the review of only one Applicant's submission. However, there is no limit to the number of NOADs which may be submitted. NOADs which seek the review of more than one Applicant's submission will be considered improperly filed and ineligible for review. The Corporation will only review each written NOAD timely Received.

67-21.0035 Applicant Administrative Appeal Procedures.

(6) Any Applicant who wishes to challenge the findings and conclusions of the recommended order entered pursuant to a Section 120.57(2), F.S., proceeding as described in subsection (5) above concerning the final ranking of another Application, shall be allowed the opportunity to submit written arguments to the Board. Any written arguments should be typed and double-spaced with margins no less than one inch in either Times New Roman 14-point or Courier New 12-point font and may not exceed five pages. Written arguments must be filed with Florida Housing Finance Corporation's Clerk at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, no later than 5:00 p.m., Eastern Time, on the date

contained in the recommended order. ~~Submission by facsimile or other electronic means will not be accepted.~~ Failure to timely file a written argument shall constitute a waiver of the right to have a written argument considered by the Board. Parties will not be permitted to make oral presentations to the Board in response to recommended orders. The Board shall consider all recommended orders and written arguments and enter the appropriate final orders.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-48.002	Definitions
67-48.004	Application and Selection Procedures for Developments
67-48.005	Applicant Administrative Appeal Procedures
67-48.010	Terms and Conditions of SAIL Loans
67-48.014	HOME General Program Procedures and Restrictions

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. 29, No. 52, December 26, 2003, issue of the Florida Administrative Weekly.

67-48.002 Definitions.

(6) "Annual Owner Compliance Certification Form" or "Form AOC-1" means, with respect to a Housing Credit Development, a report format which is required to be completed and submitted to the Corporation, pursuant to subsection 67-48.006(7), F.A.C., and is adopted and incorporated herein by reference, effective 1/2001. A copy of such form is available on FHFC's web site www.floridahousing.org or by contacting the Compliance Department at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

(47) "Final Cost Certification Application" or "Form FCCA" means, with respect to a Housing Credit Development, that Form FCCA which is adopted and incorporated herein by reference, effective January 2003, and which shall be used by an Applicant to itemize all expenses incurred in association with construction or rehabilitation of a Housing Credit Development. Such form will be made available for the Corporation and shall be completed, executed and submitted to the Corporation, as specified in subsections 67-48.023(6)-(7), F.A.C., along with the executed Extended Use Agreement, IRS Forms 8821 for all Financial Beneficiaries, a copy of the syndication agreement disclosing the rate and all terms, the required certified public accountant opinion letter, photographs of the completed Development, the monitoring fee, and documentation of the placed-in-service date as specified in FCCA instructions. The Final Housing Credit Allocation will not be issued until such time as all items in the preceding

sentence are received and processed by the Corporation. A copy of Form FCCA is available on FHFC's web site www.floridahousing.org or by contacting the Housing Credit Program at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. IRS Form 8821 is adopted and incorporated herein by reference and can be obtained from the Internal Revenue Service by calling 1(800)829-4477.

(74) "Income Certification", "Tenant Income Certification" or "Form TIC-1" means the Form TIC-1, which is adopted and incorporated by reference, effective January 2004, and which shall be used to certify the income of all residents residing in a set-aside unit in a Development. A copy of such form is available on FHFC's web site www.floridahousing.org or by contacting the Compliance Department at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

(88) "Program Report" or "Form PR-1" means the report format which is required to be completed and submitted to the Corporation pursuant to Rule 67-48.006, F.A.C., and is adopted and incorporated herein by reference, effective June 2003. A copy of such form is available on FHFC's web site www.floridahousing.org or by contacting the Compliance Department at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

(89) "Progress Report" or "Form Q/M Report" means, with respect to a Housing Credit Development, a report format that is required to be completed and submitted to the Corporation pursuant to subsection 67-48.028(4), F.A.C., and is adopted and incorporated herein by reference, effective January 2003. A copy of such form is available on FHFC's web site www.floridahousing.org or by contacting the Housing Credit Program at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

(91) "Qualified Allocation Plan" or "QAP" means, with respect to the HC Program, the 2004 Qualified Allocation Plan which is adopted and incorporated herein by reference, effective upon approval by the Governor of the State of Florida, pursuant to Section 42(m)(1)(B) of the Code and sets forth the selection criteria and the preferences of the Corporation for Developments which will receive Housing Credits. The QAP is available on FHFC's web site www.floridahousing.org or by contacting the Housing Credit Program at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

(98) "SAIL Development" means a residential development comprised of one or more residential buildings, each containing five or more dwelling units and functionally related facilities, proposed to be ~~newly~~ constructed with SAIL funds for Eligible Persons or Eligible Households or a residential development comprised of one or more buildings containing dwelling units and functionally related facilities proposed to be substantially rehabilitated with SAIL funds for Eligible Persons or Eligible Households. If a Development has

received a tentative allocation or tentative funding commitment and is proposed to be constructed or substantially rehabilitated, is under construction, in the process of substantial rehabilitation, or has been completed of Housing Credits or Multifamily Mortgage Revenue Bonds from a prior ~~eyele~~, it may be considered for the SAIL Program funding only if:

(111) "Universal Application Package" or "UA1016 (Rev. 3-2-04)"

The Application forms have been changed as follows:

Part III.A.3., Development Category, has been revised to add a new paragraph b.

Part III.B.2., Optional Features and Amenities, opening paragraph has been revised.

Part III.B.2., Optional Features and Amenities, paragraphs a., New Construction Developments, and b., Rehabilitation/Substantial Rehabilitation Developments, have been revised.

Part III.D.2., Demographic Commitment, SAIL Applicant commitment paragraph has been deleted.

Part IV.A.1., Local Government Contributions, has been revised.

The Application exhibits have been changed as follows:

Verification of Front Porch Florida Community Form has been revised.

The Application instructions have been changed as follows:

Part III.A.2.c. and d. renumbered as e. and f. and f.(1)(a) and (b) revised.

Part III.A.3., Development Category, has been revised to add a new paragraph b.

Part III.A.4., Development Type, has been revised.

Part III.A.10.b., 2004 FHFC Development Proximity List, has been revised.

Part III.A.10.b.(2) has been revised.

Part III.B.2., Optional Features and Amenities, opening paragraph has been revised.

Part III.D.2., Demographic Commitment, SAIL Applicant commitment paragraph has been deleted.

Part III.E.1.a., SAIL minimum set-aside commitment, has been revised.

Part V.D., Funding Commitments, firm commitment from non-regulated Financial Institution paragraph has been revised.

67-48.004 Application and Selection Procedures for Developments.

(7) Within 7 Calendar Days of the deadline for receipt by the Corporation of the documentation set forth in subsection (6) above, all Applicants may submit to the Corporation a Notice of Alleged Deficiencies (NOAD) in any other Application. Each NOAD is limited only to issues created by documents revisions, additions, or both, revised and/or added ~~revised and/or added~~ by the Applicant submitting the Application pursuant to subsection (6) above. Each NOAD must specify the assigned

Application number, the pages and the documents in question, as well as describe the alleged deficiencies in detail. Each NOAD is limited to the review of only one Applicant's submission. However, there is no limit to the number of NOADs which may be submitted. NOADs which seek the review of more than one Applicant's submission will be considered improperly filed and ineligible for review. The Corporation will only review each written NOAD timely Received.

(13)(d) An Applicant or any Principal, Affiliate or Financial Beneficiary of an Applicant or a Developer is in arrears for any financial obligation it has to the Corporation or any agent or assignee of the Corporation. For purposes of the SAIL and/or HOME Programs, this rule subsection does not include permissible deferral of SAIL and/or HOME interest.

67-48.005 Applicant Administrative Appeal Procedures.

(6) Any Applicant who wishes to challenge the findings and conclusions of the recommended order entered pursuant to a Section 120.57(2), F.S., proceeding as described in subsection (5) above concerning the final ranking of another Application, shall be allowed the opportunity to submit written arguments to the Board. Any written arguments should be typed and double-spaced with margins no less than one inch in either Times New Roman 14-point or Courier New 12-point font and may not exceed five pages. Written arguments must be filed with Florida Housing Finance Corporation's Clerk at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, no later than 5:00 p.m., Eastern Time, on the date contained in the recommended order. ~~Submission by facsimile or other electronic means will not be accepted.~~ Failure to timely file a written argument shall constitute a waiver of the right to have a written argument considered by the Board. Parties will not be permitted to make oral presentations to the Board in response to recommended orders. The Board shall consider all recommended orders and written arguments and enter the appropriate final orders.

67-48.010 Terms and Conditions of SAIL Loans.

(9) The final billing for the purpose of payoff of the SAIL loan shall also include a billing for compliance fees to cover monitoring of SAIL Program requirements beyond the maturity date of the Note, ~~as applicable~~. Such fees shall be computed by determining the present value of the annual compliance monitoring fee and multiplying that by the number of years for which the Development will have a set-aside for Very Low-Income persons or households beyond the repayment date. The present value discount rate shall be 2.75% per annum. Such amount shall be reduced by the amount of any compliance monitoring fees for other programs collected by the Corporation for the Development provided:

67-48.014 HOME General Program Procedures and Restrictions.

(2) The Corporation shall utilize at least 15% of the HOME allocation for CHDOs pursuant to the HUD Regulations, to be divided between the multifamily and single family cycles. In order to apply under the CHDO set-aside, the CHDO must have at least 51% ownership interest in the Development held by the General Partner entity and meet all other CHDO requirements as defined by HUD in 24 CFR 92 and other Corporation requirements identified in the CHDO Checklist. The CHDO Checklist is adopted and incorporated herein by reference, effective 11/02, and is available on FHFC's web site www.floridahousing.org or by contacting the HOME-Rental Program at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

(4) The maximum per-unit subsidy amount of HOME funds that the Corporation shall invest on a per-unit basis in affordable housing shall not exceed the per-unit dollar limits established by the Corporation as identified in the current Application instructions and included on the HUD Subsidy Limits chart, which is adopted and incorporated by reference, effective 12-8-03. A copy of such chart is available on FHFC's web site www.floridahousing.org or by contacting the HOME-Rental Program at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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 THE LOTTERY

RULE TITLE: MEGA M\$NEY®

RULE NO.: 53ER04-4

SUMMARY OF THE RULE: This emergency rule sets forth the provisions for the conduct of MEGA M\$NEY® effective January 28, 2004.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER04-4 MEGA M\$NEY®.

(1) Effective January 28, 2004, MEGA M\$NEY® (referred to herein as MEGA MONEY) shall be conducted in accordance with the provisions set forth in this emergency rule.

(2) Any MEGA MONEY lottery ticket purchased on or after January 28, 2004, shall be governed by the provisions set forth in this emergency rule.

(3) MEGA MONEY tickets for drawings held prior to January 28, 2004, shall be governed by the provisions set forth in Chapter 53-32 and Emergency Rule 53ER03-67, Florida Administrative Code.

(4) How to Play MEGA MONEY.

(a) MEGA MONEY is an on-line game in which players select four numbers from a field of one through forty-four and one Mega Ball number from a separate field of one through twenty-two.

(b) Players may use a MEGA MONEY play slip to make their selections. There are five panels on a play slip, each containing an upper play area and a lower play area. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting five numbers (four in the upper play area and one in the lower play area) from each panel played, or may mark the "Quick Pick" box for the terminal to randomly select any or all of the five numbers from either or both play areas. For each panel played, the first four of the five numbers appearing in a single horizontal row on a MEGA MONEY ticket shall be the numbers selected from the upper play area of the play slip and the last number shall be the MEGABALL number selected from lower play area of the play slip. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by an on-line retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(c) Players may play up to thirty consecutive MEGA MONEY drawings by using the "advance play" feature. To use the advance play feature, players may either mark the number of drawings desired in the Advance Play section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive advance drawings selected shall apply to each panel played.

(5) MEGA MONEY Drawings.

(a) MEGA MONEY drawings shall be conducted two times per week, on Tuesday and Friday.

(b) MEGA MONEY drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm ("Accountant") who shall certify to the integrity, security, and fairness of each drawing.

(c) The equipment (one ball set and one drawing machine) used in a MEGA MONEY drawing shall be determined by random selection and shall be inspected by an employee of the Florida Lottery's Security Division ("Draw Manager") and the Accountant before and after each drawing.

(d) A ball set contains sixty-six balls comprised of one subset of forty-four balls ("subset 1") and one subset of twenty-two balls ("subset 2"). The balls in subset 1 are numbered one through forty-four. The balls in subset 2 are numbered one through twenty-two. A MEGA MONEY drawing machine contains two separate mixing chambers and two ball display devices.

(e) Once a set of balls has been selected and inspected, the selected MEGA MONEY drawing machine shall be loaded by the Draw Manager by placing each subset of balls into its mixing chamber. The two subsets of balls shall be mixed by the action of an air blower.

(f) Four balls from subset 1 and one MEGABALL from subset 2 are drawn by vacuum action into their respective display device. The numbers shown on the four balls and the number shown on the MEGABALL, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(g) In the event a malfunction in the drawing procedures occurs or the drawing equipment malfunctions, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in paragraph (5)(b). In using such substitute procedures, the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity.

(h) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(6) Determination of Prize Winners.

(a) Wherever used, the terms "jackpot prize" and "top prize" both refer to the highest prize level in the MEGA MONEY game.

(b) In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E) must match the official winning MEGA MONEY numbers for the draw date for which the ticket was purchased, in one of the following combinations:

1. Jackpot Prize: Four numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

2. Second Prize: Four numbers selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

3. Third Prize: Three numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

4. Fourth Prize: Three numbers selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

5. Fifth Prize: Two numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

6. Sixth Prize: One number selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

7. Seventh Prize: Two numbers selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

8. Eighth Prize: No numbers selected from the first subset of balls and the MEGABALL number selected from the second subset of balls.

(7) MEGA MONEY Odds of Winning.

(a) The odds of winning the prizes described in subsection (6) are as follows:

1. Jackpot Prize – 1:2,986,522.00

2. Second Prize – 1:142,215.33

3. Third Prize – 1:18,665.76

4. Fourth Prize – 1:888.85

5. Fifth Prize – 1:638.15

6. Sixth Prize – 1:75.57

7. Seventh Prize – 1:30.39

8. Eighth Prize – 1:32.68

(b) The overall odds of winning a prize in a MEGA MONEY drawing are 1:12.58.

(8) MEGA MONEY Prize Divisions.

(a) MEGA MONEY is a pari-mutuel game. For each draw, fifty percent of the net sales after cancels and promotional plays shall be allocated as the winning pool for the payment of the jackpot prize, second prize, third prize, fourth prize, fifth prize, sixth prize and seventh prize. Free MEGA MONEY tickets issued as an eighth prize shall not be included in gross revenue calculations.

(b) Jackpot Prize.

The jackpot prize pool shall consist of 54.32 percent of the winning pool plus any money carried forward from the prior draw until the jackpot prize pool reaches the estimated cash equivalent of the deferred payment value of \$2 million paid over twenty (20) years, at which point the jackpot prize pool will be capped. When this threshold is met, the jackpot prize pool will comprise zero percent of the winning pool in excess of the cap, and any money in excess of the cap shall roll down and be distributed among the second through the seventh prize levels according to the percentage each prize level comprises of the adjusted prize pool. The total winning prize pool, less the amount required to achieve the cap (not to exceed 54.32 percent of the total winning prize pool), shall comprise the adjusted prize pool.

1. If there is a jackpot prize winner in a drawing and the jackpot prize is not capped, the prize money allocated to the jackpot prize pool shall be divided equally among the jackpot prize winners for that drawing.

2. If there is a jackpot prize winner in a drawing in which the jackpot prize is capped, the capped amount shall be divided equally among the jackpot prize winners for that drawing.

3. If there is not a jackpot prize winner in a drawing and the jackpot prize is not capped, the jackpot prize pool shall be carried over and added to the jackpot prize pool of the next MEGA MONEY drawing.

4. If there is not a jackpot prize winner in a drawing in which the jackpot prize is capped, the capped amount shall be carried over to the next MEGA MONEY drawing and the money in excess of the cap shall be returned to an adjusted prize pool and then be distributed among the second through the seventh prize levels according to the adjusted percentage each prize level comprises of that winning prize pool.

(c) Second Prize.

When the jackpot prize pool is not capped, the second prize pool shall consist of 1.72 percent of the winning pool for the drawing. When the jackpot prize pool is capped, the second prize pool shall consist of 3.75 percent of the adjusted prize pool for the drawing. The second prize pool shall be divided equally among the second prize winners for that drawing.

(d) Third Prize.

When the jackpot prize pool is not capped, the third prize pool shall consist of 3.77 percent of the winning pool for the drawing. When the jackpot prize pool is capped, the third prize pool shall consist of 8.20 percent of the adjusted prize pool for the drawing. The third prize pool shall be divided equally among the third prize winners for that drawing.

(e) Fourth Prize.

When the jackpot prize pool is not capped, the fourth prize pool shall consist of 11.25 percent of the winning pool for the drawing. When the jackpot prize pool is capped, the fourth prize pool shall consist of 24.50 percent of the adjusted prize pool for the drawing. The fourth prize pool shall be divided equally among the fourth prize winners for that drawing.

(f) Fifth Prize.

When the jackpot prize pool is not capped, the fifth prize pool shall consist of 7.84 percent of the winning pool for the drawing. When the jackpot prize pool is capped, the fifth prize pool shall consist of 17.25 percent of the adjusted prize pool for the drawing. The fifth prize pool shall be divided equally among the fifth prize winners for that drawing.

(g) Sixth Prize.

When the jackpot prize pool is not capped, the sixth prize pool shall consist of 7.94 percent of the winning pool for the drawing. When the jackpot prize pool is capped, the sixth prize pool shall consist of 18 percent of the adjusted prize pool for the drawing. The sixth prize pool shall be divided equally among the sixth prize winners for that drawing.

(h) Seventh Prize.

When the jackpot prize pool is not capped, the seventh prize pool shall consist of 13.16 percent of the winning pool for the drawing. When the jackpot prize pool is capped, the seventh prize pool shall consist of 28.30 percent of the adjusted prize pool for the drawing. The seventh prize pool shall be divided equally among the seventh prize winners for that drawing.

(i) Eighth Prize.

1. An eighth prize shall consist of one free MEGA MONEY quick pick ticket (\$1.00 value), except as provided in subparagraph (8)(i) 2. below. An eighth prize shall consist of one free MEGA MONEY quick pick ticket regardless of whether the MEGA MONEY jackpot prize pool is capped. Eighth prizes shall not utilize any portion of the winning prize pool or adjusted prize pool for the drawing.

2. A player who submits by mail a MEGA MONEY lottery ticket which entitles the claimant to a free MEGA MONEY quick pick ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(j) If there is not a winner within one of the second through seventh prize categories for a drawing, the prize pool for that category shall be distributed for that drawing in accordance with the following table:

<u>PRIZE POOL CATEGORY FOR WHICH THERE IS NO WINNER</u>	<u>PRIZE POOL CATEGORY TO WHICH THE NONWINNING PRIZE POOL CATEGORY IS ADDED</u>
<u>Second Prize – 4 of 4</u>	<u>3 of 4 + MEGABALL</u>
<u>Third Prize – 3 of 4 + MEGABALL</u>	<u>3 of 4</u>
<u>Fourth Prize – 3 of 4</u>	<u>2 of 4 + MEGABALL</u>
<u>Fifth Prize – 2 of 4 + MEGABALL</u>	<u>2 of 4</u>
<u>Sixth Prize – 1 of 4 + MEGABALL</u>	<u>To fund future prizes in Lottery games or for special Lottery prize promotions</u>
<u>Seventh Prize – 2 of 4</u>	<u>1 of 4 + MEGABALL</u>

(k) Except for the jackpot prize, all prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the sixth and seventh prizes shall be no less than \$2.00. All rounding differences will be used to fund future prizes in Lottery games or for special Lottery prize promotions.

(9) MEGA MONEY Estimated Jackpot.

(a) For each drawing the Lottery will announce the estimated deferred payment value of the MEGA MONEY jackpot that can be won by a single player, based upon the estimated cash value of the jackpot pool determined by projected and historical sales figures, current interest rates, and funds from rollovers, if any, except that for each MEGA

MONEY drawing occurring during the period of January 28, 2004 through June 29, 2004, the deferred payment value of the MEGA MONEY jackpot prize that can be won by a single player shall be guaranteed at a minimum of \$500,000 paid over twenty (20) years.

(b) During the period of January 28, 2004 through June 29, 2004, if the cash available in the jackpot prize pool is insufficient at the time the ticket is submitted for payment to yield \$500,000 paid over the twenty (20) year deferred payment period, the Lottery shall add prize money rendered unclaimable by Section 24.115, Florida Statutes, to the jackpot prize pool to render it sufficient.

(c) In the event the cash available in the jackpot prize pool is insufficient at the time the ticket is submitted for payment to yield \$2 million paid over twenty (20) years on a capped jackpot prize, the Lottery shall add prize money rendered unclaimable by Section 24.115, Florida Statutes, to the jackpot prize pool to render it sufficient.

(d) In the event the cash available in the jackpot prize pool at the time the ticket is submitted for payment exceeds the amount required to purchase securities to fund \$2 million paid over twenty (20) years, the excess cash will be used to fund future prizes in Lottery games or for special Lottery prize promotions.

(10) MEGA MONEY Payment Options.

(a) Players can choose one of two payment options for receiving their portion of the MEGA MONEY jackpot prize. Payment options are “Cash Option” and “Annual Payment.”

(b) Jackpot prize winners have sixty days after the winning draw date to choose between the two payment options. Once the jackpot prize winner signs the Winner Claim Form and exercises the winner’s chosen option, the election of that option shall be final. Winner Claim Form DOL-173-2, Revised 10/03, and Spanish Winner Claim Form DOL 173-S, Revised 10/03, are incorporated herein by reference and may be obtained from any Lottery retailer, Lottery office, or from the Lottery’s web site at www.flalottery.com. In order to select the Cash Option, the jackpot prize winner must submit his or her ticket for payment within sixty days after the winning draw date. If the jackpot prize winner does not file a claim electing the Cash Option within sixty days after the winning draw date, the Annual Payment option will be applied, except as provided in (10)(e) below.

(c) A jackpot prize winner who chooses the Cash Option for payment will receive one lump sum cash payment of his or her portion of the amount in the jackpot prize pool that is available immediately for investment, determined at the time the ticket is submitted for payment, less applicable withholding taxes, except as follows:

1. During the period of January 28, 2004 through June 29, 2004, the minimum amount of the cash option payment to a single winner will be the amount required at the time the ticket

is submitted for payment to purchase securities to fund \$500,000 paid over twenty (20) years, less applicable withholding taxes.

2. A jackpot prize winner who chooses the Cash Option for payment in a MEGA MONEY drawing in which the jackpot prize is capped will receive his or her portion of the amount required at the time the ticket is submitted for payment to purchase securities to fund \$2 million paid over twenty (20) years, less applicable withholding taxes.

(d) If a jackpot prize winner elects the Annual payment option, his or her portion of the amount in the jackpot prize pool will be invested in U.S. Treasury securities covering a nineteen year period to provide an income stream to the winner of twenty (20) equal annual installments, each less applicable withholding taxes, except as follows:

1. During the period of January 28, 2004 through June 29, 2004, the minimum amount payable to a single winner over twenty (20) years will be \$500,000, less applicable withholding taxes.

2. If a jackpot prize winner elects the Annual payment option in a MEGA MONEY drawing in which the jackpot prize is capped, his or her portion of the amount required at the time the ticket is submitted for payment to purchase securities to fund \$2 million paid over twenty (20) years will be invested in U.S. Treasury securities covering a nineteen year period to provide an income stream to the winner of twenty equal annual installments, each less applicable withholding taxes.

(e) If the cash available in the jackpot pool is determined on the business day following the drawing to be insufficient to yield at least \$100,000 over twenty (20) years for each winning ticket, the Lottery shall pay the jackpot winner or winners in a single cash payment of their share of the amount in the jackpot pool available immediately for investment determined on the business day following the drawing, less applicable withholding taxes.

(f) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made, pursuant to applicable provisions of the Internal Revenue Code and Code of Federal Regulations.

(g) Any interest or earnings accrued on a MEGA MONEY jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(11) MEGA MONEY Rules and Prohibitions.

(a) By purchasing a MEGA MONEY ticket, a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) MEGA MONEY prize payments shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Tickets shall not be purchased by or sold to persons under the age of eighteen.

(d) Subject to a retailer's hours of operation and on-line system availability, MEGA MONEY lottery tickets are available for purchase daily between the hours of 6:00 a.m. and 12:00 midnight, Eastern Time (ET).

(e) The scheduled time for the Tuesday and Friday MEGA MONEY drawings is approximately 11:00 p.m., ET. Ticket sales for a specific MEGA MONEY drawing will close approximately twenty minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next MEGA MONEY draw date.

(f) Retailer cancellations of MEGA MONEY tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no MEGA MONEY ticket can be cancelled after game close for the related drawing and no eighth prize (free MEGA MONEY quick pick ticket) can be cancelled at any time. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related MEGA MONEY close of game.

(g) It is the responsibility of the player to determine the accuracy of selected panels of numbers and date(s) on tickets. In the event that a ticket given to the player by the retailer contains selections which are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the "quick pick" method of number selection.

Specific Authority 24.105(2), 24.105(9)(a),(b),(c),(d),(e),(f),(g),(h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a),(b),(c),(d),(e), (f),(g),(h), 24.115(1), 24.116(1), 24.117(2) FS. History—New 1-27-04.

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

EFFECTIVE DATE: January 27, 2004

DEPARTMENT OF THE LOTTERY

RULE TITLE: MEGA MONEY® Retailer Bonus

RULE NO.: 53ER04-5

Sales Commission

SUMMARY OF THE RULE: Effective January 28, 2004, through February 29, 2004, the Florida Lottery will award on-line retailers a five percent bonus sales commission in addition to the regular five percent sales commission on the purchase price of each MEGA MONEY lottery ticket sold by them and on each free MEGA MONEY quick pick ticket they issue as a prize.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER04-5 MEGA M\$NEY® Retailer Bonus Sales Commission.

(1) Effective January 28, 2004, through February 29, 2004, the Florida Lottery will pay on-line retailers a five percent bonus sales commission (“bonus sales commission”), in addition to the regular five percent sales commission set forth in Emergency Rule 53ER02-23, Florida Administrative Code, on the purchase price of each MEGA M\$NEY (referred to herein as MEGA MONEY) lottery ticket sold by them and on each free MEGA MONEY quick pick ticket they issue as a prize.

(2) The bonus sales commission shall be combined with the regular five percent sales commission and will be reflected on the retailer’s weekly Settlement Report.

(3) Bonus sales commissions will be considered compensation to the retailer for Internal Revenue Service purposes.

Specific Authority 24.105(9)(i), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 1-27-04.

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

EFFECTIVE DATE: January 27, 2004

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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 V

Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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.”

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2004-016 DAO-ROW), on January 15, 2004, to Hernan Baquerizo. The petition for waiver was received by the SFWMD on August 7, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 35, on August 29, 2003. No public comment was received.

This Order provides a waiver for the proposed construction of a fence enclosure encroaching to a point approximately 4 feet from the top of the canal bank within the south right of way of C-100C at the rear of 8481 S. W. 140th Street, S22/T55S/R40E, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which govern the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD’s ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Hernan Baquerizo from suffering a violation of the principles of fairness.

A copy of the Order can be obtained from: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320, e-mail: kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2004-017 DAO-ROW), on January 15, 2004, to Florida Department of Transportation. The petition for waiver was received by the SFWMD on October 28, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 49, on December 5, 2003. No public comment was received.

This Order provides a waiver for the proposed placement of two streetlight poles within the south right of way of C-11 at the southwest and southeast quadrants of Nob Hill Road (S. W. 100th Avenue) bridge, S29&30/T50S/R41E, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water

Management District, incorporated by reference in subsections 40E-6.091(1), Fla. Admin. Code, which govern the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent FDOT from suffering a substantial hardship.

A copy of the Order can be obtained from: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320, e-mail: kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2004-018 DAO-ROW), on January 15, 2004, to John Licari. The petition for waiver was received by the SFWMD on October 24, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 46, on November 14, 2003. No public comment was received.

This Order provides a waiver for an existing dock within the north right of way of the Hillsboro Canal at the rear of 8610 Kimble Way, S32/T47S/R42E, Palm Beach County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the minimum low member elevation of pile-support docking facilities within the Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent John Licari from suffering a violation of the principles of fairness.

A copy of the Order can be obtained from: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320, e-mail: kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2004-019 DAO-ROW), on January 15, 2004, to Florida Department of Transportation. The petition for waiver was received by the SFWMD on September 8, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 38, on September 19, 2003. No public comment was received.

This Order provides a waiver for the proposed installation of lighting conduit attached to the east and west faces of the S.R. 817 (University Drive) bridge, and proposed placement of 3 light poles within the north and south rights of way of the North New River Canal at the northwest, southwest and southeast quadrants of the University Drive Bridge, S16/T50S/R41E, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which govern the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet of the top of canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent FDOT, from suffering a substantial hardship and a violation of the principles of fairness.

A copy of the Order can be obtained from: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320, e-mail: kruff@sfwmd.gov.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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 Board of Optometry hereby gives notice that it has issued an Order on the Petition for Variance or Waiver filed by Morissa F. Richman, O.D. The Notice of Petition for Variance or Waiver was published in Vol. 29, No. 41, of the October 10, 2003, Florida Administrative Weekly. The Board of Optometry considered the Petition at its meeting held on November 21, 2003, in Orlando, Florida. The Board's Order,

filed on December 9, 2003, denies the petition for variance or waiver finding that the Petitioner failed to demonstrate how compliance with subsection 64B13-4.001(2), Florida Administrative Code, would cause unique hardship and the Petitioner failed to make a showing of how her principles of fairness have been or are being violated by applying the aforementioned Rule.

A copy of the Board's Order may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT ON January 27, 2004, the Board of Physical Therapy Practice received a Petition for Waiver of subsection 64B17-3.001(4), F.A.C., from Moshe Presser. The Petition requests a waiver of the rule that provides the most recent eligibility standards for reapplication to take the national physical therapy examination.

Comments on this Petition should be filed with: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3255.

For a copy of the petition or information regarding hearing date and location where petition will be considered, contact: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on January 27, 2004, Florida Housing Finance Corporation received a Petition for Waiver of subsection 67-48.002(31) and paragraph 67-48.004(14)(b), Florida Administrative Code, from Boynton Associates, Ltd. ("Petition"). The Petition is seeking a variance from the rules which provide that there will be no change in developers before a construction project is completed. A copy of the Petition can be obtained from Sherry Green, Public Records Clerk, 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: February 26, 2004, 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 Resources Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: Wednesday, February 18, 2004, 10:00 a.m.

PLACE: Call (850)414-3300 for information 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.

The Executive Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: February 19, 2004, 10:00 a.m.

PLACE: Call (850)414-3300 for information 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.

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Shrimp Liaison Working Group:

DATE AND TIME: February 26, 2004, 9:00 a.m. – 1:00 p.m.

PLACE: Florida Fruit and Vegetable Association Office, 4401 E. Colonial Drive, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Shrimp Liaison Working Group meeting to discuss marketing programs funded with federal relief funds.

If you need any special accommodations to attend this meeting, please contact: Amanda MacKee, Bureau of Seafood and Aquaculture, 2051 E. Paul Dirac Dr., Tallahassee, Florida 32310, (850)488-0163.

The **Office of Agricultural Water Policy** announces a public meeting of the Soil and Water Conservation Council which all interested persons are invited:

DATE AND TIME: February 27, 2004, 9:00 a.m. – 12:00 Noon

PLACE: Florida Fruit and Vegetable Association Office, 4401 East Colonial Drive, Orlando, Florida 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Soil and Water Conservation Council will discuss the Council's revised mission statement, Public/Private Water Resource Partnerships, as well as Water Issues that may arise during the 2004 Legislative Session.

For Further information contact: Mr. Clegg Hooks, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governors Square Blvd., Suite 200, Tallahassee, FL 32301, (850)488-6249, Suncom 278-6349.

Pursuant to Chapter 286.26, Florida Statutes, any persons requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF EDUCATION

RE-ADVERTISEMENT – The **Florida Rehabilitation Council** announces a Quarterly Meeting to which all interested persons are invited.

DATES AND TIME: February 4-6, 2004, 8:00 a.m. – 5:00 p.m.

PLACE: Division of Vocational Rehabilitation, 2002-A Old St. Augustine Road, Tallahassee, FL 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/quarterly meeting/Workshop:

MEETING: Florida Rehabilitation Council/Coordination Committee Mental Health Workgroup Taskforce

DATE AND TIME: February 23, 2004, 8:30 a.m. – 1:30 p.m.

PLACE: To Be Announced

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

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notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

RE-ADVERTISEMENT – The **Florida Rehabilitation Council** announces a conference call to which all interested persons are invited to participate.

Planning Committee

DATE AND TIME: February 18, 2004, 9:00 a.m. – 10:00 a.m.

Executive Committee

DATE AND TIME: February 24, 2004, 10:00 a.m. – 12:00 Noon

PLACE: Division of Vocational Rehabilitation, 2002-A Old St. Augustine Road, Tallahassee, FL 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision, thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to

ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The public is invited to a meeting of the **State Board of Education**.

DATE AND TIME: February 17, 2004, 8:30 a.m.

PLACE: St. Pete College, Seminole Campus, 9200 113th Street, North, Dightorium, Room UP160, Seminole, Florida 33772

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of Minutes of meeting held December 16, 2003; Updates on various reports and status on education initiatives by Commissioner and Chairman including an update on the class size requirement amendment and districts compliance. Action items will include: Amended Guidelines for Charter School Appeals; Charter School Appeal of Berkley Accelerated Middle School vs. The School Board of Polk County; Charter School Appeal of UCP of Central Florida vs. The School Board of Brevard County; Charter School Appeal of UCP of Central Florida vs. The School Board of Osceola County; Charter School Appeal of UCP of Central Florida vs. The School Board of Volusia County; Charter School Appeal of Oasis Language Academy vs. The School Board of Orange County; Charter School Appeal of Osceola County Academies of Excellence Elementary vs. the School Board of Osceola County; Charter School Appeal of Hillsborough Academies of America Middle School vs. The School Board of Hillsborough County; Charter School Appeal of Osceola County Academies of Excellence Middle vs. The School Board of Osceola County; Charter School Appeal of Hillsborough Academies of America Elementary School vs. The School Board of Hillsborough County; Charter School Appeal of Four Towns Middle School vs. The School Board of Volusia County; Proposed Amendment to Rule 6D-3.0021 Individual Education Plan; Proposed Amendment to Rule 6D-3.007 Provision of Non-Academic and Extracurricular Services and Activities; Proposal to Request Designation of A Tallahassee Downtown Special Purpose Center at Brogan Museum in Tallahassee, Florida; Proposal to Request Site Designation Approval for a South Center near Wesley Chapel in Pasco County; Proposal to Request Site Designation Approval for a Southwest Campus in Orange County; and other matters pertaining to the State Board of Education.

A copy of the agenda may be obtained from the Commissioner of Education's website at <http://www.fldoe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The State of Florida, **Department of Education**, Education Practices Commission announces a Teacher Hearing Panel to which all persons are invited.

DATE AND TIME: February 27, 2004, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Teacher Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceeding is made. The record will include the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing: Education Practices Commission, 325 W. Gaines Street, Room 224, Turlington Building, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

The **University of South Florida**, Lawton and Rhea Chiles Center for Healthy Mothers and Babies announces the Covering Kids Statewide Coalition Process Improvement subcommittee conference call meeting to which all persons are invited to participate.

DATE AND TIME: Monday, February 16, 2004, 10:00 a.m.

PLACE: Conference Call-in Info: (850)414-5775, Suncom 994-5775, Toll-Free 1(888)461-8118

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items to be discussed include: Policy recommendations; Retention; How to use the health care system; Education; Wait List and Enrollment; and 3rd year workplan focus.

The **University of South Florida**, Lawton and Rhea Chiles Center for Healthy Mothers and Babies announces the Covering Kids Statewide Coalition meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 18, 2004, 10:30 a.m.

PLACE: University of South Florida, The Lawton and Rhea Chiles Center for Healthy Mothers and Babies, Mike Biliarakis Room 108, Tampa, FL (Conference Call-In Info: (850)414-5775, Suncom 994-5775, Toll-Free 1(888)461-8118

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items to be discussed include Revenue Maximization; Policy recommendations; Wait List; National Program Office site visit; and 3rd year workplan focus.

The **Florida Atlantic University**, Board of Trustees announces the following committee meetings to which all persons are invited:

DATE AND TIMES: Wednesday, February 18, 2004, 10:00 a.m. – Governance/Personnel and Compensation; 12:30 p.m. – Affiliated Organizations; 2:00 p.m. – Planning and Development

PLACE: Boca Raton Campus, Board of Trustees Room, Kenneth R. Williams Administration Bldg., 777 Glades Road, Boca Raton, Florida 33314

A copy of the agenda may be obtained by contacting: Ms. Joanne Elsner, Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431, (561)297-4030, e-mail: jelsner@fau.edu.

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: Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling (561)297-2130 (TDD).

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, February 21, 2004, 9:00 a.m.

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

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

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

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 at least 48 hours in advance from the aforementioned address.

The **Gulf Coast Community College**, District Board of Trustees will hold its monthly meeting as follows:

DATE AND DATE: February 12, 2004, 10:00 a.m. (EDT)

PLACE: Gardner Seminar Room, Gulf Coast Community College, Panama City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting.

Contact person for the meeting is: Dr. Robert L. McSpadden, President.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a meeting of the Affordable Housing Study Commission to which all interested persons are invited.

DATES AND TIMES: February 18, 2004, 1:00 p.m. – 5:00 p.m.; February 19, 2004, 8:00 a.m. – 1:00 p.m. (Times are subject to change)

PLACE: The Clarion Hotel, (formerly Park Plaza Hotel) 5303 W. Kennedy Boulevard, Tampa, Florida

Any person requiring special accommodations due to disability or physical impairment should contact Brenda Smith, (850)922-1462, at least five calendar days prior to the meeting. People who are hearing-impaired should contact Ms. Smith using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained from: Brenda Smith, Affordable Housing Study Commission, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1462.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting will be for the Commission to continue discussions on its 2003-2004 study topic: Housing the extremely low-income (>30% AMI) with a special emphasis on farmworker housing and housing in the urban core.

At these meetings, a Public Comment period will take place on Thursday, February 19, 2004, 8:00 a.m. – 8:30 a.m. Please contact Brenda Smith if you would like to make a presentation to the Commission. Due to time constraints, presentations before the Commission should be limited to no more than six minutes; however, printed support materials are welcome and can be distributed at the meeting.

The **Department of Community Affairs, Division of Emergency Management** announces a series of Public Meetings of the Emergency Management Preparedness and Assistance Competitive Grant Review Committee to which all persons are invited.

DATES AND TIME: March 16-17, 2004, 8:30 a. m. – 5:00 p.m. each day

PLACE: Room 120K, Emergency Operations Center, 2575 Shumard Oak Boulevard, Tallahassee Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Programmatic staff will give an oral presentation to the review committee of their narrative reviews for the proposed projects for applications submitted under the 2004-2005 Emergency Management Preparedness and Assistance Competitive Grant cycle.

Any person requiring special accommodation at the meeting because of a disability or physical impairment should contact Dianne Smith, Financial Specialist, Division of Emergency Management, Bureau of Compliance Planning and Support, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9966 or Suncom 293-9966, at least seven days before the date of the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

The **Department of Community Affairs, Division of Emergency Management** announces a series of Public Meetings of the Emergency Management Preparedness and Assistance Competitive Grant Review Committee to which all persons are invited.

DATES AND TIME: April 22-23, 2004, 8:30 a.m. – 5:00 p.m. each day

PLACE: Room 120K, Emergency Operations Center, 2575 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review, discuss and make final recommendations on preliminary scores for applications submitted under the 2004-2005 Emergency Management Preparedness and Assistance Competitive Grant cycle.

Any person requiring special accommodation at the meeting because of a disability or physical impairment should contact Dianne Smith, Financial Specialist, Division of Emergency Management, Bureau of Compliance Planning and Support, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9966 or Suncom 293-9966, at least seven days before the date of the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

NOTICE OF CANCELLATION – The **Florida Building Commission** announces the following Technical Advisory Committee meeting to which all persons are invited.

Joint meeting of the Fire Technical Advisory Committee and the Fire Marshal's Advisory Council.

DATE AND TIME: February 9, 2004, 10:00 a.m. continuing February 10, 2004, 8:00 a.m. if needed

PLACE: The Florida Fire College, 11655 N. W. Gainesville Road, Ocala, Florida 34482-1486, (352)369-2800

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to identify potential conflicts between the proposed 2004 Florida Fire Prevention Code and the proposed 2004 Florida Building Code.

The **Florida Building Commission** announces a workshop on Alternative Plans Review and Inspections by Private Providers to which all persons are invited. The workshop will be held at:
 DATE AND TIME: February 18, 2004, 9:00 a.m. – Workshop on Alternative Plans Review and Inspections by Private Providers

PLACE: Adams Mark Hotel, 1500 Sand Lake Road, Orlando, Florida, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to identify issues with the system of private inspections that need to be clarified or modified.

A copy of the workshop agenda may be obtained from: Florida Building Commission website, www.floridabuilding.org.

Any person requiring a special accommodation at the workshop because of a disability or physical impairment should contact Ms. Barbara Bryant, Department of Community Affairs, (850)487-1824, at least ten days before the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8771 (TDD).

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Viticulture Advisory Council.

DATE AND TIME: Tuesday, February 24, 2004, 9:00 a.m.

PLACE: Florida A & M University, Center for Viticulture and Small Fruit Research, 6505 Mahan Drive, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the general business of the Florida Viticulture Advisory Council.

For additional information or if you need special accommodations, contact: Richard Menedez, (850)488-4277.

The **Florida Communities Trust** announces pre-application technical assistance workshops to which all interested persons are invited. No fee is required to attend these workshops.

FIRST WORKSHOP

DATE AND TIME: March 2, 2004, 9:00 a.m. – 1:00 p.m. (EST)

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Pinellas Park, Florida, Directions (727)570-5151

SECOND WORKSHOP

DATE AND TIME: March 3, 2004, 9:00 a.m. – 1:00 p.m. (EST)

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Hollywood, Florida, Directions (954)985-4416

THIRD WORKSHOP

DATE AND TIME: March 4, 2004, 9:00 a.m. – 1:00 p.m. (EST)

PLACE: East Central Florida Regional Planning Council, 631 North Wymore Road, Maitland, Florida, Directions (407)623-1075

FORTH WORKSHOP

DATE AND TIME: March 5, 2004, 9:00 a.m. – 1:00 p.m. (EST)

PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, Florida, Directions (904)279-0880

FIFTH WORKSHOP

DATE AND TIME: March 9, 2004, 9:00 a.m. – 1:00 p.m. (EST)

PLACE: Department of Community Affairs, Sadowski Building, Kelley Training Center, Room 305, Tallahassee, Florida, Directions (850)922-2207

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these workshops is to provide information and technical assistance to eligible applicants to assist in the preparation of applications for awards for land acquisitions under the Florida Communities Trust Florida Forever Program.

ACTION TO BE TAKEN: Information will be presented to assist interested persons in completing the Florida Communities Trust Florida Forever application form and in understanding the review, evaluation, and acquisition procedures.

The Agenda for the workshops will be as follows:

1. Call to order.
2. Explanation by representatives of the Trust as to the purpose of the Florida Communities Trust Florida Forever Program and the application procedure.
3. Public questions.
4. Adjournment.

WHERE TO OBTAIN COPIES: A copy of the Florida Communities Trust Florida Forever Program application form FF-2 and Rule Chapter 9K-7, F.A.C., the rule governing the Florida Forever Program of the Florida Communities Trust, will be available at the workshops or may be obtained by visiting the Trust website, www.dca.state.fl.us/ffct, calling (850)922-2207, Suncom 292-2207 or by writing: Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Communities Trust, (850)922-2207, Suncom 292-2207, at least five calendar days prior to the meeting. If

you are hearing or speech impaired, please contact the Florida Communities Trust using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public meeting of the Property Tax Administration Task Force to which all interested persons are invited.

DATE AND TIME: Wednesday, February 18, 2004, 10:00 a.m.

PLACE: Carlton Building, Room 118, 501 S. Calhoun St., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the seventeenth meeting of the Property Tax Administration Task Force. This is the twelfth meeting of the Task Force as authorized by Chapter 2001-137, L.O.F. The Task Force will consider proposed enhancements to the tax roll evaluation process, value adjustment board process, tangible personal property evaluation, and other administrative and legislative issues. During this meeting the Task Force will form temporarily into work groups to work further on issue identification, clarification and consolidation. Work groups will address the Property Tax Administration, including assessments, assessment appeals, TRIM and tax collection, and exemptions.

A copy of the agenda may be obtained by writing: Director, Property Tax Administration Program, P. O. Box 3000, Tallahassee, Florida 32315-3000, or by calling Theda Eaton or Kathy Henley, (850)488-3338, or accessing the Department's web site: <http://sun6.dms.state.fl.us/dor/property/ptaac>.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this proceeding is asked to advise the Department at least 48 hours before such proceeding by contacting: Kathy Henley or Theda Eaton, (850)488-3338. Any person who is hearing or speech-impaired should contact the Department using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

Notice is hereby given that the Florida **Department of Transportation**, District Seven, will offer an opportunity for a public hearing concerning the proposed roadway jurisdiction transfer of:

S.R. 54, from approximately one-half mile east of C.R. 587/Gunn Highway to just west of Ogden Loop West, from the State Highway System to the Pasco County Road System.

This portion of S.R. 54 is being replaced by the new construction and alignment of S.R. 54.

All persons wishing to be heard on this subject are hereby notified to respond in writing to the individual listed below by February 24, 2004. If an interest in this hearing is expressed, the hearing will be held as follows:

DATE AND TIME: February 25, 2004, 5:00 p.m. – 6:00 p.m.

PLACE: Community Center, Odessa Neighborhood Park, 1627 Chesapeake Drive, Pasco County

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing is being offered in accordance with Section 335.02 and 335.0415, Florida Statutes, to obtain public input concerning the proposed roadway jurisdiction transfer and access management classification of the new alignment of S.R. 54 in the County of Pasco.

The public hearing is in compliance with Titles VI and VIII of the Civil Rights Act and Americans with Disabilities Act. Individuals who may require special accommodations at the hearing, under ADA, should contact the person named below at least seven (7) days prior to the public hearing.

CONTACT PERSON: Mr. B. C. Beaty, Florida Department of Transportation District Seven-Planning, 11201 N. McKinley Drive, Tampa, Florida 33612, (813)975-6283 or 1(800)226-7220, Ext. 7740.

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

DATE AND TIME: March 2, 2004, 7:00 p.m.

PLACE: Mandarin High School Cafeteria, 4831 Greenland Road, Jacksonville (Duval County), Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID Number 209514-1, Federal-Aid Number 4859-047-P, otherwise known as State Road 5 (US-1/Philips Highway), from the St. Johns County Line to State Road 9-A in Jacksonville, Duval County, Florida. Alternatives have been developed from a Project Development and Environmental Study to address the proposed widening of State Road 5 (US-1/Philips Highway). A preferred alternative has been selected and is being presented at the public hearing for review and comment. The recommended improvements will be provided within the existing right of way except through Bayard, where right of way will be needed from the eastside of the roadway. Additional right of way will also be required for retention/detention ponds. This project is being developed in compliance with Titles VI and VIII of the Civil Rights Act.

Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990, should write to the address given below or call (386)758-3700 or 1(800)749-2967.

Special accommodation requests under the Americans with Disabilities Act should be made at least seven (7) days prior to the public hearing.

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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 CITRUS

The **Department of Citrus** announces a public meeting of the Citrus Harvesting Research Advisory Council to which all persons are invited.

DATE AND TIME: Tuesday, February 10, 2004, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to review the following: a report on 2003-04 budget survey, Shake, Rattle and Load programs, manufacturing assistance, abscission research, CMNP, preview 2004 Mechanical Harvesting Film, current harvesting activities and other business that might come before the council for consideration.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

PUBLIC SERVICE COMMISSION

NOTICE OF CANCELLATION – The Florida **Public Service Commission** announces the cancellation of a hearing noticed in:

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: February 4, 2004, 9:30 a.m.

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

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

Docket No. 030851-TP – Implementation of requirements arising from Federal Communications Commission's triennial UNE review: Local Circuit Switching for Mass Market Customers.

DATES AND TIME: February 24-27, 2004, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the implementation of requirements arising from Federal Communications Commission's triennial UNE review: Local Circuit Switching for Mass Market Customers, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on February 9, 2004.

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, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Commission on Volunteerism and Community Service**, Volunteer Florida, is pleased to announce a meeting to which all persons are invited.

DATES AND TIMES: Sunday, February 15, 2004, 7:00 p.m.; Monday, February 16, 2004, 8:00 a.m.

PLACE: 401 South Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commissioners will be visiting the legislature.

Please contact Gwen Erwin, (850)921-5172, for an agenda.

If you require a reasonable accommodation to participate, please contact: Gwen Erwin, (850)921-5172, Voice/TTY, 72 hours in advance with your request.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces the following meeting to which all persons are invited.

MEETING: North Central Florida (District 3) Local Emergency Planning Committee

DATE AND TIME: February 20, 2004, 10:30 a.m.

PLACE: PCS Phosphate Conference Center, off County Road 137, White Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Local Emergency Planning Committee.

Any persons deciding to appeal any decision of the Committee with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653.

Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **North Central Florida Regional Planning Council**, Hazardous Materials Response Team announces a meeting to which all persons are invited.

DATE AND TIME: February 27, 2004, 10:00 a.m.

PLACE: North Central Florida Regional Planning Council Office, 2009 N. W. 67 Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Hazardous Materials Response Team Policy Board.

Any persons deciding to appeal any decision of the Team with respect to any matter considered at the meeting, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653-1603.

Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **Northeast Florida Regional Council**, Local Emergency Preparedness Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Wednesday, February 18, 2003, 10:00 a.m.

PLACE: Northeast Florida Regional Council Board Room, 6850 Belfort Oaks Place, Jacksonville, Florida 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

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

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call Jeanie Palmer, 279-0880, Ext. 146, at least three working days prior to the meeting.

Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular February 2004 monthly board meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: February 18, 2004, 4:30 p.m.

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

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

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

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

The **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, February 19, 2004, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

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

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council at 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

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

DATE AND TIMES: Wednesday, February 18, 2004, 9:00 a.m. – Finance Committee; 9:30 a.m. – Executive Committee
PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751, (Please call (407)623-1075, Ext. 304 to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Executive and Finance Committees.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751

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

DATE AND TIME: Wednesday, February 18, 2004, 10:00 a.m.

PLACE: 631 North Wymore Road, Suite 100, Maitland, FL 32751, (Please call (407)623-1075, Ext. 327, to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the East Central Florida Regional Planning Council.

A copy of the full agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: February 19, 2004, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop of the Regional Planning Council.

A copy of the proposed agenda may be obtained by writing: Mr. David Burr, Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

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

All Council Subcommittee meetings will immediately follow the Council meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. David Burr, (239)656-7720, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Burr using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Regional Business Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 11, 2004, 2:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss regional issues impacting South Florida including transportation.

A copy of the agenda may be obtained by writing: The Broward Workshop, 2740 East Oakland Park Boulevard, Suite 206, Fort Lauderdale, Florida 33306.

The Regional Business Alliance is comprised of business and elected leaders from Monroe, Miami-Dade, Broward, Palm Beach, and Martin Counties, including members of the South Florida Regional Transportation Authority and South Florida Regional Planning Council.

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

The District XI, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 18, 2004, 1:00 p.m.

PLACE: Fire Fighters Memorial Hall, Fire Tower Building, 8000 N. W. 21st Street, Miami, Florida 33122-1605

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY 2003/04. A copy of the agenda may be obtained by writing to the South Florida Regional Planning Council, at 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021 or by calling (954)985-4416 in Broward, SunCom 473-4416 or 1(800)985-4416, toll-free statewide.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces a Southern Region Recreation Advisory Council Meeting to which all persons are invited. The meeting is scheduled for:

MEETING: Southern Region Recreation Advisory Council

DATE AND TIME: Thursday, February 19, 2004, 6:00 p.m. – 8:00 p.m.

PLACE: Brevard County Government Complex, Building C, First Floor Supervisor of Elections Room (Canvassing Room), 2725 Judge Fran Jamieson Way, Viera, FL 32940

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review land management and land acquisition activities in the Southern Region.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise Linda Lorenzen, (386)329-4262 or (386)329-4450 (TDD), at least five work days before the date of the meeting.

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

PEACE RIVER BASIN BOARD MEETING

DATE AND TIME: Friday, February 13, 2004, 9:30 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including amendment of the fiscal year 2004 budget to include additional revenue from the Water Management Lands Trust Fund for the District's RV Griffin Facility, and additional balance from prior year due to the withdrawal of a fiscal year 2003 cooperative funding project. The amendment has no impact on Basin millage.

HILLSBOROUGH RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, February 17, 2004, 9:00 a.m.

PLACE: Hillsborough River State Park, 15402 Highway 301, North, Thonotosassa, FL (Note: This is a change of location from what was originally scheduled in the published year-long calendar.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business

COASTAL RIVERS BASIN BOARD MEETING (Note: This meeting was originally scheduled for Tuesday, February 3, 2004.)

DATE AND TIME: Tuesday, February 17, 2004, 1:30 p.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including amendment of the fiscal year 2004 budget to include additional revenue from the Water Management Lands Trust Fund for the Starkey Wilderness Park Paved Trail Extension. The amendment has no impact on Basin millage.

MANASOTA BASIN BOARD MEETING

DATE AND TIME: Wednesday, February 18, 2004, 9:00 a.m.

PLACE: SWFWMD, Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

These are public meetings and agendas are available by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4609, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited:

DATE AND TIME: February 18, 2004, 9:30 a.m. – 1:00 p.m.

PLACE: South Florida Water Management District Headquarters, B-1 Building, Room 3B, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget and Finance Advisory Commission meeting to discuss SFWMD budget and finance-related matters.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 6260, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information or wishing to submit written or physical evidence may contact: Marcie Daniel, Budget Department, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6469.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: February 27, 2004, 9:00 a.m.

PLACE: USDA-ARS-US Horticultural Research Laboratory, 2001 South Rock Road, Ft. Pierce, FL 34945

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting (WRAC) on Upper East Coast Water Supply Planning Meeting Issues Workshop.

Information regarding the existing Upper East Coast Water Supply Plan is at <http://www.sfwmd.gov/org/wsd/wsp/uecwsp.htm>.

A copy of the agenda may be obtained at the (1) District Website <http://www.sfwmd.gov/gover/wrac/agendas.html>, seven (7) days prior to the meeting; or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

Those who want more information, please contact: Rick Smith, (561)682-6517 or Paula Moree, (561)682-6447, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406.

The Big Cypress Basin Board, **South Florida Water Management District** announces a public meeting which may be conducted by means of, or in conjunction with, communications media technology, specifically by telephonic conference, to which all interested persons are invited.

DATE AND TIME: February 20, 2004, 9:00 a.m.

PLACE: Big Cypress Basin, Mary Ellen Hawkins Building, 6089 Janes Lane, Naples, Florida

The above address shall be the designated access point for public attendance of the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Basin Business.

A copy of the agenda may be obtained by writing: Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, or by calling Ann Christian, (239)597-1505.

Appeals from any Big Cypress Basin Board decision require a record of the proceedings. Although Basin Board meetings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Ann Christian, (239)597-1505, at least forty-eight (48) hours before the meeting to make appropriate arrangements.

Those persons who desire more information, or those wishing to submit written or physical evidence may contact Ann Christian, Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, (239)597-1505.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

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

DATE AND TIME: Friday, February 20, 2004, 10:00 a.m. – completion

PLACE: 2740 Centerview Drive, Room 330, Rhyne Building, Tallahassee, FL, (850)410-5700, Conference Call Number: (850)921-6623, Suncom 291-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular committee business.

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

DEPARTMENT OF MANAGEMENT SERVICES

The **State Technology Office**, Wireless 911 Board announces the following meeting schedule information:

Florida 9-1-1 Database Group Conference

DATES AND TIME: March 4-5, 2004

PLACE: Best Western Waterfront, Punta Gorda (Charlotte County), Florida (2 or More Board Members may attend this conference)

Rural County Grant Committee

DATE AND TIME: March 16, 2004, 2:00 p.m. – 5:00 p.m.

Wireless 911 Board Meeting

DATES AND TIME: March 17-18, 2004, 9:00 a.m. – 5:00 p.m.

PLACE: Marriott Hotel, Palm Beach Gardens, Florida

Rural County Grant Committee

DATE AND TIME: April 13, 2004, 2:00 p.m. – 5:00 p.m.

Wireless 911 Board Meeting

DATES AND TIME: April 14-15, 2004, 9:00 a.m. – 5:00 p.m.

PLACE: Homewood Suites by Hilton, Tallahassee, Florida

Rural County Grant Committee

DATE AND TIME: May 5, 2004, 2:00 p.m. – 5:00 p.m.

Wireless 911 Board Meeting

DATES AND TIME: May 6-7, 2004, 9:00 a.m. – 5:00 p.m.

PLACE: Adams Mark, Jacksonville, Florida (in conjunction with the 911 Coordinator Conference – 2 or more Board Member may attend this conference)

Rural County Grant Committee

DATE AND TIME: June 15, 2004, 2:00 p.m. – 5:00 p.m.

Wireless 911 Board Meeting

DATES AND TIME: June 16-17, 2004, 9:00 a.m. – 5:00 p.m.
PLACE: Marriott Waterside Hotel, Tampa, Florida (in conjunction with the NENA National Conference – 2 or more Board Member may attend this conference)
DATES AND TIME: July 13-14, 2004, 9:00 a.m. –5:00 p.m.
PLACE: Peabody Hotel, Orlando, Florida (Wireless Service Provider Cost Recovery Proposals dedicated for July 13, 2004)
If accommodation due to disability is needed in order to participate, please notify the State Technology Office/Wireless 911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

The State of **Florida Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: February 16-17, 2004, 8:30 a.m.
PLACE: Betty Easley Conference Center, Room 180, 4075 Esplanade Way, Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the Agenda may be obtained by writing: State Retirement Commission, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, Florida 32399-0950, or by telephoning (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based. Persons requiring accommodation because of a physical, visual, auditory, or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service, 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Division of Hotels and Restaurants** announces a telephone conference call meeting of the Hotels and Restaurants Advisory Council to which all persons are invited:

DATE AND TIME: February 23, 2004, 10:00 a.m. – 12:00 Noon
PLACE: The Secretary’s Conference Room, Room 259, Johns Building, 725 South Bronough Street, Tallahassee, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: Routine meeting of the Hotels and Restaurants Advisory Council.

A copy of the agenda may be obtained by contacting: Lee Cornman, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, (850)488-1133.

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 meeting by contacting: Lee M. Cornman, Operations Review Specialist, (850)488-1133. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PUBLIC MEETING IS: Lee M. Cornman, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012, The Johns Building, 725 South Bronough Street, Tallahassee, FL, (850)488-9263.

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIMES: Wednesday, March 10, 2004, 2:00 p.m.; Thursday, March 11, 2004, 8:00 a.m.; Friday, March 12, 2004, 8:00 a.m.
PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 1940 N Monroe Avenue, Tallahassee, Florida 32399-1039.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Stacey Merchant, (850)922-2701, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay, 1(800)955-8771 (TDD), 1(800)955-8770 (Voice).

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIMES: Wednesday, April 14, 2004, 2:00 p.m.; Thursday, April 15, 2004, 8:00 a.m.; Friday, April 16, 2004, 8:00 a.m.
PLACE: Embassy Suites Orlando Downtown, 191 East Pine Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Stacey Merchant, (850)922-2701, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay, 1(800)955-8771 (TDD), 1(800)955-8770 (Voice).

The **Florida Engineers Management Corporation** announces a conference call to conduct the business of the Corporation, to which all persons are invited:

DATE AND TIME: Friday, February 13, 2004, 9:00 a.m. – conclusion of meeting; Conference Call Number: 1(800)659-8292

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Corporation.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees to which all persons are invited:

DATE AND TIME: Wednesday, March 17, 2004, 8:00 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Wednesday, March 25, 2004, 8:30 a.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public telephone conference call to which all persons are invited:

DATE AND TIME: Thursday, March 25, 2004, 2:00 p.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303; Conference Call Number 1(800)473-7793

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The **Florida Real Estate Commission** announces a Rule Workshop to which all persons are invited at the time, date and place shown below:

DATE AND TIME: February 17, 2004, 8:30 a.m. or soonest thereafter

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room N901, 400 W. Robinson Street, Hurston Building, North Tower, Orlando, Florida 32801, (407)245-0800

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss issues relating to Rule 61J2-3.020, Florida Administrative Code.

Any person requiring a special accommodation at this workshop because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. and 4:00 p.m.), at least five calendar days prior to the workshop. If you are hearing or speech impaired, please call the Florida Real Estate Commission using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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 JUVENILE JUSTICE

The Florida **Department of Juvenile Justice**, Florida Business Partners announces a meeting.

DATE AND TIME: Wednesday, February 11, 2004, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call Number: (850)488-2854 or Suncom 278-2854

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Florida Business Partners.

A copy of the agenda may be obtained by calling: Ana Valdes, Office of Prevention and Victim Services (850)410-2577.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the Department of Juvenile Justice, Office of Prevention and Victim Services, (850)488-3302, no later than (7) days prior to the meeting at which such special accommodation is required.

DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a conference call meeting of the Budget and Personnel Committee to which all interested persons are invited.

DATE AND TIME: February 12, 2004, 10:00 a.m. – 1:00 p.m.

PLACE: Correctional Medical Authority Conference Room, 1632 Metropolitan Circle, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of correctional health care budget and personnel issues.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

The Florida **Board of Medicine**, Rules/Legislative Committee Meeting announces weekly telephone conference calls to be held via meet me number.

DATES AND TIME: Wednesdays, February 4, 11, 18, and 25, 12:00 Noon

PLACE: Meet me Number: Contact Florida Board of Medicine, (850)245-4131, for the meet me number

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is

to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The **Department of Health, Board of Medicine**, Electrolysis Council announces a conference call to which all persons are invited.

DATE AND TIME: February 16, 2004, 9:00 a.m. or soon thereafter

PLACE: (850)921-2470, Suncom 291-2470

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, or by calling the council office at (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

The **Board of Orthotists and Prosthetists** will hold a duly noticed rules workshop, to which all persons are invited to attend.

DATE AND TIME: Thursday, February 19, 2004, 1:00 p.m.

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, FL, (407)996-9840

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Rule Chapter 64B14, Florida Administrative Code.

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, 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., Board of Orthotists and Prosthetists, Executive Director, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The **Board of Orthotists and Prosthetists** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, February 20, 2004, 9:00 a.m.

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, FL 32804, (407)996-9840

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, 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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited.

Executive Committee

DATE AND TIME: February 11, 2004, 9:00 a.m. – 11:00 a.m.

PLACE: Clem C. Benton Bldg., Room 327-D, 337 N. US Hwy. 1, Ft. Pierce, FL 34950

For more information, please contact: Linda Poston, Personal Secretary I, 337 North US Hwy. 1, Room 327, Fort Pierce, Florida 34950, (772)467-4178

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited.

Alliance Meeting

DATE AND TIME: February 27, 2004, 8:30 a.m. – 10:00 a.m.

PLACE: State of Florida, Department of Health, 5150 N. W. Milner Drive, Port St. Lucie, FL 34983

For more information, please contact: Linda Poston, Personal Secretary I, 337 North US Hwy. 1, Room 327, Fort Pierce, Florida 34950, (772)467-4178

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

NAVIGATION DISTRICTS

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, February 21, 2004, 8:00 a.m.

PLACE: The Radisson Hotel North Hutchinson Island, 2600 North A-1-A, Fort Pierce (St. Lucie County), Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Board of Commissioners to conduct the regular business of the District. Additionally, the District's Finance and Budget, Land Acquisition and Management and Temporary Waterway Encroachment Committees will meet.

Please contact the District office, 1314 Marcinski Road, Jupiter, FL 33477, (561)627-3386, for more information.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

FLORIDA COMMISSION ON TOURISM

The **Florida Commission on Tourism** announces a public meeting of the New Product Development Transition Council.

DATE AND TIME: Thursday, February 5, 2004, 2:30 p.m. – adjournment

PLACE: VISIT FLORIDA Corporate Offices, 661 East Jefferson Street, Suite 300 Tallahassee, FL 32301, (850)488-5607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the New Product Development program of work for FY 2004-05.

For further information contact: Jill Rutli, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 347.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD)

The **Florida Commission on Tourism** announces a public meeting of the VISIT FLORIDA Board of Directors and the Florida Commission on Tourism as follows:

MEETING: Marketing Steering Committee

DATE AND TIME: Monday, March 8, 2004, 7:30 a.m. – 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss old business, marketing programs and strategies.

Meeting: Partner Development Committee

DATE AND TIME: Monday, March 8, 2004, 9:00 a.m. – 10:30 a.m.

To discuss programs and strategies for recruiting new Partners.

MEETING: Finance Committee

DATE AND TIME: Monday, March 8, 2004, 10:30 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will review quarterly budgets and financial statements.

MEETING: VISIT FLORIDA Board of Directors Meeting

DATE AND TIME: Monday, March 8, 2004, 1:00 p.m. – adjournment

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will discuss committee reports, on-going and developing issues and other matters.

MEETING: Florida Commission on Tourism

DATE AND TIME: Monday, March 8, 2004, upon adjournment of the Board of Directors meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will ratify actions of the Board of Directors and discuss other matters as necessary.

PLACE: University Center Club, Tallahassee, FL, (850)644-8528.

For further information contact: Susan Gale, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 334.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are

hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD)

CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

The **Charlotte Harbor National Estuary Program** announces a scheduled Policy Committee meeting to which all persons are invited:

DATE AND TIME: Monday, February 16, 2004, 9:30 a.m.

PLACE: Charlotte Harbor NEP Offices, Southwest Florida RPC Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the CHNEP Policy Committee.

Please note that if a person decides to appeal any decision made by the Charlotte Harbor National Estuary Program Policy Committee with respect to any matter considered at the above cited workshop, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

A copy of the agenda may be obtained by writing: CHNEP, 4980 Bayline Dr., N. Ft. Myers, FL 33917 or by calling Ms. Darcy Bowen, (239)955-1777, Ext. 214.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations due to disability or physical impairment should contact Ms. Darcy Bowen, (239)955-1777, Ext. 214, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. David Burr using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FLORIDA INDEPENDENT LIVING COUNCIL

The **Florida Independent Living Council** announces the following meeting:

MEETING: Planning Committee Meeting

DATE AND TIME: Tuesday, February 17, 2004, 10:00 a.m. – 12:00 Noon (EST)

PLACE: 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

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

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, (850)488-5624 or toll free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Beth Schultz at the council address.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

The **H. Lee Moffitt Cancer Center and Research Institute**, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 17, 2004, 1:30 p.m.

PLACE: Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

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

A copy of the agenda may be obtained by writing: Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-COO, Tampa, FL 33612.

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Payne by February 13, 2003.

FLAGLER COUNTY

Flagler County announces a public hearing to which all persons are invited.

DATE AND TIME: March 2, 2004, 5:00 p.m. – 6:00 p.m. – Project Information; 6:00 p.m. – formal portion of the Public Hearing (involving a project presentation and an opportunity for citizens to make formal statements)

PLACE: Flagler County Courthouse, 201 East Moody Boulevard, Room 107, Bunnell, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The hearing is being held to afford interested persons the opportunity to express their views concerning the location,

design, social, economic, and environmental effects of the proposed extension of Matanzas Woods Parkway from Bird of Paradise Drive to Old Kings Road.

Anyone needing project or public hearing information (including the agenda) or special accommodations under the Americans with Disabilities Act of 1990 should write: Mr. Richard Gordon, Assistant County Engineer, Flagler County, 1200 E. Moody Boulevard, #7, Bunnell, Florida 32110, (386)437-7496, Extension 261, email: rgordon@fcbcc.rog.

Special accommodation requests under the Americans with Disabilities Act should be made at least seven (7) days prior to the Public Hearing.

A copy of the agenda may be obtained by writing: Mr. Richard Gordon, Assistant County Engineer, Flagler County, 1200 E. Moody Boulevard, #7, Bunnell, Florida 32110.

FLORIDA SPORTS FOUNDATION

The **Florida Sports Foundation** announces its quarterly Board of Directors meeting to which all persons are invited.

DATE AND TIME: Friday, March 26, 2004, 9:00 a.m. – 4:00 p.m.

PLACE: Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, FL 32309

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

FLORIDA HEALTHY KIDS CORPORATION

The **Florida Healthy Kids Corporation** announces the next Board of Directors Meeting to which all persons are invited to attend.

DATE AND TIME: February 26, 2004, 1:00 p.m. – 5:00 p.m.

PLACE: Sittig Hall, 301 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Board of Directors.

An agenda for the meeting may be obtained by contacting: Florida Healthy Kids Corporation, Post Office Box 980, Tallahassee, FL 32302, (850)224-5437.

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Insurance Trust**, an interlocal entity created pursuant to Fla. Stat. 768.28 and 163.01, announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 27, 2004, 9:30 a.m.

PLACE: Alexander Suites Oceanfront Resort, 5225 Collins Avenue, Miami Beach, Florida, (305)865-6500

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the proposed agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

If any person desires 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 based.

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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."

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has issued an order denying the petition for declaratory statement filed by Tampa Electric Company on October 8, 2003 and amended on December 23, 2003. The final order was issued on January 22, 2004, denying the petition because a declaratory statement is not appropriate where the statement will not resolve any controversy.

A copy of the order may be obtained at <http://www.psc.stat.fl.us/> or by writing the Division of the Commission Clerk and Administrative Services 4075 Esplanade Way, Tallahassee, FL 32399-0862.

DOCKET NO. 031017-EI.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that the Southwest Florida Water Management District received on January 23, 2004, a petition for declaratory statement from Robert H. Ackerman of Sarasota, Florida. The Petitioner requests a declaratory statement as to whether a property owner can use excess stormwater storage and treatment capacity alleged to exist in an on-site borrow pit to satisfy the floodplain compensation, detention, attenuation, retention and treatment requirements set forth in the applicable statutory provisions and agency rules for off-site properties located in the same drainage basin.

A copy of this petition may be obtained by contacting: R. David Jackson, Assistant General Counsel, Office of General Counsel, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899.

Please refer all comments to: R. David Jackson, Assistant General Counsel, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899.

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, Richard Huseby, Jerry McManamon, Larry Dutton, Judy Madia and Marilyn Wilson, et al, Seven Springs Villas Association, Inc Docket Number 2003090282.

The Petitioner request a declaratory statement as to whether the condominium association may reinstate mandatory country club memberships under Section 718.114, Florida Statutes, without the consent of the unit owners to an amendment to the declaration, which Petitioners assert constitutes a material modification and alteration of the appurtenances to the units, required by Section 718.110(4), Florida Statutes (2003).

A copy of the Petition for Declaratory Statement, Docket Number 2003090282, 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 ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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

NOTICE IS HEREBY GIVEN that the Department of Health, Bureau of Statewide Pharmaceutical Services issued a Final Order on January 9, 2004, on a Petition for Declaratory Statement from R & S Sales, LLC. Petitioner, an out-of-state prescription drug wholesaler, requested a declaratory statement from the Department concerning the applicability of Sections 499.0121(4)(d) and 499.0121(6)(d) and (e), Florida Statutes, to prescription drug wholesale transactions that it makes to

establishments that are outside the State of Florida. The Bureau granted the petition and a copy of the Final Order may be obtained by writing: Robert P. Daniti, Esquire, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

The Board of Medicine Dietetics and Nutrition Practice Council hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed by Suzanne Wilson, M.S., R.D., L.D. Notice of receipt of the Petition published in the November 21, 2003, Vol. 29, No. 47, Florida Administrative Weekly. The Council reviewed the Petition at its meeting on December 5, 2003, in Tallahassee, Florida. The Council's Final Order, filed in this cause on January 22, 2004, finds that it is within the scope of practice for a licensed dietician providing services under the Women, Infants, and Children (WIC) federal program to perform initial nutritional assessment of a newborn or a disabled child not physically present but with a parent/caretaker present. It is within the scope of practice to perform initial nutritional assessment for a woman not present due to a medical condition or disability. It is not within the scope of practice for a licensed dietician to perform initial nutritional assessment of a child or woman not present due to unanticipated and significant staff shortages where the licensee works.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Kaye Howerton, Executive Director, Dietetics/Nutrition Council, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

The Board of Optometry hereby gives notice that it has issued an Order on the Petition for Declaratory Statement filed by Jennifer Loar, O. D. The Notice of Petition for Declaratory Statement was published in Vol. 29, No. 42, of the October 17, 2003, Florida Administrative Weekly. The Board of Optometry considered the Petition at its meeting held on November 21, 2003, in Orlando, Florida. The Board's Order, filed on December 22, 2003, finds that Petitioner's proposed lease violates the provisions of Rule 64B13-3.008(15)(m), Florida Administrative Code and Section 463.014(b), Florida Statutes because it ties the revenue from exam fees to the amount for payment of rent. The Board determined there should be clear separation in order to avoid improper influences.

A copy of the Board's Order may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT ON January 16, 2004, the Board of Physical Therapy Practice received a Petition for Declaratory Statement from Southwest Volusia Healthcare Corporation. The Petition seeks the agency's opinion as to what the phrase "currently being treated in" means in the last sentence of Section 486.021(11), Florida Statutes, which precludes physical therapists from implementing a plan of treatment for a patient currently being treated in a facility licensed pursuant to Chapter 395, Florida Statutes, and how the statutory provision affects petitioner's care for outpatients.

A copy of the Petition for Declaratory Statement may be obtained by writing: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Miami-Dade County Fire Department, on September 2, 2003. The following is a summary of the agency's disposition of the petition:

Question A. Does the fire department have the authority to enforce all life safety violations other than for fire sprinkler retrofitting during the interim period before the year 2014? The authority of Miami-Dade Fire Department to enforce the requirements of the Florida Fire Prevention Code other than those provisions requiring sprinkler retrofitting is not affected by the amendment of Section 718.112, Florida Statutes.

Question B. Does the Fire Department have the authority to require the association to state their decision before 2014 on whether they will install or forego the retrofitting of fire sprinkler systems? The question of whether the fire department has the authority to request a condominium association to state by a date certain their decision as to whether to forego retrofitting of fire sprinkler systems does not involve an interpretation of any provision of Chapter 633, Florida Statutes, or the Florida Fire Prevention Code. Rather, this question relates exclusively to the provisions of Section 718.112, Florida Statutes. Accordingly, the State Fire Marshal does not have jurisdiction as to the interpretation of the statute in question.

Question C. If the association does not vote to forego the installation of fire sprinklers, does the Fire Department have the authority to demand a plan of action including fire sprinkler installation or an engineered life safety plan during the interim period before the year 2014? Unless and until an affected

condominium association obtains the required affirmative vote the statutory exemption has no effect upon the provisions of Chapter 633, Florida Statutes, or applicable rules, and the fire department's enforcement authority is not affected. Consequently, the fire department may require a condominium which has not obtained the required affirmative vote to install fire sprinklers or an engineered life safety system to the extent such safeguards are required by statute, rule, or ordinance, or interpretation thereof.

Questions D. and E. If the association has an approved existing engineered life safety plan, or if an approved existing engineered life safety plan includes common area fire sprinkler protection, can the Fire Department require the association to complete the work prior to 2014?

If an association which has not voted to forego sprinkler retrofitting has an approved existing life safety plan under which work is required to be completed before 2014, unless and until the affirmative two-thirds vote is obtained the authority of the fire department to require timely completion of the described work is not affected by the recent legislation. If the association has such a plan and has obtained the required affirmative vote, any provisions of the plan requiring sprinkler retrofitting or requiring the placement of sprinklers in common areas would be superseded to the extent those provisions were based upon the interpretations of Chapter 633, Florida Statutes, or applicable rules, codes, or ordinances. Whether, in fact, any given plan was based upon such an interpretation is dependent upon the particular facts and plan provisions applicable in each instance.

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

1. Write to, call or send a fax to Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604, fax number (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in the event any question arises), or
2. E-mail your request to mazzeog@doi.state.fl.us (please be sure to specify if you want an unofficial, unsigned but exact duplicate copy e-mailed back to you, or if you want a copy of the official, signed declaratory statement mailed or faxed to you), or
3. Obtain an unofficial, unsigned but exact duplicate copy by visiting the State Fire Marshal's website at <http://www.doi.state.fl.us/SFM/sfmdeclaratorystatement.htm>.

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:

Florida Association of Rehabilitative Facilities, Inc. vs. Department of Children and Family Services and Agency for Health Care Administration; Case No.: 04-0216RP; Rule No.: 59G-8.200

Bowling Centers Association of Florida, Inc. vs. Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco; Case No.: 03-4776RP; Rule Nos.: 61A-7.003, 61A-7.007, 61A-7.008, 61A-7.009

Richard T. Fryer, Individually and as a member of the FREC Distance Learning Task Force Committee and Institute of Florida Real Estate Careers, Inc., A Florida Corporation vs. Department of Business and Professional Regulation, Division of Real Estate, Florida Real Estate Commission; Case No.: 04-0080RP; Rule No.: 61J2-3.020

Leon County vs. Department of Environmental Protection; Case No.: 04-0082RP; 62-304.300

A. Alexander Jacoby, M.D. vs. Department of Health, Board of Medicine; Case No.: 04-0219RX; Rule No.: 64B8-4.009(10)

South Atlantic Fire Equipment vs. Department of Financial Services, Division of State Fire Marshal; Case No.: 03-4783RP; Rule No.: 69A-21

Florida Association of Rehabilitative Facilities, Inc. vs. Department of Children and Family Services and Agency for Health Care Administration; Case No.: 04-0217RU

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

Kissimmee River Valley Sportsman Association, Inc. and Phillip B. Griner vs. South Florida Water Management District; Case No.: 03-3286RX; Rule No.: 40E-7.532; Denied

I. B. and D. B. vs. Department of Children and Family Services; Case No.: 03-3302RX; Rule No.: 65C-16.008(2); Invalid

South Atlantic Fire Equipment vs. Department of Financial Services, Division of State Fire Marshal; Case No.: 03-4783RP; Rule No.: 69A-21; Dismissed

Capital Health Plan, Inc. vs. Department of Management Services; Case No.: 03-2945RU; Dismissed

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO CONSTRUCTION MANAGERS:

The University of Florida, Board of Trustees, announces that construction management services will be required for the project listed below:

Project No.: UAA-17

Project and Location: Baseball Locker Room Facility and Lemerand Center Renovation, Main Campus, building 573 and building 1000, new construction in the vicinity of building 573 and the renovation at building 1000.

The project consists of two phases. Phase I, includes the construction of about 6100 square foot for the baseball locker room facility and the Baseball Practice Facility building. The locker room facility will duplicate the following space for the baseball program: locker rooms, audio-visual rooms, showers, restrooms, and storage. Phase II includes the renovation of 5532 square foot of ground floor locker room spaces of the Lemerand Center. Men's and women's track, volleyball and soccer locker rooms will be housed in the renovated areas. The estimated design and construction cost for both phases is \$4,110,500.00.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability

analyses, and development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 60% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract. Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; and qualification of the firm's personnel, staff and consultants. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard University of Florida construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed project specific "Construction Manager Qualifications Supplement" available from the website: www.facilities.ufl.edu. Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. The Construction Manager Qualifications Supplement forms, the Construction Manager Project Fact Sheet and instructions for registering as an applicant can be found on the Facilities Planning and Construction website.

Eight bounded copies of the required proposal must be received in the Facilities Planning and Construction office by 3:00 p.m., local time on Friday, March 5, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
232 Stadium/P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)392-1256
Fax: (352)392-6378
Internet: www.facilities.ufl.edu

NOTICE TO PROFESSIONAL CONSULTANTS:

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

Project No.: UAA-17

Project and Location: Baseball Locker Room Facility and Lemerand Center Renovation, Main Campus, building 573 and building 1000, new construction in the vicinity of building 573 and the renovation at building 1000.

The project consists of two phases. Phase I, includes the construction of about 6100 square foot for the baseball locker room facility and the Baseball Practice Facility building. The locker room facility will duplicate the following space for the baseball program: locker rooms, audio-visual rooms, showers, restrooms, and storage. Phase II includes the renovation of 5532 square foot of ground floor locker room spaces of the Lemerand Center. Men's and women's track, volleyball and soccer locker rooms will be housed in the renovated areas. The estimated design and construction cost for both phases is \$4,110,500.00.

The selected firm will provide design, construction documents and construction administration services for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000.00, and will be provided as a part of Basic Services.

INSTRUCTIONS:

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

1. A completed "Professional Qualifications Supplement," the latest project specific version available from the website: www.facilities.ufl.edu. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit eight copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, may be disqualified. Application materials will not be returned. The plans and specifications for the University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Professional Qualifications Supplement forms, project information, selection criteria, and instructions for registering as an applicant can be found on the Facilities Planning & Construction website.

Submittals must be received in the Facilities Planning & Construction office by 3:00 p.m., local time, on Friday, March 5, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
232 Stadium/P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)392-1256
Fax: (352)392-6378
Internet: www.facilities.ufl.edu

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 04L-161, PPD W/O #649872, Architecture Bldg. HVAC Renovation, Phase I, estimated budget: \$700,000-\$735,000, to be opened March 18, 2004, at 2:00 P.M. Local Time. Scope of work: HVAC renovations including AHU replacement, ductwork, piping, controls, electrical and all related work in the Architecture Building. Specifications and Plans are available in Central Purchasing, Elmore Hall, Radio Road, Gainesville, FL 32611, Telephone (352)392-1331. A Mandatory Pre-Bid Meeting will be held March 4, 2004, at 10:30 a.m. in the Physical Plant Division Architecture/ Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to A.J. Sontag, Associate Director, UF Purchasing (352)392-1331 Ext. 304. AMERICANS WITH DISABILITY ACT OF 1991 - If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, (352)392-1331 within three (3) days of the event.

REQUEST FOR ENGINEERING SERVICES

The Gulf Coast Community College District Board of Trustees is seeking submittals from engineering firms qualified to render services for the design of a tram path at Camp Helen State Park on Panama City Beach, Florida. The scope of this project includes survey; right-of-way appraisal; environmental and archeological assessments; environmental and archeological compliance; and design of tram path for pedestrians, bicyclist, and tram cart using environmental friendly sustainable materials and design.

The funding limitation for the design, construction, and equipment for the tram path is approximately \$900,000. No travel expenses are allowed in this project.

Professional consultant providing submittals for this project must:

- Be prequalified by the Florida Department of Transportation
- Provide environmental sensitive design examples of work and associated client references on such project(s)
- Have documented experience in complying with Federal Highway Administration, Department of Transportation Part 771, Environmental Impact and Related Procedures. (Information regarding Part 771 can be found at www.access.gpo/nara.cfr/waisidx_03/23cfr771_03.html)

Any firm not prequalified by the Florida Department of Transportation desiring consideration for this project may request a qualification package from the Procurement Office of the Florida Department of Transportation in Tallahassee, Florida. Prequalification by the Florida Department of Transportation must occur prior to the submittal deadline for this project.

Professional consultants providing submittal for this project should:

- Be a member of the US Green Building Council
- Be US Green Building Council LEED certified
- Be a proven professional consultant firm known for its award winning environmental design(s)

If you are interested in this project, contact the coordinator of purchasing and request a copy of the submittal format. Submittals must be received by the Coordinator of Purchasing, Administration Building Room 126, 5230 West U.S. Highway 98, Panama City, Florida 32401, on or before 2:00 p.m., February 12, 2004. Label the submittal as "2004-06, Camp Helen Tram Path." Submittals received after the stated time and date will not be considered.

In accordance with Chapter 287 of the Florida Statutes, a committee appointed by the board will evaluate the submittals and select a minimum of three firms for interview. It is anticipated that the committee will complete the process and be prepared to make a recommendation at the January 2004 meeting of the District Board of Trustees.

Notice of Invitation to Negotiate

ITN Solicitation Number FLAG-04/05-001CA

Title: INVITATION TO NEGOTIATE SCHOOL READINESS SERVICES WITHIN FLAGLER COUNTY, FLORIDA

Purpose: The Flagler County School Readiness Coalition, Inc. has released an Invitation to Negotiate in an effort to enter into an agreement with one or more agencies to provide innovative, quality, outcome based, School Readiness programs for children birth through age twelve. The focus of the Invitation to Negotiate is to find one or more service providers who will partner with the Coalition in meeting its goal to offer a seamless quality service delivery system for all School Readiness services in Flagler County. Services include: Eligibility and Provider Payments; Parent and Child Services; Provider Development and Support. All multi-agency collaboration with a lead agency or single agencies are encouraged to submit a proposal. Please contact the Flagler County School Readiness Coalition, c/o PWD Solutions, Inc. 140 South Beach Street, Suite 202, Daytona Beach, FL 32114, cmiles@pwdinc.org, or (386)267-0511 (Fax) for more information. The Invitation to Negotiate will be available for distribution by February 2, 2004, with the successful bidder's contract to begin July 1, 2004. Deadline for all proposals will be on March 31, 2004. Contract Award Notice will be posted May 4, 2003.

Notice of Invitation to Negotiate

ITN Solicitation Number SJSRC-04/05-001CA

Title: INVITATION TO NEGOTIATE SCHOOL READINESS SERVICES WITHIN ST. JOHNS COUNTY, FLORIDA

Purpose: The St. Johns County School Readiness Coalition, Inc. will release an Invitation to Negotiate in an effort to enter into an agreement with one or more agencies to provide innovative, quality, outcome based, School Readiness programs for children birth through age twelve. The focus of the Invitation to Negotiate is to find one or more service providers who will partner with the Coalition in meeting its goal to offer a seamless quality service delivery system for all School Readiness services in St. Johns County. Services include: Eligibility and Provider Payments; Parent and Child Services; Provider Development and Support.

All multi-agency collaboration with a lead agency or single agencies are encouraged to submit a proposal. Please contact the St. Johns County School Readiness Coalition, c/o PWD Solutions, Inc., 140 South Beach Street, Suite 202, Daytona Beach, FL 32114, cmiles@pwdinc.org, or (386)267-0511 (Fax) for more information. The Invitation to Negotiate will be available for distribution by February 20, 2004, with the successful respondent's contract to begin July 1, 2004. Deadline for all proposals will be on April 15, 2004. Contract Award Notice will be posted May 11, 2004.

NOTICE TO CONSTRUCTION MANAGEMENT FIRMS

Duval County Public Schools
Request for Qualifications (RFQ)
FOR

Construction Management Services

The Office of Facilities Planning and Construction announces that Construction Management services are required for the following project:

Project Number: C-90980

Project Title: New Northside K-8 Center No. 150 (New Berlin/Cedar Point)

Project Location: North side of New Berlin at the intersection of Cedar Point Road

RFQ's ARE DUE ON OR BEFORE MARCH 8, 2004
AND WILL BE ACCEPTED UNTIL 4:30 P.M.

The selected Construction Manager will provide preconstruction services including value engineering, constructability analysis, development of a cost model, and estimating and will develop a Guaranteed Maximum Price at the applicable Construction Document phase.

Scope of Work: Phase I of a two phase project to build a K-5 school for 788 student stations with core facilities to accommodate a K-8 center with the total construction budgeted not to exceed \$9,000,000.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including but not limited to experience and ability, financial capability, record keeping/administrative ability, critical path scheduling expertise, cost estimating, cost control ability, quality control ability, qualifications of firm's personnel, staff and consultants, and distance from the construction site.

To receive application information and instruction booklet or for additional information contact the Project Manager listed below or visit www.educationcentral.org/facilities.

Applications are to be sent to:

Facilities Planning and Construction
1701 Prudential Drive, 5th Floor
Jacksonville, FL 32207-8182

PROJECT MANAGER: Anthony Carter
PHONE NO.: (904)390-2279

MBE GOALS: 10% AA, 5% HANA, 5% WBE

Information on the selection process can be found at www.educationcentral.org/facilities under Forms and Standards then under General Documents, Selection of Construction Manager.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF FUNDING AVAILABILITY

The Department of Energy announced funding availability for Federal Fiscal year 2004 under the State Energy Program Special Projects on January 15, 2004 for eligible applicants.

All proposals are required to be submitted by the State Energy Office. Approximately 16,000,000 nationwide is available for award to eligible applicants to carry our eligible activities.

The proposals for Clean Cities Support (Category 01D), Clean Cities Ferry Demonstration (Category 01F), Clean Cities E-85 Fueling Network (Category 01G), Industrial Technologies Program (Category 02) and Building Codes and Standards (Category 03) are due to the Florida Energy Office by the close of business March 15, 2004.

The proposals for Clean Cities Niche Markets (Category 01A), Clean Cities School Buses (Category 01C), Rebuild America (Category 04), Building America (Category 05) and the Federal Energy Management Program (Category 06) are due to the Florida Energy Office by the close of business March 17, 2004.

The proposals for Clean Cities Refueling Infrastructure (Category 01B), Clean Cities Idle Reduction Technologies (Category 01E), Solar Technology (Category 07), State Wind Energy Support – Tall Towers (Category 08), Distributed Energy – Regional Application Centers (Category 09) and Biomass (Category 10) are due to the Florida Energy Office by the close of business March 19, 2004.

Proposals may either be hand delivered or sent by U. S. Mail or other licensed carrier and must be received on or before the deadline to Florida Energy Office, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard MS – #19, Tallahassee, Florida 32399-3000.

For further information, prospective applicants should contact: Essie Turner, Administrative Assistant, (850)245-2940 or via e-mail: essie.turner@dep.state.fl.us. Interested parties may also address inquiries to the Florida Energy Office, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard MS #19, Tallahassee, Florida 32399-3000.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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 CORRECTIONS

ADVERTISEMENTS FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL/PAINTING CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF: Painting/Refurbishment of 200,000 gallon elevated water storage tank.

PROJECT NO: BE-42

PROJECT SITE: LIBERTY CORRECTIONAL INSTITUTION, Bristol, Florida

PREQUALIFICATION: All bidders must submit evidence that they are qualified to perform the work in accordance with Section B, paragraph B-2 of the Specifications.

BID DATE AND TIME: February 27, 2004, 3:00 p.m. (EST)

PLACE: Tank Engineering and Management, Inc., 1419 W. Waters Avenue, Suite 114, Tampa, Florida 33604.

Any person with a qualified disability requiring special accommodations at the pre-bid conference and/or bid/proposal opening shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services, 1(800)955-8771 (TDD).

PROPOSALS: Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT/ENGINEER: Tank and Engineering Management, Inc., 1419 W. Waters Avenue, Suite 114, Tampa, Florida 33604, Attn: Jeff Kitchens, (813)935-6697

DRAWINGS/SPECIFICATIONS: Sets of Drawings and Specifications may be purchased for \$50.00 per set. Partial sets may not be purchased. Payment made to Tank and Engineering Management, Inc.

PRE-BID CONFERENCE: A pre-bid conference will be held on February 13, 2004 at 1:00 p.m. (EST) at the Administration Building Conference Room at the Liberty Correctional Institution.

CONTRACT AWARD: The recommendation for contract award will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, the contract will be awarded by the Secretary, Department of Corrections. Right is reserved to reject any or all bids.

WATER MANAGEMENT DISTRICTS

REQUEST FOR QUALIFICATIONS No. 03/04-027WR

The Suwannee River Water Management District (DISTRICT) invites interested parties to submit sealed qualifications for land surface evaluation and vertical control surveying of monitoring wells in Columbia, Gilchrist, Suwannee, Hamilton, Madison, and Dixie Counties.

Responses to this request are due at the DISTRICT office by 3:00 p.m., February 24, 2004.

The RFQ document will be available February 6, 2004, on the District's website at www.mysuwanneeriver.com under "Services/Bids." This bid will also be posted at www.demandstar.com; or requests for RFQ 03/04-027WR document should be directed to Debbie Davidson, (386)362-1001 or 1(800)226-1066 (Florida only).

If you have questions regarding the project, please direct them to David Hornsby at: (386)362-1001 or toll free (Florida only) 1(800)226-1066; FAX (386)362-1056.

EXPRESSWAY AUTHORITIES

NOTICE TO CONSTRUCTION ENGINEERING AND INSPECTION FIRMS REQUEST FOR STATEMENT OF QUALIFICATIONS (RSOQ)

MDX WORK PROGRAM NO. 83605.050

The Miami-Dade Expressway Authority (MDX) is seeking the services of a qualified firm with qualified sub-consultants (the "Firm") to provide Construction Engineering and Inspection Oversight (CE&IO) services in connection with the construction of the MDX Five Year Work Program Project No. 83605 (the "Project"). The CE&IO services are required for the Design Build Project of SR 836 Extension from N. W. 107th Avenue to W. 137th Avenue; including construction of new bridges for SR 836 crossing N. W. 107th Avenue, the CSXT Rail Corridor and N. W. 12th Street and at N. W. 137th Avenue. The project's overall duration is estimated to be approximately Forty Two (42) months beginning in July 2004.

FEDERAL AND STATE DEBARMENT: By signing and submitting a Statement of Qualifications (SOQ), the Firm certifies that no principal (which includes shareholders, partners, officers, directors, or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal, state or local department or agency.

SYSTEM: The Miami-Dade Expressway System is comprised of State Road (SR) 112, SR 836, SR 874, SR 878 and SR 924.

DESCRIPTION OF WORK: The selected Firm will provide CE&IO services for the Project. The Project has been let as a "Design/Build" project, and the selected Firm will be responsible for the oversight and quality assurance of all construction related activities for the Project, as well as contract administration functions as required by MDX. MDX has contracted with the Design/Build team to provide all required materials testing, inspection and related construction engineering services for the Project. The Firm will not be required to provide these services.

SELECTION PROCEDURE: At least three firms will be shortlisted using the Evaluation Criteria shown herein. The shortlisted Firms will be requested to provide written Technical Proposals based on the information and criteria requirements contained in the Request for Proposals ("RFP") to be issued by MDX at a later date. Oral interviews with the shortlisted Firms may be required. **FIRMS THAT DO NOT PROVIDE THE REQUIRED INFORMATION AND/OR DOCUMENTATION TO ADDRESS THE PREREQUISITE CRITERIA DESCRIBED BELOW SHALL NOT BE ELIGIBLE FOR SHORTLISTING EVALUATION.**

RESPONSE PROCEDURE: Qualified firms are encouraged to submit a SOQ package to MDX. One (1) unbounded original SOQ, nine (9) bounded copies and one (1) electronic copy in PDF format (ten (10) in total and one electronic copy), MUST be received by the Miami-Dade Expressway Authority, 3790 N. W. 21 Street, Miami, Florida 33142, Attn: Ms. Helen M. Cordero, MDX Procurement Officer, by Monday, March 8, 2004 by 12:00 noon, Eastern Time (the "Deadline"). SOQs submitted past the Deadline will be deemed non-responsive.

After reviewing the documentation submitted, evaluating the SOQs using the Evaluation Criteria shown herein, and ranking the Firms, MDX will notify all Firms in writing if they have been shortlisted, and will distribute one (1) copy of the RFP package to each shortlisted Firm.

The deadline to submit questions in reference to this Request for Statements of Qualifications (RSOQ) is Friday, February 20, 2004 by 5:00 p.m. Questions should be submitted in compliance with the Communication Provision below. The responses to questions received will be posted on MDX's website (www.mdx-way.com) as an extension of this advertisement, or may be obtained by contacting MDX's Procurement Officer pursuant to the Communication Provision below. It is the Firm's responsibility to check the website or with MDX's Procurement Officer for these responses.

RESPONSIVENESS OF SOQ'S AND CONDITIONS CAUSING DISQUALIFICATIONS OF FIRMS: A responsive SOQ is one that conforms, in all material respects, to the requirements and instructions of the RSOQ.

SOQs will be rejected if found to be irregular, conditional or not in conformance with the requirements and instructions contained herein.

An SOQ will be found to be irregular or non-responsive for reasons including, but not limited to, violation of the Cone of Silence (as defined below), failure to strictly comply with and satisfactorily address the Prerequisite Criteria, failure to submit the information needed to evaluate the SOQ based on the Evaluation Criteria, incomplete SOQs, failure to provide or complete required forms, improper signatures, submittal of more than one SOQ by the same Firm, evidence of collusion among Firms, evidence that a Firm has a financial interest in another Firm submitting an SOQ for this engagement or failure to submit an SOQ by the deadline date and time as shown above.

SOQs will be rejected if more than one SOQ is received from an individual, firm, partnership, or corporation, or combination thereof (furnished as the prime proposer), under the same or different names. Such duplicate interest will cause the rejection of all SOQs in which such Firm has participated. A Firm or any of the entities comprising the Firm shall not appear as a Proposer in any other SOQ for the Project.

MDX, at its sole and absolute discretion, reserves the right to reject any and all SOQs or part of any and all SOQs, re-advertise the RSOQ, postpone or cancel, at any time, this procurement process for the Project, waive irregularities in the

SOQs or to withdraw the RSOQ, if it is in the best interest of MDX. All expenses involved with the preparation and submission of an SOQ to MDX, or any work performed in connection therewith, shall be solely the Firm's responsibility.

SUBMITTAL OF STATEMENT OF QUALIFICATIONS: The SOQ shall be in writing, submitted on the letterhead of the Firm. The SOQ must be limited to a maximum of twenty (20) pages. Resumes, MDX forms, and certificates/licenses are not included in the 20-page limitation. Resumes are limited to one (1) page per individual. The SOQ MUST include at a minimum, the documentation and/or information required in the Prerequisite Criteria, Required Information and Evaluation Criteria.

PREREQUISITE CRITERIA: SOQs will not be considered from Firms that do not satisfy, at a minimum, the following Prerequisite Criteria. All requested documentation and/or information must be provided in the SOQ to confirm that the Firm has satisfied all of the Prerequisite Criteria.

1. The Firm shall have a minimum of three (3) years specific experience in providing Construction Engineering and Inspection Oversight services.
2. As required by Section 287.133, Florida Statute, a firm may not submit a proposal to this procurement if it is on the convicted vendor list for a public entity crime committed within the past 36 months. Firms must address this criterion by completing and submitting with the SOQ a Sworn Statement on Public Entity Crimes Form (a copy of this form may be obtained from MDX's website). Proposed subconsultants shall also complete and submit this form in order to be considered.
3. The Firm must have a full service operational office located in Miami-Dade County at the time the Notice to Proceed is issued. Information must also be provided as to the location of the Firm's office(s). If a Firm has offices outside Miami-Dade County, the Firm shall make an affirmative statement confirming that, if selected, it will establish such an office in Miami-Dade County.
4. Firms must submit documentation acceptable to MDX (including FDOT "L. Odom" letters) that the Firm is pre-qualified under Rule 14-75 of the Florida Administrative Code (F.A.C.) in the following types of work: Group 10.1, Roadway Construction Engineering Inspection; Group 10.2, Major Bridge Construction Engineering Inspection and Group 10.3, Construction Materials Inspection. If the Firm intends to subcontract for all or some of the types of work listed above, the Firm shall identify those types of work and the sub-consultant proposed to do the work. Firms shall include with their SOQ documentation that those sub-consultants are also pre-qualified under Rule 14-75 of the F.A.C. Any Firm not identifying pre-qualification with all of the above identified groups shall be deemed non-responsive to the requirements stated in the RSOQ.

5. Certificates of Good Standing evidencing that the Firm is qualified to do business in the State of Florida. Documentation provided to comply with this criterion must be current.
6. Execution of a Commitment Letter (a copy of this form may be obtained from MDX's website) stating that the Firm shall satisfy the 15% Small Business Participation Goal for this procurement, in compliance with MDX's Small Business Participation Policy (a copy of this Policy may be obtained from MDX's website). Please be aware that MDX will be awarding Small Business Participation Bonus Points during the RFP phase of this procurement. Further documentation addressing this requirement shall be required of the shortlisted Firms, pursuant to requirements in the RFP.
7. Execution of the Lobbyist Disclosure Affidavit (a copy of this form may be obtained from MDX's website) providing information regarding any Lobbyists representing the Proposer for this procurement or containing an affirmative statement that no Lobbyists have been retained for this procurement, if applicable.

The personnel and sub-consultants proposed by the Firm for the Project are considered to be committed to the Project and shall be available to the Project on the anticipated date of Notice to Proceed.

REQUIRED INFORMATION: The SOQ shall contain the following Required Information:

1. Project Name and number.
2. Firm's name and address.
3. Name of contact person, phone number, fax number and Internet e-mail address (one contact person per Firm).
4. An executed Vendor's Bill of Rights (a copy of this form may be obtained from MDX's website).

EVALUATION CRITERIA: The SOQ will be reviewed, evaluated and ranked by the MDX Technical Evaluation Committee using the following Evaluation Criteria:

Qualifications and experience of the Firm and sub-consultants as it relates to the following required services. This criterion will be specifically evaluated based on the depth and breadth of the Firm and sub-consultants experience as a whole in the performance of Construction Engineering and Inspection Oversight services on limited access roadway systems. A total of 25 %.

Proposed key personnel of the Firm and sub-consultants, their qualifications and their roles (including resumes) and their available workload as they relate specifically to the services requested in this RSOQ. Proposed personnel submitted in this RSOQ are considered committed to the project and shall be available on the anticipated date of Notice to Proceed. A total of 45%.

A detailed summary of the Firm's current and proposed workload as well as all available resources as they relate to existing contracts with other agencies. The Firm should

specifically address this criterion with respect to the proposed key personnel proposed for this project and detail the total number of hours available, duration of those existing contracts and total of man-hours committed to those projects. A total of 20%.

A list of similar CE&IO projects, by the Firm and sub-consultants; in particular, representation of governmental entities, and similar projects completed by the proposed staff completed NOT EARLIER THAN January 1, 1999, with references, grades and phone numbers, including a general description of the role of the Firm and sub-consultants, and the services provided. The Firm should specifically address past performance grades of the proposed team, as well as, the contractor's performance with respect to original schedule and budget. A total of 10%.

COMMUNICATIONS: COMMUNICATIONS BETWEEN ANY PROPOSER OR ITS EMPLOYEES, AGENTS OR REPRESENTATIVES AND ANY BOARD MEMBER OF MDX, ITS MEMBERS, EMPLOYEES, AGENTS, COUNSEL OR REPRESENTATIVES, INCLUDING ITS CONSULTANTS, AND ITS EVALUATION COMMITTEE MEMBERS, ARE STRICTLY PROHIBITED FROM THE DATE THE PROPOSERS ARE SHORTLISTED FOR THE PROJECT THROUGH THE DATE OF EXECUTION OF THE CONTRACT. The only exceptions to this are: (1) written requests regarding information or clarification made to Helen Cordero, MDX Procurement Officer; (2) meetings called or requested by MDX and attended by Proposers for the purpose of discussing a solicitation, evaluation or selection process including, but not limited to, the communications at the Pre-Proposal Conference, Oral Interviews, site visits to MDX's or Proposers' facilities, as applicable; (3) written and oral Contract negotiations with the Executive Director or his designated representative; or (4) communications by Proposers not selected under this procurement. Exception No. 4 above will only apply seventy-two (72) hours after approval of the Final Shortlist by the MDX Operations Committee, assuming no protest is filed; (5) the addressing of the MDX Board or any of its committees at public meetings; and (6) communications permitted by the MDX Procurement Policy, as amended. ANY VIOLATION OF THE REQUIREMENTS SET FORTH IN THIS SECTION SHALL CONSTITUTE GROUNDS FOR IMMEDIATE AND PERMANENT DISQUALIFICATION OF THE OFFENDING PROPOSER.

PROTEST RIGHTS:

1. To be considered, a protest must be in writing and filed with the Secretary of the MDX Board within seventy-two (72) hours, excluding Saturdays, Sunday and legal holidays, after approval of the Final Shortlist if the protest is directed towards any part of the procurement process that has occurred as of the time of that decision.

2. It is intended that this provision be utilized to address any issues concerning the manner or process by which Firms are identified as qualified to receive the Request for Proposal for the Project. Should issues arise after the time period for filing a protest has passed pursuant to this provision, which issues are determined by MDX to be covered by this provision, the protesting party shall be deemed to have waived any right to protest same.
3. A protest bond in the amount of, \$20,000.00 will be required for any protest.
4. After the MDX Operations Committee renders its decision regarding the firms to be shortlisted, a copy of the final shortlist of firms invited to submit proposals in response to the Request for Proposals ("Final Shortlist") shall be sent to all firms who submitted a Statement of Qualifications for the Project by MDX's Chief Purchasing Officer or his designee.
5. Within five (5) calendar days from the date of filing of the protest, the protesting party shall provide MDX with the grounds in detail for its protest.
6. Upon receipt of a timely filed written protest, MDX and the protesting party shall attempt to resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest.
7. If the protest is not resolved by mutual agreement within ten (10) business days from the date of filing, MDX and the protesting party shall select a mutually agreed-upon mediator and participate in mediation within thirty, (30) calendar days after the failure to reach a mutual agreement. All costs of mediation shall be borne by the protesting party, unless otherwise agreed upon by MDX. No court proceedings regarding any protest may be filed until the parties have first participated in mediation.
8. In the event mediation is unsuccessful, the party filing a protest pursuant to this provision shall file and serve the requisite legal action within fifteen (15) calendar days of the date of mediation.
9. In the event that a party serving a protest in accordance with this provision fails to: (1) resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest; (2) work with MDX to select an agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual agreement; or (3) file and serve the requisite legal proceeding within fifteen (15) calendar days after the termination of an unsuccessful mediation, the protest shall be deemed withdrawn and have no further force and effect. Any waiver of this provision must be in writing and signed by MDX's Executive Director.
10. Failure to file a protest in accordance with the requirements set forth herein with respect to any decisions made prior to the issuance of the Final Shortlist in

accordance with this provision shall constitute a waiver of any right to initiate any protest proceedings regarding those decisions.

EQUAL EMPLOYMENT OPPORTUNITIES AND SMALL BUSINESS ENTERPRISES PROGRAM: The Miami-Dade Expressway Authority prohibits discrimination on the basis of race, color, sex, age, national origin, religion, and disability or handicap in accordance with the Provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq., the Florida Civil Rights Act of 1992, as amended, § 760.10 et seq., Fla. Stat., and other Federal and State discrimination statutes. MDX notifies all Consultants and individuals that it requires and encourages equal employment opportunities for minorities and women.

MDX strongly supports small, minority and women owned businesses having full opportunity to submit Proposals in response to this RFP and commits that Consultants will not be discriminated against on the basis of sex, race, color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain an M/WBE participation of twenty-five percent (25%) for the aggregate of its projects. However, compliance with MDX's overall goal is not a prerequisite for the Project.

Please be aware that MDX has adopted a Small Business Participation Policy and a 15% Small Business Participation Goal shall be required for this procurement (see Prerequisite Criteria above and refer to MDX Small Business Participation Policy which may be obtained from MDX's website)

The twenty-five percent (25%) goal can be satisfied by Disadvantaged Business Enterprises that are currently certified as such with the State or Miami-Dade County. Satisfaction of the fifteen percent (15%) Small Business Participation Goal can be counted toward this goal.

MDX RESERVES THE RIGHT TO REJECT ANY OR ALL STATEMENTS OF QUALIFICATIONS RECEIVED AT ITS DISCRETION AND WITHOUT ANY RECOURSE.

**NOTICE TO MATERIALS ENGINEERING AND TESTING FIRMS REQUEST FOR STATEMENT OF QUALIFICATIONS (RSOQ)
MDX WORK PROGRAM NO. 50018.068**

The Miami-Dade Expressway Authority (MDX) is seeking the services of a qualified firm (the "Firm") to provide Materials Engineering and Testing services (the "Project") in connection with construction projects of the MDX Five-Year Work Program. The Project requires material sampling testing and laboratory analysis of materials at various projects sites as well as inspection of the fabrication process at manufacturing plants remote from the various projects sites.

FEDERAL AND STATE DEBARMENT: By signing and submitting a Statement of Qualifications (SOQ), the Firm certifies that no principal (which includes shareholders, partners, officers, directors, or executives) is presently

suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal, state or local department or agency.

SYSTEM: The Miami-Dade Expressway System is comprised of State Roads (SR) 112, SR 836, SR 874, SR 878 and SR 924.
DESCRIPTION OF WORK: The selected Firm will be responsible for sampling testing and laboratory analysis of construction materials at various projects sites. The Firm shall provide inspection and sampling of materials and equipment required at locations remote from the vicinity of the various projects sites. The Firm shall provide all required materials engineering and testing, services as well as any necessary contract administration functions as may be required by MDX.
SELECTION PROCEDURE: At least three firms will be shortlisted using the Evaluation Criteria shown herein. The shortlisted Firms will be requested to provide written Technical Proposals based on the information and criteria requirements contained in the Request for Proposals ("RFP") to be issued by MDX at a later date. Oral interviews with the shortlisted Firms may be required. **FIRMS THAT DO NOT PROVIDE THE REQUIRED INFORMATION AND/OR DOCUMENTATION TO ADDRESS THE PREREQUISITE CRITERIA DESCRIBED BELOW SHALL NOT BE ELIGIBLE FOR SHORTLISTING EVALUATION.**

RESPONSE PROCEDURE: Qualified firms are encouraged to submit a SOQ package to MDX. One (1) unbounded original SOQ, nine (9) bounded copies and one (1) electronic copy in PDF format (ten (10) in total and 1 electronic copy), MUST be received by the Miami-Dade Expressway Authority, 3790 NW 21 Street, Miami, Florida 33142, Attn: Ms. Helen M. Cordero, MDX Procurement Officer, by Tuesday, March 9, 2004 by 12:00 Noon, Eastern Time (the "Deadline"). SOQs submitted past the Deadline will be deemed non-responsive.

After reviewing the documentation submitted, evaluating the SOQs using the Evaluation Criteria shown herein, and ranking the Firms, MDX will notify all Firms in writing if they have been shortlisted, and will distribute one (1) copy of the RFP package to each shortlisted Firm.

The deadline to submit questions in reference to this Request for Statements of Qualifications (RSOQ) is Monday, February 23, 2004 by 5:00 p.m. Questions should be submitted in compliance with the Communication Provision below. The responses to questions received will be posted on MDX's website (www.mdx-way.com) as an extension of this advertisement, or may be obtained by contacting MDX's Procurement Officer pursuant to the Communication Provision below. It is the Firm's responsibility to check the website or with MDX's Procurement Officer for these responses.

RESPONSIVENESS OF SOQ'S AND CONDITIONS CAUSING DISQUALIFICATIONS OF FIRMS: A responsive SOQ is one that conforms, in all material respects, to the requirements and instructions of the RSOQ.

SOQs will be rejected if found to be irregular, conditional or not in conformance with the requirements and instructions contained herein.

An SOQ will be found to be irregular or non-responsive for reasons including, but not limited to, violation of the Cone of Silence (as defined below), failure to strictly comply with and satisfactorily address the Prerequisite Criteria, failure to submit the information needed to evaluate the SOQ based on the Evaluation Criteria, incomplete SOQs, failure to provide or complete required forms, improper signatures, submittal of more than one SOQ by the same Firm, evidence of collusion among Firms, evidence that a Firm has a financial interest in another Firm submitting an SOQ for this engagement or failure to submit an SOQ by the deadline date and time as shown above.

SOQs will be rejected if more than one SOQ is received from an individual, firm, partnership, or corporation, or combination thereof (furnished as the prime proposer), under the same or different names. Such duplicate interest will cause the rejection of all SOQs in which such Firm has participated. A Firm or any of the entities comprising the Firm shall not appear as a Proposer in any other SOQ for the Project.

MDX, at its sole and absolute discretion, reserves the right to reject any and all SOQs or part of any and all SOQs, re-advertise the RSOQ, postpone or cancel, at any time, this procurement process for the Project, waive irregularities in the SOQs or to withdraw the RSOQ, if it is in the best interest of MDX. All expenses involved with the preparation and submission of an SOQ to MDX, or any work performed in connection therewith, shall be solely the Firm's responsibility.

SUBMITTAL OF STATEMENT OF QUALIFICATIONS: The SOQ shall be in writing, submitted on the letterhead of the Firm. The SOQ must be limited to a maximum of twenty (20) pages. Resumes, MDX forms, and certificates/licenses are not included in the 20-page limitation. Resumes are limited to one (1) page per individual. The SOQ MUST include at a minimum, the documentation and/or information required in the Prerequisite Criteria, Required Information and Evaluation Criteria.

PREREQUISITE CRITERIA: SOQs will not be considered from Firms that do not satisfy, at a minimum, the following Prerequisite Criteria. All requested documentation and/or information must be provided in the SOQ to confirm that the Firm has satisfied all of the Prerequisite Criteria.

1. The Firm shall have a minimum of five (5) years specific experience in providing Materials Engineering and Testing services.
2. As required by Section 287.133, Florida Statute, a firm may not submit a proposal for the Project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. Firms must address this criterion by completing and submitting with the SOQ a Sworn Statement on Public Entity Crimes Form (a copy of

this form may be obtained from MDX's website). Proposed subconsultants shall also complete and submit this form in order to be considered.

3. The Firm must have a full service operational office located in Miami-Dade County at the time the Notice to Proceed is issued. Information must also be provided as to the location of the Firm's office(s). If a Firm has offices outside Miami-Dade County, the Firm shall make an affirmative statement confirming that, if selected, it will establish such an office in Miami-Dade County.
4. Firms must submit documentation acceptable to MDX (including FDOT "L. Odom" letters) that the Firm is pre-qualified under Rule 14-75 of the Florida Administrative Code (F.A.C.) in the following types of work: Group 9.1, Soil Exploration; Group 9.2, Geotechnical Exploration and Testing; Group 9.3, Highway Materials Testing and Group 10.3, Construction Materials Inspection. If the Firm intends to subcontract for all or some of the types of work listed above, the Firm shall identify those types of work and the sub-consultants proposed to do the work. Firms shall include with their SOQ documentation that those sub-consultants are also pre-qualified under Rule 14-75 of the F.A.C. Any Firm not identifying pre-qualification with all of the above identified groups shall be deemed non-responsive to the requirements stated in the RSOQ.
5. Certificates of Good Standing evidencing that the Firm is qualified to do business in the State of Florida. Documentation provided to comply with this criterion must be current.
6. Execution of a Commitment Letter (a copy of this form may be obtained from MDX's website) stating that the Firm shall satisfy the 10% Small Business Participation Goal for the Project, in compliance with MDX's Small Business Participation Policy (a copy of this Policy may be obtained from MDX's website). Please be aware that MDX will be awarding Small Business Participation Bonus Points during the RFP phase of this procurement. Further documentation addressing this requirement shall be required of the shortlisted Firms, pursuant to requirements in the RFP.

The personnel and sub-consultants proposed by the Firm for the Project are considered to be committed to the Project and shall be available to the Project on the anticipated date of Notice to Proceed.

REQUIRED INFORMATION: The SOQ shall contain the following Required Information:

1. Project Name and number.
2. Firm's name and address.
3. Name of contact person, phone number, fax number and Internet e-mail address (one contact person per Firm).
4. An executed Vendor's Bill of Rights (a copy of this form may be obtained from MDX's website).

EVALUATION CRITERIA: The SOQ will be reviewed, evaluated and ranked by the MDX Technical Evaluation Committee using the following Evaluation Criteria:

Qualifications and experience of the Firm and sub-consultants as it relates to the following required services. This criterion will be specifically evaluated based on the depth and breadth of the Firm and sub-consultants experience as a whole in the performance of Materials Engineering and Testing Services on limited access roadway systems. This criterion will also be evaluated based on specialty equipment available to enhance the quality and efficiency in performing the services. A total of 30 %.

Proposed key personnel of the Firm and sub-consultants, their qualifications and their roles (including resumes) and their available workload as they relate specifically to the services requested in this RSOQ. A total of 35%.

A detailed summary of the Firm's current and proposed workload as well as all available resources as they relate to existing contracts with other agencies. The Firm should specifically address this criterion with respect to the proposed key personnel proposed for this project and detail the total number of hours available, duration of those existing contracts and total of man-hours committed to those projects. A total of 30 %.

A list of similar engagements, by the Firm and sub-consultants; in particular, representation of governmental entities, completed NOT EARLIER THAN January 1, 1999, with references and phone numbers, including a general description of the role of the Firm and sub-consultants, and the services provided. A total of 5%.

COMMUNICATIONS: COMMUNICATIONS BETWEEN ANY PROPOSER OR ITS EMPLOYEES, AGENTS OR REPRESENTATIVES AND ANY BOARD MEMBER OF MDX, ITS MEMBERS, EMPLOYEES, AGENTS, COUNSEL OR REPRESENTATIVES, INCLUDING ITS CONSULTANTS, AND ITS EVALUATION COMMITTEE MEMBERS, ARE STRICTLY PROHIBITED FROM THE DATE THE PROPOSERS ARE SHORTLISTED FOR THE PROJECT THROUGH THE DATE OF EXECUTION OF THE CONTRACT. The only exceptions to this are: (1) written requests regarding information or clarification made to Helen Cordero, MDX Procurement Officer; (2) meetings called or requested by MDX and attended by Proposers for the purpose of discussing a solicitation, evaluation or selection process including, but not limited to, the communications at the Pre-Proposal Conference, Oral Interviews, site visits to MDX's or Proposers' facilities, as applicable; (3) written and oral Contract negotiations with the Executive Director or his designated representative; or (4) communications by Proposers not selected under this procurement. Exception No. 4 above will only apply seventy-two (72) hours after approval of the Final Shortlist by the MDX Operations Committee, assuming no protest is filed; (5) the addressing of the MDX Board or any

of its committees at public meetings; and (6) communications permitted by the MDX Procurement Policy, as amended. ANY VIOLATION OF THE REQUIREMENTS SET FORTH IN THIS SECTION SHALL CONSTITUTE GROUNDS FOR IMMEDIATE AND PERMANENT DISQUALIFICATION OF THE OFFENDING PROPOSER.

PROTEST RIGHTS:

1. To be considered, a protest must be in writing and filed with the Secretary of the MDX Board within seventy-two (72) hours, excluding Saturdays, Sunday and legal holidays, after receipt of the Final Shortlist if the protest is directed towards any part of the procurement process that has occurred as of the time of that decision.
2. It is intended that this provision be utilized to address any issues concerning the manner or process by which Firms are identified as qualified to receive the Request for Proposal for the Project. Should issues arise after the time period for filing a protest has passed pursuant to this provision, which issues are determined by MDX to be covered by this provision, the protesting party shall be deemed to have waived any right to protest same.
3. A protest bond in the amount of, \$20,000.00 will be required for any protest.
4. After the MDX Operations Committee renders its decision regarding the firms to be shortlisted, a copy of the final shortlist of firms invited to submit proposals in response to the Request for Proposals ("Final Shortlist") shall be sent to all firms who submitted a Statement of Qualifications for the Project by MDX's Chief Purchasing Officer or his designee.
5. Within five (5) calendar days from the date of filing of the protest, the protesting party shall provide MDX with the grounds in detail for its protest.
6. Upon receipt of a timely filed written protest, MDX and the protesting party shall attempt to resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest.
7. If the protest is not resolved by mutual agreement within ten (10) business days from the date of filing, MDX and the protesting party shall select a mutually agreed-upon mediator and participate in mediation within thirty, (30) calendar days after the failure to reach a mutual agreement. All costs of mediation shall be borne by the protesting party, unless otherwise agreed upon by MDX. No court proceedings regarding any protest may be filed until the parties have first participated in mediation.
8. In the event mediation is unsuccessful, the party filing a protest pursuant to this provision shall file and serve the requisite legal action within fifteen (15) calendar days of the date of mediation.
9. In the event that a party serving a protest in accordance with this provision fails to: (1) resolve the protest by mutual agreement within ten (10) business days from the

date of filing of the protest; (2) work with MDX to select an agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual agreement; or (3) file and serve the requisite legal proceeding within fifteen (15) calendar days after the termination of an unsuccessful mediation, the protest shall be deemed withdrawn and have no further force and effect. Any waiver of this provision must be in writing and signed by MDX's Executive Director.

10. Failure to file a protest in accordance with the requirements set forth herein with respect to any decisions made prior to the issuance of the Final Shortlist in accordance with this provision shall constitute a waiver of any right to initiate any protest proceedings regarding those decisions.

EQUAL EMPLOYMENT OPPORTUNITIES AND SMALL BUSINESS ENTERPRISES PROGRAM: The Miami-Dade Expressway Authority prohibits discrimination on the basis of race, color, sex, age, national origin, religion, and disability or handicap in accordance with the Provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq., the Florida Civil Rights Act of 1992, as amended, § 760.10 et seq., Fla. Stat., and other Federal and State discrimination statutes. MDX notifies all Consultants and individuals that it requires and encourages equal employment opportunities for minorities and women.

MDX strongly supports small, minority and women owned businesses having full opportunity to submit Proposals in response to this RFP and commits that Consultants will not be discriminated against on the basis of sex, race, color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain an M/WBE participation of twenty-five percent (25%) for the aggregate of its projects. However, compliance with MDX's overall goal is not a prerequisite for the Project.

Please be aware that MDX has adopted a Small Business Participation Policy and a 10% Small Business Participation Goal shall be required for this procurement (see Prerequisite Criteria above and refer to MDX Small Business Participation Policy which may be obtained from MDX's website)

The twenty-five percent (25%) goal can be satisfied by Disadvantaged Business Enterprises that are currently certified as such with the State or Miami-Dade County. Satisfaction of the ten percent (10%) Small Business Participation Goal can be counted toward this goal.

MDX RESERVES THE RIGHT TO REJECT ANY OR ALL STATEMENTS OF QUALIFICATIONS RECEIVED AT ITS DISCRETION AND WITHOUT ANY RECOURSE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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."

FLORIDA HOUSING FINANCE CORPORATION

Request for Proposals
2004/01 for Auditing Services

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide Auditing Services to submit proposals for consideration. Written, sealed proposals shall be accepted until 2:00 p.m., Eastern Time, Friday, March 5, 2004, to the attention of Robin Grantham, Contract Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Robin Grantham, (850)488-4197 or robin.grantham@floridahousing.org. To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/ViewPage.aspx?page=77@p1=1>.

Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

TOWN OF ORCHID

PUBLIC ANNOUNCEMENT FOR
ARCHITECTURE/ENGINEERING SERVICES

The Town of Orchid, Indian River County, Florida, announces that professional services in the discipline of architecture/engineering are required for the project listed below:

PROJECT NAME: Town Hall

PROJECT LOCATION: 7406 U. S. Highway #1, Vero Beach, Florida

SERVICES TO BE PROVIDED: Spatial Needs Assessment

The Town of Orchid is a small community of approximately 594 permanent and seasonal residents. Currently the Town operates from leased office space situated outside the boundaries of the Town and is investigating the acquisition of property within Orchid for building a permanent town hall facility. A spatial needs assessment has been authorized by the Town Council to determine future Town Hall property and space needs and to facilitate the land acquisition decision making process.

The Town currently has four regular employees and three contract employees. The Town does not currently have a police department, fire department or recreational facilities. Additional services, if provided by the Town, will depend on future Town Council action. Conducting the spatial needs assessment will require interviews of Town Councilmembers and Town Hall staff.

The Town of Orchid is accepting proposals for services from an architecture/engineering firm to provide a spatial needs assessment for a new town hall until 4:00 p.m. EST on February 20, 2004. More information concerning the scope of this request and the Town bidding packages are available at Town Hall at the address listed below. Proposals should be submitted to: Town of Orchid, Attn: Town Manager, 7406 U.S. Highway #1, Vero Beach, FL 32967 by 4:00 p.m. on February 20, 2004. For additional information, please contact the Town Manger, (772)569-7686. The Town Council will consider awarding a contract for services to the most qualified and best firm at a public meeting which will be scheduled after the proposal submission deadline. The Town Council reserves the right to reject any and all proposals.

Section XII Miscellaneous

DEPARTMENT OF EDUCATION

NOTIFICATION OF INTENT TO OPERATE THE SUMMER FOOD SERVICE PROGRAM FOR CHILDREN

In accordance with Title 7 Code of Federal Regulations, Part 225, it is the intent of the Florida Department of Education, Food and Nutrition Management Section, to continue to administer the Summer Food Service Program for the fiscal year 2004.

The primary purpose of the program is to provide food service to children from needy areas during periods when area schools are closed for vacation.

Eligible children are those 18 years of age and under, and persons over 18 years of age who are determined by the State educational agency or a local public educational agency of the State to be mentally or physically handicapped and who participate in a public or nonprofit private school program established for the mentally or physically handicapped.

The program will be made available throughout Florida by State approved sponsors. Sponsors for the program may be a public or nonprofit private school, nonprofit private organization, residential or non-residential camp, government organization, or a National Youth Sports Program.

For more information please contact: Food and Nutrition Management, Summer Food Service Program for Children, 1(800)504-6609.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTION 163.3177(2) AND (3), FLORIDA STATUTES DCA DOCKET NO. 17-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Escambia County, Century, Pensacola and the Escambia County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the 3435 North 12th Avenue, Pensacola, Florida 32513.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Escambia County, Century, Pensacola and the Escambia County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Charles Gauthier, AICP
Chief of Comprehensive Planning
Department of Community Affairs
Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

DCA Final Order No.: DCA04-OR-008

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: CITY OF GROVELAND LAND
DEVELOPMENT REGULATIONS ADOPTED
BY CITY OF GROVELAND
ORDINANCE NO. 2002-08-30A

FINAL ORDER

The Department of Community Affairs (“Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, approving land development regulations adopted by a local government within the Green Swamp Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Green Swamp is a statutorily designated area of critical state concern, and the City of Groveland is a local government within the Green Swamp Area.
- 2. On December 11, 2003, the Department received for review City of Groveland Ordinance No. 2002-08-30A (“Ordinance”).
- 3. The Ordinance adopts a planned unit development (“PUD”) zoning for Tracts 34, 35, 36, 37, 38, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 63, and 64, in Section 21, Township 22 South, Range 25 East, according to the Plat of Groveland Farms, recorded in Plat Book 2, Pages 10 and 11, Public Records of Lake County, Florida, also know as the Paradise Lakes Estate property.
- 4. The Ordinance establishes requirements for land uses, maximum number of dwelling units, setbacks, open space, public facilities, transportation infrastructure, landscaping, lighting, and building design, among others.
- 5. The Ordinance is consistent with the City’s Comprehensive Plan.

CONCLUSIONS OF LAW

- 1. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes.
- 2. The City of Groveland is a local government located within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes, and Rule 28-26.002, Florida Administrative Code.
- 3. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
- 4. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) set forth in Rule 28-26.003, Florida Administrative Code. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

5. The Ordinance is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ordinance No. 2002-08-30A is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

Valerie J. Hubbard, Director
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ____ day of January, 2004.

Paula Ford, Agency Clerk

By U.S. Mail:

The Honorable Doris Thompson
Mayor, City of Groveland
156 S. Lake Avenue
Groveland, FL 34736

Teresa Greenham
Urban and Regional Planners, Inc.
2001 Old U.S. Highway 441, Ste. 1
Mount Dora, FL 32757

Jason Yarborough
City Manager
City of Groveland
156 S. Lake Avenue
Groveland, FL 34736

DCA Final Order No.: DCA04-OR-009

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: CITY OF GROVELAND LAND DEVELOPMENT REGULATIONS ADOPTED BY CITY OF GROVELAND ORDINANCE NO. 2003-09-46

WHEREFORE, IT IS ORDERED that Ordinance No. 2003-09-46 is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

FINAL ORDER

The Department of Community Affairs ("Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2002), approving City of Groveland Ordinance No. 2003-09-46, as set forth below.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and the City of Groveland is a local government within the Green Swamp Area.

2. On January 8, 2004, the Department received for review City of Groveland Ordinance No. 2003-09-46 ("Ordinance"), which was adopted by the City Council of the City of Groveland. The Ordinance was adopted on November 3, 2003. The Ordinance amends Appendix B, Chapter X of the City of Groveland Land Development Regulations. These amendments address revisions to the sign requirements of the City.

3. The Ordinance is consistent with the City's Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat.

5. The City of Groveland is a local government within the Green Swamp Area of Critical State Concern. § 380.0551, Fla. Stat. and Rule Chapter 28-26, Fla. Admin. Code.

6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulation adopted by the Ordinance is a land development regulation.

7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. § 380.05(6), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. ("Principles").

8. The Ordinance is consistent with the Principles in Rule 28-26.003, Fla. Admin. Code.

Valerie J. Hubbard, Director
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

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THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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CERTIFICATE OF FILING AND SERVICE

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Paula Ford, Agency Clerk

By U.S. Mail:

The Honorable Doris Thompson
Mayor, City of Groveland
156 S. Lake Avenue
Groveland, FL 34736

Jason Yarborough
City Manager
City of Groveland
156 S. Lake Avenue
Groveland, FL 34736

Teresa Greenham
Urban & Regional Planners, Inc.
2001 Old U.S. Highway 441, Ste. 1
Mount Dora, FL 32757

NOTICE OF APPLICATION PERIOD

The Florida Communities Trust (Trust) announces an application period for receiving applications from local governments and non-profit environmental organizations requesting funding awards from the Trust's Florida Forever Program.

DEADLINE: The deadline for submitting applications shall be 5:00 p.m. (EDT) on Wednesday, May 5, 2004. Applications must be received by the Florida Communities Trust by the above stated deadline. Applications received after the published deadline shall be deemed late and will not be considered by the Trust.

APPLICATION FORMS: Applications for funding must be made on Application Form FF-2 (Effective 5/20/02), following procedures in Rule Chapter 9K-7, F.A.C. Copies of the rule chapter and application form may be obtained by visiting the Trust website at www.dca.state.fl.us/ffct, calling (850)922-2207 (SunCom 292-2207) or by writing: Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

ADDRESS: For mail and carrier service deliveries, the delivery address is Florida Communities Trust, 2555 Shumard Oak Boulevard, Suite 310, Tallahassee, FL 32399-2100. For hand deliveries, the delivery location is Suite 310, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL.

FUNDS AVAILABLE: Funds available for awards will derive from Florida Forever bond proceeds. As of the date of submittal of this Notice, the Trust expects that up to \$66,000,000.00 will be available for use in this funding cycle, unless otherwise allocated by the Legislature.

LOCAL MATCH: Section 259.105(3)(c), F.S. requires that of the funds allocated to the Trust and used for land acquisition, 75 percent shall be matched by local governments on a dollar-for-dollar basis. Paragraph 9K-7.003(4)(c), F.A.C., allows 100 percent grant funding to counties with populations under 75,000, municipalities with populations under 10,000 and eligible nonprofit environmental organizations. All other applicants shall provide a minimum of 25 percent match toward project costs.

LIMITS ON AWARDS: Under the provisions of subsection 9K-7.003(3), F.A.C., the total amount of any award or combination of awards applied for by any local government or nonprofit environmental organization under any application(s) or partnership application(s) for any project(s) shall not exceed ten percent (10%) of the total Florida Forever funds available as stated above. All awards for partnership applications, for the purposes of calculating award limits, shall be divided equally among the local government or nonprofit environmental organization. Based upon the funds known to be available as of the date of this notice, the limit to any local government or nonprofit environmental organization shall be \$6,600,000.00.

MORE INFORMATION: Interested parties may obtain more information from the Trust website at www.dca.state.fl.us.ffct, by contacting the Florida Communities Trust, (850)922-2207, Suncom 292-2207, or by writing the above stated address.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports," and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection," for the following site:

Lake Montaza Airport, a private airport, in Okeechobee County, at Latitude 27°34'49"N and Longitude 80°48'55"W, to be owned and operated by Mr. Edward Haedike, 2015 Fairfield Rd, Lindenhurst, IL 60046.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us, Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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 HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mazda Motor of America, Inc., intends to allow the establishment of PK Motors, Inc. d/b/a Parker Mazda as a dealership for the service of Mazda vehicles at 1280 North Ponce De Leon Blvd., St. Augustine (St. Johns County), Florida 32084 on or after February 20, 2004.

The name and address of the dealer operator(s) and principal investor(s) of PK Motors, Inc. d/b/a Parker Mazda are dealer operator(s): Bryan C. Parker, 120 Stadium Court, Ponte Vedra Beach, FL 32082; principal investor(s): Bryan C. Parker, 120 Stadium Court, Ponte Vedra Beach, FL 32082 and James H. Kimbrough, Jr., 21411 Brookes Run Road, Brooksville, FL 34604.

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

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

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

A copy of such petition or complaint must also be sent by US Mail to: Greg Smith, Regional Operations Manager, Mazda Motor of America, Inc., 8313 Baycenter Road, Jacksonville, FL 32256.

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, STR, Inc. Motorsports Division, intends to allow the establishment of Gator Transportation LLC d/b/a Adventure Motorsports, as a dealership for the sale of KYMCO motorcycles, at 11780 Tampa Gateway Blvd., Seffner, (Hillsborough County), Florida 33584, on or after January 15, 2004.

The name and address of the dealer operator(s) and principal investor(s) of STR, Inc. Motorsports Division are dealer operator(s) and principal investor(s): David Kilcoyne, 11780 Tampa Gateway Blvd., Seffner, FL 33584.

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: Bruce Ramsey, Director of Sales/Marketing, STR Inc., Motorsports Division, 1770 Campton Road, Inman, SC 29349.

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.

LAND AND WATER ADJUDICATORY COMMISSION

NOTICE OF RECEIPT OF PETITION

SPLIT PINE COMMUNITY DEVELOPMENT DISTRICT

On December 2, 2003, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to establish the Split Pine Community Development District (the "District"). The Commission will follow the requirements of Chapter 42-1, Florida Administrative Code (FAC), as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition.

SUMMARY OF CONTENTS OF PETITION: The petition filed by SONOC Company, LLC, requests the Commission establish a community development district located within the jurisdiction of the City of Jacksonville, in Duval County, Florida. The land area proposed to be served by the District

comprises approximately 2,015 acres. The proposed District is generally bounded by agricultural uses. The lands within the proposed District are largely undeveloped. There are no out-parcels located within the external boundaries of the proposed District which are to be excluded from the District. The development plan for the lands within the proposed District includes the construction of approximately 1,268 single family units and 893 multi-family units, 180 assisted living units, 225 hotel rooms, 1,336,000 square feet of office space and 32,000 square feet of retail space. The Petitioner either owns or has written consent to establish the District from the owners of one hundred percent (100%) of the real property located within the proposed District. The District, if established, currently intends to participate in the provision of certain infrastructure improvements including roads, wetland mitigation, stormwater facilities, and recreation improvements. SUMMARY OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 12 to the petition to establish the District. The scope of the SERC is limited to evaluating the regulatory costs consequences of approving the proposal to establish the District. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses, small counties, and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principle entities that are likely to be required to comply with the rules include the District, the State of Florida, the City of Jacksonville, and Duval County. In addition, future property owners will be affected by the establishment of the proposed District. Under section (b), FLWAC and the State of Florida will incur minimal administrative costs. Duval County will also incur one-time administrative costs which are offset by the required filing fee paid to Duval County by the Petitioner. Adoption of the proposed rule to approve the formation of the District will not have adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated

community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition to establish the District will have no impact or a positive impact on all small businesses and will not have any impact on small counties and cities. Duval County is not a small county as defined in Section 120.52, F.S. Under section (e), the analysis was based on the application of economic theory with input received from the developer's engineer and other professionals associated with the developer.

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

DATE AND TIME: Thursday, February 19, 2004, 1:00 p.m.

PLACE: Residence Inn at Butler Boulevard, Conference Room, 10551 Deerwood Park Boulevard, Jacksonville, Florida
Any person requiring a special accommodation to participate in the hearing because of a disability should contact Cheryl G. Stuart, (850)222-7500, at least five (5) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Cheryl G. Stuart, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884.

NOTICE OF RECEIPT OF PETITION

TOLOMATO COMMUNITY DEVELOPMENT DISTRICT

On December 2, 2003, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to establish the Tolomato Community Development District (the "District"). The Commission will follow the requirements of Chapter 42-1, Florida Administrative Code (FAC), as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition.

SUMMARY OF CONTENTS OF PETITION: The petition filed by SONOC Company, LLC, requests the Commission establish a community development district located within the jurisdiction of St. Johns County, Florida. The land area proposed to be served by the District comprises approximately 11,355 acres. The proposed District is generally bounded by agricultural and forest lands and some low-medium residential uses. The lands within the proposed District are largely undeveloped. There are three out-parcels located within the external boundaries of the proposed District which are to be excluded from the District. These out-parcels include an out-parcel of existing residential uses, a St. Johns County-owned park site, and a parcel owned by the Florida

Inland Navigation District. All the land within the proposed District is subject to the existing Nocatee Development of Regional Impact (DRI) Development Order. The development plan for the lands within the proposed District includes the construction of approximately 8,811 single family units and 3,228 multi-family units, 540 assisted living units, 485 hotel rooms, 2,872,000 square feet of office space, 968,000 square feet of retail space and 250,000 square feet of light industrial space. The Petitioner either owns or has written consent to establish the District from the owners of one hundred percent (100%) of the real property located within the proposed District. The District, if established, currently intends to participate in the provision of certain infrastructure improvements including on and off-site road improvements approved or required by the Nocatee DRI, wetland mitigation, stormwater facilities, and recreation improvements.

SUMMARY OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 12 to the petition to establish the District. The scope of the SERC is limited to evaluating the regulatory costs consequences of approving the proposal to establish the District. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses, small counties, and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principle entities that are likely to be required to comply with the rules include the District, the State of Florida, and St. Johns County. In addition, future property owners will be affected by the establishment of the proposed District. Under section (b), FLWAC and the State of Florida will incur minimal administrative costs. St. Johns County will also incur one-time administrative costs which are offset by the required filing fee paid to St. Johns County by the Petitioner. Adoption of the proposed rule to approve the formation of the District will not have adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District

may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition to establish the District will have no impact or a positive impact on all small businesses and will not have any impact on small counties and cities. St. Johns County is not a small county as defined in Section 120.52, F.S. Under section (e), the analysis was based on the application of economic theory with input received from the developer's engineer and other professionals associated with the developer. A LOCAL HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, February 20, 2004, 10:00 a.m.

PLACE: Ponte Vedra Public Library, Friends of the Library Community Room, 101 Library Boulevard, Ponte Vedra Beach, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Cheryl G. Stuart, (850)222-7500, at least five (5) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Cheryl G. Stuart, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis, provides the following public notice regarding reimbursement for nursing home facilities participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for nursing home facilities, the Agency is publishing the final rates, the methodologies underlying the establishment of such rates, and justifications for the final rates. The Agency is in the process of amending its Title XIX Long-Term Care Reimbursement Plan (Plan) to incorporate changes to the reimbursement methodology.

FINAL RATES: Effective March 1, 2004 through June 30, 2004, providers who experienced an increase in per diem rates from December 31, 2003 to January 1, 2004 shall have their rates adjusted by a factor. This factor is calculated as follows:

A = December 31, 2003 Per Diem/February 29, 2004 Per Diem

$$B = 1 - A$$

$$\text{Adjustment amount} = B \times \text{February 29, 2004 Per Diem}$$

The adjustment amount will then be subtracted from the February 29, 2004 per diem rates to determine the March 1, 2004 per diem rates. This adjustment will not result in a facility's March 1, 2004 per diem rate being reduced below the December 31, 2003 level. Providers who experienced a decrease in per diem rates from December 31, 2003 to January 1, 2004 shall have their January 1, 2004 rates effective through June 30, 2004. Rates set at March 1, 2004 will remain in effect through June 30, 2004, except for cost settlements based on actual costs; no inflationary adjustments will be applied. Budgeted rates and interim components will be subject to cost settlement as required under the Plan.

METHODOLOGIES: Effective March 1, 2004 through June 30, 2004, providers who experienced an increase in per diem rates from December 31, 2003 to January 1, 2004 shall have their rates adjusted by a factor. This factor is calculated as follows:

A = December 31, 2003 Per Diem/February 29, 2004 Per Diem

$$B = 1 - A$$

$$\text{Adjustment amount} = B \times \text{February 29, 2004 Per Diem}$$

The adjustment amount will then be subtracted from the February 29, 2004 per diem rates to determine the March 1, 2004 per diem rates. This adjustment will not result in a facility's March 1, 2004 per diem rate being reduced below the December 31, 2003 level. Providers who experienced a decrease in per diem rates from December 31, 2003 to January 1, 2004 shall have their January 1, 2004 rates effective through June 30, 2004. Rates set at March 1, 2004 will remain in effect through June 30, 2004, except for cost settlements based on actual costs; no inflationary adjustments will be applied. Budgeted rates and interim components will be subject to cost settlement as required under the Plan.

Written comments may be submitted to: Robert Butler, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308. Copies of the final reimbursement plan incorporating the above changes are not available at this time. Please contact the person listed above for a copy of the Plan when available.

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis, provides the following public notice regarding reimbursement for inpatient hospitals participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for inpatient hospitals, the Agency is publishing the final rates, the methodologies underlying the establishment of such rates, and justifications for the final rates. The Agency is in the process of amending its Title XIX Inpatient Hospital Reimbursement Plan (Plan) to incorporate changes to the reimbursement methodology.

FINAL RATES: Effective March 1, 2004 through June 30, 2004, providers who experienced an increase in per diem rates from December 31, 2003 to January 1, 2004 shall have their rates adjusted by a factor. This factor is calculated as follows:

A = December 31, 2003 Per Diem/February 29, 2004 Per Diem

$$B = 1 - A$$

Adjustment amount = B x February 29, 2004 Per Diem

The adjustment amount will then be subtracted from the February 29, 2004 per diem rates to determine the March 1, 2004 per diem rates. This adjustment will not result in a facility's March 1, 2004 per diem rate being reduced below the December 31, 2003 level. Providers who experienced a decrease in per diem rates from December 31, 2003 to January 1, 2004 shall have their January 1, 2004 rates effective through June 30, 2004.

METHODOLOGIES: Effective March 1, 2004 through June 30, 2004, providers who experienced an increase in per diem rates from December 31, 2003 to January 1, 2004 shall have their rates adjusted by a factor. This factor is calculated as follows:

A = December 31, 2003 Per Diem/February 29, 2004 Per Diem

$$B = 1 - A$$

Adjustment amount = B x February 29, 2004 Per Diem

The adjustment amount will then be subtracted from the February 29, 2004 per diem rates to determine the March 1, 2004 per diem rates. This adjustment will not result in a facility's March 1, 2004 per diem rate being reduced below the December 31, 2003 level. Providers who experienced a decrease in per diem rates from December 31, 2003 to January 1, 2004 shall have their January 1, 2004 rates effective through June 30, 2004.

JUSTIFICATION: Per Section 409.908, F.S., Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or Chapter 216, Laws of Florida. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

Written comments may be submitted to: Robert Butler, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308.

Copies of the final reimbursement plan incorporating the above changes are available at this time. Please contact the person listed above for a copy of the Plan when available.

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis, provides the following public notice regarding reimbursement for outpatient hospitals participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for outpatient hospitals, the Agency is publishing the final rates, the methodologies underlying the establishment of such rates, and justifications for the final rates. The Agency is in the process of amending its Title XIX Outpatient Hospital Reimbursement Plan (Plan) to incorporate changes to the reimbursement methodology.

FINAL RATES: Effective March 1, 2004 through June 30, 2004, providers who experienced an increase in rates from December 31, 2003 to January 1, 2004 shall have their rates adjusted by a factor. This factor is calculated as follows:

A = December 31, 2003 rate/February 29, 2004 rate

$$B = 1 - A$$

Adjustment amount = B x February 29, 2004 rate

The adjustment amount will then be subtracted from the February 29, 2004 rates to determine the March 1, 2004 rates. This adjustment will not result in a facility's March 1, 2004 rate being reduced below the December 31, 2003 level. Providers who experienced a decrease in rates from December 31, 2003 to January 1, 2004 shall have their January 1, 2004 rates effective through June 30, 2004.

METHODOLOGIES: Effective March 1, 2004 through June 30, 2004, providers who experienced an increase in rates from December 31, 2003 to January 1, 2004 shall have their rates adjusted by a factor. This factor is calculated as follows:

A = December 31, 2003 rate/February 29, 2004 rate

$$B = 1 - A$$

Adjustment amount = B x February 29, 2004 rate

The adjustment amount will then be subtracted from the February 29, 2004 rates to determine the March 1, 2004 rates. This adjustment will not result in a facility's March 1, 2004 rate being reduced below the December 31, 2003 level. Providers who experienced a decrease in rates from December 31, 2003 to January 1, 2004 shall have their January 1, 2004 rates effective through June 30, 2004.

JUSTIFICATION: Per Section 409.908, F.S., payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or Chapter 216, Laws of Florida. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

Written comments may be submitted to: Robert Butler, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308. Copies of the final reimbursement plan incorporating the above changes are available at this time. Please contact the person listed above for a copy of the Plan when available.

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for Intermediate Care Facilities (ICF) for the Mentally Retarded and the Developmentally Disabled Facilities not publicly owned and not publicly operated participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for ICFs not publicly owned and not publicly operated, the Agency is publishing the final rates, the methodologies underlying the establishment of such rates, and justifications for the final rates. The Agency is in the process of amending its Title XIX Intermediate Care Facilities (ICF) for the Mentally Retarded and the Developmentally Disabled Facilities Not Publicly Owned and Not Publicly Operated Reimbursement Plan (Plan) to incorporate changes to the reimbursement methodology.

FINAL RATES: Effective April 1, 2004 through June 30, 2004, providers whose per diem rates would increase from March 31, 2004 to April 1, 2004, based on Section V. of this plan, shall have their rates adjusted by a factor. This factor is calculated as follows:

$$A = \text{March 31, 2004 Per Diem} / \text{April 1, 2004 Per Diem}$$

$$B = 1 - A$$

$$\text{Adjustment amount} = B \times \text{April 1, 2004 Per Diem}$$

The adjustment amount will then be subtracted from the April 1, 2004 per diem rates, as referenced above, to determine the new, adjusted April 1, 2004 per diem rates. This adjustment will not result in a facility's adjusted April 1, 2004 per diem rate being reduced below the March 31, 2004 level. Providers whose per diem rates decrease from March 31, 2004 to April 1, 2004, based on Section V. of this plan, shall have their April 1, 2004 rates effective through June 30, 2004. Rates determined per this section and effective April 1, 2004 will remain in effect through June 30, 2004, except for cost settlements based on actual costs; no inflationary adjustments will be applied. Budgeted rates and interim components will be subject to cost settlement as required under the Plan.

METHODOLOGIES: Effective April 1, 2004 through June 30, 2004, providers whose per diem rates would increase from March 31, 2004 to April 1, 2004, based on Section V. of this plan, shall have their rates adjusted by a factor. This factor is calculated as follows:

$$A = \text{March 31, 2004 Per Diem} / \text{April 1, 2004 Per Diem}$$

$$B = 1 - A$$

$$\text{Adjustment amount} = B \times \text{April 1, 2004 Per Diem}$$

The adjustment amount will then be subtracted from the April 1, 2004 per diem rates, as referenced above, to determine the new, adjusted April 1, 2004 per diem rates. This adjustment will not result in a facility's adjusted April 1, 2004 per diem rate being reduced below the March 31, 2004 level. Providers whose per diem rates decrease from March 31, 2004 to April 1, 2004, based on Section V. of this plan, shall have their April 1, 2004 rates effective through June 30, 2004. Rates determined per this section and effective April 1, 2004 will remain in effect through June 30, 2004, except for cost settlements based on actual costs; no inflationary adjustments will be applied. Budgeted rates and interim components will be subject to cost settlement as required under the Plan.

JUSTIFICATION: Per Section 409.908, F.S., payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or Chapter 216, Laws of Florida. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

Written comments may be submitted to: Robert Butler, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308.

Copies of the final reimbursement plan incorporating the above changes are available at this time. Please contact the person listed above for a copy of the Plan when available.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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

On January 22, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Russell Lawler, RPh, license number PS 14393. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On January 23, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Thomas Poppy, L.M.H.C, license number LMH 6501. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On January 21, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Jacqueline Dietz, DMD, license number DN 15011. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On January 26, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Restriction with regard to the license of Charles F. Rattray, M.D., license number ME 6660. This Emergency Restriction Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation has received the following application.

Comments may be submitted to the Deputy Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida, 32399-0379, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., February 27, 2004):

APPLICATION TO MERGE

Constituent Institutions: 1st United Bank, Boca Raton, Florida, and First Western Bank, Cooper City, Florida

Resulting Institution: 1st United Bank

Received: January 26, 2004

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN January 20, 2004
 and January 23, 2004

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

5E-1.016	1/20/04	2/9/04	29/50	
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Division of Forestry

5I-6.001	1/22/04	2/11/04	29/50	
5I-6.002	1/22/04	2/11/04	29/50	
5I-6.003	1/22/04	2/11/04	29/50	
5I-6.004	1/22/04	2/11/04	29/50	
5I-6.005	1/22/04	2/11/04	29/50	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION

New College of Florida

6C11-4.003	1/20/04	2/9/04	Newspaper	
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PUBLIC SERVICE COMMISSION

25-6.043	1/23/04	2/12/04	29/51	
25-6.0435	1/23/04	2/12/04	29/51	

CORRECTIONS

33-601.502	1/21/04	2/10/04	29/50	
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INTERLOCAL AGENCIES

Lake Apopka Natural Gas District

54C-1.001	1/22/04	2/11/04	29/50	
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Rule No.	File Date	Effective	Proposed	Amended
		Date	Vol./No.	Vol./No.

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid Program Office**

59G-4.200	1/21/04	2/10/04	29/44	
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DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

60A-1.031	1/22/04	2/11/04	29/43	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Architecture and Interior Design

61G1-11.013	1/23/04	2/12/04	29/47	
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Rule No.	File Date	Effective	Proposed	Amended
		Date	Vol./No.	Vol./No.

Electrical Contractors' Licensing Board

61G6-10.002	1/23/04	2/12/04	29/51	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-297.320	1/23/04	2/12/04	29/50	
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DEPARTMENT OF HEALTH

Board of Psychology

64B19-12.002	1/23/04	2/12/04	29/51	
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64B19-12.003	1/23/04	2/12/04	29/51	
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Section XIV
List of Rules Affected

	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
	4-149.104	24/3c		
This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.		24/3c		
w - Signifies Withdrawal of Proposed Rule(s)	4-149.105	24/3c		
c - Rule Challenge Filed	4-149.106	24/3c		
v - Rule Declared Valid	4-149.107	24/3c		
x - Rule Declared Invalid	4-149.108	24/3c		
d - Rule Challenge Dismissed	4-149.109	24/3c		
dw - Dismissed Upon Withdrawal	4-149.110	24/3c		
Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	4-149.1105
				4-149.111
STATE				4-149.112
1B-2.011	29/32	29/45	29/52	24/3c
1B-24.002	26/43			24/3c
1S-2.0091	29/41		30/1	24/3c
1S-2.031	29/45	29/50		4-149.114
1S-2.034	29/45	29/50	30/4	4-149.115
1S-2.037	29/50		30/5	4-149.116
1S-2.038	29/50		30/5	4-149.117
				4-149.118
LEGAL AFFAIRS				4-149.119
				4-149.120
2B-1.0025	29/42	29/48		24/3c
		29/50		4-149.121
				24/3c
BANKING AND FINANCE				4-149.122
				24/3c
3D-40.0271	29/31			4-149.123
3D-40.043	29/31			24/3c
3E-48.005	28/42			4-149.124
3E-600.015	29/52			24/3c
3F-5.0015	29/39	29/45		4-149.125
3F-5.0035	29/39	29/45		4-149.126
3F-5.004	29/39	29/45		4-149.127
3F-5.006	29/39	29/45		4-149.128
3F-5.008	29/39	29/45		4-149.129
				4-149.130
				24/3c
INSURANCE				4-149.131
				24/3c
4-1	29/33c			4-149.132
4-138.047	28/41			24/3c
4-141.0016	21/2c			24/3c
4-149	24/3c			4-149.133
	24/3c			24/3c
4-149.101	24/3c			4-149.190
	24/3c			4-149.203
4-149.102	24/3c			29/52
	24/3c			30/3
	24/3c			4-149.204
4-149.103	24/3c			29/52
	24/3c			30/3
	24/3c			4-149.205
	24/3c			29/52
	24/3c			4-149.206
	24/3c			29/52
	24/3c			4-149.207
	24/3c			29/52
	24/3c			4-154.201
	24/3c			29/37
	24/3c			30/3

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
6C1-1.200	Newspaper		29/52	6E-2.002	29/38		29/51
6C1-3.037	Newspaper		29/52	6E-2.004	29/47		
6C1-3.0376	Newspaper		29/52	6E-3.002	28/43		
6C1-3.0422	Newspaper		29/52	6E-4.007	29/38		29/51
6C1-3.045	Newspaper		29/52	6L-1.001	28/12		
6C1-3.075	Newspaper		29/52	6L-1.002	28/12		
6C1-4.004	Newspaper		29/52	6L-1.004	28/12		
6C1-4.007	Newspaper		29/52	6L-1.005	28/12		
6C1-4.019	Newspaper		29/52	6L-1.006	28/12		
6C1-4.026	Newspaper		29/52	6L-1.007	28/12		
6C3-2.012	Newspaper		30/4	6L-1.008	28/12		
6C3-2.015	Newspaper		30/4	6L-1.009	28/12		
6C3-2.028	Newspaper		30/4	6L-1.010	28/12		
6C3-11.001	Newspaper		29/52	6L-1.011	28/12		
6C4-6.013	Newspaper		30/4	6L-1.012	28/12		
6C4-10.104	Newspaper		29/52	6L-1.013	28/12		
6C8-4.018	29/43c		29/52d				
6C9-4.1010	Newspaper		30/1				
6C9-4.1011	Newspaper		30/1				
6C9-6.1002	Newspaper		30/1	9B-70.001	29/51		
6C10-7.001	Newspaper		30/1	9B-72.030	29/51		
6C10-8.004	Newspaper		30/1	9B-72.100	29/51		
6C11-2.001	Newspaper		29/51	9B-72.180	29/51		
6C11-3.001	Newspaper		29/52	9J-5.0055	18/40		
6C11-4.001	Newspaper		30/4	9K-8.011	28/13		
6C11-4.002	Newspaper		30/4				
6C11-4.003	Newspaper		30/6				
6C11-6.001	Newspaper		30/4				
6C11-8.001	Newspaper		30/4	10-5.011(1)(v)	15/46c		
6C11-8.002	Newspaper		30/4	10M-9.026	22/1		
6C11-8.003	Newspaper		30/4	10M-9.045	22/1		
6C11-8.004	Newspaper		30/4				
6C11-8.005	Newspaper		30/4				
6C11-8.006	Newspaper		30/4				
6C11-8.007	Newspaper		30/4				
6C11-8.008	Newspaper		30/4				
6C11-8.009	Newspaper		30/4				
6C11-8.010	Newspaper		30/4				
6C11-8.011	Newspaper		30/4				
6C11-8.012	Newspaper		30/4				
6C11-8.013	Newspaper		30/4				
6C11-8.014	Newspaper		30/4				
6C11-8.015	Newspaper		30/4				
6C11-8.016	Newspaper		30/4				
6D-3.002	29/45		29/52w				
6D-3.0021	29/45	29/52		12-24.022	28/4		
6D-3.007	29/45			12A-1.038	28/27		
6D-3.008	29/40		30/3	12A-1.094	28/27	28/41	
6D-6.020	29/40		30/3	12A-6.038	29/17		
6D-12.002	29/40		30/3	12A-19.043	29/36		29/52
6D-16.002	29/40		30/2	12BER03-7			29/41
6D-17.002	29/40		30/3	12BER03-8			29/41
6E-1.003	29/38	29/48	29/51	12BER03-9			29/41
6E-1.0032	29/29		30/3	12BER03-10			29/41
	29/47			12B-6.001(1)(c)3.b.	29/30c		
6E-2.001	29/47			12B-8	23/8c		
				12C-1.0187	29/48	30/5	
				12C-1.0222	29/48		
				12C-1.051	29/48	30/5	
				12D-7.003	29/41		29/52

COMMUNITY AFFAIRS

HEALTH AND REHABILITATIVE SERVICES

LAW ENFORCEMENT

REVENUE

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
ENVIRONMENTAL REGULATION				PROFESSIONAL REGULATION			
17-503.420	16/15			21M-49.002	19/6c		
17-503.430	16/15			21M-50.002	19/6c		
17-503.500	16/15			21M-50.003	19/6c		
17-660.300	15/50	16/8		21M-50.007	19/6c		
17-671.100	15/32			21M-50.009	19/6c		
17-671.200	15/32			PUBLIC SERVICE COMMISSION			
17-671.300	15/32			25-6.014	29/51		
17-671.310	15/32			25-6.015	29/51		
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST				25-6.043	29/51		30/6
18-1	29/52c			25-6.0435	29/51		30/6
18-21.004	25/48	25/50		25-6.04364	29/39		29/52
STATE BOARD OF ADMINISTRATION				25-6.0437	29/46		30/1
19-8.010	30/6			25-6.135	29/51		
19-8.012	30/6			25-6.1351	29/51		
19-8.013	30/6			25-22.032	39/36	29/51	30/4
19-8.029	30/6			25-30.445	29/45	30/3	
19-8.030	30/6			25-30.446	29/45		
19B-4.001	29/44	29/49	30/4	EXECUTIVE OFFICE OF THE GOVERNOR			
19B-4.002	29/44		29/52	27E-4.001	20/11		
19B-4.003	29/44		29/52	27E-4.002	20/11		
19B-4.005	29/44		29/52	27E-4.003	20/11		
19B-8.001	29/44		29/52	27E-4.004	20/11		
19B-15.001	28/8			27E-4.005	20/11		
19B-15.002	28/8			27E-4.006	20/11		
19B-15.003	28/8			27E-4.007	20/11		
19B-15.004	28/8			27E-4.008	20/11		
19B-15.005	28/8			REGIONAL PLANNING COUNCILS			
19B-15.006	28/8			29C-1.005	29/4		
19B-15.007	28/8			CORRECTIONS			
19B-15.008	28/8			33-2.001	23/25		
19B-15.009	28/8			33-3.0081	25/35	25/43	
19B-15.010	28/8			33-3.0082	25/35	25/43	
19B-15.011	28/8			33-3.0084	25/35	25/43	
19B-16.002	29/44	29/49	30/4	33-3.0085	25/35	25/43	
19B-16.004	29/44		29/52	33-3.015	21/43		
19B-16.005	29/44		29/52	33-3.018	17/14		
CITRUS				33-8.0142	19/43		
20ER03-2			29/46	33-22.003	17/12		
20ER03-3			29/46	33-22.009	17/12		
20ER03-4			30/1	33-22.011	17/12		
20-13.0011	29/50			33-32.021	19/5		
20-15.001	28/46	29/10		33-32.022	19/5		
20-15.002	28/46			33-38.001	25/35	25/43	
20-15.003	28/46	29/10		33-38.003	25/35	25/43	
20-109.005	30/2			33-38.005	25/35	25/43	
20-115.001	29/50			33-38.006	25/35	25/43	
				33-38.009	25/35	25/43	

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
WATER MANAGEMENT DISTRICTS							
33-38.010	25/35	25/43		40B-1	29/13c		
33-38.011	25/35	25/43		40C-1.004	29/48		
33-38.012	25/35	25/43		40C-1.101	27/52		
33-204.111	27/29			40C-1.181	20/18		
33-208.002	30/06			40C-3.0321	29/45		29/52
33-208.101		27/21	29/52	40C-8.031	29/47		30/2
		28/52	29/52	40C-400.201	21/48	21/48	
	29/45		29/52	40D-0.201	20/3		
33-208.507	26/16			40D-1.107	29/52		
33-209.101	29/33	29/38	29/52w	40D-1.202	19/36	19/42	
		29/43	29/52w	40D-2.091	22/48		
33-209.1015	29/33	29/38	29/52w	40D-2.301	22/48		
		29/43	29/52w	40D-2.331	20/48		
33-209.102	29/33	29/38	29/52w	40D-3.037	29/44		30/1
		29/47	29/52w	40D-3.502	29/44	29/52	
33-209.103	29/33	29/38	29/52w	40D-3.507	29/44		
33-209.104	29/33	29/43	29/52w	40D-4.021	29/49		
		29/44	29/52w	40D-4.051	29/49		
33-209.105	29/33		29/52w	40D-4.053	29/49		
33-209.106	29/33	29/47	29/52w	40D-4.091	22/48		
33-302.108	29/42		29/52		25/3		
33-302.109	29/40	29/46	30/1		29/49	30/3	
33-501.301	29/36	29/43	29/51	40D-4.201	21/22		
33-501.302	29/39	29/44		40D-4.302	29/49		
		29/51		40D-4.381	29/49		
		30/3		40D-6.521	24/50		
33-507.201	29/48	30/6		40D-8.021	29/45		30/1
33-601.209	30/6			40D-8.624	29/45		30/1
33-601.217	30/6			40D-8.6240	23/38	24/48	
33-601.220	30/6			40D-40.112	29/49		
33-601.230	29/19			40D-40.302	29/49		
33-601.502	29/50		30/6	40D-40.381	29/49		
33-601.602	30/2			40D-45.341	19/42	20/3	
33-601.605	29/39	29/44	29/52	40D-116.002	29/52		
33-601.713	29/50	30/3		40D-400.021	29/49		
33-601.725	28/4	28/9		40D-400.437	29/49		
		28/14	29/52	40D-400.439	29/49		
	29/45		29/52	40D-400.443	29/49		
33-601.738	26/48	27/38		40D-400.475	29/49		
33-601.820	30/6			40D-602.221	28/47		
33-602.205	29/39	29/44	29/52	40E-0.019(1)(a)	29/47c		
33-602.210	29/48	30/1		40E-1.5095	29/47c		
33-602.220	29/48	30/1		40E-1.510	20/18	21/36	
		30/6		40E-1.511(1)(b)	29/47c		
33-602.221	29/48	30/1		40E-1.603	19/4c		
		30/6		40E-1.606	19/4c		
33-602.222	29/48	30/1		40E-1.607	19/43		
		30/6		40E-1.612	20/18	21/36	
33-602.223	29/51			40E-1.614	20/18	21/36	
LABOR AND EMPLOYMENT SECURITY				40E-1.669	19/4c		
				40E-3.032	28/5		
38E-106.401	24/1			40E-3.0391	28/5		
38F-8.055	22/4						
38I-60.200	20/7						
38K-1.0045	23/27						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
40E-4.091	20/18 29/50c	21/36		53ER03-65			30/1
40E-7.523	28/39			53ER03-66			30/1
40E-7.532	28/39			53ER03-67			30/2
	29/43c		30/6d	53ER03-68			30/3
40E-7.639	22/23	22/37		53ER03-69			30/3
40E-20.651	29/17			53ER03-70			30/3
40E-63.223	27/2	27/9		53ER04-1			30/5
40E-601.314	26/9			53ER04-2			30/5
COMMISSION FOR THE TRANSPORTATION DISADVANTAGED				53ER04-3			30/5
				53ER04-4			30/6
				53ER04-5			30/6
				53-1.005	30/3		
41-2.014	29/34		30/2	53-19.0035	25/43		
FLORIDA LAND AND WATER ADJUDICATORY COMMISSION				53-302.101	29/22		
				53-302.109	29/22		
				INTERLOCAL AGENCIES			
42EE-1.002	30/3			54C-1.001	29/50		30/6
42JJ-1.001	28/44		29/51				
42JJ-1.002	28/44		29/51	ELDER AFFAIRS			
42JJ-1.003	28/44		29/51	58A-2.027	29/45		29/52
EXPRESSWAY AUTHORITIES				58A-2.028	29/45		29/52
				58A-6.003	29/46	30/1	
45A-2.001	21/49			58A-6.0051	29/46	30/1	
MARINE FISHERIES COMMISSION				58A-6.015	29/45		29/52
				58A-6.016	29/45		29/52
46-15.002	21/35			58A-14.003	29/45		29/52
46-21.007(1)	18/2			58A-14.0061	29/45		29/52
46-24.003	21/27			58A-14.008	29/45		29/52
46-37.001	20/18			AGENCY FOR HEALTH CARE ADMINISTRATION			
46-37.002	20/18	20/25		59-1	29/8c		
46-37.003	20/18				29/35c		
46-37.004	20/18	20/25		59A-2.024	20/1		
46-37.005	20/18			59A-3.170	21/20		
46-37.006	20/18	20/25		59A-3.180	21/3		
46-42.003	20/35			59A-3.2055	22/52	23/10	
46-47.007	22/27			59A-3.255	29/36	29/48	
LOTTERY						30/3	
					29/43c		
53ER03-50			29/42	59A-4.203	29/47	30/6	
53ER03-51			29/42	59A-7.020	20/25		
53ER03-52			29/44	59A-11.0115	30/5		
53ER03-53			29/44	59A-12.020	26/32	26/36	
53ER03-54			29/44	59A-18.003	26/25		
53ER03-55			29/45	59A-33.001	29/52		
53ER03-56			29/45	59A-33.002	29/52		
53ER03-57			29/45	59A-33.003	29/52		
53ER03-58			29/47	59A-33.004	29/52		
53ER03-59			29/48	59A-33.005	29/52		
53ER03-60			29/48	59A-33.006	29/52		
53ER03-61			29/50	59A-33.007	29/52		
53ER03-62			29/50	59A-33.008	29/52		
53ER03-63			29/51	59A-33.009	29/52		
53ER03-64			29/52				

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
59A-33.010	29/52			59G-6.080	29/32	29/44	30/5
59A-33.011	29/52					29/50	30/5
59A-33.012	29/52			59G-8.200	29/30	29/42	
59A-33.013	29/52					29/47	
59A-33.014	29/52				30/6c		
59B-7.020	19/30			59G-8.201	29/30		
59B-7.021	19/30			59G-8.202	29/30		
59B-7.022	19/30			59G-8.203	29/30		
59B-7.023	19/30			59G-8.204	29/30		
59B-7.024	19/30			59G-8.205	29/30		
59B-7.025	19/30			59G-8.206	29/30		
59B-7.026	19/30			59G-8.207	29/30		
59B-7.027	19/30			59G-8.208	29/30		
59B-7.028	19/30			59G-8.209	29/30		
59B-7.029	19/30			59G-8.210	29/30		
59B-9.010	30/5			59G-8.211	29/30		
59B-9.013	30/5			59G-12.001	29/41		
59B-9.014	30/5			59G-12.002	29/41	29/48	
59B-9.015	30/5			59G-12.003	29/41		
59B-9.018	30/5			59G-12.004	29/41		
59B-9.019	30/5			59G-12.005	29/41	29/48	
59B-9.020	30/5			59G-208.101	27/4	27/16	
59B-11.001	29/52			59H-1.00352	26/3	26/17	
59B-11.002	29/52			59M-3.005	21/25		
59B-11.003	29/52			59O-2.002	22/34	24/49	
59B-11.004	29/52			59O-2.003	22/34	24/49	
59B-11.005	29/52			59O-3.002	22/34	24/49	
59B-11.006	29/52			59O-9.003	22/34	24/48	
59E-1.001	20/27			59Q-9.002	20/39		
59E-1.002	20/27			59R-62.010	21/5		
59E-1.003	20/27			59R-62.040	21/5		
59E-1.004	20/27			59T-11.013	23/22	23/35	
59E-1.005	20/27			59T-14.004	23/22	23/35	
59E-1.006	20/27			59T-15.002	23/22	23/35	
59E-1.007	20/27			59T-16.001	23/22	23/35	
59F-1.002	20/33			59T-16.002	23/22	23/35	
59G-4.020	29/47			59U-11.019	20/51	21/7	
59G-4.055	21/39	21/45		59U-14.002	23/24	23/35	
59G-4.060		27/19	30/1	59V-3.007	20/34	20/48	
	29/39		30/1	59Y-5.001	23/11		
59G-4.070	27/6	27/18					
59G-4.197	29/48						
59G-4.200	29/44		30/6				
59G-4.240	29/48			60-1	29/35c		30/6d
59G-4.260	29/48			60-8.001	28/34		
59G-6.010	29/52			60-8.002	28/34		
	29/52			60-8.003	28/34		
59G-6.020	29/48		30/5	60-8.004	28/34		
	29/52			60-8.005	28/34		
	29/52			60-8.006	28/34		
	29/52			60-8.007	28/34		
59G-6.030	29/52			60A-1.031	29/43		30/6
	29/52			60L-39.003	29/47		
59G-6.045	29/52			60L-39.005	29/47		
				60L-39.006	29/47		
				60L-39.007	29/47		

MANAGEMENT SERVICES

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60R-1.00481	29/52			60Y-11.003	29/35	29/45	29/52
60T-25.001	18/41	18/44		60Y-11.004	29/35		29/52
60T-25.002	18/41	18/44		60Y-11.005	29/35		29/52
60Y-1.002	29/50		30/5	60Z-1.026	29/10		
60Y-2.001	29/35		29/52	60Z-2.017	29/10		
60Y-2.003	29/35		29/52	BUSINESS AND PROFESSIONAL REGULATION			
60Y-2.004	29/35	29/45	29/52	61A-4.0271	22/47		
60Y-2.005	29/35	29/45	29/52	61A-7	29/47c		
60Y-2.006	29/35		29/52	61A-7.001	29/41		
60Y-2.007	29/35	29/45	29/52	61A-7.002	29/41		
60Y-2.009	29/35		29/52	61A-7.003	29/41		
60Y-2.011	29/35		29/52		30/6c		
60Y-2.012	29/35		29/52	61A-7.004	29/41		
60Y-3.001	29/35	29/45	29/52	61A-7.005	29/41		
60Y-4.003	29/50		30/5	61A-7.006	29/41		
60Y-4.004	29/50		30/5	61A-7.007	29/41		
60Y-4.005	29/50		30/5		30/6c		
60Y-4.006	29/50		30/5	61A-7.008	29/41		
60Y-4.007	29/50		30/5		30/6c		
60Y-4.008	29/50		30/5	61A-7.009	29/41		
60Y-4.009	29/50		30/5		30/6c		
60Y-4.010	29/50		30/5	61A-7.010	29/41		
60Y-4.011	29/50		30/5	61A-7.011	29/41		
60Y-4.012	29/50		30/5	61A-7.012	29/41		
60Y-4.013	29/50		30/5	61A-7.013	29/41		
60Y-4.014	29/50		30/5	61A-7.014	29/41		
60Y-4.016	29/50		30/5	61A-7.015	29/41		
60Y-4.017	29/50		30/5	61B-23.002	29/49		30/4
60Y-4.018	29/50		30/5	61B-30.004	20/19		
60Y-4.019	29/50		30/5	61B-30.006	22/45		
60Y-4.020	29/50		30/5	61B-31.001	23/2		
60Y-4.021	29/50		30/5	61B-31.002	23/2		
60Y-4.022	29/50		30/5	61B-32.001	21/30		
60Y-4.023	29/50		30/5	61B-36.001	29/17	29/46	
60Y-4.024	29/50		30/5	61B-36.002	29/17	29/46	
60Y-4.025	29/50		30/5	61B-36.003	29/17	29/46	
60Y-4.026	29/50		30/5	61B-39.001	22/33		
60Y-4.027	29/50		30/5	61B-39.002	22/33		
60Y-5.001	29/50		30/5	61B-78.001	29/49		30/4
60Y-5.0011	29/50		30/5	61C-1.002	22/23	22/36	
60Y-5.003	29/50		30/5	61C-3.002	22/23	22/36	
60Y-5.004	29/50		30/5	61C-5.001	26/24		
60Y-5.005	29/50		30/5	61C-76.0061	21/35		
60Y-5.006	29/50		30/5	61C-76.0062	21/35		
60Y-5.008	29/50		30/5	61D-3.003	23/36	23/44	
60Y-7.001	29/35	29/45	29/52	61D-3.004	23/36	23/44	
60Y-7.002	29/35		29/52	61D-7.010	29/35	29/45	29/51
60Y-7.004	29/35	29/45	29/52	61D-11.001	29/50		
60Y-7.005	29/35		29/52	61D-11.002	29/50		
60Y-8.001	29/50		30/5	61D-11.004	29/50		
60Y-9.001	29/50		30/5	61D-11.005	29/50		
60Y-9.005	29/50		30/5	61D-11.006	29/50		
60Y-9.007	29/50		30/5	61D-11.007	29/50		
60Y-10.002	30/3			61D-11.008	29/50		
60Y-11.001	29/35		29/52				
60Y-11.002	29/35		29/52				

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61D-11.009	29/50			61G4-15.015	29/44		
61D-11.010	24/3			61G4-17.001	19/29		
61D-11.012	29/50				29/38	29/50	30/5
61D-11.027	29/50					29/51	30/5
61E1-1.001	29/41	30/6		61G5-24.002	30/6		
61E1-1.002	29/41	30/3		61G5-30.004	30/6		
61E1-2.001	29/41	30/3		61G6-5.001	29/5	29/7	
61E1-2.006	29/41			61G6-5.004	29/51		
61E1-3.001	29/41	30/3		61G6-10.002	29/51		30/6
	29/50			61G6-10.007	29/42	29/52	
61E1-4.001	29/41	30/3		61G7-10.011	26/13		
61E1-4.002	29/41	30/3		61G8-30.0021	30/6		
61E1-4.003	29/41	30/3		61G8-30.004	30/6		
61E1-5.001	29/50			61G10-12.001	26/24		
61F3-8.002	20/27	20/32		61G11-25.001	20/22		
61F6-34.001	20/7			61G14-15.001	27/43		
61F6-50.007	18/53	20/24		61G15-21	29/47c	29/50	
61F9-6.0035	19/36			61G15-21.0004(2)	29/46c	29/50	
61F9-6.011	19/36			61G15-21.001	29/41		
61F9-6.013	19/36			61G15-21.003	29/41		
61F14-3.016	19/36			61G15-21.004	29/41		
61G-3.5082	27/4			61G15-21.005	29/41		
61G1-11.013	29/47		30/6	61G15-22.006	29/35		
61G1-11.017	29/47			61G15-22.011	29/35		29/51
61G1-12.001	29/47			61G15-23.001	29/48		30/5
61G1-14.001	29/47			61G15-23.002	29/48		30/5
61G1-20.001	29/47			61G15-24.001	29/41		
61G1-21.001	29/47			61G15-30.009	29/41		
61G1-23.025	29/28			61G16-2.001	23/12		
61G1-23.030	29/28			61G16-5.003	21/43	21/50	
61G1-23.040	29/28			61G17-1.006	21/6		
61G1-23.060	29/28			61G17-1.010	29/4		
61G1-24.001	29/47			61G17-2.0015	30/2		
61G1-26.001	29/35			61G17-2.006	29/39		
61G1-26.002	29/35			61G17-9.007	29/39		
61G2-2.0035	30/2			61G18-16.002	26/29		
61G2-3.002	30/6			61G18-16.003	26/29		
61G2-3.003	30/6			61G18-16.0035	26/29		
61G2-3.005	21/33			61G19-7.0010	26/41		
61G2-3.0055	23/38	24/6		61H1-20.0053	26/28		
61G2-4.001	21/29			61H1-31.001		21/6	30/4
61G3-16.001	29/36				29/49		30/4
61G3-16.0010	29/36			61H1-54.002	21/29		
61G3-16.006	29/36			61J1-2.005	28/41	28/43	
61G3-16.007	29/36				29/44		
61G3-16.0091	27/11			61J1-2.007	29/44		
61G3-20.002	29/52			61J1-3.001	28/41	28/43	
61G3-20.009	27/11				29/44		
61G3-21.001	29/45			61J1-3.002	28/41	28/43	
61G3-21.014	29/45			61J1-4.001	29/44		
61G3-30.001	28/2			61J1-4.002	29/44		
61G4-15.001	30/6			61J1-4.003	29/44		
61G4-15.002	27/23			61J1-4.005	28/41	28/43	
61G4-15.0021	29/49				29/44		
61G4-15.005	30/6			61J1-4.007	29/44		
				61J1-4.008	29/44		

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61J1-4.009	29/44			61K1-1.006	30/6		
61J1-4.010	29/44			61K1-1.007	30/6		
61J1-4.240	27/45			61K1-1.008	30/6		
61J1-5.001	29/44			61K1-1.009	30/6		
61J1-6.001	29/44			61K1-1.010	30/6		
61J1-7.001	29/44			61K1-1.011	30/6		
61J1-7.004	28/41	28/43		61K1-1.012	30/6		
	29/44			61K1-1.013	30/6		
61J1-7.005	28/41	28/43		61K1-1.016	30/6		
	29/44			61K1-1.017	30/6		
61J2-2.029	29/44		30/5	61K1-1.018	30/6		
61J2-2.032	29/44		30/5	61K1-1.019	30/6		
61J2-3.008	29/11	29/39	30/2	61K1-1.023	30/6		
		29/45	30/2	61K1-1.024	30/6		
61J2-3.009	29/11	29/39	30/2	61K1-1.030	30/6		
		29/45	30/2	61K1-1.035	30/6		
61J2-3.010	29/11	29/39		61K1-1.037	30/6		
61J2-3.011	29/44		30/5	61K1-1.040	30/6		
61J2-3.012	29/44			61K1-1.042	30/6		
61J2-3.020	29/11	29/39		61K1-1.050	30/6		
		29/45		61K1-1.070	30/6		
	30/6c			61K1-1.080	30/6		
61J2-4.007	29/44		30/5	61M-1.001	29/17	29/46	30/1
61J2-4.010	29/44		30/5	61M-1.002	29/17	29/46	30/1
61J2-5.016	28/22	29/40		61M-1.003	29/17	29/46	30/1
61J2-5.018	29/44						
61J2-5.019	29/44						
61J2-5.020	29/44						
61J2-6.006	29/44						
61J2-10.022	29/44		30/5	62-1	29/46c		29/52d
61J2-10.029	29/44		30/5	62-4.050	20/21	21/22	
61J2-14.009	29/44		30/5	62-17.151	24/45	24/45	
61J2-14.010	29/45		30/5	62-17.161	24/45	24/45	
61J2-14.011	29/44		30/5	62-33.0051	27/11		
61J2-14.012	29/44			62-33.008(4)(d)	29/46c		29/52d
61J2-17.009	29/44			62-40	29/7c		
61J2-17.012	28/3	28/17			29/9c		
61J2-24.001	29/45		30/5		29/13c		
61J2-24.002		22/2	30/5		29/13c		
	29/45		30/5		29/13c		
61J2-24.005	29/45		30/5	62-40.110	28/51		
61J8-4.022	29/10			62-40.120	28/51		
61K1-1.001	30/6			62-40.210	28/51		
61K1-1.002	30/6			62-40.310	28/51		
61K1-1.0023	30/6			62-40.410	28/51		
61K1-1.0024	30/6			62-40.411	28/51		
61K1-1.0025	30/6			62-40.412	28/51		
61K1-1.0026	30/6			62-40.416	28/51		
61K1-1.0027	30/6			62-40.422	28/51		
61K1-1.0028	30/6			62-40.425	28/51		
61K1-1.003	30/6			62-40.430	28/51		
61K1-1.0035	30/6			62-40.431	28/51		
61K1-1.004	30/6			62-40.432	28/51		
61K1-1.0043	30/6			62-40.450	28/51		
61K1-1.005	30/6			62-40.458	28/51		
61K1-1.0055	30/6			62-40.470	28/51		

ENVIRONMENTAL PROTECTION

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62-40.473	28/51			62-624.600	29/48		30/4
62-40.474	28/51			62-624.700	29/48		30/4
62-40.475	28/51			62-624.800	29/48		30/4
62-40.510	28/51			62-624.810		29/12	
62-40.520	28/51			62-701	22/42c		
62-40.531	28/51			62-707.500	22/30		
62-40.540	28/51			62-712.100	21/34		
62-40.610	28/51			62-712.200	21/34		
62-204.800	29/46		29/52	62-712.300	21/34		
62-210.990	20/36			62-712.400	21/34		
62-213.430	20/52	21/7		62-712.410	21/34		
62-296.401	22/32	22/38		62-712.420	21/34		
62-297.320	29/50		30/6	62-712.430	21/34		
62-302.530	29/12			62-712.440	21/34		
	29/35c			62-712.450	21/34		
	29/35c			62-712.460	21/34		
62-302.540	27/52			62-712.500	21/34		
	29/12			62-712.800	21/34		
	29/35c		29/52d	62-712.810	21/34		
	29/35c		29/52d	62-712.900	21/34		
	29/35c			62-730.050	23/7		
	29/35c			62-730.220	28/24		
	29/35c			62-761.891	24/14		
62-304.300	30/6c			62-771.300	21/52		
62-304.510	29/25			62-775.500	21/52	22/15	
62-304.700	29/43c			62-788.400	25/5		
62-312.122	24/18			62B-2	28/8		
62-330.2001	26/9			62B-36.001	29/36		29/51
62-341.602	21/22	21/22		62B-36.002	29/36		29/51
62-343.010	21/22			62B-36.003	29/36		29/51
62-343.020	21/22			62B-36.004	29/36		29/51
62-343.030	21/22			62B-36.005	29/36		29/51
62-343.040	21/22			62B-36.006	29/36		29/51
62-343.050	21/22			62B-36.007	29/36		29/51
62-343.060	21/22			62B-36.008	29/36		29/51
62-343.070	21/22			62B-36.009	29/36		29/51
62-343.080	21/22			62B-36.010	29/36		29/51
62-343.090	21/22			62B-36.011	29/36		29/51
62-343.100	21/22			62D-2.014	21/52	22/13	
62-343.110	21/22			62D-2.014(17)	29/18c		29/52d
62-343.120	21/22				29/19c		29/52d
62-343.130	21/22			62N-3.002	21/43		
62-343.140	21/22			62N-36.004	21/43		
62-343.900	21/22			62R-7.002	21/17		
62-524.400	20/45			62R-7.010	23/34		
62-550.310	20/47			62R-7.020	21/17		
62-550.730	20/19			62R-7.022	21/17		
62-561.100	24/52			62R-7.025	21/17		
62-610.814	24/52			62R-7.026	21/17		
62-620.100	29/46		29/52	62R-7.028	21/17		
62-620.910	29/46		29/52		22/47		
62-621.200	21/52			62R-7.032	21/17		

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JUVENILE JUSTICE				64B3-11.004	30/1		
63F-8.001	30/5			64B3-12.002	30/1		
63F-8.002	30/5			64B3-12.003	30/1		
63F-8.003	30/5			64B3-12.004	30/1		
HEALTH				64B3-12.005	30/1		
64-1	29/50c		29/52d	64B4-3.001	25/22		
64B-1.009	25/39	26/1		64B4-4.017	25/32		
64B-3.004	29/46		30/1	64B4-4.018	25/32		
64B-5.001	29/51			64B4-5.007	25/32		
64B-5.002	29/51			64B4-6.0013	25/32		
64B-21.0015	27/39			64B4-6.0045	25/32		
64B-21.004	27/39			64B5-2.0135	29/42		30/2
64B-21.006	27/39			64B5-7.0035	29/42		30/2
64B1-2.006	29/42		29/52	64B5-7.005	29/42		30/2
64B1-2.008	29/36c		29/52x	64B5-12.019	29/42		
64B1-3.004	29/42		29/52	64B5-15.010	27/30		
64B1-3.007	29/42		29/52	64B5-16.005	29/42		
64B1-3.009	29/42		29/52	64B5-16.006	29/42		
64B1-4.001	30/6			64B6-1.016	28/52		
64B1-6.002	29/36c		29/52x	64B6-55.004	27/41		
64B1-6.005	29/36c		29/52d	64B7-27.002	29/7		
64B1-6.006	29/36c		29/52x	64B7-27.012	24/12		
64B1-6.007	29/36c		29/52x	64B7-32.001	26/6		
64B1-6.008	29/36c		29/52x	64B8-1.007	29/48		
64B1-6.009	29/36c		29/52d	64B8-3.002	29/48		30/4
64B1-6.010	29/36c		29/52d	64B8-4.009(10)	30/6c		
64B1-31.001	27/51	28/6		64B8-5.001	29/26	29/52	
64B2-13.0049	29/47		30/4	64B8-9.003(2)	29/43c		
64B2-15.001(2)(e),(3)	29/35c		29/52d	64B8-9.007	29/52		
64B3-2.001	23/51			64B8-9.008	27/49c		
64B3-2.002	22/34	24/49		64B8-9.014	29/50c		
	29/50		30/5	64B8-13.0045	27/48	28/16	
64B3-2.003	22/34	24/49		64B8-13.005	29/48		29/52w
	29/50		30/5	64B8-30.012		24/35	29/52w
	29/50		30/5		29/23c		29/52w
64B3-3.001	29/50		30/5	64B8-51.001	29/43		
64B3-3.002	29/50		30/5w	64B8-52.004	29/16	29/18	
64B3-3.004	23/51			64B8-52.005	29/43		30/5
64B3-4.001	29/51			64B8-54.004	27/41		
64B3-6.001	27/5	27/17		64B8-304.700	29/43c		
	30/1			64B9-3.007	25/9		
64B3-6.002	30/1			64B9-5.003	29/52		
64B3-6.003	30/1			64B9-8.003	29/52		
64B3-8.002	30/1			64B9-8.006	29/52		
64B3-8.003	30/1			64B9-15.0086	29/52		
64B3-8.004	30/1			64B10-11.001	28/37		30/1
64B3-8.005	30/1			64B11-2.007	29/50		
64B3-9.005	30/1			64B11-3.005	29/50		
64B3-9.009	30/1			64B11-5.001	29/50		
64B3-9.010	30/1			64B11-6.001	29/50		
64B3-9.011	30/1			64B12-8.020	29/52		
64B3-9.012	30/1			64B12-11.003	29/50		30/5
64B3-11.001	30/1			64B12-11.015	29/46		30/5
64B3-11.003	30/1			64B12-19.002	27/11		
				64B13-3.007	30/3		

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64B13-3.019	30/3			64B24-4.006	29/16		
64B13-4.001	30/3			64B24-4.007	29/16		
64B13-4.005	30/3			64B24-4.010	29/16		
64B13-11.001	30/3			64B32-5.001	28/3	28/5	
64B13-11.004	30/3			64C-13.018	24/22		
64B14-2.001	28/36		29/52	64C-23.002	27/17		
64B14-3.001	29/50			64C-27.001	27/17		
64B14-4.110(1)(b)	29/30c		29/52d	64C-27.002	27/17		
64B15-6.002	29/40			64E-6.007	25/48		
64B15-6.003	29/40			64E-9.001	29/52		
64B15-6.0035	29/44			64E-9.002	29/52		
64B15-6.0037	29/40			64E-9.003	29/52		
64B15-6.0038	29/40			64E-9.004	29/52		
64B15-6.010	29/44		30/2	64E-9.005	29/52		
64B15-6.01051	29/44		30/2	64E-9.006	29/52		
64B15-6.013	29/40			64E-9.007	29/52		
64B15-13.001	29/40		30/1w	64E-9.008	29/52		
64B15-14.009	29/40	29/52		64E-9.009	29/52		
64B16-26.100	29/45		30/1w	64E-9.010	29/52		
64B16-26.1001	29/44		30/1w	64E-9.011	29/52		
64B16-26.101	29/45		30/1w	64E-9.013	29/52		
64B16-26.1011	29/44		30/1w	64E-9.015	29/52		
64B16-26.102	29/45		30/1w	64E-9.017	29/52		
64B16-26.1021	29/44		30/1w	64E-9.018	29/52		
64B16-26.2035	29/45		30/1w	64FER03-4			29/51
64B16-27.104(6)	29/44c			64F-12.001	29/40	29/46	29/52
64B16-27.105	27/4	27/21			29/46		30/4
64B16-28.140	24/38			64F-12.003	29/40		29/52
64B16-28.871	29/43c			64F-12.006	29/40		29/52
	29/43c			64F-12.007	29/40		29/52
64B17-2.002	30/3			64F-12.009	29/40		29/52
64B17-2.003	30/3			64F-12.011	29/40		29/52
64B17-2.004	30/3			64F-12.012	29/40	29/46	29/52
64B17-2.008	30/3				29/52		
64B17-3.003	29/35c		29/52d	64F-12.013	29/40	29/46	29/52
	29/35c		29/52d	64F-12.015	29/40	29/46	29/52
	29/35c		29/52d			29/48	29/52
	29/35c		29/52d	64F-12.016	29/40		29/52
	29/35c		29/52d	64F-12.018	29/40		29/52
64B17-3.005	30/3			64F-12.020	29/40		29/52
64B17-4.005	30/3			64F-12.024	29/40		29/52
64B19-12.002	29/51		30/6	64F-17.001	30/5		
64B19-12.003	29/51		30/6	64V-1.001	30/2		
64B19-18.0025	28/33	29/39	30/2w	64V-1.002	30/2		
		29/41	30/2w	64V-1.003	30/2		
	29/47c		29/52d	64V-1.0031	30/2		
64B20-2.002	25/45	26/30		64V-1.0032	30/2		
64B20-3.004	30/6			64V-1.0033	30/2		
64B20-4.002	29/42		30/5	64V-1.004	30/2		
64B20-4.003	29/42		30/5	64V-1.006	30/2		
64B20-6.001	30/6			64V-1.0061	30/2		
64B21-502.006	29/46		30/1	64V-1.007	30/2		
64B24-4.001	29/16			64V-1.008	30/2		
64B24-4.002	29/16			64V-1.0081	30/2		
64B24-4.004	29/16			64V-1.0131	30/2		

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64V-1.014	30/2			FLORIDA HOUSING FINANCE CORPORATION			
64V-1.016	30/2			67-4.032	29/9	29/45	
64V-1.018	30/2			67-18.005	28/42		
64V-1.019	30/2			67-21.002	29/52	30/6	
64V-1.020	30/2			67-21.003	29/52	30/6	
64V-1.021	30/2			67-21.0035	29/52	30/6	
CHILDREN AND FAMILY SERVICES				67-21.004	29/52		
65-1	30/6c			67-21.0041	29/52		
65A-1.205	29/21			67-21.0045	29/52		
65A-1.400	25/21c			67-21.005	29/52		
	30/3			67-21.006	29/52		
65A-1.601	28/11	28/23		67-21.007	29/52		
		28/31		67-21.008	29/52		
		28/41		67-21.009	29/52		
65A-1.701	29/16			67-21.010	29/52		
65A-1.702	29/16			67-21.011	29/52		
65A-1.703	29/16			67-21.012	29/52		
65A-1.704	29/44		30/5	67-21.013	29/52		
65A-1.710	29/16			67-21.014	29/52		
65A-1.711	29/16			67-21.015	29/52		
65A-1.712	29/16			67-21.016	29/52		
65A-1.713	29/16			67-21.017	29/52		
65A-1.714	29/16			67-21.018	29/52		
65A-4.213	25/32			67-21.019	24/46	24/46	
65A-4.216	25/32				29/52		
65A-15.0095	26/4			67-32.009	24/28		
65B-4.032	29/9	29/45	30/2	67-48.001	29/52		
65C-16.008(2)	29/43c		30/6x	67-48.002	29/52	30/6	
65C-21.001	23/20			67-48.004	29/52	30/6	
	30/1			67-48.005	29/52	30/6	
65C-21.003	30/1			67-48.006	29/52		
65C-22.007	29/9			67-48.007	29/52		
65C-22.011	28/25			67-48.009	29/52		
65C-22.013	28/25			67-48.0095	29/52		
65C-22.014	28/25			67-48.010	29/52	30/6	
65C-22.015	28/25			67-48.0105	29/52		
65C-22.026	28/25			67-48.012	29/52		
65E-2.003	26/20	26/28		67-48.013	29/52		
65E-5.601	29/37	29/48	30/5	67-48.014	29/52	30/6	
65E-5.602	29/37	29/48	30/5	67-48.015	29/52		
NAVIGATION DISTRICTS				67-48.017	29/52		
66B-1.003	29/47			67-48.018	29/52		
66B-1.004	29/47			67-48.019	29/52		
66B-1.005	29/47			67-48.020	29/52		
66B-1.008	29/47			67-48.0205	29/52		
66B-2.003	29/47			67-48.021	29/52		
66B-2.004	29/47			67-48.022	29/52		
66B-2.005	29/47			67-48.023	29/52		
66B-2.008	29/47			67-48.025	29/52		
				67-48.026	29/52		
				67-48.027	29/52		
				67-48.028	29/52		
				67-48.029	29/52		
				67-48.030	29/52		
				67-48.031	29/52		

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FISH AND WILDLIFE CONSERVATION COMMISSION				68B-24.0055	30/1		
68A-1.004	30/1			68B-24.006	30/1		
68A-2.015	30/1			68B-24.009	30/1		
68A-4.001	30/1			68B-32.002	30/1		
68A-4.0052	30/1			68B-32.004	30/1		
68A-5.005	30/1			68B-32.005	30/1	30/2	
68A-13.003	30/1			68C-22.001	29/32		29/51
68A-13.008	30/1			68C-22.002	29/32		29/51
68A-15.004	30/1			68C-22.004	29/32		29/51
68A-15.005	30/1			68E-1.001	30/1		
68A-15.061	30/1			68E-1.004	30/1		
68A-15.062	30/1			68E-1.006	30/1		
68A-15.063	30/1			68E-3.001	30/1		
68A-15.064	30/1			68E-3.003	30/1		
68A-15.065	30/1			68E-3.004	30/1		
68A-17.004	30/1			68E-4.004	30/1		
68A-17.005	30/1			68E-18.002	30/1		
68A-20.005	30/1			FINANCIAL SERVICES			
68A-23.002	30/1			69-1	29/46c		29/52d
68A-23.005	30/1			69A-21	30/6c		30/6d
68A-23.008	30/1			69A-21.115	29/37	29/46	
68A-24.003	28/17					29/49	
68A-24.004	28/17			69A-62.0001	29/44	29/46	
68A-24.0055	30/1				29/47		30/2w
68A-24.006	28/17			69A-62.001	29/44	29/46	
	30/1				29/47		30/2w
68A-24.009	30/1			69A-62.002	29/44	29/46	
68A-25.031	30/1				29/47		30/2w
68A-25.042	30/1			69A-62.003	29/44	29/46	
68B-4.005	30/1				29/47		30/2w
68B-8.001	30/1			69A-62.006	29/44	29/46	
68B-8.002	30/1				29/47		30/2w
68B-8.003	30/1			69A-62.007	29/44	29/46	
68B-8.004	30/1				29/47		30/2w
68B-8.005	30/1			69A-62.020	29/44	29/46	
68B-8.006	30/1				29/47		30/2w
68B-8.007	30/1			69A-62.021	29/44	29/46	
68B-8.008	30/1				29/47		30/2w
68B-8.009	30/1			69A-62.022	29/44	29/46	
68B-8.010	30/1				29/47		30/2w
68B-8.011	30/1			69A-62.023	29/44	29/46	
68B-8.012	30/1				29/47		30/2w
68B-8.013	30/1			69A-62.030	29/44	29/46	
68B-8.014	30/1				29/47		30/2w
68B-8.015	30/1			69A-62.031	29/44	29/46	
68B-8.016	30/1				29/47		30/2w
68B-13.008	27/31	26/13		69A-62.032	29/44	29/46	
68B-21.008	30/1				29/47		30/2w
68B-22.002	30/1			69A-62.033	29/44	29/46	
68B-22.005	30/1				29/47		30/2w
68B-22.007	30/1			69A-62.034	29/44	29/46	
68B-24.002	30/1				29/47		30/2w
	30/1			69A-62.035	29/44	29/46	
					29/47		30/2w

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69A-62.036	29/44	29/46		69O-149.0025	30/3		
	29/47		30/2w	69O-149.003	30/3		
69A-62.040	29/44	29/46		69O-149.004	30/3		
	29/47		30/2w	69O-149.005	30/3		
69A-62.041	29/44	29/46		69O-149.006	30/3		
	29/47		30/2w	69O-149.007	30/3		
69A-62.042	29/44	29/46		69O-149.021	30/3		
	29/47		30/2w	69O-149.023	30/3		
69A-62.043	29/44	29/46		69O-149.037	30/3		
	29/47		30/2w	69O-149.038	30/3		
69A-62.044	29/44	29/46		69O-149.044	30/3		
	29/47		30/2w	69O-149.051	30/3		
69A-62.045	29/44	29/46		69O-149.052	30/3		
	29/47		30/2w	69O-149.053	30/3		
69K-5.0015	29/39	29/45	30/2	69O-149.054	30/3		
69K-5.0035	29/39	29/45	30/2	69O-149.203	29/52	30/3	
69K-5.004	29/39	29/45	30/2	69O-149.204	29/52	30/3	
69K-5.006	29/39	29/45	30/2	69O-149.205	29/52	30/3	
69K-5.008	29/39	29/45	30/2	69O-149.206	29/52	30/3	
		29/48	30/2	69O-149.207	29/52	30/3	
69K-6.005	29/44		30/2	69O-154.201	29/37	30/3	
69K-6.007	29/44		30/2	69O-154.202		30/3	
69L-6.008	29/52			69O-154.203	29/37	30/3	
69L-6.012	29/42			69O-154.204	29/37	30/3	
69L-6.014	29/52			69O-154.210	29/37	30/3	
69L-6.021	29/42			69O-166.045	30/1	30/3	
69L-7.020	29/45		29/52	69O-176.013	29/36	30/3	
69L-7.501	29/45		29/52	69O-200.007	29/44	30/3	
69L-24.0231	29/39	29/46	30/1				
69M-1	29/52c						
69O-149.002	30/3						