

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Finance and Securities

RULE TITLES:	RULE NOS.:
Definitions	3E-7.001
Certification as a Certified Capital Company	3E-7.002
Net Capital Requirements for Certified Capital Companies	3E-7.003
Annual Review	3E-7.004
Requirements to Update Information	3E-7.005
Renewal of Certification	3E-7.006
Books and Records Requirements	3E-7.007
Forms, Instructions and Manuals	3E-7.008

PURPOSE AND EFFECT: These rules will be amended to update and conform the certification procedures for the newly enacted Program Two of the Certified Capital Company Act in Section 288.99, F.S.

SUBJECT AREA TO BE ADDRESSED: The certification process and qualifications for Program Two of the Certified Capital Company Act.

SPECIFIC AUTHORITY: 288.99(4)(h) FS.

LAW IMPLEMENTED: 288.99(3),(4),(5),(8),(9),(10),(17) 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., October 3, 2002

PLACE: Department of Banking and Finance, The Fletcher Building, 101 E. Gaines Street, Room G-16C, The JAD Room, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Ramsden, 101 E. Gaines Street, Tallahassee, Florida 32399, (850)410-9805

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE TITLES:	RULE NOS.:
Registration	5J-4.004
Exemption	5J-4.005
Reduction of Security	5J-4.007

PURPOSE AND EFFECT: The purpose and effect of Rule changes to 5J-4.004 and 5J-4.005, F.A.C., is to eliminate the effective date of form 10300 and corrects the name and address of the Department of Agriculture and Consumer Services,

Division of Consumer Services. Rule change 5J-4.005, F.A.C., identifies the Affidavit of Exemption form location and rule 5J-4.007 is being repealed.

SUBJECT AREA TO BE ADDRESSED: 5J-4.004 and 5J-4.005 rule changes correctly identify the name and current address of the Department of Agriculture and Consumer Services, Division of Consumer Services. Rule 5J-4.007 is being repealed.

SPECIFIC AUTHORITY: 501.014(2)(a) FS.

LAW IMPLEMENTED: 501.013, 501.015(1),(2),(4), 501.016(4), 501.016(6) FS.

IF REQUESTED 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., September 30, 2002

PLACE: Department of Agriculture and Consumer Services, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3679

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-4.004 Registration.

Any person who intends to open or operate as a health studio shall, prior to engaging in such activities, register with the Department using ~~fForm~~ DACS 10300, Health Studio Registration, ~~Revised 7-10-94, hereby incorporated by reference.~~ Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, 407 South Calhoun Street, Mayo Building, 2nd Floor, Attention: Health Studios, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-6500~~0800~~. The registrant shall submit with ~~fForm~~ DACS 10300 a copy of each contract offered to the public relating to the sale of health studio services.

Specific Authority 501.014(2)(a) FS. Law Implemented 501.015(1),(2),(4) FS. History—New 2-9-93, Amended 7-10-94, 5-24-95,_____.

5J-4.005 Exemption.

(1) Any person claiming an exemption pursuant to the provisions of Section 501.013, Florida Statutes, from the health studio laws shall, prior to engaging in health studio activities, file with the Department ~~the executed an affidavit on Form 40301,~~ Affidavit of Exemption, ~~which is included in fForm~~ DACS 10300. ~~Revised 7-10-94, hereby incorporated by reference.~~ Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, 407 South Calhoun Street, Mayo Building,

~~2nd Floor, Attention: Health Studios, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-65000800.~~

(2) The Department may request a person claiming an exemption under Section 501.013, Florida Statutes, to submit supporting documentation necessary to establish the person is entitled to such exemption.

Specific Authority 501.014(2)(a) FS. Law Implemented 501.013, 501.016(6),(7) FS. History--New 2-9-93, Amended 7-10-94, 5-24-95, _____.

5J-4.007 Reduction of Security.

~~Any person claiming a reduction shall file annually with the Department Form 10304, Application for Reduction, effective 2-9-93, hereby incorporated by reference. Copies of this form may be obtained from the Division of Consumer Services, 407 South Calhoun Street, Mayo Building, 2nd Floor, Attention: Health Studios, Tallahassee, Florida 32399-0800.~~

Specific Authority 501.014(2)(a) FS. Law Implemented 501.016(4) FS. History--New 2-9-93, Amended 7-10-94, 5-24-95, Repealed.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE TITLES:

RULE NOS.:

Licensing Requirement, Commercial Telephone Seller, Salesperson

5J-6.005

Exemption

5J-6.013

Denials

5J-6.014

PURPOSE AND EFFECT: The purpose and effect of the change to Rule 5J-6.005, F.A.C., is to correctly identify and locate Registration forms and correct the name and address of the Department of Agriculture, Division of Consumer Services. It also repeals subsections (2) and (3) of 5J-6.005, which deals with forms 10001 and 10002. Paragraph 5J-6.005(4)(a), F.A.C., clarifies the specific forms needed to obtain Interim Operating Authority as a Commercial Telephone Salesperson. In addition, Section (6), dealing with submitting a photocopy of the original submission for licensing, is repealed. Rule change to 5J-6.013, F.A.C., correctly identifies the Affidavit of Exemption's form number and corrects the address of the Division. Rule 5J-6.014, F.A.C., relates to Section 501.612(1), F.S., and sets guidelines for the denial of a license.

SUBJECT AREA TO BE ADDRESSED: 5J-6.005 and 5J-6.013 rule changes correctly identify Registration and Affidavit of Exemption forms, eliminate forms 10001 and 10002, specify what forms are necessary to submit for Interim Authority to operate as a Commercial Telephone Salesperson, and change the name and current address of the Department of Agriculture and Consumer Services, Division of Consumer Services. A new Rule 5J-6.014, F.A.C., Denials, relates to Section 501.612(1), F.S., dealing with denials of licenses. This rule sets the guidelines for denial of licenses.

SPECIFIC AUTHORITY: 501.626 FS.

LAW IMPLEMENTED: 501.612 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: 2:00 p.m., September 30, 2002

PLACE: Department of Agriculture and Consumer Services, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3679

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-6.005 Licensing Requirement, Commercial Telephone Seller, Salesperson.

(1) No person may act as a commercial telephone seller or salesperson without first obtaining a license to conduct such activity. All applications for a license shall be in writing, on a form DACS 10001, as provided ~~herein~~ by the Department, verified by the applicant, and accompanied by the required fee. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-6500.

~~(2) The commercial telephone seller shall utilize Form 10001, effective 4-12-92, entitled Application for License, Commercial Telephone Seller, hereby adopted and incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attn: Telemarketing, Mayo Building, Second Floor, Tallahassee, Florida 32399-0800.~~

~~(3) The salesperson shall utilize Form 10002, effective 4-12-92, entitled Application for License, Salesperson, hereby adopted and incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attn: Telemarketing, Mayo Building, Second Floor, Tallahassee, Florida 32399-0800.~~

~~(2)(4)(a) In the event a licensed commercial telephone seller hires an employee to function as a salesperson, but the employee does not possess a current commercial telephone salesperson license, the licensed commercial telephone seller may obtain interim operating authority for the unlicensed salesperson from the Department by submitting the Application for license as a Commercial Telephone Salesperson and the Statement of Verification, which are included in Form DACS 10001 +0002, and a written request that the applicant be granted interim operating authority.~~

(b) The interim operating authority shall be effective until such time as the Department notifies the applicant of denial or approval of license. In no event shall the interim operating authority exceed a period of 90 days.

(c) In the event a license is denied, the interim operating authority shall immediately terminate and the applicant for a salesperson license shall immediately discontinue operating as a salesperson.

~~(3)(5) The licensee shall notify the Department of all material changes in the information submitted in the application for license, including the original application for license, or any application for renewal of the license, occurring prior to renewal within 10 days of the change. The licensee shall utilize form DACS 10001 10003, effective 4-12-92 entitled Material Change, Commercial Telephone Seller/Salesperson, hereby adopted and incorporated by reference, and shall remit proper fees as applicable.~~

~~(6) The licensee shall attach a photocopy of the original information which was submitted as a condition of initial or renewal license to form 10003, Material Change, Commercial Telephone Seller/Salesperson, and the photocopy shall be Noted and conspicuously identified.~~

~~(4)(7) In the event that a salesperson licensee changes his/her company affiliation, the salesperson shall utilize form DACS 10001, 10003 Material Change, Commercial Telephone Seller/Salesperson. Additionally, the salesperson shall utilize a properly executed form 10004, effective 4-12-92, entitled Statement of Verification, hereby adopted and incorporated by reference, and pay the prescribed \$10 fee. Such change in status shall be submitted to the Department within 10 days of the change.~~

~~(5)(8) In the event that the salesperson intends to affiliate with more than one company, the salesperson shall indicate such, as provided on form DACS 10001, by executing the 10002 Application for License, Salesperson, and shall submit an executed form 10004, Statement of Verification, for each Commercial Telephone Seller with which the salesperson intends to affiliate.~~

Specific Authority 501.626 FS. Law Implemented 501.605, 501.607, 501.608, 501.609 FS. History—New 4-12-92, Amended 2-15-93, 6-26-94, 5-15-95, 2-11-98, _____.

5J-6.013 Exemption.

(1) Any business entity claiming an exemption pursuant to Section 501.608(1)(b), Florida Statutes, shall file the Affidavit of Exemption included in Form DACS 10001 10005 entitled Affidavit of Exemption, Florida Telemarketing Act, effective 6-26-94, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 227 North Bronough Street, Suite 7200 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32304 32399-6500.

(2) Any business entity claiming to be exempt under Section 501.604(22), Florida Statutes, shall furnish the Department copies of occupational licenses, lease agreements, or tax returns which verify the entity has been operating a retail establishment at least one year under the same name as that used in connection with telemarketing; and

(a) Shall provide a written statement that products are displayed and offered for sale, or services are offered for sale, and provided at the business establishment; and

(b) Shall furnish the Department copies of sales records, customer lists, purchase orders, general ledger entries, journals, or other documents which verify that a majority of the seller's business involves the buyer obtaining such products or services at the seller's location. For the purposes of this rule, a "majority of the Seller's business" shall mean that at least 51% of each of the following occurs at the seller's business establishment:

1. The total annual dollar volume of sales;
2. The total number of individual customer transactions; and
3. The total number of sales.

Specific Authority 501.626 FS. Law Implemented 501.604, 501.608 FS. History—New 6-26-94, Amended 2-11-98, _____.

5J-6.014 Denials.

The purpose of this rule part is to implement s. 501.612(1), Florida Statutes. The department shall not issue an initial or renewal license to any person applying for a commercial telephone seller or salesperson license if the department finds that the applicant, or any of its owners, operators, officers, directors, partners, or other individuals engaged in the management activities of the applicant, has:

(1) Been convicted or found guilty of, or entered a plea of guilty or nolo contendere to, any misdemeanor crime within the last 5 years that involves racketeering or any offense involving fraud, theft, embezzlement, fraudulent conversion, or misappropriation of property, or any other crime involving moral turpitude.

(2) Been convicted or found guilty of, or entered a plea of guilty or nolo contendere to, any felony crime within the last 7 years that involves racketeering or any offense involving fraud, theft, embezzlement, fraudulent conversion, or misappropriation of property.

(3) Been convicted or found guilty of, or entered a plea of guilty or nolo contendere to any capital offense within the last 10 years.

(4) Been convicted or found guilty of, or entered a plea of guilty or nolo contendere to, any crime that involves racketeering, fraud, theft, embezzlement, fraudulent conversion, or misappropriation of property, or involving moral turpitude, and who has not successfully completed or satisfied all the conditions and/or terms of his or her sentencing, including any probation or parole.

(5) Had entered against him or her, or any business for which he or she has been affiliated as an owner, operator, officer, director, partner, or worked in the management activities, an injunction, a temporary restraining order, or a final judgment or order, including a stipulated judgment or order, an assurance of voluntary compliance, or any similar document, in any civil or administrative action involving racketeering, fraud, theft, embezzlement, fraudulent conversion, or misappropriation of property, or the use of any untrue or misleading representation in an attempt to sell or dispose of real or personal property or the use of any unfair, unlawful, or deceptive trade practice and who has not satisfied all the conditions and/or terms of his or her judgment or order.

Specific Authority 501.626 FS. Law Implemented 501.612 FS. History—New

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE TITLE:

RULE NO.:

Registration

5J-8.003

PURPOSE AND EFFECT: The purpose and effect of this rule change is to identify form DACS 10700 and eliminate the effective date for Form 10700, Dance Studio Registration, and correct the address of the Department of Agriculture and Consumer Services, Division of Consumer Services.

SUBJECT AREA TO BE ADDRESSED: This rule correctly identifies form DACS 10700, eliminates the old effective date for Form 10700 and updates the current address of the Division of Consumer Services.

SPECIFIC AUTHORITY: 501.143(12) FS.

LAW IMPLEMENTED: 501.143(3),(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:

TIME AND DATE: 9:30 a.m., September 30, 2002

PLACE: Department of Agriculture and Consumer Services, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3679

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-8.003 Registration.

(1) Any person who intends to open or operate as a dance studio shall, prior to engaging in such activity, register with the Department using ~~f~~Form DACS 10700, Dance Studio Registration, ~~effective March 22, 1993, revised June 23, 1994,~~

~~hereby incorporated by reference.~~ Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, ~~Attention Attn:~~ Dance Studio Registration, 2005 Apalachee Parkway, Terry L. Rhodes Building ~~Mayo Building, Second Floor~~, Tallahassee, Florida 32399-~~6500~~0800. The registrant shall submit the registration fee to the Department at the time of registration for each of the dance studio's locations. The registration fee shall be non-refundable. The registrant shall submit with ~~f~~Form DACS 10700 a copy of each contract offered to the public relating to the sale of dance studio services.

(2) For the purpose of Section 501.143(4), Florida Statutes, and these rules, a "contract for ballroom dance studio services or lessons" shall not include:

(a) A single contract sold by a ballroom dance studio for a duration of seven (7) calendar days or less to any customer without any option for renewal or any other condition which establishes any right in the term;

(b) Which requires an advance payment of \$250 or less; and

(c) Which does not require the customer to provide payments in installments.

(3) In the event a contract for ballroom dance studio lessons or services meets the requirements of subsection (2) above, the contract need not be in writing.

Specific Authority 501.143(12) FS. Law Implemented 501.143(3),(4) FS. History—New 3-22-93, Amended 6-23-94, 5-24-95, 2-11-98,

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE TITLES:

RULE NOS.:

Registration, Document Submission

5J-9.002

Security Requirement

5J-9.006

PURPOSE AND EFFECT: The purpose and effect of 5J-9.002(1),(2), F.A.C., rule change is to identify the registration package for a Seller of Travel and correct the mailing address for the Division of Consumer Services. Rule change to subsection 5J-9.006(1), F.A.C., is to correctly identify the Surety Bond form as being included in the Registration packet and eliminate an outdated address for the Department of Agriculture and Consumer Services. Rule change 5J-9.006(2),(3) correctly identifies the Application for Reduction of Security form as being included in the Registration packet and deletes an outdated address for the Department of Agriculture and Consumer Services.

SUBJECT AREA TO BE ADDRESSED: This rule correctly identifies the package a Seller of Travel must complete to comply with the registration requirement under Section 559.928, F.S., and corrects the mailing address for the Division.

SPECIFIC AUTHORITY: 559.9355(3) FS.

LAW IMPLEMENTED: 559.928, 559.929, 559.935(3) FS.

IF REQUESTED 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: 11:30 a.m., September 30, 2002

PLACE: Department of Agriculture and Consumer Services, Conference Room, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3782

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J- 9.002 Registration, Document Submission.

The following statement in bold print:

(1) Any person who intends to operate as a seller of travel shall submit form DACS 10200, Seller of Travel the registration and fee to the Department at the time of registration. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Sellers of Travel Section, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-6500. If the application is withdrawn or denied, the registration fee shall be retained by the Department to cover the administrative cost of implementing Sections 559.926-559.939, Florida Statutes.

(2) Any person claiming an exemption pursuant to the provisions of Section 559.935(3), Florida Statutes, shall file an affidavit of exemption with the Department using form DACS 10211 ST-10210 effective 9/95, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Sellers of Travel Section, 2005 Apalachee Parkway, Terry L. Rhodes ~~Mayo~~ Building, Tallahassee, Florida 32399-~~6500~~0800.

(3) No change.

Specific Authority 559.935(3) FS. Law Implemented 559.928, 559.935(3) FS. History--New 10-6-93, Amended 1-3-95, 6-4-95, 12-27-95, 2-11-98,

5J-9.006 Security Requirement.

(1) Prior to engaging in any activities as a seller of travel, each seller of travel shall file with the Department an original performance bond in an amount determined by subsection (2) below. The applicant shall utilize the use Form ST-10203, Surety Bond Form, an example of which is included in form DACS 10200 Registration packet effective February 8, 1994, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer

Services, Division of Consumer Services, Attention: Sellers of Travel, Mayo Building, Second Floor, Tallahassee, Florida 32399-0800.

(2) The amount of the security for sellers of travel that do not offer vacation certificates shall be \$25,000; however, the seller of travel may apply for a reduction by completing the Security Reduction Application, which is included in form DACS 10200 Registration packet filing Form 10208, Application for Reduction of Security, effective February 8, 1994, hereby incorporated by reference, and providing. The Seller of Travel must provide copies of its federal income tax return or an audited financial statement for the immediately preceding fiscal year. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Attention: Sellers of Travel, Mayo Building, Second Floor, Tallahassee, Florida 32399-0800. To apply for reduction of the security, the seller of travel must have a satisfactory consumer complaint history. The amount of the security reduction shall be determined by the seller of travel's dollar amount of gross annual sales, as follows:

(a) A business that has been in operation under the same ownership and control for at least one year with under \$500,000 in gross annual sales, may request to reduce its security to \$10,000.

(b) A business that has been in operation under the same ownership and control for at least one year with gross annual sales between \$500,000 and \$1,000,000, may request to reduce its security to \$15,000.

(c) A business that has been in operation under the same ownership and control for at least one year with gross annual sales between \$1,000,000 and \$2,000,000, may request to reduce its security to \$20,000.

(3) The amount of the security for a newly established business or a business under new ownership shall be \$25,000; however, the seller of travel may apply to reduce its security to \$10,000 by executing the Application for Reduction of Security included in form DACS 10200 Registration Packet filing Form 10208. To be eligible for a reduction in security, a newly established seller of travel must meet the following criteria:

(a) Has not been in operation for more than one year;

(b) None of its owners, directors, officers, or general partners have had any civil, criminal, or administrative action instituted against him in the vacation or travel business, and none of its owners, directors, officers, or general partners have been affiliated with any seller of travel that has had any civil, criminal, or administrative action instituted against it in the vacation or travel business; and

(c) None of its owners, directors, officers, or general partners have an unsatisfactory consumer complaint history with the Department or have been affiliated with any seller of travel that has had an unsatisfactory consumer complaint history with the Department.

(4) No change.

Specific Authority 559.9355(3) FS. Law Implemented 559.929(1) FS. History—New 2-8-94, Amended 6-4-95, 11-6-95, 12-27-95, 2-11-98, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE TITLE: Franchises RULE NO.: 5J-10.002

PURPOSE AND EFFECT: The purpose and effect of this rule change is to eliminate the effective date for form DACS 10500 and to correct the address of the Department of Agriculture and Consumer Services, Division of Consumer Services.

SUBJECT AREA TO BE ADDRESSED: This rule change eliminates the effective date for form DACS 10500 and updates the current address of the Division of Consumer Services.

SPECIFIC AUTHORITY: 570.07(23) FS.

LAW IMPLEMENTED: 559.802 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: 10:30 a.m., September 30, 2002

PLACE: Department of Agriculture and Consumer Services, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3679

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-10.002 Franchises.

Every franchisor claiming an exemption pursuant to Section 559.802, Florida Statutes, shall file form ~~number~~ DACS 10500, ~~Annual Franchise Notice of Exemption Application~~, effective ~~11-15-94~~, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, 2005 Apalachee Parkway, Terry L. Rhodes Building 407 South Calhoun Street, Mayo Building, 2nd Floor, Attention: Business Opportunities, Tallahassee, Florida 32399-6500~~0800~~. The franchisor shall submit a filing fee of \$100 with ~~f~~Form DACS 10500. The filing fee shall be non-refundable. The exemption may be renewed each year by filing ~~f~~Form DACS 10500 and paying a renewal fee of \$100.

Specific Authority 570.07(23) FS. Law Implemented 559.802 FS. History—New 11-15-94, Amended 6-4-95, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE TITLE: Registration RULE NO.: 5J-12.002

PURPOSE AND EFFECT: The purpose and effect of this rule change is to eliminate the effective date of form DACS 10900 and correct the address of the Department of Agriculture and Consumer Services, Division of Consumer Services.

SUBJECT AREA TO BE ADDRESSED: This rule eliminates the effective date of form DACS 10900 and updates the current address of the Division of Consumer Services.

SPECIFIC AUTHORITY: 570.07(23) FS.

LAW IMPLEMENTED: 559.904, 559.916 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: 11:00 a.m., September 30, 2002

PLACE: Department of Agriculture and Consumer Services, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3679

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-12.002 Registration.

(1)(a) Any person who intends to operate a motor vehicle repair shop shall, before engaging in such activities, annually apply for and obtain a registration certificate from the Department using ~~f~~Form DACS 10900, Registration Application Form, Motor Vehicle Repair Act, ~~effective 1-18-95, hereby incorporated by reference~~. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Bureau of Motor Vehicle Repair, 2005 Apalachee Parkway, Terry L. Rhodes Building 227 North Bronough Street, City Centre Building, Suite 7200, Tallahassee, Florida 32399-6500 32301-1329.

(b) If the motor vehicle repair shop is located in a municipality or county that has an ordinance containing standards that the Department has determined are at least equal to the requirements of the Florida Motor Vehicle Repair Act, the motor vehicle repair shop must register with the Department and provide one of the following to evidence compliance with the local ordinance:

their current financial statement prepared by a person who is part of an accounting firm or holds a permit to practice public accounting in Florida licensed accountant. In lieu of the financial statement, a person may file a copy of their most recently filed federal income tax return.

(2) If filing a surety bond pursuant to Section 539.001(4)(a)2., F.S., the applicant shall utilize the use Form DACS 10113, Surety Bond example form included in form DACS 10111, effective 12-10-96, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Pawnshops, Mayo Building, Tallahassee, Florida 32399-0800.

Specific Authority 570.07(23) FS. Law Implemented 539.001(4)(a)2. FS. History—New 12-10-96, Amended _____.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: Florida Building Commission –

RULE CHAPTER NO.: 9B-3

Operational Procedures

9B-3

RULE TITLE:

RULE NO.:

Forms for Alternative Plan Review

9B-3.053

and Inspection Procedure

PURPOSE AND EFFECT: The purpose of the amendment is to adopt forms for use in conjunction with the private provider system of plan review and inspection enacted during 2002 legislative session. The effect of the amendment is to adopt forms for use to notify a building official of the election of the alternate procedure and an affidavit of compliance for plan reviewers.

SUBJECT AREA TO BE ADDRESSED: Private plan review and inspection services.

SPECIFIC AUTHORITY: 553.791(4),(5) FS.

LAW IMPLEMENTED: 553.791(4),(5) FS.

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

TIME AND DATE: 1:30 p.m., September 30, 2002

PLACE: Department of Community Affairs, Room 310M, 2555 Shumard Oak Boulevard, Tallahassee, Florida

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-6091
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: Special District Information Program

RULE CHAPTER NO.: 9B-50

RULE TITLES: Fee Schedule and Annual Invoicing

RULE NOS.:

and Data Updating

9B-50.003

Updating of the Special District Database

9B-50.004

PURPOSE AND EFFECT: Revise the invoicing and annual updating processes to provide that they shall be carried out at the same time; provide that each special district in noncompliance with its fee requirements may be reported to the Office of the Comptroller for further action.

SUBJECT AREA TO BE ADDRESSED: Streamlines invoicing and database updating procedures, provides a process for collecting delinquent annual fees.

SPECIFIC AUTHORITY: 189.425 FS.

LAW IMPLEMENTED: 189.4035, 189.412, 189.427 FS.

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

TIME AND DATE: 10:00 a.m., September 30, 2002

PLACE: Department of Community Affairs, 2555 Shumard Oak Boulevard, Room 210L, Tallahassee, Florida

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Jack Gaskins Jr., Operations and Management Consultant II, Division of Housing and Community Development, Special District Information Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1457, Suncom 292-1457, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jack Gaskins Jr., 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1457, Suncom 292-1457

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9B-50.003 Fee Schedule and Annual Invoicing and Data Updating.

(1) On or about October 1 of each year, and at least 60 days prior to the due date, the Department shall annually, at least 60 days prior to the due date, send the Special District Fee Invoice and Update Form DCA-SDIP-001, 3-1-2003 Fee Assessment Form DCA-SDIP-002, 3-17-99 (hereby incorporated by reference and available from the Special District Information Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100) by regular mail to the registered agent of each special district registered with the Special District Information Program. For newly created special districts, the Department shall send the Special District Fee Invoice and Update Form Fee Assessment Form by regular mail to the registered agent of the special district, or an appropriate contact person if a registered agent has not yet been appointed, at the time of registering the special district with the Special District Information Program. The failure of a special district to receive the Fee Assessment Form from the Department shall not excuse the special district from its obligation to comply with the fee schedule.

(2) By the due date on the Special District Fee Invoice and Update Form Fee Assessment Form, each registered agent special district shall make any necessary changes to the information on the form about the special district and comply with the fee schedule by signing, dating, and returning the upper lower portion of the Special District Fee Invoice and Update Form Fee Assessment Form to the Department along with the appropriate fee as follows:

(a) through (e)2. No change.

3. The special district is not a component unit of a general purpose local government as defined in the Governmental Accounting Standards Board's Statement No. 14, issued in June 1991, effective after December 15, 1992, as amended; and

4. The special district's registered agent has fully completed the certification section on the Special District Fee Invoice and Update Form Fee Assessment Form certifying the special district meets the conditions for a zero annual fee, and has returned the Special District Fee Invoice and Update Form Fee Assessment Form to the Department by the due date.

(f) No change.

(3) The Department shall verify the conditions for a zero annual fee within 30 days of receiving the completed certification section on the Special District Fee Invoice and Update Form Fee Assessment Form. If the Department determines that a special district did not meet any condition in Rule 9B-50.003(2)(e), F.A.C., the Department shall notify the registered agent of the special district, and the special district shall be responsible for paying the appropriate fee when invoiced by the Department.

(4) If a special district fails to comply with the fee schedule requirements by the due date set forth on the Special District Fee Invoice and Update Form Fee Assessment Form, the special district shall be assessed a fine within the limits set by statute. Department shall assess a fine of an additional \$25.00, the total fee and fine being due within 30 days. If upon second notice, a special district again fails to remit the required annual fee to the Department by the due date, the Department shall assess a fine of an additional \$25.00, the total fee and fines being due within 30 days. The Department shall, at least 30 days prior to the due date, send any late fee invoice by regular mail to the registered agent of the special district. The Department shall use the post-marked date as a determination of whether or not a special district complies with the fee schedule by the due date. The Department may report each special district in noncompliance with its fee requirements to the Office of the Comptroller for further action.

EFFECTIVE DATE: March 1, 2003.

Specific Authority 189.425 FS. Law Implemented 189.427 FS. History--New 5-1-90, Amended 3-14-91, 12-3-91, 8-10-97, 3-17-99, 3-1-03.

9B-50.004 Annual Updating of the Special District Database.

The Department shall use any updated data from each returned Special District Fee Invoice and Update Form to help ensure that its database remains up-to-date for the purpose of meeting its responsibilities associated with the Official List of Special Districts.

(1) By June 1 of each year, and at least 30 days prior to the due date, the Department shall send the Special District Update Form, DCA-SDIP-001, Effective 3-17-99, (hereby incorporated by reference and available from the Special District Information Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100) by regular mail to the registered agent of each special district registered with the Special District Information Program.

(2) On or before July 1 of each year, each special district shall fully complete and return to the Department the Special District Update Form. The Department shall use this form to update its database in preparation for the annual updating and distribution of the Official List of Special Districts.

EFFECTIVE DATE: March 1, 2003.

Specific Authority 189.425 FS. Law Implemented 189.4035, 189.412 FS. History--New 5-1-90, Amended 8-10-97, 3-17-99, 3-1-03.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Prototype Buildings Plan Review and Approval	9B-74
RULE TITLES:	RULE NOS.:
Definitions	9B-74.010
Administration and Fees	9B-74.020
Plan Review and Approval	9B-74.030

PURPOSE AND EFFECT: The purpose of the amendment to the referenced sections of Rule 9B-74 are to allow the prototype plan approval process to address alternative design features of one general set of plans; to limit the scope of the process to buildings that are less than a prescribed size and to make editorial corrections. The amendment is intended to define "alternate design features" and prescribe conditions for the approval thereof; to define a size limitation for buildings subject to approval; and make editorial corrections.

SUBJECT AREA TO BE ADDRESSED: Definitions, Administrative requirements, and substantive requirements for Plan Approval.

SPECIFIC AUTHORITY: 553.77(5) FS.

LAW IMPLEMENTED: 553.77(5) FS.

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

TIME AND DATE: 1:00 p.m., September 30, 2002

PLACE: Department of Community Affairs, Room 310M, 2555 Shumard Oak Boulevard, Tallahassee, Florida

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

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

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Orientation
RULE NO.: 33-601.100

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to create a new rule for inmate orientation procedures, removing orientation language from Rule 33-602.101, F.A.C., Care of Inmates, in order to provide clarity in organization of rule provisions.

SUBJECT AREA TO BE ADDRESSED: Inmate orientation.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.100 Inmate Orientation.

Upon initial arrival in the Department of Corrections, as well as upon transfer within the department, each inmate shall be provided with orientation at which time the rules and procedures of the Department of Corrections, as well as the local institutional operating procedures shall be explained to him. The warden shall review and approve the contents of the orientation to ensure that the security of the institution is not compromised. The reception centers shall provide a more in-depth orientation of overall department rules, while the receiving institutions which serve as the inmates' permanent locations shall emphasize the local operating procedures in their orientation. As inmates are received into the department they shall be provided with a printed copy of Rules 33-601.301-601.314, F.A.C., Inmate Discipline. Translations or translation assistance shall be provided as needed. Copies of the rules and procedures shall be available to inmates upon request to read or review (not for retention). In cases where the inmate is unable to read or comprehend English, translation shall be made available. Copies of the rules and procedures shall also be available for inmate inspection in the institutional library.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New

DEPARTMENT OF CORRECTIONS

RULE TITLE: Care of Inmates
RULE NO.: 33-602.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete orientation language which is being moved to a new orientation rule in order to provide clarity in organization of rule provisions, and to provide guidelines for receipt and possession of books on tape by impaired inmates.

SUBJECT AREA TO BE ADDRESSED: Inmate orientation, books on tape for impaired inmates.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.101 Care of Inmates.

~~(1) Upon initial arrival in the Department of Corrections, as well as upon transfer within the department, each inmate shall be provided with orientation at which time the Rules and Regulations and Directives of the Department of Corrections, as well as the local institutional operating procedures shall be explained to him. The warden shall review and approve the contents of the orientation to ensure that the security of the institution is not compromised. The reception centers shall provide a more in-depth orientation of overall department rules, while the receiving institutions which serve as the inmates' permanent locations shall emphasize the local operating procedures in their orientation. As inmates are received into the department they shall be provided with a printed copy of Rules 33-601.301-601.314, F.A.C., Inmate Discipline. Translations or translation assistance shall be provided as needed. Copies of the Department Rules shall be available to inmates upon request to read or review (not for retention). In cases where the inmate is unable to read or comprehend English, translation must be made available. Copies of the Rules and Regulations shall also be available for inmate inspection in the institutional library.~~

(2) through (10) renumbered (1) through (9) No change.

~~(10)(11)~~ Inmates who are unable to handle or read written material due to physical impairment (this includes those who are visually impaired, paraplegic or quadriplegic, or severely affected with arthritis) and who receive assistance from the Bureau of Braille and Talking Book Library Services shall be allowed to possess a tape player or record player from the Bureau. Any alteration of equipment provided by the Bureau shall result in confiscation of the equipment and suspension of those privileges. A tape recorder shall be available for inmate use at a location determined by the warden which allows for supervision of use and which does not unduly restrict access. Inmates shall obtain approval from the chief health officer to utilize the tape recorder in lieu of pen and paper for correspondence purposes. Any material or equipment that an inmate receives from the Bureau of Braille and Talking Book Library Services remains the Bureau's property and must be returned to the Bureau if an inmate loses the use of this material or equipment for disciplinary reasons. Impaired

inmates shall be limited to possession of four books on tape. An inmate who has four books on tape in his possession will not be allowed to receive additional books until some are returned to the Bureau of Braille and Talking Book Library Services.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 10-8-76, Formerly 33-3.02, Amended 4-19-79, 4-24-80, 1-9-85, 11-3-87, 9-16-88, 7-23-89, 8-27-91, 3-30-94, 11-14-95, 6-2-99, Formerly 33-3.002, Amended 11-21-00, 1-25-01, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Education Requirements
 RULE NO.: 61J1-4.001

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to education requirements.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617 FS.

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, October 1, 2002

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Experience Requirement
 RULE NO.: 61J1-6.001

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to experience requirements.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.617 FS.

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, October 1, 2002

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Display and Disclosure of Registration, License or Certification Designation

RULE NO.: 61J1-7.001

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to clarify the language relating to appraiser abbreviations or designations.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to appraiser abbreviations or designations.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.622 FS.

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, October 1, 2002

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Disciplinary Guidelines

RULE NO.: 61J1-8.002

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to clarify or modify the disciplinary guideline recommendations.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to disciplinary guidelines.

SPECIFIC AUTHORITY: 455.2273, 475.614 FS.

LAW IMPLEMENTED: 455.227, 475.622, 475.624, 475.626 FS.

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, October 1, 2002

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Food Stamp Program Income and Expenses

RULE NO.: 65A-1.603

PURPOSE AND EFFECT: The Food Stamp Act of 1977 has been amended to allow multiple levels of utility allowances in determining eligibility for the Food Stamp Program and to disallow the use of actual utility expenses. This proposed rule amendment states that actual utility expenses are not allowed and clarifies budgeting of standard and basic allowances.

SUBJECT AREA TO BE ADDRESSED: In addition to disallowing the use of actual utility expenses, this proposed amendment: clarifies budgeting for utilities when expenses are shared; clarifies budgeting the basic utility allowance; deletes utility expenses for an unoccupied home; and, revises the shelter standard estimate for the homeless.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.31 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: 3:00 p.m., September 30, 2002
 PLACE: Building 3, Room 100, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, FL 32399-0700, (850)488-3090

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Food Stamp Program Issuance
 RULE NO.: 65A-1.604

PURPOSE AND EFFECT: Section 409.942, F.S., established the Electronic Benefit Transfer (EBT) program. EBT electronically provides state administered cash and food stamp benefits to eligible participants. This proposed rule amendment changes food stamp benefit issuance to describe and include the Electronic Benefit Transfer (EBT) program in rule. This program allows a participant to authorize the transfer of government benefits from a federal or state account to a retailer account by using a machine-readable card to pay for products received.

SUBJECT AREA TO BE ADDRESSED: This rule amendment updates the process used to issue food stamp benefits by describing and including the Electronic Benefit Transfer (EBT) program in rule. Under the statewide Electronic Benefit Transfer program, a participant authorizes transfer of government benefits from a federal or state account to a retailer account by using a machine-readable card to pay for products received.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 409.942, 414.31 FS.

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

TIME AND DATE: 1:00 p.m., September 30, 2002
 PLACE: Building 3, Room 100, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, FL 32399-0700, (850)488-3090

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE CHAPTER TITLE: Temporary Cash Assistance
 RULE CHAPTER NO.: 65A-4

RULE TITLE: Family Cap Requirements
 RULE NO.: 65A-4.214

PURPOSE AND EFFECT: This proposed amendment deletes a portion of the Family Cap policy that has been removed from state law.

SUBJECT AREA TO BE ADDRESSED: This rule amendment deletes date of conception exceptions to the Family Cap requirements. The statutory base for this policy no longer exists.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.115 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.

TIME AND DATE: 10:00 a.m., September 30, 2002
 PLACE: Building 3, Room 100, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, FL 32399-0700, telephone (850)488-3090

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

**Section II
 Proposed Rules**

DEPARTMENT OF STATE

Division of Library and Information Services

RULE TITLE: Library Grant Programs
 RULE NO.: 1B-2.011

PURPOSE, EFFECT AND SUMMARY: The proposed amendment revises the guidelines and forms for the Public Library Construction grant program. Guidelines for this grant program are outlined in the application packet that contain information on eligibility requirements, application and review procedures, evaluation and funding criteria, grant administration procedures and application forms.

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

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

SPECIFIC AUTHORITY: 257.14, 257.191 FS.

LAW IMPLEMENTED: 257.14, 257.191 FS.

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

TIME AND DATE: 9:00 a.m., October 14, 2002

PLACE: Board Room, State Library of Florida, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barratt Wilkins, Director, Division of Library and Information Services, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, (850)245-6600, Suncom 205-6600

THE FULL TEXT OF THE PROPOSED RULE IS:

1B-2.011 Library Grant Programs.

(1) through (2)(a) No change.

(b) The Library Construction Grant Guidelines and Application, effective 4-1-98, Amended 2-14-99 which contain instructions, grant application (Form # DLIS/PLC01), effective 4-1-98, Amended 2-14-99, Amended 4-4-00, Amended 12-18-00, Amended : Payment Request #1 (DLIS/PLC02) effective : Payment Request #2 (DLIS/PLC03) effective : Payment Request #3 (DLIS/PLC04) effective : Payment Request #4 (DLIS/PLC05) effective : and Closeout Report (DLIS/PLC06) effective :

(c) through (f) No change.

(3) through (4) No change.

Specific Authority 257.14, 257.191, 257.192, 257.24, 257.41(2) FS. Law Implemented 240.5186, 257.12, 257.14, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.19, 257.191, 257.192, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40, 257.41, 257.42 FS. History—New 1-25-93, Amended 7-17-96, 4-1-98, 2-14-99, 4-4-00, 12-18-00, 11-20-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marian Deeney

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barratt Wilkins, Director, Division of Library and Information Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 4, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2002

LAND AND WATER ADJUDICATORY COMMISSION

Gateway Services District

RULE CHAPTER TITLE: Gateway Services Community

RULE CHAPTER NO.: 42F-1

Development District

RULE TITLE: Boundary

RULE NO.: 42F-1.002

PURPOSE, EFFECT AND SUMMARY: The purpose of the proposed rule amendment is to amend the boundaries of the Gateway Services Community Development District (District). The petition to amend the District's boundaries submitted by the Board of Supervisors of the District requests that the Florida Land and Water Adjudicatory Commission amend Chapter 42F-1, Florida Administrative Code, to contract approximately 973 acres from the existing boundaries. A Notice of Receipt of Petition for the District was published in the May 17, 2002, edition of the Florida Administrative Weekly. After contraction, the District will consist of approximately 4,501 acres. (At the time the petition was filed, the District was known as the "Gateway Services District" consisting of approximately 5,324 acres. However, on July 29, 2002, a rule amendment became effective expanding the District to approximately 5,474 acres and renaming the District as the "Gateway Services Community Development District.") All of the property proposed to be contracted out of the District is located within the City of Fort Myers, Florida. The proposed area to be contracted consists of three parcels generally located in the southeast portion of the City of Fort Myers, south of Colonial Boulevard and bisected by Interstate 75, in sections 34 and 35, township 44 south, range 25 east and sections 2, 3, 4, 10 and 11 of township 45 south, range 25 east. The District has obtained the consent of the owners of 100% of the property proposed to be deleted from the District.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The statement of estimated regulatory costs (SERC) supports the petition to amend the District. The complete text of the SERC is contained as Exhibit 6 to the petition to amend the boundaries of the District. The scope of the SERC is limited to evaluating the regulatory cost consequences of approving the proposal to amend 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 and types of individuals likely to be required to comply with the rule or who will be affected; (b) a good faith estimate of the costs to any state and local government entities of implementing and enforcing the proposed rule, and any anticipated affect on state and local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities; (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 paragraph (1)(a) and either a statement adopting the alternative or a

statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principal entities that are likely to be required to comply with the rule include the District, the State of Florida, Lee County and the City of Fort Myers. Under section (b), the FLWAC and State of Florida incur minimal one-time administrative costs. Lee County and the City of Fort Myers also incurred minimal administrative costs that should be fully offset by the filing fees paid (\$1,500 to each Lee County and the City of Fort Myers). Adoption of the proposed rule amendment to approve amending the boundaries of the District is not anticipated to cause any significant impact on State and local revenues. Addressing section (c), those individuals or businesses who may ultimately reside or operate on the lands to be contracted from the District will not be required to pay District assessments and fees over and above their City and other local taxes. Under section (d), approval of the petition to amend the District boundaries will have only an incidental impact on small businesses. Also, impacts on small counties and cities as defined in Section 120.52, F.S., is not expected as Lee County is not a small county and the City of Fort Myers is not a small city, as defined. Addressing section (e), the Statement of Estimated Regulatory Costs was prepared based on a straightforward application of economic theory, especially as it relates to tracking the incidence of costs and benefits.

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: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 FS.

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

TIME AND DATE: 10:00 a.m. – Noon, Thursday, October 10, 2002

PLACE: Room 1702G, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty at (850)487-1884 at least 2 business days in advance to make appropriate arrangements.

THE PERSONS TO BE CONTACTED REGARDING THE PROPOSED RULE ARE: Erin McCormick Larrinaga, Fowler White Boggs Banker, P.A., Suite 1700, 501 E. Kennedy Boulevard, Tampa, Florida 33602, telephone (813)222-1180, or Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884

THE FULL TEXT OF THE PROPOSED RULE IS:

42F-1.002 Boundary.

The boundaries of the district are as follows:

A tract or parcel of land lying Section 35, Township 44 South, Range 25 East and in Sections 1, 2, 3, 4, 10, 11 and 12, Township 45 South, Range 25 East; Section 31, Township 44 South, Range 26 East and in Sections 5, 6, 7, 8, 17, 18 and 19, Township 45 South, Range 26 East, Lee County, Florida, more particularly described as follows:

Beginning at the southwest corner of said Section 35 run N 00° 47' 42" W along the west line of the southwest quarter (SW-1/4) of said Section for 2643.18 feet to the quarter corner on the west line of said section; thence run N 00° 43' 47" W along the west line of the northwest quarter (NW-1/4) of said Section for 1361.42 feet; thence run N 35° 45' 29" E for 947.82 feet; thence run N 56° 15' 44" E for 690.61 feet to the south line of the Colonial Boulevard right of way (State Road 884) (250 feet wide); thence run S 89° 38' 27" E along said south line for 2763.96 feet to an intersection with the west line of the northeast quarter (NE-1/4) of the northeast quarter (NE-1/4) of said Section; thence run S 02° 16' 01" E along said west line for 1,168.38 feet to the southwest corner of said fraction; thence run N 89° 54' 24" E along the south line of said fraction for 1324.86 feet to the southeast corner of said fraction; thence run S 03° 20' 25" E for 1284.37 feet to the quarter corner on the east line of said Section; thence run S 00° 01' 59" E along said east line for 2635.65 feet to the northwest corner of said Section 1; thence run N 89° 28' 42" E along the north line of the northwest quarter (NW-1/4) of said Section 1 for 2,642.98 feet to the quarter corner on said north line; thence run S 89° 57' 06" E along the north line of the northeast quarter (NE-1/4) of said Section 1 for 2523.38 feet to the northeast corner of said Section; thence run N 00° 57' 01" W along the west line of said Section 31 for 2644.12 feet to the quarter corner on said west line; thence run N 00° 35' 02" W along said west line of said Section 31 for 1705.47 feet to an intersection with the southwesterly line of Immokalee Road (State Road 82) (200 feet wide); thence run S 46° 07' 29" E along said southwesterly line for 6215.51 feet to an intersection with the south line of said Section 31; thence continue S 46° 07' 29" E along said southwesterly line for 1227.27 feet to an intersection with a line common to said Sections 5 and 6; thence continue S 46° 07' 29" E along said southwesterly line for 1535.36 feet to a point of curvature; thence run Southeasterly along said southwesterly line along the arc of a curve to the left of radius 5824.88 feet (delta 18° 13' 21") (chord bearing S 55° 14' 10" E) (chord 1844.76 feet) for 1852.55 feet to a point of tangency; thence continue along said southwesterly line S 64° 20' 50" E for 22.21 feet to an intersection with the east line of the west half (W-1/2) of said Section 5; thence run S 00° 06' 33" E along said east line for 2271.81 feet to the quarter corner common to said Sections 5 and 8; thence run S 01° 02' 00" E along the east line of the west half (W-1/2) of said Section 8 for

3,028.35 feet; thence run N 89° 33' 57" E for 605.03 feet; thence run S 01° 02' 00" E for 1800.10 feet; thence run S 89° 33' 57" W for 605.03 feet; thence run S 01° 02' 00" E for 500.03 feet to the quarter corner common to said Sections 8 and 17; thence run S 01° 00' 12" E along the east line of the northwest quarter (NW 1/4) of said Section 17 for 926.76 feet to an intersection with the northeasterly line of a Florida Power and Light Company substation site as described in deed recorded in Official Record Book 1606 at Page 1286 of the Lee County Records; thence run N 37° 57' 04" W along said northeasterly line for 361.70 feet; thence run S 52° 02' 56" W along the northwesterly line of said Site for 361.70 feet; thence run S 37° 57' 04" E along the southwesterly line of said Site for 741.48 feet to an intersection with the northwesterly line of Daniels Road Extension (200 feet wide) as described in deed recorded at Official Record Book 1644 at Page 1739 of the Lee County Records; thence run N 68° 38' 13" E along said northwesterly line for 64.84 feet to an intersection with said easterly line of said northwest quarter (NW 1/4) of said Section 17; thence run S 01° 00' 12" E along said east line for 1238.52 feet to the southeast corner of said fraction; thence run S 89° 30' 38" W along the south line of said fraction and the north line of the Southwest Florida Regional Airport for 2110.83 feet to an intersection with the southeasterly line of said Daniels Road Extension; thence run S 54° 00' 05" W through said Sections 17, 18 and 19 along the southeasterly line of a road right-of-way (200 feet wide) for 7032.17 feet to an intersection with the west line of said Section 19; thence run N 00° 55' 36" W along said west line for 1,477.45 feet to the northwest corner of said Section; thence run N 00° 54' 13" W along the west line of the southwest quarter (SW 1/4) of said Section 18 for 2,643.95 feet to the quarter corner on said west line; thence run N 00° 39' 39" W along the west line of the northwest quarter (NW 1/4) of said Section 19 for 2,647.35 feet to the northwest corner of said Section; thence run N 00° 57' 26" W along the west line of the southwest quarter (SW 1/4) of said Section 7 for 2,645.34 feet to the quarter corner common to said Sections 7 and 12; thence run S 89° 55' 12" W along the south line of the northeast quarter (NE 1/4) of said Section 12 for 2,524.67 feet to the west line of the east 2,524.14 feet of said northeast quarter (NE 1/4); thence run N 01° 05' 33" W along said west line for 2,646.07 feet to the south line of said Section 1; thence run S 89° 56' 14" W along said south line for 2,663.19 feet to the southwest corner of said Section, passing through the quarter corner on the south line of said Section at 69.26 feet; thence run S 89° 03' 50" W along the south line of said Section 2 for 2645.12 feet to the quarter corner on said south line; thence run S 00° 08' 50" E line of the northwest quarter (NW 1/4) of said Section 11 for 2670.22 feet to the center of said Section; thence run S 88° 33' 56" W along the south line of said northwest quarter (NW 1/4) for 2745.77 feet to the quarter corner on the west line of said Section 11; thence run S 89° 29' 50" W along the south line of the northeast quarter (NE 1/4) of said Section 10 for 2546.16 feet to the

center of said Section; thence run N 00° 06' 58" W along the west line of said northeast quarter (NE 1/4) for 2668.79 feet to the quarter corner on the north line of said Section; thence run S 88° 57' 32" W along the south line of said Section 3 for 2649.25 feet to the southwest corner of said Section; thence run S 88° 54' 32" W along the south line of said Section 4 for 2059.99 feet to an intersection with the southeasterly line of the Six Mile Cypress Acquisition Area; thence run Northeasterly along said southeasterly line the following courses and distances: N 31° 38' 21" E for 261.19 feet; N 01° 23' 47" W for 277.78; N 37° 53' 18" E for 246.16 feet; N 18° 15' 00" E for 91.84 feet; N 56° 35' 37" E for 169.92 feet; N 85° 38' 45" E for 379.20 feet; N 70° 16' 34" E for 105.12 feet; N 06° 16' 12" E for 108.95 feet; N 89° 11' 29" E for 322.80 feet; N 71° 11' 39" E for 95.05 feet; N 55° 29' 43" E for 156.24 feet; S 86° 54' 42" E for 285.36 feet; N 55° 11' 00" E for 58.82 feet; N 73° 00' 08" E for 140.00 feet; N 54° 05' 49" E for 115.77 feet; N 10° 34' 05" E for 104.79 feet; N 24° 05' 57" E for 100.09 feet; N 67° 22' 01" E for 230.59 feet; S 85° 03' 28" E for 211.24 feet; N 05° 10' 02" E for 54.09 feet; N 27° 24' 58" E for 106.63 feet; N 10° 08' 05" E for 139.90 feet; N 44° 41' 11" E for 147.83 feet; N 62° 35' 02" W for 105.53 feet; N 23° 59' 48" E for 476.74 feet; N 15° 42' 08" E for 368.41 feet; N 20° 55' 23" E for 222.23 feet; N 45° 09' 19" E for 183.23 feet; N 31° 07' 36" E for 305.01 feet; N 32° 55' 08" E for 155.78 feet; N 17° 03' 28" E for 110.45 feet; N 26° 26' 47" E for 300.81 feet; N 18° 42' 17" E for 150.86 feet; N 04° 51' 19" W for 340.19 feet; N 12° 09' 34" E for 251.79 feet; N 27° 12' 34" E for 210.15 feet; N 14° 53' 31" E for 323.53 feet and N 35° 18' 42" E for 275.49 feet to an intersection with the north line of said Section 3; thence run N 88° 37' 17" E along said north line for 530.84 feet to an intersection with the westerly line of State Road No. 93 (Interstate 75) (324 feet wide); thence run S 14° 49' 52" E along said westerly line for 677.99 feet to an intersection with the east line of the northwest quarter (NW 1/4) of said Section 3; thence run S 00° 49' 04" E along said east line for 1299.77 feet to the northwest corner of the west half (W 1/2) of the southwest quarter (SW 1/4) of the northeast quarter (NE 1/4) of said section; thence run N 88° 12' 52" E along the north line of said fraction for 323.06 feet to an intersection with said westerly line of State Road No. 93; thence run S 14° 49' 52" E along said westerly line for 2.67 feet to an intersection with the east line of said fraction; thence run S 00° 37' 05" E along said east line for 650.21 feet to the southeast corner of said fraction; thence run N 88° 09' 46" E along the north line of the southeast quarter (SE 1/4) of said Section 3 for 2250.18 feet to the quarter corner common to said Sections 2 and 3; thence run N 00° 47' 03" E along the west line of the northwest quarter (NW 1/4) of said Section 2 for 2605.26 feet to the Point of Beginning.

Less and except all that part of the right-of-way for State Road No. 93 (Interstate 75) lying within the southeast quarter (SE 1/4) of Section 3 and within the northeast quarter (NE 1/4)

of Section 10, Township 45 South, Range 25 East, Lee County, Florida, as more particularly described in the petition for this rule. Containing 5,474 acres, more or less.

DESCRIPTION OF A PARCEL OF LAND LYING IN SECTION 35, TOWNSHIP 44 SOUTH RANGE 25 EAST, AND SECTIONS 1,2,3,11 AND 12 TOWNSHIP 45 SOUTH, RANGE 25 EAST, AND SECTION 31, TOWNSHIP 44 SOUTH, RANGE 26 EAST, AND SECTIONS 5,6,7,8,17,18 AND 19, TOWNSHIP 45 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (NEW DISTRICT BOUNDARY) PARCEL "A" A TRACT OR PARCEL OF LAND LYING IN SECTION 35 TOWNSHIP 44 SOUTH, RANGE 25 EAST, SECTIONS 1, 2, 11 AND 12, TOWNSHIP 45 SOUTH, RANGE 25 EAST; SECTION 31, TOWNSHIP 44 SOUTH, RANGE 26 EAST AND IN SECTIONS 5, 6, 7, 8, 17, 18 AND 19, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35 RUN N 00°47'42" W ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION FOR 2643.18 FEET TO THE QUARTER CORNER ON THE WEST LINE OF SAID SECTION; THENCE RUN N 00°43'47" W ALONG THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION FOR 1361.42 FEET; THENCE RUN N 35°45'29" E FOR 947.82 FEET; THENCE RUN N 56°15'44" E FOR 690.61 FEET TO THE SOUTH LINE OF THE COLONIAL BOULEVARD RIGHT-OF-WAY (STATE ROAD 884) (250 FEET WIDE); THENCE RUN S 89°38'27" E ALONG SAID SOUTH LINE FOR 539.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 89°38'27" E ALONG SAID SOUTH LINE FOR 2224.05 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION; THENCE RUN S 02°16'01" E ALONG SAID WEST LINE FOR 1168.38 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE RUN N 89°54'24" E ALONG THE SOUTH LINE OF SAID SECTION FOR 1324.86 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE RUN S 03°20'25" E FOR 1284.37 FEET TO THE QUARTER CORNER ON THE EAST LINE OF SAID SECTION; THENCE RUN S 00°01'59" E ALONG SAID EAST LINE FOR 2635.65 FEET TO THE NORTHWEST CORNER OF SAID SECTION 1; THENCE RUN N 89°28'42" E ALONG THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 1 FOR 2642.98 FEET TO THE QUARTER CORNER ON SAID NORTH LINE; THENCE RUN S 89°57'06" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 1 FOR 2523.38 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE RUN N 00°57'01" W ALONG THE WEST LINE OF SAID SECTION 31 FOR 2644.12

FEET TO THE QUARTER CORNER ON SAID WEST LINE; THENCE RUN N 00°35'02" W ALONG SAID WEST LINE OF SAID SECTION 31 FOR 1705.47 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY LINE OF IMMOKALEE ROAD (STATE ROAD 82) (200 FEET WIDE); THENCE RUN S 46°07'29" E ALONG SAID SOUTHWESTERLY LINE FOR 6215.51 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 31; THENCE CONTINUE S 46°07'29" E ALONG SAID SOUTHWESTERLY LINE FOR 1227.27 FEET TO AN INTERSECTION WITH A LINE COMMON TO SAID SECTIONS 5 AND 6; THENCE CONTINUE S 46°07'29" E ALONG SAID SOUTHWESTERLY LINE FOR 1535.36 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE ALONG THE ARC OF A CURVE TO THE LEFT OF RADIUS 5824.88 FEET (DELTA 18°13'21") (CHORD BEARING S 55°14'10" E) (CHORD 1844.76 FEET) FOR 1852.55 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID SOUTHWESTERLY LINE S 64°20'50" E FOR 22.21 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST HALF (W 1/2) OF SAID SECTION 5; THENCE RUN S 00°06'33" E ALONG SAID EAST LINE FOR 2271.81 FEET TO THE QUARTER CORNER COMMON TO SAID SECTIONS 5 AND 8; THENCE RUN S 01°02'00" E ALONG THE EAST LINE OF THE WEST HALF (W 1/2) OF SAID SECTION 8 FOR 3028.35 FEET; THENCE RUN N 89°33'57" E FOR 605.03 FEET; THENCE RUN S 01°02'02" E FOR 1800.10 FEET; THENCE S 89°33'57" W FOR 605.03 FEET; THENCE RUN S 01°02'00" E FOR 500.03 FEET TO THE QUARTER CORNER COMMON TO SAID SECTIONS 8 AND 17; THENCE RUN S 01°00'12" E ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 17 FOR 926.76 FEET TO AN INTERSECTION WITH THE NORTHEASTERLY LINE OF A FLORIDA POWER & LIGHT COMPANY SUBSTATION SITE AS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORD BOOK 1606 AT PAGE 1286, LEE COUNTY RECORDS; THENCE RUN N 37°57'04" W ALONG SAID NORTHEASTERLY LINE FOR 361.70 FEET; THENCE RUN S 52°02'56" W ALONG THE NORTHWESTERLY LINE OF SAID SITE FOR 361.70 FEET; THENCE RUN S 37°57'04" E ALONG THE SOUTHWESTERLY LINE OF SAID SITE FOR 741.48 FEET TO AN INTERSECTION WITH THE NORTHWESTERLY LINE OF DANIELS ROAD EXTENSION (200 FEET WIDE) AS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORD BOOK 1644 AT PAGE 1739, LEE COUNTY RECORDS; THENCE RUN N 68°38'13" E ALONG SAID NORTHWESTERLY LINE FOR 64.84 FEET TO AN INTERSECTION WITH SAID EASTERLY LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 17; THENCE RUN S 01°00'12" E ALONG SAID EAST LINE FOR 1238.52 FEET TO THE

SOUTHEAST CORNER OF SAID FRACTION: THENCE RUN S 89°30'38" W ALONG THE SOUTH LINE OF SAID FRACTION AND A NORTH LINE OF THE SOUTHWEST FLORIDA REGIONAL AIRPORT FOR 2110.83 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY LINE OF SAID DANIELS ROAD EXTENSION; THENCE RUN S 54°00'05" W THROUGH SAID SECTIONS 17, 18, AND 19 ALONG THE SOUTHEASTERLY LINE OF A ROAD RIGHT-OF-WAY (200 FEET WIDE) FOR 7032.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID SECTION 19; THENCE RUN N 00°55'36" W ALONG SAID WEST LINE FOR 1477.45 FEET TO THE NORTHWEST CORNER OF SAID SECTION; THENCE RUN N 00°54'13" W ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 18 FOR 2643.95 FEET TO THE QUARTER CORNER OF SAID WEST LINE; THENCE RUN N 00°39'39" W ALONG THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 18 FOR 2647.35 FEET TO THE NORTHWEST CORNER OF SAID SECTION; THENCE RUN N 00°57'26" W ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 7 FOR 2645.34 FEET TO THE QUARTER CORNER COMMON TO SAID SECTIONS 7 AND 12; THENCE RUN S 89°55'12" W ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 12 FOR 2524.67 FEET TO THE WEST LINE OF THE EAST 2524.14 FEET OF SAID NORTHEAST QUARTER (NE 1/4); THENCE RUN N 01°05'33" W ALONG SAID WEST LINE FOR 2646.07 FEET TO THE SOUTH LINE OF SAID SECTION 1; THENCE RUN S 89°56'14" W ALONG SAID SOUTH LINE FOR 2663.19 FEET TO THE SOUTHWEST CORNER OF SAID SECTION, PASSING THROUGH THE QUARTER CORNER ON THE SOUTH LINE OF SAID SECTION AT 69.26 FEET; THENCE RUN S 89°03'50" W ALONG THE SOUTH LINE OF SAID SECTION 2 FOR 3096.18 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF PROPOSED TREELINE BOULEVARD; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING BEARING AND DISTANCES: THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2625.00 FEET (DELTA 29°13'02") (CHORD BEARING S 15°09'16" W) (CHORD 1324.12 FEET) FOR 1338.58 FEET TO A POINT OF TANGENCY; THENCE RUN S 29°45'46" W FOR 618.63 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1487.50 FEET (DELTA 28°50'26") (CHORD BEARING S 15°20'33" W) (CHORD 740.87 FEET) FOR 748.75 FEET TO A POINT OF TANGENCY; THENCE RUN S 00°55'22" W FOR 166.10 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 11; THENCE RUN S 88°33'56" W ALONG SAID LINE FOR 125.11 FEET TO AN INTERSECTION WITH THE WESTERLY

RIGHT-OF-WAY OF PROPOSED TREELINE BOULEVARD; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING BEARING AND DISTANCES: THENCE RUN N 00°55'22" E FOR 171.23 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1612.50 FEET (DELTA 28°50'26") (CHORD BEARING N 15°20'33" E) (CHORD 803.13 FEET) FOR 811.67 FEET TO A POINT OF TANGENCY; THENCE N 29°45'46" E FOR 618.63 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2500.00 FEET (DELTA 33°36'51") (CHORD BEARING N 12°57'22" W) (CHORD 1445.75 FEET) FOR 1466.69 FEET TO A POINT OF TANGENCY; THENCE N 03°51'03" W FOR 959.31 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2800.06 FEET (DELTA 10°24'15") (CHORD BEARING N 01°21'04" E) (CHORD 507.76 FEET) FOR 508.45 FEET TO A POINT OF TANGENCY; THENCE N 06°33'12" E FOR 1166.54 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1000.00 FEET (DELTA 43°02'49") (CHORD BEARING N 14°58'12" W) (CHORD 733.76 FEET) FOR 751.31 FEET TO A POINT OF TANGENCY; THENCE N 36°29'36" W FOR 266.36 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2000.00 FEET (DELTA 37°40'00") (CHORD BEARING N 17°39'36" W) (CHORD 1291.27 FEET) FOR 1314.81 FEET TO A POINT OF TANGENCY; THENCE N 01°10'24" E FOR 245.33 FEET; THENCE S 89°25'36" W LEAVING SAID WEST LINE FOR 114.67 FEET TO A POINT ON THE EAST LINE OF TREELINE BOULEVARD (TO BE RE-ALIGNED) AS DESCRIBED IN OFFICIAL RECORD BOOK 1529 BEGINNING AT PAGE 412 OF THE PUBLIC RECORDS OF LEE COUNTY; THENCE N 00°02'17" W FOR 68.31 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SECTION 34, TOWNSHIP 44 SOUTH, RANGE 25 EAST; THENCE N 01°00'06" W ALONG SAID EAST LINE OF TREELINE BOULEVARD (TO BE RE-ALIGNED) FOR 2642.68 FEET; THENCE N 00°58'02" W ALONG SAID EAST LINE OF TREELINE BOULEVARD (TO BE RE-ALIGNED) FOR 1048.01 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S 47°49' 01" E; SAID POINT ALSO BEING ON THE EAST LINE OF A ROAD RIGHT-OF-WAY AS DESCRIBED IN OFFICIAL RECORD BOOK 2581 BEGINNING AT PAGE 4060 OF THE LEE COUNTY RECORDS; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET (DELTA 41°49'26") (CHORD BEARING N 21°16'16" E) (CHORD 749.56 FEET) FOR 766.46 FEET TO A POINT OF TANGENCY; THENCE N 00°21'33" E ALONG SAID EAST LINE FOR 721.50 FEET; THENCE N 45°21'33" E FOR 42.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.390 ACRES, MORE OR LESS.
SUBJECT TO EASEMENTS, RESTRICTIONS,
RESERVATIONS AND RIGHTS-OF-WAY (RECORDED
AND UNRECORDED, WRITTEN AND UNWRITTEN)
BEARINGS ARE BASED ON THE NORTH LINE OF
SECTION 10, TOWNSHIP 45 SOUTH, RANGE 25 EAST
AS BEARING S88°57'32"W.
TOGETHER WITH:

DESCRIPTION

SECTION 3, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA
PARCEL "B"

A TRACT OR PARCEL OF LAND LYING IN SECTION 3,
TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY,
FLORIDA WHICH TRACT OR PARCEL IS DESCRIBED
AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF
SAID SECTION 3 RUN N 88°37'17" E ALONG THE
NORTH LINE OF THE NORTHWEST ONE-QUARTER
(NW 1/4) OF SAID SECTION 3 FOR 2477.68 FEET TO AN
INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY
LINE OF INTERSTATE 75 (I-75) (STATE ROAD NO. 93)
(324 FEET WIDE) AND THE POINT OF BEGINNING;
THENCE RUN S 14°49'52" E ALONG SAID WESTERLY
RIGHT-OF-WAY LINE FOR 677.94 FEET TO AN
INTERSECTION WITH THE EAST LINE OF THE
NORTHWEST ONE-QUARTER (NW 1/4) OF SAID
SECTION 3; THENCE RUN S 00°49'05" E ALONG SAID
EAST LINE FOR 1299.77 FEET TO THE NORTHWEST
CORNER OF THE WEST HALF (W 1/2) OF THE
SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST
QUARTER (NE 1/4) OF SAID SECTION; THENCE RUN N
88°12'52" E ALONG THE NORTH LINE OF SAID
FRACTION FOR 323.06 FEET TO AN INTERSECTION
WITH SAID WESTERLY LINE OF STATE ROAD NO. 93;
THENCE RUN S 14°49'52" E ALONG SAID WESTERLY
LINE FOR 2.67 FEET TO AN INTERSECTION WITH THE
EAST LINE OF SAID FRACTION; THENCE RUN
S 00°37'05" E ALONG SAID EAST LINE FOR 650.21 FEET
TO THE SOUTHEAST CORNER OF SAID FRACTION;
THENCE RUN N 88°09'46" E ALONG THE NORTH LINE
OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID
SECTION 3 FOR 163.88 FEET TO AN INTERSECTION
WITH SAID WESTERLY RIGHT-OF-WAY LINE; THENCE
RUN S 14°49'52" E ALONG SAID WESTERLY
RIGHT-OF-WAY LINE FOR 1474.99 FEET TO A POINT OF
CURVATURE; THENCE RUN SOUTHERLY ALONG AN
ARC OF A CURVE TO THE RIGHT OF RADIUS 22800.31
FEET (CHORD BEARING S 13°33'28" E) (CHORD 1013.23
FEET) (DELTA 02°32'47") FOR 1013.31 FEET TO A POINT
ON A NON-TANGENT LINE; THENCE RUN N 82°23'52"
W FOR 122.32 FEET TO A POINT ON A NON-TANGENT
CURVE; THENCE RUN NORTHERLY ALONG AN ARC

OF A CURVE TO THE LEFT OF RADIUS 22685.31 FEET
(CHORD BEARING N 13°36'38" W) (CHORD 966.55 FEET)
(DELTA 02°26'29") FOR 966.63 FEET TO A POINT OF
TANGENCY; THENCE RUN N 14°49'52" W FOR 542.01
FEET TO A POINT OF CURVATURE; THENCE RUN
NORTHWESTERLY ALONG AN ARC OF A CURVE TO
THE LEFT OF RADIUS 250.00 FEET (CHORD BEARING
N 54°04'24" W) (CHORD 316.30 FEET) (DELTA 78°29'05")
FOR 342.45 FEET TO A POINT OF TANGENCY; THENCE
RUN S 86°41'03" W FOR 1133.06 FEET; THENCE RUN N
02°10'37" W FOR 387.06 FEET; THENCE RUN N 87°40'37"
W FOR 838.00 FEET; THENCE RUN N 01°19'23" E FOR
243.00 FEET; THENCE RUN S 88°09'46" W FOR 190.18
FEET TO AN INTERSECTION WITH THE
SOUTHEASTERLY LINE OF SIX MILE CYPRESS
PRESERVE, AS RECORDED IN OFFICIAL RECORD
BOOK 1741 AT PAGE 1241 OF THE PUBLIC RECORDS
OF LEE COUNTY, FLORIDA; THENCE RUN THE
FOLLOWING FIFTEEN (13) COURSES ALONG SAID
SOUTHEASTERLY LINE:

N 15°42'08" E FOR 184.34 FEET;
N 20°55'23" E FOR 222.23 FEET;
N 45°09'19" E FOR 183.23 FEET;
N 31°07'36" E FOR 305.01 FEET;
N 32°55'08" E FOR 155.78 FEET;
N 17°03'28" E FOR 110.45 FEET;
N 26°26'47" E FOR 300.81 FEET;
N 18°42'17" E FOR 150.86 FEET;
N 04°51'19" W FOR 340.19 FEET;
N 12°09'34" E FOR 251.79 FEET;
N 27°12'34" E FOR 210.15 FEET;
N 14°53'31" E FOR 323.53 FEET;
N 35°18'42" E FOR 275.49 FEET TO AN INTERSECTION
WITH THE NORTH LINE OF THE NORTHWEST
ONE-QUARTER (NW 1/4) OF SAID SECTION 3; THENCE
RUN N 88°37'17" E ALONG SAID NORTH LINE FOR
530.87 FEET TO THE POINT OF BEGINNING.

CONTAINING 111.14 ACRES, MORE OR LESS.
TOTAL AREA FOR BOTH PARCELS 4.501.14 ACRES,
MORE OR LESS.

BEARINGS HEREINABOVE MENTIONED ARE BASED
ON THE NORTH LINE OF THE NORTHWEST QUARTER
(NW 1/4) OF SAID SECTION 3 TO BEAR N 88°37'17" W
WHICH BEARING IS DERIVED FROM PLANE
COORDINATE FOR THE FLORIDA WEST ZONE (1979
ADJUSTMENT).

Specific Authority 120.53(1), 190.005, 190.046 FS. Law Implemented 190.004, 190.005, 190.046 FS. History—New 5-22-86, Amended 7-29-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 1703, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 3, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 30, 2002

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER TITLE: Statewide Provider and Health Plan
RULE CHAPTER NO.: 59A-12.030

Claim Dispute Resolution Program 59A-12.030
PURPOSE AND EFFECT: The purpose of this rule amendment is to implement the 2002 legislative changes to Chapter 408.7057, F.S., the Statewide Provider and Managed Care Organization Claim Dispute Resolution Program.

SUMMARY: The agency is proposing an amendment to Rule 59A-12.030, F.A.C., based on legislative changes to the law. Chapter 408.7057, F.S., was amended changing the title of the program to Statewide Provider and Health Plan Claim Dispute Resolution Program, adding carriers of major medical expense health insurance policies as defined in Section 627.643(2)(e), F.S., group and individual health insurers licensed pursuant to Chapter 624, F.S., and preferred provider organizations licensed under Chapter 627.6471, F.S., to the listing of insurers that may access the dispute resolution program. In addition, the legislation specifies timeframes for submission of documentation to the dispute resolution program, and authorizes the dispute resolution program to enter a default decision if the requested information is not provided within the timeframes specified.

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

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

SPECIFIC AUTHORITY: 408.7057(7) FS.

LAW IMPLEMENTED: 408.7057 FS.

Written comments or suggestions on the proposed rule may be submitted to the Bureau of Managed Health Care within 21 days after the date of this notice for inclusion in the record of the proceeding.

IF REQUESTED WITHIN 21 DAYS OF THIS NOTICE, A PUBLIC HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m. – 1.00 p.m., October 7, 2002

PLACE: Agency for Health Care Administration, Building 3, Conference Room E, 2727 Mahan Drive, Tallahassee, Florida 32308

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations, to participate in the hearing, please advise the Agency at least 5 calendar days before the hearing by contacting Jane Ross, (850)922-6830.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elfie Stamm, Senior Management Analyst, Bureau of Managed Health Care, Building 1, 2727 Mahan Drive, Mailstop 26, Tallahassee, Florida 32308, phone (850)417-0640

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-12.030 Statewide Provider and ~~Health Plan Managed Care Organization~~ Claim Dispute Resolution Program.

(1) Definitions.

(a) “Disputed Claim” means a claim that has been submitted by a provider to the ~~health plan managed care organization~~ or by a ~~health plan managed care organization~~ to a provider for payment and has been denied in full or in part, or is presumed to have been underpaid or overpaid.

(b) “Disputed Claim Amount” means the difference between the expected reimbursement amount and the reimbursement received.

(c) “~~Health Plan Managed care organization~~” means for the purpose of this section only, a health maintenance organization or a prepaid health clinic certified under Chapter 641, Florida Statutes, a prepaid health plan authorized under Section 409.912, Florida Statutes, or an exclusive provider organization certified under Section 627.6472, Florida Statutes, or a major medical expense health insurance policy, as defined in Section 627.643(2)(e), Florida Statutes, offered by a group or an individual health insurer licensed pursuant to Chapter 624, Florida Statutes, including a preferred provider organization under Section 627.6471, Florida Statutes.

(d) “Provider” as defined in Chapter 641.19(15), Florida Statutes, means any physician, hospital, or institution, organization, or persons that services and is licensed or otherwise authorized to practice in the state.

(e) “Resolution organization” means a qualified independent third-party claim-dispute resolution entity selected by and contracted with the Agency for Health Care Administration.

(2) Jurisdictional amounts and methods of aggregation for claim disputes.

(a) Claims submitted for dispute resolution shall be submitted separately by the following claim categories:

1. Hospital inpatient services claims.
2. Hospital outpatient services claims.
3. Professional services claims.

(b) Entities filing a request for dispute resolution shall be permitted to aggregate claims. The minimum disputed claim amounts for claims submitted to the resolution organization shall be as follows:

1. Hospital inpatient services. Disputed individual claim amounts must be aggregated to a total amount of \$25,000 for HMO contracted hospitals and \$10,000 for non-contracted hospitals.

2. Hospital outpatient services. Disputed individual claim amounts must be aggregated to a total amount of \$10,000 for HMO contracted hospitals, and \$3,000 for non-contracted hospitals.

3. Professional services. Disputed individual claim amounts shall be aggregated to a minimum amount of \$500.

(c) Rural hospitals as defined in Chapter 395.602(2)(e), Florida Statutes, filing requests for claim dispute resolution, are exempt from the minimum disputed claim amounts specified in subparagraphs (b)1. and 2., of this rule.

(3) Application process.

(a) The resolution organization shall review claim disputes filed by either contracted and noncontracted providers, or ~~health plans managed care organizations~~. A request for dispute resolution and supporting documentation must be submitted in hard copy or electronically to the resolution organization in a format prescribed by the resolution organization.

(b) A complete copy of the request, including all supporting documentation, must be submitted to the adverse party at the same time.

(c) The resolution organization must review all requests for claim dispute resolution within 10 days after receipt to determine whether the request meets the statutory and rule criteria for submission to the resolution organization as specified in subparagraphs 408.7057(2)(b)1. through 7., and (d), Florida Statutes.

(d) If the resolution organization determines that the dispute resolution request does not meet the statutory and rule criteria, the request shall be returned to the entity filing the request.

(4) Review Process.

(a) Once the resolution organization determines that the application meets statutory and rule criteria, it must review the documentation submitted. The resolution organization must notify the entity requesting the dispute resolution and the adverse party electronically or by mail that the request for dispute resolution has been accepted for review.

(b) If the resolution organization determines that the documentation provided with the initial application is not sufficient, it may request additional documents from the entity filing the request for dispute resolution. The resolution organization shall require the health plan or provider submitting the claim dispute to submit any supporting documentation to the resolution organization within 15 days after receipt by the health plan or provider of a request from the

resolution organization for documentation in support of the claim dispute. Failure to submit the supporting documentation within such time period shall result in the dismissal of the submitted claim dispute within the timeframes specified by the resolution organization. Any additional documentation submitted to the resolution organization must be submitted to the adverse party at the same time.

(c) The resolution organization shall require the respondent in the claim dispute to submit all documentation in support of its position within 15 days after receiving a request from the resolution organization for supporting documentation. The resolution organization may extend the time if appropriate. Failure to submit the supporting documentation within such time period shall result in a default against the health plan or provider. In the event of such a default, the resolution organization shall issue its written recommendation to the agency that a default be entered against the defaulting entity. The written recommendation shall include a recommendation to the agency that the defaulting entity shall pay the entity submitting the claim dispute the full amount of the claim dispute, plus all accrued interest, and shall be considered a nonprevailing party for the purposes of this section. The adverse party may submit a response and documentation related to the disputed claim within timeframes specified by the resolution organization. If the documentation is submitted in a timely manner, it must be considered by the dispute resolution organization. The dispute resolution organization may request additional documentation from the adverse party within specified timeframes. Any additional information submitted by the adverse party to the resolution organization must be submitted to the entity filing the request for dispute resolution at the same time.

(d) The resolution organization shall issue a written recommendation, based on findings of fact, within 60 days after the requested information is received by the resolution organization within the timeframes specified by the resolution organization receipt of the request as specified in subsection 408.7057(3), Florida Statutes. In no event shall the review time exceed 90 days following receipt of the initial claim dispute submission by the resolution organization as specified in subsection 408.7057(3), Florida Statutes.

(e) The agency shall issue a final order within 30 days after receipt of the recommendations issued by the resolution organization. The agency shall enforce the final order as authorized under subsection 641.52(1)(e), Florida Statutes.

(5) Review Cost.

(a) The agency shall approve the review cost fee schedule proposed by the resolution organization.

(b) The entity that does not prevail in the agency's final order must pay the review costs.

(c) In the event that both parties prevail in part, the review fee shall be apportioned in proportion to the final judgement. The apportionment shall be based on the claim amount.

(d) If the non-prevailing party or parties fail to pay the ordered review costs within 35 days after the agency's final order, the non-paying party or parties are subject to a penalty of \$500 per day.

Specific Authority 408.7057 FS. Law Implemented 408.7057 FS. History--New 10-23-00, Amended 3-28-01,_____

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elfie Stamm, Senior Management Analyst, Bureau of Managed Health Care

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Elfie Stamm, Senior Management Analyst, Bureau of Managed Health Care

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 9, 2002

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

RULE TITLE: Probable Cause Panel
RULE NO.: 61G16-1.011

PURPOSE AND EFFECT: This amendment to the rule clarifies the membership of the panel.

SUMMARY: This rule clarifies the membership of the panel.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or 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(4), 492.103 FS.

LAW IMPLEMENTED: 455.225(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Leon Biegalski, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61G16-1.011 Probable Cause Panel.
- (1) No change.
- (2) As needed, one or more probable cause panels, consisting of three panelists each, shall be selected by, and shall serve at the pleasure of, the chairman of the board. One member of each panel may be a former board member.
- (3) No change.

Specific Authority 455.225(4), 492.103 FS. Law Implemented 455.225(4) FS. History--New 5-16-94, Amended 5-14-97,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Geologists

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 16, 2002

DEPARTMENT OF HEALTH

RULE TITLES:	RULE NOS.:
Registration Requirements, Amendments to Registration, Fees	64-2.001
Scope of Responsibility for Medical and Clinical Directors	64-2.002

PURPOSE AND EFFECT: In accordance with section 456.0375, F.S., the Department of Health is proposing a new rule to specify limitations on the number of registered clinics and licensees for which a medical or clinical director may assume responsibility. Additional rule amendments proposed are necessary for the continued implementation of the clinic registration program and will address changes to a clinic's original registration.

SUMMARY: The Department proposes to amend Rule 64-2.001, F.A.C., to allow for amendments to the registration requirements. New rule 64-2.002 is proposed to establish a maximum number of clinics and licensees for which a medical or clinical director may assume responsibility.

SPECIFIC AUTHORITY: 456.0375 FS.

LAW IMPLEMENTED: 456.0375, 456.065(3) FS.

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

TIME AND DATE: 9:00 a.m., September 26, 2002
PLACE: Betty Easley Conference Center, Room 180, 4075 Esplande Way, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact Crystal Griffin, (850)245-4444 at least five (5) 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 which can be reached at 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 department 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 IS: Larry McPherson, Executive Director, 4052 Bald Cypress Way, Bin C03, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64-2.001 Registration Requirements, Amendments to Registration, Fees.

(1) Registration Requirements.

(a) Effective October 1, 2001, every clinic as defined in Section 456.0375(1), F.S., must, within 60 days, or prior to the inception of the clinic's operation, register and maintain a valid registration with the Department of Health. To register, a clinic must submit Such registration shall be accomplished by filing Form DH-4130, Application for Health Care Clinic Registration, to with the department. Form DH-4130, effective 8/01, is hereby adopted and incorporated by reference, and can be obtained from the Department of Health, Division of Medical Quality Assurance/Communications, at: 4042 Bald Cypress Way, Bin #C03 C04, Tallahassee, Florida 32399-32533254; or via the internet at: http://www.doh.state.fl.us/mqa/ClinicRegis/clinic_regis.html. A clinic's application shall be processed according to the provisions of Section 120.60, F.S., and its registration shall be deemed effective on the date of issuance of the registration by the Department.

(b) through (d) No change.

(2) Amendments to Registration.

(a) In order to maintain a valid registration, each clinic shall within thirty (30) days of a change to the clinic's registration requirements, notify the Department of Health to amend the clinic's registration. Notification to the Department is required for changes to the:

1. Medical or clinical director, including provision of the license number, residence address, business address and phone number for the new medical or clinical director; and

2. address and phone number of the clinic.

(b) Each amendment of a clinic's registration shall be made on Form DH-MQA 1068, Health Care Clinic Registration Amendments, which shall be filed with the department. Form DH-MQA 1068, effective 9/02, is hereby adopted and incorporated by reference, and can be obtained from the Department of Health, Division of Medical Quality Assurance at the addresses provided in subsection (1)(a) above.

(3) Fees.

(a) The cost of registration and registration renewal shall be \$150.00.

(b) An additional five (5) dollar fee shall be added to the cost of registration and registration renewal to cover unlicensed activity, as required by Section 456.065(3), F.S.

(c) The fee for amending a clinic's registration as per subsection (2) of this rule, shall be \$25.00.

Specific Authority 456.0375 FS. Law Implemented 456.0375, 456.065(3) FS. History--New 11-25-01, Amended _____.

64-2.002 Scope of Responsibility for Medical and Clinical Directors.

A medical or clinical director shall not maintain responsibility for more than five (5) health care clinics, or oversee more than 200 licensees as that term is defined in s. 456.001(6), F.S.

Specific Authority 456.0375 FS. Law Implemented 456.0375 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry McPherson, Executive Director

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Amy Jones, Division Director

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 12, 2002

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Definitions RULE NO.: 64B3-2.003

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

SUMMARY: The Board determined that manual pretesting includes direct primary inoculation of microbiology cultures.

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

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

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

LAW IMPLEMENTED: 483.803, 483.811, 483.821, 483.823 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-2.003 Definitions.

(1) through (19) No change.

(20) Manual Pretesting procedures means collecting and labeling specimens; initially separating specimens by centrifugation prior to testing; receiving specimens and

requisitions, processing, sorting, accessioning, prior to testing and delivering specimens to the appropriate testing sites; specimen processing for storage and shipping to a reference laboratory; routine cytopreparatory staining; and measuring and aliquoting specimens; and direct primary inoculation of microbiology cultures.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.803, 483.811, 483.821, 483.823 FS. History—New 11-4-93, Formerly 61F3-2.003, Amended 11-21-94, 11-30-94, 12-26-94, 5-3-95, 7-12-95, Formerly 59O-2.003, Amended 3-19-98, 12-13-98, 3-28-99, 9-12-99, 11-15-99, 3-24-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 12, 2002

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Curriculum Requirements for Clinical Laboratory Personnel Training Programs

RULE NO.: 64B3-3.003

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

SUMMARY: The Board found it necessary to clarify that programs not accredited by three national accrediting programs are those required to adopt Florida curriculum standards.

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

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

SPECIFIC AUTHORITY: 483.805(4), 483.811(2) FS.
LAW IMPLEMENTED: 483.800, 483.809, 483.811 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-3.003 Curriculum Requirements for Clinical Laboratory Personnel Training Programs.

- (1) No change.
- (2) All programs not accredited by the National Accrediting Agency for Clinical Laboratory Science (NAACLS), the Council on Accreditation of Allied Health Education Programs (CAAHEP), or the Accrediting Bureau of Health Education Schools (ABHES) except for those in the categories of cytology, cytogenetics or histocompatibility shall adopt the curriculum standards defined in the Florida Department of Education Program Standards as designated in Section 229.565, F.S., for the categories in which training occurs as follows:
 - (a) through (d) No change.
 - (3) through (8) No change.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History—New 5-9-95, Amended 12-4-95, 4-24-96, Formerly 59O-3.003, Amended 3-19-98, 9-20-98, 1-11-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 12, 2002

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLES:	RULE NOS.:
Application for Examination	64B10-11.001
Examination for Licensure	64B10-11.002
Reexamination	64B10-11.003
Notification of Change of Address or Employing Facility	64B10-11.012

PURPOSE AND EFFECT: The proposed amendments in these rules are intended to update and correct and/or clarify existing language, strike unnecessary language and promulgate new language pursuant to 2001 legislation.

SUMMARY: Rule 64B10-11.001 amendments incorporate an application for examination and promulgates new language pursuant to s. 456.013(7), F.S. Rule 64B10-11.002 amendments strikes unnecessary language and updates existing language. Rule 64B10-11.003 strikes unnecessary language. Rule 64B10-11.012 corrects the address for notification from nursing home administrators.

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: 456.017, 456.033(7), 456.035, 468.1685(1),(2),(5),(7),(8), 468.1695(1) FS.

LAW IMPLEMENTED: 456.017, 456.033(6), 456.035, 468.1685(2), 468.1695(1),(5),(7),(8) 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: John Taylor, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-11.001 Application for Examination.

(1) Any person desiring to be licensed as a nursing home administrator shall apply to the Department of Health to take the licensure examination. The application shall be made on a form DH-MQA-NHA002 (revised 6/13/02), hereby adopted and incorporated by reference, and can be obtained from the Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254 prepared and furnished by the Department. All applications for licensure must be submitted to the Board office at least 90 days prior to the administration of the examination. Otherwise, the application shall be considered for the next examination administration.

(2) ~~The Board shall require as~~ As a condition of certification of initial licensure, each ~~that an~~ applicant shall making initial application for licensure successfully complete:

(a) ~~A~~ Board-approved course on human immunodeficiency virus and acquired immune deficiency syndrome (HIV/AIDS). To receive Board approval, courses on HIV/AIDS shall consist of at least 3 hours of classroom instruction, which shall be approved by the Department of Health Medical Quality Assurance Division, or which meet the requirements of subsection 64B10-15.001(8), Florida Administrative Code, and

(b) A two (2) hour course on the prevention of medical errors, as required by s. 456.013(7), F.S. The course shall be Board-approved and must contain the following components: root cause; analysis; error reduction and prevention; and patient safety.

Specific Authority 456.033(7), 468.1685(1),(2), 468.1695(1) FS. Law Implemented 456.033(6), 468.1685(2), 468.1695(1) FS. History—New 12-26-79, Formerly 21Z-11.01, Amended 1-18-87, 10-2-88, 3-5-89, 3-15-90, 12-3-90, 11-3-92, Formerly 21Z-11.001, 61G12-11.001, Amended 12-4-95, 9-4-96, 7-21-97, Formerly 59T-11.001, Amended 5-15-00,_____.

64B10-11.002 Examination for Licensure.

(1) The Board approves the Nursing Home Administrators Examination developed and administered by the National Association of Boards of Examiners of Nursing Home Administrators and specifies that this examination will be Part I of the examination administered by the Department of Health for the purposes of licensing.

(2) ~~Candidates' raw scores are converted to scaled scores ranging from 50 to 150; the minimum passing score shall be 113 on this scale. The Board may accept the applicant's score on the NAB exam taken in another state provided the exam was taken within 3 years prior to the Board's approval of the application for licensure in this state and the applicant's score was 113 or above.~~

(2)(3)(a) In addition to the national examination referenced in subsection (1) above, each applicant for licensure shall also take an Part II of the examination on the is also written and shall consist of sixty questions on those laws and regulations of the State of Florida which govern the operation of nursing homes. A raw score of forty five, which equals seventy five percent, is necessary to achieve a passing score on Part II.

(b) ~~The following areas shall be tested on Part II of the examination and will be weighted approximately as designated:~~

STATUTE/RULE	ASSIGNED WEIGHT
Chapter 400, Florida Statutes (Nursing Home and Related Health Care Facilities)	32%
Chapter 59A-4, Florida Administrative Code (Minimum Standards For Nursing Homes)	25%
Chapter 64E-11, Florida Administrative Code (Food Hygiene)	15%
Chapter 765, Florida Statutes (Health Care Advance Directives)	8%
Chapter 64E-16, Florida Administrative Code (Biomedical Waste)	5%
Chapter 468, Part II, Florida Statutes (Nursing Home Administration)	5%
Chapter 64B10, Florida Administrative Code (Board of Nursing Home Administrators)	5%
Chapter 415, Florida Statutes (Adult Protective Services)	5%

(4) ~~A passing score on each part is necessary in order to pass the examination.~~

Specific Authority 456.017, 468.1685(1), 468.1695(1) FS. Law Implemented 456.017, 468.1695(1) FS. History—New 12-26-79, Amended 3-1-82, 7-29-82, Formerly 21Z-11.02, Amended 1-18-87, 6-2-87, 12-3-90, Formerly 21Z-11.002, 61G12-11.002, Amended 7-16-95, Formerly 59T-11.002, Amended 5-15-00,_____.

64B10-11.003 Reexamination.

(1) No change.

~~(2) An applicant who fails any part of the licensing examination may retake the part or parts the applicant failed, upon submission to the Agency of a retake application and reexamination fee as established by Rule 64B10-12.003, Florida Administrative Code.~~

~~(2)(3) No change.~~

~~(4) The deadline for completed applications and fees is 40 days prior to each examination for which the application is submitted. Otherwise, the application shall be considered for the next examination administration.~~

Specific Authority 456.017(2), 468.1685(1) FS. Law Implemented 456.017(2) FS. History—New 12-26-79, Amended 3-1-82, 6-14-82, Formerly 21Z-11.03, Amended 3-5-89, 8-19-92, Formerly 21Z-11.003, 61G12-11.003, Amended 6-2-96, Formerly 59T-11.003, Amended 5-15-00,_____.

64B10-11.012 Notification of Change of Address or Employing Facility.

(1) Within 48 hours of assuming or leaving a position as a nursing home administrator, assistant nursing home administrator or any change in the identity of the employing facility within the State of Florida, each licensee must inform ~~the Board office and~~ the Department of Health, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254 ~~Division of Health Quality Assurance, 2727 Mahan Drive, Tallahassee, Florida 32308~~, in writing of the exact date of assuming or leaving the position, or change in the identity of the facility.

(2) Each licensee shall keep the Board office informed of his current mailing residence address.

Specific Authority 456.035, 468.1685(1),(5),(7),(8) FS. Law Implemented 456.035, 468.1685(1),(5),(7),(8) FS. History—New 6-14-82, Formerly 21Z-11.12, 21Z-11.012, Amended 10-26-93, Formerly 61G12-11.012, Amended 10-17-94, 7-27-97, Formerly 59T-11.012, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 9, 2002

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE: Application for Licensure

RULE NO.: 64B10-12.002

PURPOSE AND EFFECT: The application fee for licensure is reduced from \$250.00 to \$155.00.

SUMMARY: The Board has determined to reduce the application fee from \$250.00 to \$155.00.

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: 468.1685(1), 468.1695(2) FS.

LAW IMPLEMENTED: 468.1695(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: John Taylor, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-12.002 Application for Licensure.

The application ~~and examination~~ fee for licensure shall be one hundred fifty-five dollars (\$155.00) ~~two hundred fifty dollars (\$250.00)~~.

Specific Authority 468.1685(1), 468.1695(2) FS. Law Implemented 468.1695(3) FS. History—New 12-26-79, Formerly 21Z-12.02, Amended 1-22-90, Formerly 21Z-12.002, 61G12-12.002, 59T-12.002, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 9, 2002

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE: Change of Status Fee

RULE NO.: 64B10-12.0105

PURPOSE AND EFFECT: Specific language in this proposed rule amendment is stricken.

SUMMARY: The Board proposes to strike specific language from this rule as it deems the language unnecessary.

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: 456.036(7),(8), 468.1685(1) FS.

LAW IMPLEMENTED: 456.036(7),(8) 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: John Taylor, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-12.0105 Change of Status Fee.

The fee for processing a licensee's request to change licensure status ~~at any time other than at the beginning of a licensure cycle~~ shall be twenty-five dollars (\$25.00).

Specific Authority 456.036(7), (8), 468.1685(1) FS. Law Implemented 456.036(7), (8) FS. History--New 5-1-95, Amended 2-22-96, Formerly 59T-12.0105, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 9, 2002

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLES: RULE NOS.:

Continuing Education for Licensure Renewal 64B10-15.001

Criteria for Approved Continuing Education 64B10-15.002

PURPOSE AND EFFECT: Unnecessary language is being deleted and new language to require a course on medical errors is proposed for Rule 64B10-15.001, F.A.C. The least credit hour acceptable for continuing education programs is reduced from 3 to 1 in Rule 64B10-15.002, F.A.C.

SUMMARY: The Board proposes to amend Rule 64B10-15.001, F.A.C., to strike unnecessary language, for clarity of the rule text and to require a continuing education course on medical errors pursuant to s. 456.013(7), F.S. The proposed amendment in Rule 64B15.002, F.A.C., reduces the minimum credit hours per program course from 3 to 1.

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: 456.033, 468.1685(1), 468.1715(3), 468.1725 FS.

LAW IMPLEMENTED: 456.013, 456.033, 456.036(7),(8), 468.1715, 468.1725 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: John Taylor, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULES IS:

64B10-15.001 Continuing Education for Licensure Renewal.

(1) No change.

(2) ~~Beginning August 1, 1996, and each biennium thereafter,~~ Each license-holder shall complete forty (40) contact hours of continuing education in accordance with these rules. A license-holder shall not be permitted to receive more than fifteen (15) continuing education hours in any one topic for a single program.

~~(3) Failure to meet the continuing education requirement shall render the license ineligible for renewal, and the license shall revert to involuntary inactive status at the end of the biennium.~~

(4) through (7) renumbered (3) through (6) No change.

~~(7)(a)(8)~~ Licensees shall ~~may~~ include either the hours obtained from attendance at the HIV/AIDS course required under Section 456.033(1), F.S., or a course in end of life care and palliative health care that may be taken in lieu of the HIV/AIDS course pursuant to Section 456.033(9), F.S., as part of the hours required for biennial renewal, ~~up to a maximum of three hours.~~

(b) As a condition of biennial licensure renewal, each licensee must participate in a Board approved continuing education course on medical errors as required by s. 456.013, F.S. The course shall not be less than two (2) contact hours and must contain the following components: Root-cause analysis; error reduction and prevention; and patient safety.

(9) through (10) renumbered (8) through (9) No change.

Specific Authority 456.033, 468.1685(1), 468.1715, 468.1725 FS. Law Implemented 456.013(6), 456.033, 468.1715(3), 468.1725 FS. History--New 12-11-80, Amended 2-20-83, 5-2-84, Formerly 21Z-15.01, Amended 12-31-86, 2-26-89, 11-19-91, Formerly 21Z-15.001, 61G12-15.001, Amended 9-4-96, 10-20-96, 7-21-97, Formerly 59T-15.001, Amended 5-15-00, _____.

64B10-15.002 Criteria for Approved Continuing Education.

(1) through (9) No change.

(10) The Board shall not accept credit for continuing education programs of less than 1 3 contact hours. Attendance credit in fractions of an hour shall not be granted.

Specific Authority 468.1685(1), 468.1715(3) FS. Law Implemented 456.013, 468.1715, 468.1725 FS. History—New 12-11-80, Amended 2-20-83, Formerly 21Z-15.02, Amended 6-22-87, 2-26-89, 12-6-89, 11-11-92, Formerly 21Z-15.002, 61G12-15.002, 59T-15.002, Amended 10-12-97,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing Home Administrators
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 3, 2002 and August 19, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 9, 2002

DEPARTMENT OF HEALTH

Division of Disease Control

RULE TITLES:	RULE NOS.:
Notifiable Diseases or Conditions to be Reported, Human	64D-3.002
Procedures for Control of Specific Communicable Diseases	64D-3.013
Diseases Designated as Sexually Transmissible Disease	64D-3.015
Reporting Requirements for Practitioners for Sexually Transmitted Diseases (STDs) Including HIV and AIDS	64D-3.016
Reporting Requirements for Laboratories	64D-3.017
Partner Notification	64D-3.018
Blood Testing of Pregnant Women	64D-3.019

PURPOSE AND EFFECT: Amendments to the sexually transmitted disease (STD) rule are necessary to provide improved care for neonates and infants exposed to diseases through their mother. More timely reporting of certain conditions will enable health care providers to provide more preventive care to the affected infants. Other changes to the rule are being made to clarify responsibilities for agencies and professionals working with STDs.

SUMMARY: These proposed rule amendments of Chapter 64D-3 add herpes simplex virus and human papillomavirus to the list of notifiable diseases; designate herpes simplex virus and human papillomavirus as sexually transmissible and specify the reporting requirements for neonates and children diagnosed with these diseases; clarify the meaning of early prenatal visit; clarify the specific data elements needed when reporting cases; and add hepatitis B Antigen testing and offering of HIV testing.

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

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

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m. – 3:00 p.m. (EDST), September 30, 2002

PLACE: Department of Health, Bureau of STD, Conference Room 310, 2585 Merchants Row Blvd., Prather Building, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Maresa R. Corder, RN, MPA, Bureau of STD, Department of Health, 4052 Bald Cypress Way, Bin A19, Tallahassee, FL 32399, (850)245-4605, Maresa_Corder@doh.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

64D-3.002 Notifiable Diseases or Conditions to be Reported, Human.

(1) The following notifiable diseases or conditions are declared as dangerous to the public’s health or of public health significance.

(a) through (cc) No change.

(dd) Herpes simplex virus (HSV) in neonates and infants to six (6) months of age ~~Human Immunodeficiency Virus (HIV).~~

(ee) Human Immunodeficiency Virus (HIV).

(ff) Human papillomavirus (HPV) in neonates and children through twelve (12) years of age.

(ee) through (rrr) renumbered (gg) through (ttt) No change.

(2) No change.

Specific Authority 381.0011(13), 381.003(2), 381.0031(6), 384.33, 392.53(2), 392.66 FS. Law Implemented 381.0011(4), 381.003(1), 381.0031(1), (2), (6), 384.23, 384.25, 385.202, 392.53 FS. History—New 12-29-77, Amended 6-7-82, 11-6-85, Formerly 10D-3.62, Amended 2-26-92, 9-7-93, 11-1-94, 7-21-96, Formerly 10D-3.062, Amended 11-2-98, 7-5-99, 6-4-00,_____.

64D-3.013 Procedures for Control of Specific Communicable Diseases.

(1) through (5) No change.

(6) Perinatal Hepatitis B.

(a) All pregnant women shall be routinely tested for the hepatitis B surface antigen (HBsAg) at the time of the first examination relating to the current pregnancy. Pregnant women who tested negative at the first visit and are considered high-risk for hepatitis B infection shall have a second HBsAg test performed at 28 to 32 weeks of pregnancy during an early prenatal visit in each pregnancy. This test shall be performed at the same time that other routine prenatal screening is ordered. ~~And~~ all HBsAg-positive pregnant women shall be reported to the local county health department.

(b) Infants born to HBsAg-positive mothers shall receive hepatitis B immune globulin and hepatitis B vaccine once they are physiologically stable, preferably within 12 hours of birth

and shall complete the hepatitis B vaccine series according to the recommended vaccine schedule. Testing infants for HBsAg and antibody to hepatitis B surface antigen (anti-HBs) six (6) months after the completion of the hepatitis B vaccine series is recommended to monitor the success or failure of therapy. A positive HBsAg result in any child aged 24 months or less shall be reported to the local county health department within 24 hours.

(c) through (d) No change.

(7) No change.

Specific Authority 381.0011(6), (13), 381.003(2), 381.006(16), 384.25(2), 384.33 FS. Law Implemented 381.0011(4), (6), (8), 381.003(1), 381.0031, 384.25, 384.27 FS. History—New 12-29-77, Amended 6-14-78, 6-7-82, 11-6-85, Formerly 10D-3.91, Amended 7-5-87, 7-19-89, 2-26-92, 10-20-93, 11-1-94, 7-21-96, Formerly 10D-3.091, Amended 7-5-99, 6-4-00, _____.

64D-3.015 Diseases Designated as Sexually Transmissible Diseases.

(1) The following diseases are designated as sexually transmissible diseases for the purposes of Chapter 384, F.S., and this rule:

(a) through (f) No change.

(g) Herpes simplex virus in neonates and infants to six (6) months of age ~~Human Immunodeficiency Virus Infection~~.

(h) Human Immunodeficiency Virus Infection ~~Lymphogranuloma Venereum~~.

(i) Human papillomavirus in neonates and children through twelve (12) years of age ~~Syphilis~~.

(j) Lymphogranuloma Venereum.

(k) Syphilis

(2) No change.

Specific Authority 381.0011(13), 381.003(2), 384.25(2), 384.33 FS. Law Implemented 381.0011(4), (8), 381.003(1), 384.23, 384.25 FS. History—New 7-5-87, Amended 9-7-93, 5-20-96, 1-1-97, Formerly 10D-3.096, Amended 7-5-99, 6-4-00, _____.

64D-3.016 Reporting Requirements for Practitioners for Sexually Transmissible Diseases (STDs), Including HIV and AIDS.

(1) Each practitioner licensed under Chapters 458, 459 and 464, F.S., who makes a diagnosis of or treats a sexually transmissible disease, as defined in Rule 64D-3.015, F.A.C., shall report such information to the local county health department as follows:

(a) Except for the special reporting requirements for AIDS, HIV infection and early syphilis listed in paragraphs 64D-3.016(1)(c) and (d), F.A.C., herpes simplex virus and human papillomavirus infections listed in paragraph 64D-3.016(1)(e) and (f), F.A.C., and for hepatitis A and B as indicated in subsection 64D-3.002(2), Rules 64D-3.004 and 64D-3.006, F.A.C., all reports shall be submitted within three (3) working days from diagnosis.

(b) Except for AIDS and HIV, as indicated in paragraph 64D-3.016(1)(c), F.A.C., and hepatitis A and B as indicated in subsection 64D-3.002(2), F.A.C., all reports of sexually

transmissible diseases shall be completed and submitted on the Florida Confidential Report of Sexually Transmitted Diseases, DH 720, ~~10/97~~. The form, incorporated by reference in this rule, will be furnished by the local county health department.

(c) All cases of AIDS which meet the Centers for Disease Control and Prevention case definition of AIDS and all positive tests to diagnose HIV infection obtained from specimens collected on or after the effective date of this rule shall be reported. Examples of tests to diagnose HIV infection and antibody-based test systems such as repeat ELISA positives followed by a confirmatory test, and antigen tests such as p24 antigen or polymerase chain reaction (PCR) when these are used for confirmatory purposes. Indeterminate test results and unconfirmed positive antibody tests are not reportable. Reporting shall be as follows:

1. AIDS cases and HIV infection shall be reported on the Adult or Pediatric HIV/AIDS Confidential Case Report form, CDC 50.42A Rev. 01/2000 ~~Rev. 7-93~~ or CDC 50.42B Rev. 9/96, respectively, which are incorporated by reference in this rule. The forms shall be furnished by the Department of Health, Bureau of HIV/AIDS, 4052 Bald Cypress Way, Bin A-09, Tallahassee, Florida 32399-1715, or by the local county health department.

2. Reports must be submitted within two (2) weeks of the diagnosis. Reports shall be submitted to the local county health department.

(d) Reports shall contain the following information:

1. Patient's Name.

2. Patient's Address including City and State.

3. Patient's contact telecommunication number, i.e., hard-line telephone, cellular phone, beeper, etc. (if available).

4. Date of Birth.

5. Sex.

6. Race and/or Ethnicity (if available).

7. Social Security Number (if available).

8. Diagnosis.

9. Treatment.

10. Provider's Name.

11. Provider's Address including City and State.

In lieu of an independently prepared report, the provider may elect to use the Florida Confidential Report of Sexually Transmitted Diseases, DH 720 form.

~~(e)(4)~~ All cases of early syphilis shall be reported by telephone to the local county health department within 24 hours of diagnosis.

(f) All cases of herpes simplex virus in neonates and infants to six (6) months of age shall be reported to the local county health department within 24 hours of diagnosis. These reports shall be submitted using the Standard STD Morbidity Report Card which is incorporated by reference in this rule and furnished by the county health department.

(g) All cases of human papillomavirus infection in neonates and children through twelve (12) years of age shall be reported to the local county health department within two (2) working days of diagnosis. These reports shall be submitted using the Standard STD Morbidity Report Card which is incorporated by reference in this rule and furnished by the county health department.

(2) No change.

Specific Authority 381.0011(13), 381.003(2), 381.0031(6), 384.25(2), 384.33 FS. Law Implemented 381.0011, 381.003(1), 381.0031, 384.25 FS. History—New 7-5-87, Amended 2-7-90, 2-26-92, 5-20-96, 1-1-97, Formerly 10D-3.097, Amended 6-7-98, 8-5-99, 6-4-00.

64D-3.017 Reporting Requirements for Laboratories.

(1) Each person who is in charge of a laboratory responsible for collecting the specimen or receiving the initial order for testing the specimen for a sexually transmissible disease as defined in Rule 64D-3.015, F.A.C., shall report its finding to the local county health department as follows:

(a) No change.

(b) Reporting shall be within 24 hours for positive tests for herpes simplex virus in neonates through infants six (6) months of age.

(c) Reporting shall be within 24 hours for positive tests for human papillomavirus in neonates through children twelve (12) years of age.

(b) through (c) renumbered (d) through (e) No change.

(d)(f) Identifying information required on the report is as follows:

1. through 3. No change.

4. Race and ethnicity (if available).

5. Sex.

6. Social Security Number (if available).

7.6- Address and telephone number of the person from whom the specimen was obtained.

7. through 8. renumbered 8. through 9. No change.

(e) through (f) renumbered (g) through (h) No change.

(2) The practitioner who first authorizes, orders, requests or submits a specimen shall be responsible for obtaining and providing the information required in (f) above at the time the specimen is sent to or received by the laboratory.

(3)(2) Each laboratory licensed to perform tests for sexually transmissible diseases shall make its records for sexually transmissible diseases available for on-site inspection by the department or its authorized representatives.

Specific Authority 381.0011(13), 381.003(2), 381.0031(6), 384.25(2), 384.33 FS. Law Implemented 381.0011(4), 381.003(1)(c), 381.0031, 384.25 FS. History—New 7-5-87, Amended 2-26-92, 5-20-96, 1-1-97, Formerly 10D-3.099, Amended 6-4-00.

64D-3.018 Partner Notification.

(1) Partner counseling and referral services are provided only by sexually transmitted disease professionals employed by the department, who. The department and its authorized

representatives, when deemed necessary to protect public health, shall interview, or cause to be interviewed, all persons infected or suspected of being infected with a sexually transmissible disease.

(2) through (3) No change.

Specific Authority 381.0011(13), 381.003(2), 381.0031(6), 384.25(2), 384.33 FS. Law Implemented 381.0011(4), 381.003(1)(c), 384.26 FS. History—New 7-5-87, Amended 2-7-90, 2-26-92, Formerly 10D-3.100, Amended

64D-3.019 Blood Testing of Pregnant Women.

(1) Each practitioner licensed under Chapter 458, 459, or 464, F.S., or midwife licensed under Chapter 467, F.S., who attends a pregnant woman for conditions relating to pregnancy during the period of gestation and delivery, shall take or cause to be taken a sample of venous blood, and shall submit the sample to an approved laboratory for a standard blood test for syphilis and hepatitis B surface antigen (HBsAg). The practitioner shall also provide counseling and offer the pregnant woman an HIV test.

(2) through (3) No change.

(4) A blood sample shall be taken for testing on pregnant women who appear at delivery with no record of a blood test for hepatitis B surface antigen (HBsAg) during pregnancy.

(5) Any pregnant woman who appears at delivery with no record of a blood test for HIV during pregnancy shall be counseled and offered an HIV test.

(6)(4) Practitioners required by law to report births and stillbirths shall record on such report the date or approximate date a blood test for syphilis was made on the woman who bore the child. In no case shall the result of the test be recorded on the birth certificate.

(7)(5) The practitioner submitting the blood sample for such test shall state that this is a blood test for hepatitis B surface antigen (HBsAg), HIV, or syphilis on a pregnant woman.

(8)(6) The department is authorized to use the information from blood tests for syphilis, hepatitis B, or HIV in women for such follow-up procedures as required by law or deemed necessary by the department for the protection of public health.

(9)(7) Form Availability – The form to be used to report results of a blood test for syphilis in a pregnant woman is the Florida Confidential Report of Sexually Transmitted Diseases, DH 720, which is incorporated by reference in paragraph 64D-3.016(1)(b), F.A.C.

Specific Authority 381.0011(13), 381.003(2), 384.25, 384.33 FS. Law Implemented 381.0011(4), 381.003(1)(c), 384.25, 384.26, 384.31 FS. History—New 7-5-87, Amended 2-26-92, Formerly 10D-3.101, Amended 8-5-99, 6-4-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karla Schmitt, Bureau Chief, Bureau of Sexually Transmitted Diseases

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Maresa R. Corder

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 3, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 16, 2002

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.: 4-203.100 RULE TITLE: Prescribed Forms

NOTICE OF WITHDRAWAL

Notice is hereby given that the proposed amendments to the above referenced rules, as noticed in Vol. 28, No. 22, May 31, 2002, Florida Administrative Weekly, have been withdrawn.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE NO.: 5F-8.005 RULE TITLE: Requests for Inspections, Reinspections

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 32, (August 9, 2002) issue of the Florida Administrative Weekly.

(9) No change.

(a) A Department Inspector will count the number of carrier units or tubs per ride. The number of carrier units or tubs per ride is based on the manufacturer's intended configuration of the ride in order to make it fully operational. Upon inspection of a ride if evidence exists that indicates the ride has been altered from the original manufacturer's configuration by removing carrier units or tubs, then the ride must be inspected by a professional engineer in accordance with Section 616.242(12), F.S. Lacking the manufacturer's guidance on proper configuration of carrier units or tubs, the department's inspector will evaluate the ride and make a recommendation to the Bureau for final determination. Arbitrary reduction of carrier units by operators are not permitted.

(b) No change.

Specific Authority ~~616.241~~; 616.242 FS. Law Implemented ~~616.241~~; 616.242 FS. History--New 9-15-92, Amended 2-23-94, 5-27-96, 9-23-97, 2-15-99, 3-21-00,_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: 5K-4.020 RULE TITLE: Food Permits; Requirements and Fees

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(d)1., F.S., published in Vol. 28, No. 32, July 9, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

THE FULL TEXT OF THE RULE CHANGE IS:

5K-4.020 Food Permits; Requirements and Fees.

(1) through (6) No change.

(7) Recovery of Cost for Reinspections.

(a) A food establishment shall pay a fee of \$110 to the department for recovery of the cost incurred to provide each reinspection of the food establishment. For the purposes of this section, a reinspection refers to any inspection conducted for the purpose of verifying compliance with Chapter 500, F.S., or the rules promulgated thereunder, following a previous unsatisfactory inspection. Such unsatisfactory inspection shall be indicated by issuance of an inspection report listing conditions which are not in compliance and which, when viewed as a whole, are more likely to contribute to food contamination, illnesses or environmental health hazards.

(b) Nothing in this section shall prohibit the department from imposing additional sanctions for violations of Chapter 500, F.S., or the rules promulgated thereunder. The costs of reinspection ~~will may be included in any administrative action taken against the establishment for violations of Chapter 500 or this Chapter, or may be billed separately~~ by invoice of the department. ~~If the cost of reinspection is billed separately by invoice, and the reinspection fee shall be paid within 21 days receipt thereof.~~ Failure to timely pay a reinspection fee is a violation of this chapter and shall be grounds for suspension of the establishment's food permit.

(c) The fee established for a reinspection shall include the average cost per inspection for inspectors' salary, benefits, travel, training, equipment, supervision, and other costs or charges directly related to administration of the food establishment inspection program.

(d) The fee shall be applicable for each reinspection regardless of whether the reinspection is satisfactory or unsatisfactory. Provided however, a fee for reinspection shall not be required when both of the following conditions are met:

1. The conditions which were deemed unsatisfactory in the prior inspection are in compliance and the overall finding of the reinspection is satisfactory, and

2. No previous reinspection of the establishment has been conducted during the same calendar year.

(e) This rule shall become effective January 1, 2003.

Specific Authority 500.09, 500.12(1)(b), 570.07(23) FS. Law Implemented 500.04, 500.09, 500.10, 500.12(1)(a),(b),(c),(d), 500.121, 500.171, 500.172, 500.177 FS. History--New 1-10-93, Formerly 5E-6.020, Amended 8-8-95, 3-11-98, 3-6-01, 10-30-01, 1-1-03.

NAME OF CONTACT PERSON FOR THE RULE CHANGE: Dr. John Fruin, Chief, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, telephone (850)488-3951

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-8.200
 RULE TITLE: Home and Community-Based Waiver Services

NOTICE OF CHANGE

Notice is hereby given that substantial changes have been made to the proposed Rule 59G-8.200, F.A.C. In accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 18, May 3, 2002 issue of the Florida Administrative Weekly.

These changes are pursuant to a rule challenge made on behalf of The Florida Association of Support Coordinators, dated May 24, 2002.

Following is the summary of changes made:
 Handbook page 2-98

Limitations section, 1st paragraph, 1st sentence clarified as follows:

The support coordination provider must notify the District in writing of any vacancies or leave of absences granted with a list of beneficiaries affected by this vacancy, within 5 days of each occurrence.

Limitations section, 1st paragraph, inserted following the 5th sentence:

This notification will enable the District to inform the affected beneficiaries of the impending change in their support coordination provider. This notification will allow sufficient time for the beneficiary to choose an available provider from within or outside the current agency. It will also allow the beneficiary time to adjust to the anticipated changes.

Limitations section, 1st paragraph, last sentence clarified as follows:

All caseload transfers will be accomplished by the District working with the provider to identify those beneficiaries affected by the vacancy and who will cause the temporary support coordinator to exceed the maximum caseload of 36.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-1.006
 RULE TITLE: Notices, Current Address of Licensees

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 28, No. 29, July 19, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

The rule shall now read as follows:

64B3-1.006 Notices, Current Address of Licensees.

Each person holding a license issued pursuant to Chapter 483, Part III, Florida Statutes, must maintain on file with the Department the current mailing address and primary practice location at which any notice required by law may be served by the Board or its agent. Within 60 ~~sixty~~ days of changing either ~~this~~ address, whether or not within this state, the licensee shall notify the Department in writing of the new address and designating at which address the licensee may be served with notices or other documents.

Specific Authority 456.035 FS. Law Implemented 456.073(1), 483.817, 483.819 FS. History--New 3-15-93, Formerly 21KK-1.006, 61F3-1.006, 59O-1.006, Amended _____.

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-1.015
 RULE TITLE: Probable Cause Determinations

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 28, No. 29, July 19, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

The rule shall now read as follows:

64B3-1.015 Probable Cause Determinations.

(1) No change.

(2) There shall be one probable cause panel of the Board, which shall meet the requirements set forth in Section 456.073, Florida Statutes. The probable cause panel shall be composed of two members, one of whom may be a past Board member.

(3) through (4) No change.

Specific Authority 456.073, 483.805(4) FS. Law Implemented 456.073, 483.825 FS. History—New 3-15-93, Formerly 21KK-1.015, 61F3-1.015, 59O-1.015, Amended _____.

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.003
 RULE TITLE: Technologist

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 28, No. 33, August 16, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsection (2), (3), (4), (5) and (6) of 64B3-5.003 shall now read as follows:

(2) Qualifications for Cytology Technologist. For the specialty of cytology, applicants for technologist shall be nationally certified in cytology by the American Society for Clinical Pathology. Applicants shall have one hour of Board approved HIV/AIDS continuing education as stated in Rule 64B3-11.005, F.A.C., or in subsequent rule of the Department.

(3) Qualifications for Histology Technologist. For the category of histology, applicants for technologist licensure shall have one hour of Board approved HIV/AIDS continuing education as stated in Rule 64B3-11.005, F.A.C., or in subsequent rule of the Department, and have one of the following:

(a) through (e) No change.

(4) Qualifications for Cytogenetics Technologists. In the category of cytogenetics, Applicants for technologist licensure shall have a minimum of a baccalaureate degree in clinical laboratory, chemical or biological science, one hour of Board approved HIV/AIDS continuing education and have one of the following:

(a) through (c) No change.

(5) Qualifications for Blood Banking Technologists. In the category of blood banking, applicants for technologist licensure shall have one hour of Board approved HIV/AIDS continuing education, a minimum of a baccalaureate degree in a clinical laboratory, chemical or biological science, and have one of the following:

(a) through (b) No change.

(6) Qualifications for Molecular Genetics Technologist. For the specialty of molecular genetics, applicants for technologist licensure shall have a minimum of a baccalaureate degree, which shall include 16 semester hours of academic

science, one hour of Board approved HIV/AIDS continuing education as stated in Rule 64B3-11.005, F.A.C., or in subsequent rule of the Department, and one of the following:

(a) through (c) No change.

Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 9-10-95, 12-4-95, Formerly 59O-5.003, Amended 5-26-98, 1-11-99, 7-5-01, 3-24-02, _____.

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 28, No. 33, August 16, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsections (2), (3) and (4) of Rule 64B3-5.004 shall now read as follows:

(2) Qualifications for General Laboratory Technicians. In order to be licensed as a general laboratory technician which includes the categories of microbiology, serology/immunology, chemistry, hematology, and immunohematology, an applicant shall have one hour of Board approved HIV/AIDS continuing education, a minimum of a high school diploma or a high school equivalency diploma and one of the following:

(a) through (e) No change.

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

(a) through (d) No change.

(4) Qualifications for Molecular Genetic Technicians. To be licensed as a molecular genetic technician, an applicant shall have one hour of Board approved HIV/AIDS continuing education, a minimum of a high school diploma or high school equivalent, and be licensed as a clinical laboratory technologist or technician in any specialty area.

Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 59O-5.004, Amended 5-26-98, 9-20-98, 1-11-99, 8-31-99, 9-27-00, 12-26-00, 4-29-02, _____.

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

DEPARTMENT OF HEALTH

Board of Dentistry

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

NOTICE OF CORRECTION

A Notice of Additional Public Hearing regarding the above-proposed rule(s) was published in the August 30, 2002 issue of the Florida Administrative Weekly, Vol. 28, No. 24, on page(s) 3790-3791. The mailing address of the person to be contacted regarding the Notice was incorrectly stated. The correct address is Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3254.

The foregoing change does not affect the substance of the Notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3254

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.:	RULE TITLE:
64B16-27.832	Standards of Practice for Filling Prescriptions Generated Through the Internet

NOTICE OF PUBLIC HEARING

The Board of Pharmacy hereby gives notice of a public hearing on the above-referenced rule to be held on October 8, 2002 at 10:00 a.m., at the Holiday Inn Select, 316 West Tennessee Street, Tallahassee, Florida 32301, (850)222-9555. The hearing is being held in response to a request by RX Network. The rule was originally published in Vol. 28, No. 27, of the July 5, 2002, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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 which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.:	RULE TITLE:
64B19-18.0025	Qualifications to Practice Juvenile Sexual Offender Therapy

NOTICE OF ADDITIONAL PUBLIC HEARING

The Board of Psychology hereby gives notice of an additional public hearing on the above-referenced rule(s) to be held on November 15, 2002, at 9:00 a.m., or as soon thereafter as possible at Homewood Suites/Hilton, 2987 Apalachee Parkway, Tallahassee, Florida 32301. The Notice of Proposed Rulemaking was originally published August 16, 2002 in Vol. 28, No. 33, of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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 which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.:	RULE TITLE:
64B24-2.001	Licensure to Practice Midwifery

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 24, June 14, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsection (1) of the rule shall now read as follows:

64B24-2.001 Licensure to Practice Midwifery.

(1) Persons desiring to be licensed as a midwife shall make application to the department and remit all applicable fees as required by Chapter 64B24-3, F.A.C. The application shall be made on Form DH-MQA 1051, Application for Midwifery Licensure, incorporated herein by reference and revised 8/02, which can be obtained from the Council of Licensed Midwifery, Department of Health, 4052 Bald

Cypress Way, Bin #C06, Tallahassee, Florida. If incomplete, the application and fees shall expire 1 year from the date on which the application is initially received by the department. After a period of one (1) year a new application with required fees must be submitted.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela E. King, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Tallahassee, Florida 32399

Section IV Emergency Rules

DEPARTMENT OF STATE

Division of Elections (Administrative Code)

RULE TITLE: 2002 General Election Ballot
RULE NO.: 1SER02-2
SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY AND WELFARE: The 2002 General Election is scheduled for November 5, 2002. Rule 1S-2.032, F.A.C., currently provides for uniform ballots and requires that underneath the office heading "Governor and Lieutenant Governor" is to be placed the ballot instruction "Vote for One Pair." Emergency Rule 1SER02-1 requires that for the September 10, 2002 Primary Election, this instruction is to be modified to "Vote for One" to eliminate voter confusion. Because the instruction for the primary election ballot has been modified, there exists the potential for confusion if the general election ballot has a different instruction listed.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: This action is immediate in nature and the agency is only taking the absolute necessary action to protect the public. The proposed rule provides guidance for the general election ballot as it relates to candidates for Governor and Lieutenant Governor. An emergency rule is the most appropriate means to ensure that the Florida 2002 General Election ballots will be uniform and unambiguous.

SUMMARY OF THE RULE: The emergency rule provides guidelines as to what the general election ballot is to read for the offices of Governor and Lieutenant Governor.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Amy Tuck Whitman, Assistant General Counsel, Department of State, Division of Elections, 107 West Gaines Street, Room 100, Tallahassee, Florida 32399-0250, (850)245-6200

THE FULL TEXT OF THE EMERGENCY RULE IS:

1SER02-2 2002 General Election Ballot.

For the 2002 General Election, the ballots shall have "(Vote for One)" under the office heading for Governor and Lieutenant Governor.

Specific Authority 101.151 FS. Law Implemented 101.151 FS. History--New 8-29-02.

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

EFFECTIVE DATE: August 29, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 442, BLACK JACK
RULE NO.: 53ER02-46

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 442, "BLACK JACK," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number and size of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-46 Instant Game Number 442, BLACK JACK.

(1) Name of Game. Instant Game Number 442, "BLACK JACK."

(2) Price. BLACK JACK lottery tickets sell for \$1.00 per ticket.

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

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

INSERT SYMBOLS

(5) The “DEALER’S TOTAL” play symbols and play symbol captions are as follows:

INSERT SYMBOLS

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

INSERT SYMBOLS

(7) The legends are as follows:

INSERT SYMBOLS

(8) Determination of Prize Winners. There are five hands on a ticket. A ticket having two cards in the “YOUR HANDS” play area of one hand, the total of which is greater than the number in the “DEALER’S TOTAL” play area shall entitle the claimant to the corresponding prize shown for that hand. The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$400, and \$5,000. A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a BLACK JACK lottery ticket which entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 442 are as follows:

GAME PLAY	WIN	ODDS OF	
		1 IN	PER POOL
TICKET	\$1 TICKET	10.00	1,008,000
\$1	\$1	15.00	672,000
\$2	\$2	25.00	403,200
\$4	\$4	100.00	100,800
\$1 x 5	\$5	100.00	100,800
\$5	\$5	100.00	100,800
\$10	\$10	300.00	33,600
\$2 x 5	\$10	300.00	33,600
\$25	\$25	1,440.00	7,000
\$5 x 5	\$25	900.00	11,200
\$5 + (\$10 x 2)	\$25	900.00	11,200
\$10 x 5	\$50	1,200.00	8,400
\$25 x 2	\$50	1,200.00	8,400
\$50	\$50	7,200.00	1,400
\$20 x 5	\$100	252,000.00	40
(\$25 x 2) + \$50	\$100	252,000.00	40
\$100	\$100	252,000.00	40
\$400	\$400	840,000.00	12
\$5,000	\$5,000	1,260,000.00	8

(10) The estimated overall odds of winning some prize in Instant Game Number 442 are 1 in 4.03. Some prizes, including the top prizes, may be sold out at time of ticket purchase.

(11) For reorders of Instant Game Number 442, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a BLACK JACK lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

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

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 8-29-02.

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

EFFECTIVE DATE: August 29, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 449, WILD, WILD WINNINGS

RULE NO.: 53ER02-47

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 449, "WILD, WILD WINNINGS," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number and size of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-47 Instant Game Number 449, WILD, WILD WINNINGS.

(1) Name of Game. Instant Game Number 449, “WILD, WILD WINNINGS.”

(2) Price. WILD, WILD WINNINGS lottery tickets sell for \$5.00 per ticket.

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

Code. In the event a dispute arises as to the validity of any WILD, WILD WINNINGS lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) Design of ticket. There are five different games in Instant Game Number 449, WILD, WILD WINNINGS. Game 1 is entitled "Cash Roundup." Game 2 is entitled "High Card." Game 3 is entitled "7-11 Tumbleweed Roll." Game 4 is entitled "Gold Rush." Game 5 is entitled "Boot Scootin' Bucks."

(5) The "YOUR SYMBOLS" play symbols and play symbol captions in Cash Roundup are as follows:

INSERT SYMBOLS

(6) The "ROUNDUP SYMBOL" play symbols and play symbols captions in Cash Roundup are as follows:

INSERT SYMBOLS

(7) The prize play symbols and play symbol captions in Cash Roundup are as follows:

INSERT SYMBOLS

(8) The legends in Cash Roundup are as follows:

INSERT SYMBOLS

(9) The "YOUR CARD" play symbols and play symbol captions in High Card are as follows:

INSERT SYMBOLS

(10) The "DEALER'S CARD" play symbols and play symbol captions in High Card are as follows:

INSERT SYMBOLS

(11) The prize play symbols and play symbol captions in High Card are as follows:

INSERT SYMBOLS

(12) The legends in High Card are as follows:

INSERT SYMBOLS

(13) The "YOUR DICE" play symbols and play symbol captions in 7-11 Tumbleweed Roll are as follows:

INSERT SYMBOLS

(14) The prize play symbols and play symbol captions in 7-11 Tumbleweed Roll are as follows:

INSERT SYMBOLS

(15) The legends in 7-11 Tumbleweed Roll are as follows:

INSERT SYMBOLS

(16) The prize play symbols and play symbol captions in Gold Rush are as follows:

INSERT SYMBOLS

(17) The legends in Gold Rush are as follows:


INSERT SYMBOLS

(18) The play symbols and play symbol captions in Boot Scootin' Bucks are as follows:

INSERT SYMBOLS

(19) Determination of Prizewinners. Each of the five games in Instant Game Number 449, WILD, WILD WINNINGS, uses a different play methodology. The determination of prizewinners for each game is as follows:

(a) In Cash Roundup, a ticket having a symbol in the "YOUR SYMBOLS" play area that matches the symbol in the "ROUNDUP SYMBOL" play area shall entitle the claimant to the corresponding prize shown for that symbol. The prizes are: \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$100, \$1,000,

\$10,000, and \$100,000. A ticket having a  symbol in the "YOUR SYMBOLS" play area shall entitle the claimant to double the corresponding prize amount shown.

(b) In High Card, there are three hands. A ticket having a card in the "YOUR CARD" play area of one hand that is higher than the card in the "DEALER'S CARD" play area of the same hand shall entitle the claimant to the corresponding prize shown for that hand. The prizes are \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$100, \$1,000, \$10,000, and \$100,000.

(c) In 7-11 Tumbleweed Roll, there are three rolls. A ticket having two dice in the "YOUR DICE" play area of one roll, the sum of which is 7 or 11, shall entitle the claimant to the corresponding prize amount shown for that roll. The prizes are \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$100, \$1,000, and \$10,000.

(d) In Gold Rush, there are four rows. A ticket having three like amounts within a row in the play area shall entitle the claimant to a prize of the amount shown. The prizes are \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$100, \$1,000, and \$100,000.

A ticket having two like amounts and a symbol within a row in the play area shall entitle the claimant to a prize of ten times the amount shown.



(e) In Boot Scootin' Bucks, a ticket having a symbol in the play area shall entitle the claimant to a prize of \$5.

(20) The estimated odds of winning, value, and number of prizes in Instant Game Number 449 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 63 POOLS OF 120,000 TICKETS PER POOL	
			1 IN	PER POOL
G1-\$1 x 5	\$5	20.00	378,000	
G1-\$1(HORSESHOES) + G2-\$1 + G3-\$1 + G4-\$1	\$5	30.00	252,000	
G2-\$1 + G4-\$1 x 4	\$5	30.00	252,000	
G2-\$5	\$5	30.00	252,000	
G1-\$1 + \$2 x 2 + G2-\$2 + G3-\$1 x 2 + G4-\$1	\$10	30.00	252,000	
G4-\$1(NUGGET)	\$10	120.00	63,000	
G1-\$1(HORSESHOES) + G2-\$1 x 3 + G3-\$5	\$10	120.00	63,000	
G1-\$1 x 5 + G2-\$2 x 2 + G3-\$1	\$10	120.00	63,000	
G1-\$1(HORSESHOES) + G2-\$1 + G3-\$1 + G4-\$1 + G5-\$5(BOOT)	\$10	120.00	63,000	
G1-\$5(HORSESHOES) + G2-\$2 + G3-\$1 + G4-\$2	\$15	60.00	126,000	
G3-\$2 + G4-\$2 x 4 + G5-\$5(BOOT)	\$15	120.00	63,000	
G1-\$1 + G2-\$1 + G3-\$1 + G4-\$2 + \$5 + G5-\$5(BOOT)	\$15	120.00	63,000	
G1-\$2(HORSESHOES) + G2-\$1 + \$2 + \$5 + G3-\$1 x 2 + G4-\$2 x 3	\$20	120.00	63,000	
G1-\$1 x 5 + G2-\$1 x 3 + G3-\$1 x 3 + G4-\$1 x 4 + G5-\$5(BOOT)	\$20	120.00	63,000	
G1-\$2 x 5 + G2-\$1 x 3 + G3-\$1 x 3 + G4-\$1 x 4 + G5-\$5(BOOT)	\$25	342.86	22,050	
G1-\$10(HORSESHOES) + G2-\$2 x 2 + G4-\$1	\$25	342.86	22,050	
G1-\$2 x 4 + G2-\$2 + \$5 + G3-\$2 x 3 + G4-\$1 x 4	\$25	342.86	22,050	
G3-\$5 + G4-\$1(NUGGET) + \$5 + G5-\$5(BOOT)	\$25	342.86	22,050	
G1-\$1 + \$2(HORSESHOES) + \$5 + G2-\$5 + \$10	\$25	400.00	18,900	
G1-\$5 + G2-\$2 + G4-\$1 + \$1(NUGGET) + \$2 + \$5	\$25	400.00	18,900	

G1-\$10(HORSESHOES) + G3-\$5 x 2 + G4-\$2(NUGGET)	\$50	94.12	80,325	
G1-\$10(HORSESHOES) + \$20 + G2-\$5 + \$75 \$20 + G4-\$1 + \$2 x 2 + \$5	\$75	3,000.00	2,520	
G1-\$5 x 5 + G3-\$10 + \$20 + G4-\$5 x 3 + G5-\$5(BOOT)	\$75	3,000.00	2,520	
G1-\$25(HORSESHOES) + G3-\$1 x 3 + G4-\$2 + \$20	\$75	4,000.00	1,890	
G1-\$1 x 3 + \$2 + \$5 + G2-\$2 + \$10 + \$25 + G3-\$1 x 2 + \$5 + G4-\$1(NUGGET) + \$2 x 3 + G5-\$5(BOOT)	\$75	4,000.00	1,890	
G1-\$1(HORSESHOES) + \$1 x 4 + G2-\$1 x 3 + G3-\$1 + \$2 + \$25 + G4-\$1 + \$2 + \$10 + \$20 + G5-\$5(BOOT)	\$75	4,000.00	1,890	
G1-\$1 x 3 + \$2 + \$5 + G2-\$2 + \$5 + \$20 + \$100 G3-\$1 + \$10 + \$25 + G4-\$2 + \$5 x 2 + \$10 + G5-\$5(BOOT)	\$100	3,780.00	2,000	
G1-\$5 + \$20 + \$25 + G2-\$1 + \$2 + \$10 + G3-\$2 x 2 + \$5 + G4-\$1 x 3 + \$25	\$100	3,780.00	2,000	
G1-\$100	\$100	3,780.00	2,000	
G1-\$5(HORSESHOES) + \$10 + \$25 + G2-\$2 + \$10 x 2 + G3-\$2 x 2 + \$25 + G4-\$1 x 4	\$100	3,780.00	2,000	
G1-\$2 + \$20(HORSESHOES) + G2-\$2 + \$5 + \$10 + G3-\$20 + G4-\$1 + \$5 x 2 + \$10	\$100	3,780.00	2,000	
G1-\$1 + \$5 + \$25 + \$100 + G2-\$1 x 2 + \$100 + G3-\$100 x 2 + G4-\$2 + \$2(NUGGET) + \$20 + \$25	\$500	378,000.00	20	
G1-\$5 + \$10 + \$25(HORSESHOES) + G2-\$100 x 2 + G3-\$25 x 3 + G4-\$10 + \$20 \$500 + \$25 + \$100 + G5-\$5(BOOT)	\$500	378,000.00	20	
G1-\$20 x 5 + G3-\$25 x 2 + \$100 + G4-\$25(NUGGET)	\$500	378,000.00	20	
G1-\$1,000	\$1,000	756,000.00	10	
G2-\$1,000	\$1,000	756,000.00	10	
G3-\$1,000	\$1,000	756,000.00	10	
G4-\$100(NUGGET)	\$1,000	756,000.00	10	
G1-\$25 x 4 + \$100(HORSESHOES) + G2-\$20 + \$25 + \$100 + G3-\$25 + \$100 x 2 + G4-\$10(NUGGET) + \$10(NUGGET) + \$25 + \$100 + G5-\$5(BOOT)	\$1,000	756,000.00	10	
G1-\$10,000	\$10,000	3,780,000.00	2	
G2-\$10,000	\$10,000	3,780,000.00	2	
G3-\$10,000	\$10,000	3,780,000.00	2	
G4-\$10,000	\$10,000	3,780,000.00	2	
G1-\$10,000 + G2-\$10,000 + G3-\$10,000 + G4-\$10,000	\$40,000	7,560,000.00	1	
G1-\$100,000	\$100,000	7,560,000.00	1	
G2-\$100,000	\$100,000	7,560,000.00	1	
G4-\$100,000	\$100,000	7,560,000.00	1	

(21) The estimated overall odds of winning some prize in Instant Game Number 449 are 1 in 3.37. Some prizes, including the top prizes, may be sold out at time of ticket purchase.

(22) For reorders of Instant Game Number 449, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(23) By purchasing a WILD, WILD WINNINGS lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

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

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 8-29-02.

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

EFFECTIVE DATE: August 29, 2002

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF EDUCATION

The Florida Commission for Independent Education hereby gives notice that it has issued an order on a petition for waiver or variance of paragraph 6E-2.002(2)(f), Florida Administrative Code, filed by the East West College of Natural Medicine. The Commission considered the petition at its July 29, 2002 meeting in Fort Lauderdale, Florida. The Commission's order, filed on August 29, 2002, grants the petition, finding that the underlying purpose of the rule has been met, and that a substantial hardship will be avoided by granting the waiver.

A copy of the order may be obtained by contacting Mary Hamm at the Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on August 21, 2002, South Florida Water Management District (District) received a petition for waiver from the Department of Solid Waste Management, in association with Application No. 02-0821-1M for a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as the L-31E Levee, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4),(5) and (6), and paragraph 40E-6.221(2)(j), F.A.C., 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), F.A.C., which governs the placement of permanent and semi-permanent above-ground facilities within forty feet of the top of canal bank within Works or Lands of the District, for installation of a chain link fence, and which governs the placement of permanent and/or semi-permanent above ground structures within the District's designated equipment staging areas, for installation of low voltage instrumentation cables.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail at jsluth@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business

on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Jan Sluth, Office of Counsel.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

On August 20, 2002 DEP received a petition from Ms. Alvira McIntosh requesting a waiver pursuant to Section 120.542, F.S., of the ATRP deductible required under paragraph 62-769.800(4)(c), F.A.C.

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

DEP received on July 19, 2002, a petition from MRI Funding Incorporated (Teleford #23), for a waiver pursuant to subsection 376.3071(12)(k)5., Florida Statutes, of certain record keeping requirements under subsection 376.3071(12)(e), Florida Statutes. On August 22, 2002, the Department granted this petition.

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

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Michael F. Waters, M.D. The Notice of Petition for Waiver was published in Vol. 28, No. 26, of the June 28, 2002, Florida Administrative Weekly. The Board considered the Petition at its meeting held on August 3, 2002, in Orlando, Florida. The Board's Order, filed on August 28, 2002, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed on behalf of Francesco Serafini, M.D. The Notice of Petition for Waiver was published in Vol. 28, No. 28, of the July 12, 2002, Florida Administrative Weekly. The Board considered the Petition at its meeting held on August 3, 2002, in Orlando, Florida. The Board's Order, filed on August 26, 2002, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Gayle Ryan Tignor, P.A. The Notice of Petition for Waiver was published in Vol. 28, No. 31, of the August 2, 2002, Florida Administrative Weekly. The Board considered the Petition at its meeting held on August 3, 2002, in Orlando, Florida. The Board's Order, filed on August 26, 2002, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by subsection 64B8-30.003(1), F.A.C., has been met.

A copy of the Board's Order may be obtained by contacting the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

The Board of Medicine hereby gives notice that it has received a petition for waiver filed on August 30, 2002, by Leonard A. Roudner, M.D., seeking a waiver from sub-subparagraph 64B8-9.009(6)(b)1.a., F.A.C., with regard to utilizing the services of a certified nurse anesthetist (CRNA) in the administration of Level III office anesthesia under the direct supervision of the operating surgeon.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

The Electrolysis Council of the Board of Medicine hereby gives notice that it has determined that the petition filed on December 20, 2001, by Sally Hudson, seeking a waiver from subsection 64B8-54.004(5), F.A.C., with regard to payment of delinquent licensure fees was not a proper petition. The Council, by letter dated February 11, 2002, requested that Petitioner submit a petition in accordance with §120.542, Florida Statutes and Rule Chapter 28-104, F.A.C. No subsequent petition has been filed in this matter.

For information regarding this petition, contact: Kaye Howerton, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

The Electrolysis Council of the Board of Medicine hereby gives notice that it has determined that the petition filed on December 6, 2001, by Lucy Irene Smith, seeking a waiver from subsection 64B8-54.004(5), F.A.C., with regard to payment of delinquent licensure fees was not a proper petition. The Council, by letter dated February 11, 2002, requested that

Petitioner submit a petition in accordance with §120.542, Florida Statutes and Rule Chapter 28-104, F.A.C. No subsequent petition has been filed in this matter.

For information regarding this petition, contact: Kaye Howerton, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

The Board of Psychology hereby gives that the petition filed on behalf of Angela M. Glazer, Ph.D., on May 21, 2002, seeking a variance from paragraphs 64B19-11.001(4)(b) and (4)(c), F.A.C., has been withdrawn. The Notice of Petition was published in Vol. 28, No. 22, of the May 31, 2002, issue of the Florida Administrative Weekly.

The person to be contacted regarding this matter is Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, Division of Cultural Affairs** announces the following public meeting to which all persons are invited.

COMMITTEE: Art Selection Committee

DATE AND TIME: Monday, October 7, 2002, 2:00 p.m.

PLACE: Contemporary Art Museum, Conference Room, University of South Florida, Tampa, FL 33620

GENERAL SUBJECT MATTER TO BE CONSIDERED: Initial Meeting, Natural and Environmental Sciences Public Art Project #549.

For more information, please contact: Vincent Ahern, Coordinator of Public Art, University of South Florida Contemporary Art Museum, 4202 E. Fowler Avenue, CAM 101, Tampa, FL 33620, (813)974-4333.

Should any person wish to appeal any decision made with respect to any matter considered in the above-referenced meeting, he/she may need to ensure verbatim recording of the proceedings to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

DEPARTMENT OF LEGAL AFFAIRS

The Ad Hoc Committee to Review State Commissions on the Status of Women of the Florida **Commission on the Status of Women** will hold a telephone conference on:

DATE AND TIME: Tuesday, September 24, 2002, 10:00 a.m.

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

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

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

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

DATE AND TIME: Wednesday, September 25, 2002, 10:00 a.m.

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

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

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

The Women's Hall of Fame Committee of the Florida **Commission on the Status of Women** will hold a telephone conference on:

DATE AND TIME: Wednesday, September 25, 2002, 3:00 p.m.

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

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

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

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

DATE AND TIME: Tuesday, September 24, 2002, 3:00 p.m.

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

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

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

DEPARTMENT OF BANKING AND FINANCE

The Florida **Board of Funeral and Cemetery Services** announces a public Board Meeting and all persons are invited to attend.

DATE AND TIME: October 16, 2002, 10:00 a.m. – 5:00 p.m.

PLACE: Adam's Mark Hotel, 430 South Gulfview Blvd., Clearwater Beach, FL 33767

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Business.

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

To obtain further information contact: Frances Restifo, Administrative Assistant II, Division of Securities and Finance, 101 East Gaines St., Fletcher Bldg., Room 649B, Tallahassee, FL 32399-0350, (850)410-9853.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Frances Restifo, (850)410-9853, at least 48 hours before the meeting. If you are hearing or speech impaired, contact Frances Restifo via the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

DEPARTMENT OF INSURANCE

The **Department of Insurance** announces a public forum to which all persons are invited.

DATE AND TIME: September 19, 2002, 3:00 p.m. – 7:00 p.m. (CST)

PLACE: Pensacola Junior College, Ashmore Auditorium, 1000 College Boulevard, Pensacola, FL 32504

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Insurance intends to receive comments from interested parties relative to mold and the impact it is having on Florida's consumers and insurance industry.

A copy of the agenda may be obtained by contacting: J. Steve Roddenberry, Deputy Director, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0326, (850)413-5104.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a meeting to which all persons are invited.

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

PLACE: 115 South Andrews Avenue, Annex A-460, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Consumers' Council will be meeting to discuss consumer-related issues and proposed legislation for the 2003 Florida session addressing issues of interest to consumers.

A copy of the agenda may be obtained by contacting: Mr. James R. Kelly, Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)922-2966.

DEPARTMENT OF EDUCATION

The **Articulation Coordinating Committee** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, September 18, 2002, 9:30 a.m. – 4:00 p.m.

PLACE: Turlington Building, Room 1706, 325 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the items to be addressed may be obtained by contacting: K-16 Articulation, Florida Department of Education, 1652 Turlington Building, Tallahassee, Florida 32399-0400, (850)922-0344 or Suncom 292-0344.

The public is invited to a meeting of the Florida **Board of Education**.

DATE AND TIME: September 24, 2002, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Report from the K-20 Accountability Task Force; Report from the Higher Education Funding Task Force; Update on the Reorganization of the Department of Education; Status of the Management Project Abstracts for the Board's Strategic Plan; Consideration of the 2003-2004 Legislative Budget Request from the Department of Education; and other matters pertaining to the Florida Board of Education.

A copy of the agenda may be obtained from the Secretary of Education's website at <http://www.flboe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity and Diversity, (850)201-7160 (Voice), (850)201-7164 (TDD), at least 7 days in advance, so that their needs can be accommodated.

The Interagency Advisory Committee for the **School Emergency Plans Project** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 27, 2002, 8:30 a.m. – 2:00 p.m.

PLACE: Quantum Foundation, 505 South Flagler Drive, West Palm Beach, Florida 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Interagency Advisory Committee for the School Emergency Plans Project.

The Interagency Advisory Committee welcomes participation from any interested members of the public.

Any person who desires a copy of the proceedings should arrange to tape the meeting. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise Julie Collins, Office of Safe Schools, Emergency Management Program, (850)414-7778, at least five calendar days before the meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces the following meetings to which all persons are invited. The meetings will be held at:

PLACE: The Rosen Plaza, 9700 International Drive, Orlando, Florida 32819, 1(800)366-9700

DATE AND TIME: September 22, 2002

10:00 a.m. Meeting of the Residential Rehabilitation Subcommittee, and the Commercial Rehabilitation Subcommittee of the Code Administration Technical Advisory Committee

DATE AND TIME: September 23, 2002

9:00 a.m. Meeting of the Accessibility Advisory Council to consider the following applications for waiver from accessibility code requirements: Primrose School, Tanya King Boulevard, Avalon Park, Orange County, Florida; Cost of Wisconsin, International Drive, Orlando, Florida; Family Activity Center, Old Cutler Presbyterian Church, 70055 S. W. 144th Street, Miami, Florida; Reliable Group Architectural Office, 309 South Willow Avenue, Tampa, Florida

DATE AND TIMES: September 23, 2002

8:00 a.m. Meeting of the Energy Technical Advisory Committee

8:00 a.m. Meeting of Electrical TAC

8:00 a.m. Meeting of the Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee

8:00 a.m. Meeting of the Interested Parties on Swimming Pool Training Course

10:00 a.m. Meeting of the Interested Parties on Roofing Training Course

1:00 p.m. Meeting of the Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee

1:00 p.m. Mechanical Technical Advisory Committee (Joint meeting with plumbing TAC at 1:00 p.m.)

2:00 p.m. Structural Technical Advisory Committee

1:00 p.m. Plumbing Technical Advisory Committee (Joint meeting with mechanical TAC at 1:00 p.m.)
 11:00 a.m. Education Technical Advisory Committee
 4:00 p.m. Education Program Oversight Committee
 DATE AND TIME: September 24, 2002
 8:30 a.m. Meeting of the Plenary Session of the Florida Building Commission

Agenda review and approval. Review and approval of August 14, 2002 Meeting minutes. Review and update of Commission work-plan. Discussion and Public Comment on amendment to Rule 9B-74, Prototype Building. Discussion and Public Comment on amendment to Rule 9B-3, Private Inspections form. Work-style preference exercise. Consideration of requests for waiver from accessibility code requirements: Primrose School, Tanya King Boulevard, Avalon Park, Orange County, Florida; Cost of Wisconsin, International Drive, Orlando, Florida; Family Activity Center, Old Cutler Presbyterian Church, 70055 S. W. 144th Street, Miami, Florida; Reliable Group Architectural Office, 309 South Willow Avenue, Tampa, Florida.

Consideration of Committee Reports and Recommendations: Code Administration TAC Report; Mechanical TAC Report; Plumbing TAC Report; Electrical TAC Report; Structural TAC Report; Energy TAC Report; Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee Report; Education Program Oversight Committee and TAC Report and Accessibility TAC Report.

Legal staff report including requests for Declaratory Statements.

Second Hearing:

DCA02-DEC-190 by Allied Universal Corporation, DCA02-DEC-205 by Harrell Plumbing Inc.; DCA02-DEC-215 by T-Drill Industries Inc., DCA02-DEC-131 by Pinellas County

First Hearing:

DCA02-DEC-206 by Charles M. Purvis, A1A, Architect
 DCA02-DEC-208 by City of New Port Richey, Florida
 DCA02-DEC-213 by Sunguard Shade Structures, Inc.
 DCAA02-DEC-226 by Robert B. Worman
 DCA02-DEC-233 by Go Bolt, Inc.
 DCA02-DEC-235 by Wilson Window Glass & Mirror
 DCA02-DEC-236 by AAA Roofing Corp.
 DCA02-DEC-240 by Royal Concept 2000
 DCA02-DEC-241 by Charlotte County, Florida
 DCA02-DEC-242 by Baker County, Florida
 DCA02-DEC-244 by Renna Enterprises, Inc.
 DCA02-DEC-239 by DASMA
 DCA02-DEC-240 by Royal Concept 2000
 DCA02-DEC-212 by Klein & Fortune PA

Discuss and decide on draft transition plan for first base codes update. Receive Public Comment.

DATE AND TIME: Tuesday, September 24, 2002

2:00 p.m. Meeting of the Joint Fire Technical Advisory Committees

DATE AND TIME: Wednesday, September 25, 2002

12:00 p.m. Meeting of the Joint Fire Technical Advisory Committee at the conclusion of the Fire Code Advisory Council Meeting.

A copy of the Committee and Commission meeting agendas and other documents may be obtained by sending a request in writing: Kathryn Willis, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436 or looking on the website at www.florida-building.org

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

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Kathryn Willis, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs** announces a meeting of the Affordable Housing Study Commission to which all interested person are invited.

DATES AND TIMES: October 2, 2002, 1:30 p.m. – 5:30 p.m.; October 3, 2002, 8:00 a.m. – 1:00 p.m. (Times are subject to change.)

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Fort Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission is charged with developing recommendations to the Governor and Legislature to address the state's acute need for housing for very low-, low-, and moderate-income households. At this meeting the Commission will begin its discussion of the work topic for the 2002-2003 agenda, which is Manufactured Housing.

Any person requiring special accommodations due to disability or physical impairment should contact Melba Hawkins, (850)922-1460, at least five calendar days prior to the meeting. People who are hearing impaired should contact Ms. Hawkins 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: Melba Hawkins, The Affordable Housing Study Commission, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1460.

NOTICE OF CANCELLATION – The **Florida Communities Trust** has cancelled a Governing Body meeting scheduled for September 19, 2002. (Original Notice published in FAW, Vol. 28, No. 34, August 23, 2002).

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, September 24, 2002, 1:00 p.m. – 5:00 p.m.; Wednesday, September 25, 2002, 8:30 a.m. – 5:00 p.m.

PLACE: Wyndham Westshore Hotel, 4860 West Kennedy Boulevard, Tampa, Florida 33609, (813)286-4400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Violent Crime and Drug Control Council and any other interested individuals will meet to hear presentations and discuss issues relating to violent crime, and multi-agency or statewide drug control or illicit money laundering investigative or task force efforts.

A copy of the agenda may be obtained by writing: Government Analyst Joyce Gainous-Harris, Florida Department of Law Enforcement, Division of Criminal Investigations and Forensic Science Services, Office of Statewide Intelligence, Post Office Box 1489, Tallahassee, Florida 32302 or by telephoning (850)410-7096.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, District 1 announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, October 10, 2002, 7:00 p.m.

PLACE: Golden Gate Community Center, Auditorium, 4701 Golden Gate Parkway, Naples, 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 proposed improvements to I-75 in Collier County, Financial Project Identification Number 406313 1 22 01, Federal Project Identification Number 0754 132 I. The limits of the project are from east of SR 951 to the Lee/Collier County line, a distance of about 13.6 miles.

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 Antone Sherrard, (863)519-2304. Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Dick Combs, District Planning and Environmental Manager, Florida Department of Transportation, District 1, Post Office Box 1249, Bartow, Florida 33831.

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a public meeting of the Advisory Council to the Florida Hurricane Catastrophe Fund to which all persons are invited.

DATES AND TIMES: October 15, 2002, 1:00 p.m. – 4:00 p.m. (EDT); October 16, 2002, 9:00 a.m. – 4:00 p.m. (EDT)

PLACE: Hermitage Centre, Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida. Persons who wish to participate by telephone may call (850)921-2530 or Suncom 291-2530 on October 15, 2002, and (850)414-1707 or Suncom 994-1707 on October 16, 2002, at the times indicated for access to the meetings.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the October bonding capacity estimates, to review potential FHCF legislation, and to engage in the general business of the Council.

Anyone wishing a copy of the agenda should contact: Patti Elsbernd, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300.

In compliance with the Americans with Disabilities Act, any persons needing special accommodation to attend or participate in the meeting are requested to contact Patti Elsbernd by mail, at the address given immediately above, or by telephone at (850)413-1346, five days prior to the meeting so that appropriate arrangements can be made.

The **Florida Prepaid College Foundation Board** announces a public meeting to which all interested parties are invited to attend.

DATE AND TIME: Thursday, September 19, 2002, 1:00 p.m. or soon thereafter

PLACE: Tallahassee Regional Airport, Observation Deck, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Foundation Board to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, or by calling (850)922-6740.

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

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)922-6740, no later than five (5) days prior to the meeting.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida **Public Service Commission** will conduct an undocketed Staff Workshop addressing access from pay telephones to 211 crisis centers.

DATE AND TIME: Friday, September 20, 2002, 9:30 a.m. (EST)

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to allow pay telephone providers to comment on whether pay telephones should be required to provide access to 211 crisis centers and what the time frame for implementation of such access should be.

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

For additional information, please contact: Adam Teitzman, Office of General Counsel, at the above address or telephone (850)413-6175 or Stephanie Cater, (850)413-6429.

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

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

DATE AND TIME: September 30, 2002, 9:30 a.m.

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

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

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

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

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

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

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

Docket No. 020006-WS – Water and wastewater industry annual reestablishment of authorized range of return on common equity for water and wastewater utilities pursuant to Section 367.081(4)(f), F.S.

DATE AND TIME: September 30, 2002, 1:30 p.m.

PLACE: Betty Easley Conference Center, Hearing Room 152, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider 1) the simplification of the issues; 2) the identification of the positions of the parties on the issues; 3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; 4) the identification of the exhibits; 5) the establishment of an order of witnesses; and 6) such other matters as may aid in the disposition of the action.

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

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: October 1, 2002, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy. (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting the Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing to the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

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

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

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: October 1, 2002, Immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148.

PLACE: The Betty Easley Conference Center, Conference Room 140, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

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

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

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

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

Docket No. 020262-EI – Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company.

Docket No. 020263-EI – Petition to determine need for an electrical power plant in Manatee County by Florida Power & Light Company.

DATES AND TIME: October 2-4, 2002, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the petitions to determine need for electrical power plants in Martin and Manatee Counties by Florida Power & Light Company, 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 September 23, 2002. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

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

EXECUTIVE OFFICE OF THE GOVERNOR

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

DATES AND TIMES: Thursday, September 19, 2002, 5:00 p.m., 30 minutes; Friday, September 20, 2002, 9:00 a.m., 30 minutes; Monday, September 23, 2002, 9:00 a.m., 30 minutes

PLACE: Call: 1(888)816-1123 (toll free outside Tallahassee only), (850)921-5230 (Tallahassee only), 291-5230 (Suncom)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Organizational matters relating to the Task Force.

The **Study Committee on Public Records** announces a meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 25, 2002, 10:00 a.m. – 4:00 p.m.

PLACE: Room 110 (Entry Level), Senate Office Building, 404 South Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To complete unfinished business of second meeting, to hear presentations regarding privacy and public access to information in court records, official records and public records held by the clerks of the court, to convene the Advisory Member Subcommittee, and to hear public testimony.

For more information or to obtain a copy of the agenda, please contact: Brenda Williams, Senate Judiciary Committee, 515 Knott Building, 404 S. Monroe Street, Tallahassee, Florida 32399-1100, (850)487-5198 or via e-mail: williams.brenda@leg.state.fl.us.

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

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive Committee

DATE AND TIME: September 26, 2002, 6:00 p.m.

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

MEETING: Clearinghouse Committee

DATE AND TIME: September 26, 2002, 6:30 p.m.

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

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: September 26, 2002, 8:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

PLACE: Holiday Inn Restaurant, I-75 and U.S. 90, Lake City, Florida

Any person deciding to appeal decisions of the Council or its committees with respect to any matter considered at the meeting, may need to make a verbatim record of the proceedings.

A copy of any of these agendas may be obtained by emailing ncfrpc@ncfrpc.org or writing: NCFRPC, 2009 N. W. 67th Place, Suite A, Gainesville, Florida 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 **Tampa Bay Local Emergency Planning Committee** (LEPC), District VIII announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 25, 2002, 10:30 a.m.

PLACE: Tampa Bay Regional Planning Council, Suite 219, 9455 Koger Blvd., St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida District VIII LEPC and discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA).

A copy of the agenda may be obtained by contacting: Bill Lofgren, LEPC Coordinator, Tampa Bay Regional Planning Council, 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702, (727)570-5151, Ext 248.

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

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact the Tampa Bay Regional Planning Council, (727)570-5151, Ext 217, within three working days of the meeting.

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

DATE AND TIME: Monday, September 30, 2002, 3:00 p.m.

PLACE: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Revolving Loan Fund Policy and Procedures and review loan applications.

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

DEPARTMENT OF CORRECTIONS

The **Florida Corrections Commission** announces the following public meeting to which all interested persons are invited.

DATE AND TIME: Friday, September 27, 2002. 9:00 a.m. – 3:00 p.m.

PLACE: Florida Corrections Commission, William D. Bloxham Building, Room 109, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will meet to discuss issues to be included in the 2002 Annual Report.

A copy of the agenda may be obtained by writing: Mr. John Fuller, Executive Director, Florida Corrections Commission, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500 or call (850)413-9330.

Pursuant to Section 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.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces the following meetings and public hearings to which all persons are invited.

DATE AND TIME: September 26, 2002, 2:30 p.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Lands Committee meetings to discuss District lands issues.

DATE AND TIME: September 26, 2002, 3:30 p.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Mitigation Workshop to discuss possibility of mitigation bank on District lands.

DATE AND TIME: September 26, 2002, 4:00 p.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of Governing Board to consider District business.

DATE AND TIME: September 26, 2002, 4:15 p.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public hearing for the consideration of regulatory matters.

DATE AND TIME: September 26, 2002, 5:05 p.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public hearing to consider adoption of FY 2002-2003 Millage Rate and Budget.

PLACE: Panama City Hall, Commission Chambers, 9 Harrison Avenue, Panama City, Florida

A copy of these agendas can be obtained by contacting: Carolyn Wise, NFWFMD, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999.

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

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: September 24, 2002, 5:15 p.m.

PLACE: District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final Adoption of the millage rates and budget for the 2002-2003 fiscal year of the South Florida Water Management District.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

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

Those who desire more information may contact: Garrett Wallace, District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

SPACEPORT FLORIDA AUTHORITY

The **Florida Commercial Space Financing Corporation** (FCSFC) announces a Board of Directors meeting and teleconference to which the public is invited.

DATE AND TIME: September 19, 2002, 10:00 a.m. – 1:00 p.m.

PLACE: Enterprise Florida, Inc. (EFI), Suite 1300, 390 North Orange Avenue, Orlando, Florida. EFI has reserved the Executive Conference Room for the FCSFC Board Meeting. To attend via telephone the number to call is 1(800)939-8909, participant code 665956.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors will meet to review general board business, ratifications of agreements, financings, guarantees, budgets, procedures and to consider other proposed matters related to the business of the Corporation.

For more information, contact Mr. Frank DiBello or Ms. Judy Blanchard, (321)690-3397. To obtain a copy of the agenda write: The Florida Commercial Space Financing Corporation, 403 Brevard Avenue, Suite 1, Cocoa, Florida 32922.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Commercial Space Financing Corporation.

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, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

The **Florida Space Authority** announces a Board of Supervisors meeting to which the public is invited.

DATE AND TIME: September 24, 2002, 10:00 a.m. – 12:00 Noon (EDT)

PLACE: Florida Space Authority, 100 Spaceport Way, Cape Canaveral, FL 32920

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will continue discussion on the status of negotiations regarding the financing, acquisition, support and management of a research park, status of Authority projects, development, and administrative issues of the Authority, and to consider other matters related to the business of the Authority and other State agencies.

For more information, contact Patricia Sweetman, (321)730-5301, Ext. 1210. To obtain a copy of the agenda, write: Florida Space Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact Florida Space Authority at least seven (7) days prior to the meeting.

Please note that if a person decides to appeal any decision made by the Board of Supervisors with respect to any matter considered at the above cited meeting or hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF ELDER AFFAIRS

The **Northeast Florida Area Agency on Aging** announces a Budget/Finance Committee meeting, and a Board of Directors meeting to which all persons are invited.

DATE AND TIMES: September 18, 2002, 1:30 p.m., Budget and Finance Committee; 2:30 p.m., Board of Directors Meeting

PLACE: Houston Conference Room of Flagler Hospital, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business; Recommendations from Personnel Committee; Adopting new By-Laws.

A copy of the agenda may be obtained by contacting: The Northeast Florida Area Agency on Aging, Inc., 4401 Wesconnett Blvd., 2nd Floor, Jacksonville, FL 32210, (904)777-2106.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration, Medicaid**, Bureau of Research announces a Health Care Access Steering Committee Meeting to which all interested persons are invited.

DATE AND TIME: September 30, 2002, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Rooms D & E, 2727 Mahan Drive, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: IT Consultant Report, HHS Eligibility Access System Pilot Site Recommendation and Selection, and general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Mel Chang, (850)922-5530, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Mel Chang, Government Analyst II, Agency for Health Care Administration, Medicaid, Bureau of Research, Bldg. 3, Suite 2340, Mail Stop #48, 2727 Mahan Drive, Tallahassee, FL 32308-5403.

DEPARTMENT OF MANAGEMENT SERVICES

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 17, 2002, 8:00 a.m. – 5:00 p.m.

PLACE: Florida Commission on Human Relations Office, Suite 100, 2009 Apalachee Parkway, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to discuss the daily functions and activities of the Commission.

For information, contact: Denise Crawford, Clerk of the Commission, (850)488-7082, Ext. 1032.

This announcement overrides and cancels the previous commission announcement.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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

DATE AND TIME: September 24, 2002, 10:00 a.m.

PLACE: Access Phone #: (850)414-1707, Suncom 994-1707

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Professional Geologists** announces a General Business Meeting. All interested parties are invited.

DATE AND TIME: October 21, 2002, 2:00 p.m.; October 22, 2002, 9:00 a.m.

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Board business.

A copy of the agenda may be obtained by writing: Leon Biegalski, Executive Director, Department of Business and Professional Regulation, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, FL 32399 or by calling (850)487-1395.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Leon Biegalski by Tuesday, October 15, 2002.

The **Board of Professional Surveyors and Mappers** announces a Probation Committee, Continuing Education Committee, Application Review Committee, and a General Business meeting. All interested parties are invited to attend.

DATES AND TIMES: October 14, 2002, 9:00 a.m., Continuing Education Committee meeting, Application Review Committee meeting, followed by a General Business meeting; October 15, 2002, 9:00 a.m., Probation Committee meeting followed by a General Business meeting

PLACE: Hawthorn Suites Orlando Airport, 7450 Augusta National Drive, Orlando, Florida 32822

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular Board business.

A copy of the agenda may be obtained by writing: Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida or by calling Leon Biegalski, Executive Director, (850)487-9630.

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

forty-eight (48) hours before the meeting by contacting Leon Biegalski, Executive Director, (850)487-9630. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by the Board with respect to any matter considered at this meeting, will need a record of the proceedings, which record shall include all testimony and evidence upon which the appeal is based; and, for such purpose may need to ensure that a verbatim record of the proceedings is made.

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a meeting to which all interested persons are invited.

DATE AND TIME: September 30, 2002, 9:00 a.m. or the soonest thereafter

PLACE: North Tower, Ninth Floor, Suite 901, 400 West Robinson Street, Orlando, Florida

Portions of the probable cause proceedings are not open to the public.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Appraisal Board** (FREAB) announces a meeting to which all persons are invited.

DATE AND TIME: October 1, 2002, 8:30 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, North Tower, Ninth Floor, Room 901, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part II, F.S., rule development workshops, Florida Administrative Code 61J1 rule amendments, disciplinary actions and general subject matter.

If a person decides to appeal a decision made by the Board, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)481-5632, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Appraisal Board, 400 W. Robinson Street, Orlando, Florida 32801-1772.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: September 17, 2002, 1:30 p.m. or the soonest thereafter

PLACE: North Tower, Suite 901, 400 West Robinson Street, Orlando, Florida

Portions of the probable cause proceedings are not open to the public.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission** (FREC) announces a meeting to which all persons are invited.

DATE AND TIME: September 18, 2002, 8:30 a.m.

PLACE: Division of Real Estate, North Tower, Commission Meeting Room 901, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, Recovery Fund Claims, education issues, petitions for declaratory statement, and disciplinary actions.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Orlando, Florida 32801-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)481-5632, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** (DEP) announces a public meeting of the Environmental Regulation Commission on September 26-27, 2002, which will continue the rule adoption proceeding on Section 62-302.540, F.A.C., proposed phosphorus criterion for the Everglades Protection Area. For more information contact Jacqueline McGorty, email: jackie.mcgorty@dep.state.fl.us or phone (850)921-9660.

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

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: September 26, 2002, 10:00 a.m. – 3:00 p.m.

PLACE: The Florida Department of Agriculture and Consumer Services, Doyle Conner Building, Auditorium, 1911 S. W. 34th Street, Gainesville, FL 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting to discuss the draft Statewide Invasive Species Management Plan for Florida, a proposed comprehensive plan that coordinates the responsibilities of the state agencies to manage and prevent biological invasions.

A copy of the agenda and draft may be obtained by writing: Don C. Schmitz, Department of Environmental Protection, Division of State Lands, Bureau of Invasive Plant Management, 3900 Commonwealth Boulevard, MS #705, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Bureau of Personnel Services, (850)488-2996. If you are hearing or speech impaired, please contact the Florida Relay Service by calling 1(800)955-8771 (TDD).

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

DEPARTMENT OF HEALTH

The **Department of Health** announces a meeting of the Preventive Health and Health Services (PHHS) Block Grant Advisory Committee followed by a public hearing.

PHHS BLOCK GRANT ADVISORY COMMITTEE MEETING

DATE AND TIME: Wednesday, September 25, 2002, 9:30 a.m. – 11:30 a.m.

PLACE: The Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Committee will review and make recommendations on the proposed PHHS Block Grant application (state plan) for Federal Fiscal Year (FFY) 2003.

PUBLIC HEARING FOR THE PHHS BLOCK GRANT APPLICATION FOR FFY 2003

DATE AND TIME: Wednesday, September 25, 2002, 12:00 Noon

PLACE: The Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607. This public hearing will be accessible via conference call by calling (850)921-2470 or Suncom 291-2470

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain input and recommendations from the public and interested parties concerning the proposed PHHS Block Grant application for FFY 2003, which will be submitted to the Centers for Disease Control and Prevention.

A copy of the current year application and agenda may be obtained by contacting: Jeanne Lane, Bureau of Chronic Disease, BIN #A18, 4052 Bald Cypress Way, Suite 130U, Tallahassee, Florida 32399-1744, (850)245-4444, Ext. 2838, Suncom 205-4444, Ext. 2838.

If you require special accommodations (i.e., assistive listening devices, etc.) please contact Jeanne Lane at least 48 hours prior to the meeting date.

The **Children's Medical Services**, Cardiac Ad Hoc Committee announces a meeting to which all persons are invited to attend.

DATE AND TIME: September 27, 2002, 10:00 a.m. – 3:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Ad Hoc Committee has been set up to discuss and vote upon recommendations for appropriate Pediatric (Facility and Practitioner) Cardiac Volume Standards.

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

DATE AND TIME: October 11, 2002, 8:00 a.m. (EST)

PLACE: The Daytona Beach Oceanfront Hilton, 2637 South Atlantic Avenue, Daytona Beach, FL 32118, (386)767-7350

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

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

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

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

The Florida **Board of Medicine** announces a meeting to which all persons are invited.

DATES AND TIME: October 4-5, 2002, 8:00 a.m.

PLACE: Sofitel, 5800 Blue Lagoon Drive, Miami, Florida 33126, (305)264-4888

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. 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 Florida **Board of Medicine**, Expert Witness Credentials Committee announces a meeting to which all persons are invited.

DATE AND TIME: October 4, 2002, immediately following the Full Board meeting

PLACE: Sofitel, 5800 Blue Lagoon Drive, Miami, Florida 33126, (305)264-4888

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5)

calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

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

The Florida **Board of Medicine**, Dietetics-Nutrition/Electrolysis Committee announces a meeting to which all persons are invited.

DATE AND TIME: October 4, 2002, immediately following the Full Board meeting

PLACE: Sofitel, 5800 Blue Lagoon Drive, Miami, Florida 33126, (305)264-4888

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

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

The **Department of Health, Board of Nursing Home Administrators** announces a Telephone Conference for a Probable Cause Panel Meeting to which all interested persons are invited.

DATE AND TIME: September 30, 2002, 3:00 p.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, FL 32399. Call: (850)921-5470

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting where probable cause was previously found.

A copy of the agenda and any probable cause materials which are open to the public may be obtained by writing: Board of Nursing Home Administrators, 4052 Bald Cypress Way, BIN #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)245-4292, Ext 3602, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

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

DATE AND TIME: September 24, 2002, 9:30 a.m. – 11:30 a.m.

PLACE: Conference Call, Toll Free Number: 1(800)416-4254

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency before September 17, 2002, by contacting George Schaffer, (850)245-4440. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Purchase Order Number B00829.

The **Department of Health**, Obesity Prevention Program announces a meeting of the Florida Partnership for Promoting Physical Activity and Healthful Nutrition.

DATE AND TIME: Friday, September 20, 2002, 8:30 a.m. – 2:00 p.m.

PLACE: Hilton Tampa Airport Westshore, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Development of a statewide collaborative action plan for 2002-2003.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF RESCHEDULING – The Florida **Department of Children and Family Services** announces the rescheduling of the Hernando County Community Alliance Meeting from Wednesday, September 11, 2002, 9:00 a.m. to Wednesday, September 25, 2002, 2:30 p.m.

PLACE: Hernando County School Board Building, 919 N. Broad St., Brooksville, FL

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

DATE AND TIME: Wednesday, September 25, 2002, 9:00 a.m.

PLACE: City Hall, 100 N. Main Street, Wildwood, FL

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

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

The Florida Blue Ribbon Panel, which addressed performance issues in child safety at the Florida **Department of Children and Family Services**, called for a feasibility study of the potential for collecting DNA swabs on Florida's foster care and dependent children. This recommendation came as a result of a tragedy of a missing child in the Miami area who was in the custody of the department. A small statewide multidisciplinary work group will meet to review the feasibility.

DATE AND TIME: September 13, 2002, 10:00 a.m. – 3:00 p.m.

PLACE: University of Miami Medical School, Room 3023, 1601 N. W. 12th Avenue, Miami, Florida 33136

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will cover the potential need/uses for biomaterial, costs, storage of material, confidentiality issues, legal and ethical dimensions of collecting and storing material, and public sentiment about requiring collection of genetic material on the state's dependent children. The meeting will be chaired by Dr. Ken Goodman, Director of the UM Bioethics Institute.

FLORIDA INDEPENDENT LIVING COUNCIL

The **Florida Independent Living Council** announces the following meetings:

MEETING: Advocacy Committee Meeting

DATE AND TIME: Thursday, September 19, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Outreach Committee Meeting

DATE AND TIME: Tuesday, September 24, 2002, 4:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Executive Committee Meeting

DATE AND TIME: Tuesday, October 1, 2002, 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Finance Committee Meeting

DATE AND TIME: Wednesday, October 2, 2002, 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Planning Committee Meeting

DATE AND TIME: Wednesday, October 2, 2002 3:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Development Committee Meeting

DATE AND TIME: Wednesday, October 9, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Nominating Committee Meeting

DATE AND TIME: Thursday, October 10, 2002, 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Executive Committee Meeting

DATE AND TIME: Wednesday, October 16, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Advocacy Committee Meeting

DATE AND TIME: Thursday, October 17, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Outreach Committee Meeting

DATE AND TIME: Tuesday, October 22, 2002, 4:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Nominating Committee Meeting

DATE AND TIME: Thursday, October 24, 2002, 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Executive Committee Meeting

DATE AND TIME: Tuesday, November 5, 2002, 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Finance Committee Meeting

DATE AND TIME: Wednesday, November 6, 2002, 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Planning Committee Meeting

DATE AND TIME: Wednesday, November 6, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Full Council Quarterly Meeting

DATE AND TIME: Thursday, November 14, 2002, 9:00 a.m. – 5:00 p.m. (EST)

PLACE: Crowne Plaza Universal, 7800 Universal Blvd., Orlando, FL 32819

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: Wednesday, September 25, 2002, 1:30 p.m.

PLACE: Moffitt Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612.

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Barbara Sawyer, by Friday, September 20, 2002.

SUNSHINE STATE ONE-CALL OF FLORIDA

The **Sunshine State One-Call of Florida**, Inc. (SSOCOF) announces its Board and Committee meetings to which all interested persons are invited.

DATE AND TIMES: September 26, 2002

9:00 Operations Committee – Carlos Solis

12:00 Lunch – provided at call center for meeting participants

1:00 Safety and Compliance Committee – Tim McKeown

1:45 Finance Committee – David Wheeler

3:45 Legislative Committee – Dave Erwin

4:00 Board Development Committee – Roger Zwyzgart

5:15 Executive Review Committee – Dave Parham

6:00 Adjourn

DATE AND TIMES: September 27, 2002

8:00 Secretary's Report – Tom Painter

8:15 Executive Director's Report – Mark Sweet, Executive Director

8:45 Legal Report – Dave Erwin

9:30 Committee Reports

12:00 Lunch – provided at call center for meeting participants and SSOCOF employees

1:00 Resume Committee Reports

2:45 SSOCOF Web Site demonstration – Wendy Schaefer, Communications Specialist

3:00 Open Discussion
4:00 Problem Resolution
5:00 Adjourn

PLACE: SSOCOF Call Center, 11 Plantation Road, DeBary, FL 32713 (Dress is business casual)

Any person requiring some accommodation at this meeting because of a physical impairment should call the One-Call Notification Center, (386)575-2000, at least five calendar days prior to the activity. Any person who is hearing or speech impaired should contact the One-Call Notification Center through the Florida Relay Center at 1(800)955-8771.

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Pension Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 26, 2002, 11:00 a.m.

PLACE: Hilton Key West Resort & Marina, 245 Front Street, Key West, Florida 33040, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Pension Trust Fund to discuss general business of the Trust.

A joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust will also be held:

DATE AND TIME: September 26, 2002, 1:00 p.m.

PLACE: Hilton Key West Resort & Marina, 245 Front Street, Key West, Florida 33040, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to receive reports from investment manager and performance monitor.

A copy of the meeting agenda may be obtained by contacting: Jeannie Hagan, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

The **Florida Municipal Investment Trust (FMIvT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 26, 2002, 2:00 p.m.

PLACE: Hilton Key West Resort & Marina, 245 Front Street, Key West, Florida 33040, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Investment Trust (FMIvT) to discuss general business of the Trust.

A joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust will also be held:

DATE AND TIME: September 26, 2002, 1:00 p.m.

PLACE: Hilton Key West Resort & Marina, 245 Front Street, Key West, Florida 33040, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to receive reports from investment manager and performance monitor.

A copy of the meeting agenda may be obtained by contacting: Jeannie Hagan, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

The **Florida Municipal Loan Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 26, 2002, upon adjournment of FMIvT Meeting

PLACE: Hilton Key West Resort & Marina, 245 Front Street, Key West, Florida 33040, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting: Jeannie Hagan, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext 277.

FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION

The **First Florida Governmental Financing Commission** announces the following special public meeting where all interested parties are invited.

DATE AND TIME: Friday, September 27, 2002, 11:00 a.m.

PLACE: Commission Chambers, City of Boca Raton, 201 West Palmetto Park Road, Boca Raton, Florida

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, Post Office Box 14923, Tallahassee, FL 32317-4923 or calling (850)878-1874.

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

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed August 12, 2002, by Citrus Health Network, Inc. The Petition is seeking the Department’s interpretation of Rules 4A-41.003 and 4A-57.003, Florida Administrative Code. Petitioner specifically requests a declaratory statement on the following question:

May the firesafety standards set forth in Chapter 4A-57, Florida Administrative Code, “Uniform Firesafety Standards for Adult Family Care Homes,” be applied to residential group homes with less than six children?

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

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed August 25, 2002, by Piper Fire Protection, Inc. The Petition is seeking the Department's interpretation of Sections 633.061 and 633.521-633.547, Florida Statutes. Petitioner specifically requests a declaratory statement on the following questions:

1. Is it permissible for a certified fire equipment dealer to sub-contract a job to another certified fire equipment dealer?
2. Is it permissible for a certified fire sprinkler contractor to sub-contract a job to another certified fire sprinkler contractor.

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

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on August 31, 2002, from Robert Hathcox, Building Official, Baker County Building Department, regarding whether a pre-fabricated metal building with metal studs, siding, trusses, roofing on a slab require termite protection through pre-treating the soil or whether a Building Official may permit the structure as providing an other approved method of termite treatment. It has been assigned the number DCA02-DEC-242.

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

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on August 28, 2002, from Joseph Schubiger, Plans Examiner II, Charlotte County regarding clarification of the design requirements for enclosed buildings and partially enclosed buildings. The petition specifically inquires about the application of the exception for opening protection for buildings designed with an interior coefficient of 0.55 and the determination of the factors necessary to determine whether a

building is fully or partially enclosed pursuant to Chapters 2 and 16, Florida Building Code, Building Volume. It has been assigned the number DCA02-DEC-241.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a declaratory statement In Re: Petition for Declaratory Statement, Royal Arms Villas Condominium, Inc., Petitioner; Docket Number CD2001-012.

The declaratory statement provided, in summary, that under Section 718.110(1), Florida Statutes, the Declaration of Condominium for Royal Arms Villas Condominium governs the method by which it may be amended. The Division is without authority to determine the validity of amendments recorded in the public records in 1993 and 1994.

A copy of the declaratory statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed by Tammie L. Hilton, R.N. The Notice of Petition for Declaratory Statement was published in Vol. 28, No. 28, of the July 12, 2002, Florida Administrative Weekly. The Board reviewed the petition at its meeting held on August 3, 2002, in Orlando, Florida. The Board's Final Order, filed in this cause on August 26, 2002, finds that the Petitioner failed to establish that she is a substantially affected person, and failed to state with particularity Petitioner's set of circumstances. Consequently, the Board declines to answer the Petition and dismisses the Petition.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

NOTICE IS HEREBY GIVEN THAT the Department of Health has received a Petition for Declaratory Statement on Section 120.569, Florida Statutes, and Rules 28-106.111(1),(2), 64F-10.003(1),(7) and (9), Florida Administrative Code. The Petition was filed August 28, 2002. Petitioner requests a

declaratory statement from the Department regarding written notices of rights to appeal decisions concerning the AIDS Drug Assistance Program (ADAP).

A copy of the Petition for Declaratory Statement may be obtained by writing: Sam Powers, Agency Clerk, Office of the General Counsel, Department of Health, 4052 Bald Cypress Way, BIN #A02, Tallahassee, Florida 32399-1703.

Section VIII

Notices of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

Section IX

Notices of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

INVITATION TO BID

The Florida State University FO&M Purchasing shall receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University
 F O & M Maintenance, Purchasing
 114F Mendenhall Building A
 Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the

Bid Number: FO&M 36-2
 Purchasing Agent: B. J. Lewis, FO&M
 Mandatory Site Visit: October 2, 2002, 9:00 a.m.
 Location: Biology Unit I, Chieftan Way
 Public Bid Opening: October 9, 2002, 2:00 p.m.
 FSU-FO&M Maintenance
 116 Mendenhall Hall, Building A
 Tallahassee, Florida 32306-4150
 FO&M Maintenance Purchasing

Bid Documents: Install, connect and put into operation an Owner furnished diesel-engine generator set and auto-transfer switch. Install new switchgear and electrical energy distribution equipment and the necessary feeders and branch circuits and connect and place in service new loads and reconnect existing loads to new distribution system.

Project Information: Architect/Engineer for this project is: McGinniss & Fleming Engineering, Inc.
 317 East Park Avenue
 Tallahassee, Florida 32301-1513

Project Number: 10511 (Work Request #111201-02/001)

REQUEST FOR COMPETITIVE SOLICITATION

Sealed solicitations shall be received by the Florida State University Purchasing Department until the dates and times shown for the following projects. Solicitations may be brought to the solicitation opening or sent to:

Purchasing Department
 Suite A1400, University Center
 Florida State University
 Tallahassee, FL 32306-2370

prior to solicitation opening. Responder must reference solicitation number, opening date and time on outside of solicitation package to ensure proper acceptance. Solicitations submitted by facsimile are acceptable. For information relating to the Competitive Solicitation(s) to contact the Purchasing Agent identified in the Solicitation.

K 4555-5 REROOF AND WATERPROOF THE LOVE BUILDING

Public Solicitation: 2:00 p.m., Thursday, October 8, 2002
Suite A1400, University Center

Competitive Solicitation Documents: Purchasing Department
Florida State University

Mandatory Site Visit: 2:00 p.m., Tuesday, September 24, 2002
Love Building, Florida State University Campus

Northwest corner of the property closet to the intersection of Palmetto Way and Antarctic Circle.

Plans and Specifications: Manausa Lewis & Dodson Architects, Inc.
2074 Raymond Diehl Rd.
Tallahassee, Florida 32308

cost exceeding Two Hundred Thousand Dollars (\$200,000) or a planning activity exceeding a Twenty-five Thousand Dollar (\$25,000) fee, will carry and maintain during the period they are performing such services, and thereafter as referenced below, as a minimum, the following insurance coverages and limits:

1. Commercial Comprehensive Liability Insurance (including blanket contractual liability and completed operation, explosion, collapse, and underground hazards) in limits of not less than Five Million Dollars (\$5,000,000), with no deductibles, covering personal injury, death, sickness or disease, bodily injury, and property damage, including loss of use. The coverage may be provided in a primary policy or umbrella policy. The umbrella, however, will stipulate that the excess coverage is no less broad than the primary coverage. The Owner will be added as an additional insured.
2. Comprehensive Automobile Liability Insurance (including hired and non-owned vehicles, if any) in limits of One Million Dollars (\$1,000,000) per occurrence, covering personal injury, death, bodily injury, and property damage.
3. Workers' Compensation Insurance in compliance with F.S. 440, with unlimited employer's liability coverage.
4. Builder's Risk Insurance with a deductible not to exceed One Thousand Dollars (\$1,000) per incident, for the total amount of the contract as established by the Insurance Services Office (ISO).
5. Owner's and Contractor's Protective Liability Insurance in an amount not less than Five Million Dollars (\$5,000,000), with no deductible, covering personal injury, death, sickness or disease, bodily injury and property damage, including loss of use. The Owner will be named insured under this policy.
6. Public Construction Bond in compliance with Section 255.05, F.S. (or a performance bond and a labor and material payment bond in compliance with Section 255.05, F.S.), guaranteeing that the construction management firm will perform its obligations under the contract and will pay for all labor and materials furnished for the work. Such bond will be:
 - A. Issued in a form and by a surety reasonably acceptable to Owner with a minimum rating by the most recent Best's Rating Classification of Class IV for contract sums less than \$1,000,000; Class VI for contract sums more than \$1,000,000 and less than 2,000,000; and, Class VII for contract sums in excess of \$2,000,000.
 - B. Submitted to Owner for approval as to form.
 - C. Name the Owner as obligee.
 - D. Will be in an amount equal to at least 100% of the contract sum (as the sum may be adjusted from time to time pursuant to the contract).
 - E. Contain a specific provision holding the surety liable for any consequential delay damages, liquidated or unliquidated, caused by the construction management

REQUEST FOR PROPOSALS

THE SCHOOL BOARD OF PUTNAM COUNTY IS REQUESTING PROPOSALS FOR PROVIDING CONSTRUCTION MANAGEMENT AT RISK SERVICES FOR THE FOLLOWING PROJECT LOCATED AT MELLON ELEMENTARY SCHOOL, 301 MELLON ROAD, PALATKA, FLORIDA 32177:

AN ADDITION CONSISTING OF A NEW ADMINISTRATION SUITE, STUDENT PERSONNEL SERVICES, AND MEDIA CENTER (11,743 GSF); REMODELING OF BUILDING ONE AND BUILDING TWO (3,576 GSF).

THE SCOPE OF WORK INCLUDES PRE-CONSTRUCTION SERVICES INCLUDING DESIGN REVIEW, VALUE ENGINEERING AND COST CONTROL, AND THE DEVELOPMENT OF A GUARANTEED MAXIMUM PRICE FOR COMPLETE CONSTRUCTION.

CONSTRUCTION MANAGEMENT FIRMS INTERESTED IN PROVIDING CONSTRUCTION MANAGEMENT AT RISK SERVICES TO THE SCHOOL BOARD ARE HEREBY NOTIFIED THAT FIVE (5) SEALED PROPOSALS WITH THE FOLLOWING REQUIRED INFORMATION WILL BE RECEIVED NO LATER THAN 4:00 P.M. (LOCAL TIME), SEPTEMBER 20, 2002, AT THE DISTRICT SCHOOL BOARD OFFICE, CAMPBELL ADMINISTRATION BUILDING, 200 SOUTH 7TH STREET, PALATKA, FLORIDA 32177, (386)329-0646:

1. A LETTER OF INTEREST.
2. CERTIFICATES EVIDENCING THAT INSURANCE COVERAGES ARE IN FORCE:

"All professional firms selected by the Board pursuant to the Consultants' Competitive Negotiations Act, Section 287.055, F.S., for a construction project with an estimated construction

firm's breach under the contract. The construction management firm will deliver the executed, approved bonds to the Owner contemporaneous with the execution of the Agreement. Notwithstanding any provision of Florida Statutes or language of the bond, the Statute of Limitations for actions against the surety due to the alleged nonperformance (other than the delivery of labor or materials) of the construction management firm will be the same length of period as the Statute of Limitations for actions against the construction management firm.

7. Certification evidencing that all of the above insurance coverages and limits are in force will be furnished to the Board before any services are performed, and will require written notification to the Board at least thirty (30) days prior to any cancellation, termination, non-renewal, or modification.
8. All insurance will be with insurers authorized to do business in Florida and all non-self insurance companies will be rated at least a VI by Best's Key Rating Guide.
9. If the construction manager should fail to provide or otherwise maintain the required insurance coverages and limits, the Board may purchase the insurance and hold the construction manager responsible for the cost thereof."
 3. A NOTARIZED STATEMENT OF FINANCIAL STATUS.
 4. A SWORN STATEMENT ON PUBLIC ENTITY CRIME, AS REQUIRED BY SECTION 287.133(3)(a), F.S.
 5. A LIST OF DESIGN-BUILD, CONSTRUCTION MANAGEMENT, OR PROGRAM MANAGEMENT PROJECTS OF SIMILAR SIZE AND COMPLEXITY, INCLUDING THE NAME, ADDRESS, PHONE AND CONTACT PERSON OF THE ARCHITECTS AND OWNERS.
 6. BONDING CAPACITY OF FIRM APPLYING.
 7. DESCRIPTION OF THE PROGRAM MANAGEMENT TECHNIQUES, AND COST CONTROL TECHNIQUES USED ON SIMILAR PROJECTS.
 8. IDENTIFICATION OF LITIGATION, MAJOR DISPUTES, CONTRACT DEFAULTS, AND LIENS OVER THE PAST FIVE (5) YEARS IN WHICH THE FIRM HAS BEEN INVOLVED.
 9. A HISTORY OF PROJECT COMPLETION DATES FOR SIMILARLY SIZED PROJECTS, IN RELATION TO THE CONTRACT AWARD SCHEDULE OVER THE PAST THREE (3) YEARS. SUBMIT NO MORE THAN FIFTEEN (15) PROJECTS.

THE SCHOOL BOARD MAY REJECT ALL APPLICANTS, MAY STOP THE SELECTION PROCESS AT ANY TIME, AND RESERVES THE RIGHT TO WAIVE ANY

INFORMALITIES IN THE SELECTION PROCESS AND THE REJECT ANY AND ALL STATEMENTS OF QUALIFICATIONS.

RFB No. 54007316

Serving Line Equipment

The Putnam County School Board, Palatka, Florida is soliciting sealed bids from responsible vendors to furnish serving line equipment as specified in RFB No. 54007316 to the Food Service Department. Bid proposals will be received in the Purchasing Office, 1314 Reid Street, Palatka, FL 32177 until 2:00 p.m. (Local Time), Wednesday, September 25, 2002. Interested vendors may obtain a copy of the RFB from the Purchasing Department, Putnam County School District. Telephone (386)329-0517.

WATER MANAGEMENT DISTRICTS

Request for Qualifications for Design-Build Services

O'Leno ~ Ichetucknee Trail

RFQ No. 01/02-087RM

The Suwannee River Water Management District seeks the services of a qualified engineering consultant – contractor team (Firm) with the necessary expertise to design and construct a paved trail from O'Leno State Park to Ichetucknee Springs State Park.

PROJECT SCOPE: Engineering design, permitting, construction, and inspection services to construct approximately 12 miles of 10-foot wide asphalt trail from O'Leno State Park to Ichetucknee Springs State Park. All construction will be in Florida Department of Transportation (FDOT), Columbia County, and City of Fort White rights-of-way.

PROJECT LOCATION: Columbia County, Florida.

PROJECT FUNDING: This project is funded by the federal Intermodal Surface Transportation Efficiency Act (ISTEA) through the FDOT. The proposed contract value of this project may be as high as \$1,010,660.

RESPONDENT QUALIFICATIONS: The respondent must be capable of bonding at 100 percent of the value of the contract with a surety licensed to do business in the State of Florida. The respondent must be licensed in the State of Florida in accordance with Florida Statutes 287.055 and 60D-13, Florida Administrative Code, and have experience in the delivery of design-build projects.

PRE-QUALIFICATION CONFERENCE: October 1, 2002, 10:00 a.m.

RESPONSE DUE DATE: October 25, 2002, 4:00 p.m.

The Suwannee River Water Management District has scheduled a mandatory pre-qualification conference to discuss the project with interested firms on Tuesday, October 1, 2002, 10:00 a.m., at the District's headquarters, 9225 County Road 49, Live Oak, Florida 32060. Attendance to this conference is mandatory.

A copy of the Request for Qualifications and the Design Criteria Construction Package may be obtained at the pre-qualification conference on October 1, or by contacting: Sandi Keiser, Administrative Assistant, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE REGARDING ELECTRONIC POSTING

Pursuant to Section 287.042(3)(b)2. of the Florida Statutes, the Department of Management Services hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

CONSTRUCTION MANAGEMENT SERVICES

PROJECT NUMBER: DOE-21033000
 PROJECT NAME: Renovations, WMFE-TV/FM
 Broadcasting Facility, Orlando
 PROJECT LOCATION: Orange County, Florida

The Department of Management Services, Division of Facilities Management and Building Construction, requests qualifications from construction management firms to provide construction management services for this project. The construction budget for this project is up to \$2,000,000.00. Construction start date is June, 2003.

Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Section 255.29(3), F.S., and the procedures and criteria of the Division of Facilities Management and Building Construction.

INSTRUCTIONS

Firms interested in being considered for this project must submit four copies of their application with a table of contents and tabbed sections in the following order:

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, Form DBC5085.
3. Resumes of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

RESPONSE DUE DATE: 12:00 Noon, October 11, 2002

SUBMIT APPLICATIONS TO: Jere Lahey, Department of Management Services, 921 N. Davis Street, Building C, Jacksonville, FL 32209

Date of Shortlist: 10:00 a.m., October 17, 2002

DATE OF PRE-PRESENTATION WORKSHOP: 2:30 p.m., October 25, 2002

DATE OF INTERVIEWS: Starting 9:00 a.m., November 21, 2002

LOCATION FOR SHORTLIST, WORKSHOP and INTERVIEW: WMFE-TV/FM Studio, 11510 East Colonial Drive, Orlando, Florida

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Betty Stevens, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any changes to the above dates will be published on our web site, <http://fcn.state.fl.us/dms/dbc/opportun/index.html>.

The selected firms will be given official notice of selection results by Fax and/or mail. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after receipt of notice shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. The selection results will also be published in the Florida Administrative Weekly and on our website.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BID NO. BDRS 08-02/03

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for construction services at Anastasia State Park in St. Augustine, Florida. Construction work to include concession building, pavilion, and restroom, including associated parking and infrastructure. Minority businesses are encouraged to participate. The Department reserves the right to reject any or all bids.

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

BID NO. BDRS 09-02/03

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for construction services at Anastasia State Park in St. Augustine, Florida. Construction work to include beach access boardwalk and sidewalk. Minority businesses are encouraged to participate. The Department reserves the right to reject any or all bids.

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

BID NO. BDRS 15-02/03

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the modification of the existing domestic wastewater treatment plant at John Pennekamp Coral Reef State Park in Key Largo, Florida. Minority businesses are encouraged to participate. The Department reserves the right to reject any or all bids.

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

BID NO. BDRS 16-02/03

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the modification of the two existing septic tank systems at Fanning Springs State Park in Fanning Springs, Florida. Minority businesses are encouraged to participate. The Department reserves the right to reject any or all bids.

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

BID NO. BDRS 17-02/03

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for campground road repairs at Falling Waters State Park in Chipley, Florida. Minority businesses are encouraged to participate. The Department reserves the right to reject any or all bids.

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

BID NO. BDRS 18-02/03

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the modification of the existing septic system at Manatee Springs State Park in Chiefland, Florida. Minority businesses are encouraged to participate. The Department reserves the right to reject any or all bids.

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

FLORIDA HOUSING FINANCE CORPORATION

Request for Proposals
2002/07 Investment Manager Services

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide Investment Manager services to submit proposals for consideration. Written, sealed proposals shall be accepted until 12:00 Noon (Eastern Time), October 4, 2002, to the attention of Robin Grantham, Senior Contracts Analyst, 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/rfps.html>. 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.

PETER R. BROWN CONSTRUCTION

NOTICE OF REQUEST FOR PROPOSALS
HILLSBOROUGH CORRECTIONAL INSTITUTION
EXPANSION – OPEN BAY DORM
PROJECT NUMBER WT-22(ST)
11150 HIGHWAY 672
RIVERVIEW, FL 33569

Peter R. Brown Construction, Inc. (CG-C061419), the Construction Manager for the Hillsborough Correctional Institution Expansion, DC Contract No. FC116, hereby solicits sealed proposals for the following trade(s) for the referenced project in accordance with the proposal documents to include but not limited to the following:

This is a 12,500 square foot masonry building consisting of the above referenced proposal packages:

- | | |
|---------------------------|-------------------------|
| Concrete | Glazing |
| Masonry | Drywall |
| Structural Steel | Resilient Tile Flooring |
| Casework | Vinyl Base |
| Standing Seam Roofing | Ceramic Tile |
| Doors / Frames / Hardware | Accessories |
| Paint | |

The Construction Manager will accept proposals until October 2, 2002, 2:00 p.m. (Local Time) at the offices of Peter R. Brown Construction, Inc., 1475 South Belcher Road, Largo, Florida 33771.

The Proposal Documents will be available at the office of the Construction Manager beginning September 6, 2002. Please call Mike Raney, (727)535-6407 or fax a request to (727)539-8485 to obtain documents. A Pre-proposal Conference will be held at the Job Site on September 12, 2002, 2:00 p.m.

A "Company Information Questionnaire" will be required of proposers. The information provided by each proposer must meet the requirements of both the owner and Peter R Brown Construction, Inc. and shall be provided by the prospective proposers before drawings will be issued. The Construction Manager reserves the right to reject any and all proposals, and to waive any informality in any proposal.

All questions regarding the work should be directed to the Construction Manager in writing. The Owner and Architect will not accept calls regarding this project.

SECOND DISTRICT COURT OF APPEAL

Performance Contracting Request For Qualifications

Second District Court of Appeal (hereinafter referred to as "Owner") is requesting qualification statements from interested performance contractors to implement energy conservation measures. The Owner intends to select the most qualified performance contractor and enter into a Guaranteed Energy Savings Contract pursuant to Section 489.145 of the Florida Statutes.

The objective of this project is to upgrade the Owner's facilities and infrastructure utilizing a comprehensive performance contracting approach, including but not limited to energy audits, design and installation of energy efficient equipment and measures, maintenance services, energy cost monitoring, project financing, and a guarantee that total program costs will be 100% covered by program energy and operational savings. Following a thorough review of all written responses, the Owner will rank the respondents and begin negotiating with the top-ranked performance contractor. If negotiations are unsuccessful, the Owner will move to the next-ranked firm and continue down the ranks until a contract is successfully executed.

Firms will be ranked based upon performance contracting experience within the state of Florida, corporate financial stability, project team qualifications, uniqueness of proposed solutions and any other criteria deemed important by the Owner. In order to receive consideration for this project, respondent must have completed a minimum of five performance contracts using Florida Statute 235.215 or 489.145. No other project references will be accepted. Respondents shall clearly indicate their firm's experience and qualifications and describe their approach to this project.

Written responses shall be limited to no more than 25 pages, not including Corporate Annual Reports, sample contracts, sample energy audits, etc. Pages printed on both front and back will count as two pages. If the response exceeds 25 pages, the pages will be numbered and all pages above 25 will be removed and not evaluated. Responses will be evaluated in light of the material and substantiating evidence presented and not on the basis of what is inferred. Respondent will be required to assume total responsibility for all services offered and will be considered the sole point of contact regarding all contractual matters such as warranties, maintenance, and guarantee.

A mandatory pre-proposal conference will be held at 10:00 a.m., September 13, 2002, at the owner's site. Interested firms shall submit five copies of their written response no later than 5:00 p.m., October 13, 2002, to the address listed below, after which they will no longer be accepted. Late responses will be returned unopened and will receive no further consideration. The Owner reserves the right to waive minor informalities. Responses may be mailed or delivered to the following address:

Marshal Robert P. Strzalka, Jr.
Second District Court of Appeal
1005 E. Memorial Blvd.
Lakeland, FL 33801

HILLSBOROUGH COUNTY AVIATION AUTHORITY

NOTICE TO PROFESSIONAL CONSULTANTS

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Section 287.055, Florida Statutes, Letters of Interest from Engineering firms or individuals desiring to render Professional Services for the following project at Tampa International Airport, Tampa, Florida:

AIRSIDE "B" APRON RECONSTRUCTION AND RELATED WORK – HCAA PROJECT NO. 4570

Services to be furnished shall include, but not be limited to, all engineering design related to civil, aircraft apron hardstand parking, apron lighting, hydrant fuel system removal and decommissioning, geotechnical testing; assistance during the advertising, bid and award phase, basic engineering services and resident inspection during construction, and related surveys and testing. A more detailed Scope of Services will be included in the formal Request for Proposal.

Qualified Consultants firms desiring consideration for this Project must give written notification in the form of a Letter of Interest to:

William J. Connors, Jr.
Senior Director of Planning and Development
Hillsborough County Aviation Authority
Post Office Box 22287
Tampa, Florida 33622

**Section XII
Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Rule 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., October 4, 2002):

APPLICATION TO MERGE

Constituent Institutions: CenterState Bank of Florida, Winter Haven, Florida and CenterState Interim Bank, Winter Haven, Florida

Resulting Institution: CenterState Interim Bank

With Title Of: CenterState Bank of Florida

Received: August 29, 2002

DEPARTMENT OF INSURANCE

Notice is Hereby Given by the Department of Insurance the following carrier, pursuant to Section 627.6699(10), F.S., has elected to become "risk-assuming": One Health Plan, Public comments will be received until September 22, 2002. Comments may be addressed to Belynda J. Shadoan, Bureau of Life and Health Forms and Rates, 200 East Gaines Street, Tallahassee, Florida 32399-0328, (850)922-3152, Ext. 5160.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF APPROVAL

FOR FLORIDA FOREVER FUNDS

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

Project: 01-055-FF1/Hallstrom Farmstead

Grantee: Indian River County

Amount of Approved Funds: the lesser of 75.00% of the final total project costs or \$1,232,373.00

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

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

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

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

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

Pursuant to Section 320.642, Florida Statutes, American IronHorse Motorcycle Company, intends to allow the establishment of Ft. Lauderdale Harley Davidson, as a dealership for the sale of American IronHorse motorcycles, apparel and parts, at 2871 North Federal Hwy., Ft. Lauderdale (Broward County), Florida 33306, on or after August 27, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Ft. Lauderdale Harley Davidson are dealer operator(s): Greg Cooke, 2871 North Federal Hwy., Ft. Lauderdale 33306; principal investor(s): Bruce Rossmeyer, 2871 North Federal Hwy., Ft. Lauderdale, FL 33306.

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: Elizabeth A. Owens, VP/Marketing & Sales, American IronHorse Motorcycle Company, 4600 Blue Mound Rd., Ft. Worth, TX 76106.

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

AGENCY FOR HEALTH CARE ADMINISTRATION

CERTIFICATE OF NEED

DECISIONS ON BATCHED APPLICATIONS

The Agency For Health Care Administration made the following remaining 14 decisions on Certificate of Need applications for Other Beds and Programs batching cycle with an application due date of May 29, 2002:

County: Jefferson Service District: 2
 CON#: 9575 Decision Date: 8/30/2002 Decision: A
 Facility/Project: Jefferson Nursing Center

Applicant: Monticello Partnership, Ltd.
 Project Description: Add 58 community nursing beds through delicensure of 58 community nursing beds at Pine Lake Nursing Home

County: Lake Service District: 3
 CON#: 9576 Decision Date: 8/30/2002 Decision: A
 Facility/Project: Lady Lake Specialty Care Center

Applicant: Lady Lake NH, LLC
 Project Description: Add 25 skilled nursing beds at Lady Lake Specialty Care through delicensure/transfer of 25 beds at the Oaks Residential

County: Duval Service District: 4
 CON#: 9577 Decision Date: 8/30/2002 Decision: A
 Facility/Project: Shands Jacksonville Medical Center

Applicant: Shands Jacksonville Medical Center, Inc.
 Project Description: Add 13 skilled nursing beds through conversion of the same number of adult inpatient psychiatric beds

County: Pasco Service District: 5
 CON#: 9578 Decision Date: 8/30/2002 Decision: A
 Facility/Project: East Pasco Medical Center

Applicant: East Pasco Medical Center, Inc.
 Project Description: Establish an adult open heart surgery program

County: Hillsborough Service District: 6
 CON#: 9579 Decision Date: 8/30/2002 Decision: A
 Facility/Project: Tampa General Hospital

Applicant: Florida Health Sciences Center, Inc.
 Project Description: Establish a pediatric liver transplantation program

County: Hillsborough Service District: 6
 CON#: 9580 Decision Date: 8/30/2002 Decision: A
 Facility/Project: LifePath Hospice and Palliative Care

Applicant: LifePath Hospice and Palliative Care, Inc.
 Project Description: Convert four hospice residential beds to four inpatient beds

County: Hillsborough Service District: 6
 CON#: 9582 Decision Date: 8/30/2002 Decision: A
 Facility/Project: LifePath Hospice and Palliative Care

Applicant: LifePath Hospice and Palliative Care, Inc.
 Project Description: Establish a 24-bed freestanding inpatient hospice house

County: Palm Beach Service District: 9
 CON#: 9583 Decision Date: 8/30/2002 Decision: D
 Facility/Project: Bethesda Memorial Hospital

Applicant: Bethesda Healthcare System, Inc.
 Project Description: Establish an adult open heart surgery program

County: Indian River Service District: 9
 CON#: 9584 Decision Date: 8/30/2002 Decision: A

Facility/Project: Indian River Memorial Hospital
 Applicant: Indian River Memorial Hospital, Inc.
 Project Description: Establish an adult open heart surgery program
 County: Martin Service District: 9
 CON#: 9585 Decision Date: 8/30/2002 Decision: D
 Facility/Project: Martin Memorial Medical Center
 Applicant: Martin Memorial Medical Center, Inc.
 Project Description: Establish an adult open heart surgery program
 County: Palm Beach Service District: 9
 CON#: 9586 Decision Date: 8/30/2002 Decision: D
 Facility/Project: Boca Raton Community Hospital
 Applicant: Boca Raton Community Hospital, Inc.
 Project Description: Establish an adult open heart surgery program
 County: Palm Beach Service District: 9
 CON#: 9587 Decision Date: 8/30/2002 Decision: A
 Facility/Project: Edgewater Pointe Estates
 Applicant: ACTS Retirement-Life Communities, Inc.
 Project Description: Add 40 community skilled nursing beds through the delicensure of 40 skilled nursing beds at Willowbrooke Court
 County: Palm Beach Service District: 9
 CON#: 9588 Decision Date: 8/30/2002 Decision: D
 Facility/Project: St. Mary's Medical Center
 Applicant: Tenet St. Mary's, Inc.
 Project Description: Establish a pediatric cardiac catheterization program
 County: Palm Beach Service District: 9
 CON#: 9589 Decision Date: 8/30/2002 Decision: D
 Facility/Project: St. Mary's Medical Center
 Applicant: Tenet St. Mary's, Inc.
 Project Description: Establish a pediatric open heart surgery program
 A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

CERTIFICATE OF NEED
 EXEMPTIONS

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:
 County: Pinellas District: 5
 ID #: 0200011 Decision: A Issue Date: 8/29/2002
 Facility/Project: Windmoore Healthcare of Clearwater
 Applicant: Windmoore Healthcare, Inc.

Project Description: Delicense 63 adult psychiatric beds
 Proposed Project Cost: \$2,500
 County: Dade District: 11
 ID #: 0200014 Decision: A Issue Date: 8/28/2002
 Facility/Project: Larkin Community Hospital
 Applicant: Larkin Community Hospital, Inc.
 Project Description: Add 10 adult psychiatric beds
 Proposed Project Cost: \$50,000

CERTIFICATE OF NEED
 GRACE PERIOD LETTERS OF INTENT

The Agency For Health Care Administration received and accepted the following letters of intent for the September 11, 2002, application filing date for Hospital Beds & Facilities batching cycle:

County: Bay District: 2
 Date Filed: 8/20/2002 LOI#: H0208030
 Facility/Project: HealthSouth LTAC of Bay County, Inc.
 Applicant: HealthSouth LTAC of Bay County, Inc.
 Project Description: Establish up to a 40-bed long-term care hospital
 County: Volusia District: 4
 Date Filed: 8/28/2002 LOI#: H0208031
 Facility/Project: HealthSouth LTAC of Jacksonville, Inc.
 Applicant: HealthSouth LTAC of Jacksonville, Inc.
 Project Description: Establish up to a 40-bed long-term care hospital
 County: Pinellas District: 5
 Date Filed: 8/13/2002 LOI#: H0208032
 Facility/Project: Palms of Pasadena Hospital
 Applicant: Palms of Pasadena Hospital
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 20 beds through the delicensure of up to 13 skilled nursing beds and 7 acute beds
 County: Hillsborough District: 6
 Date Filed: 8/28/2002 LOI#: H0208033
 Facility/Project: HealthSouth of Tampa, Inc.
 Applicant: HealthSouth of Tampa, Inc.
 Project Description: Establish up to a 40-bed long-term care hospital
 County: Broward District: 10
 Date Filed: 8/20/2002 LOI#: H0208034
 Facility/Project: HealthSouth Sunrise Rehabilitation Hospital
 Applicant: HealthSouth of Fort Lauderdale L.P.
 Project Description: Add up to 6 comprehensive medical rehabilitation beds
 County: Broward District: 10
 Date Filed: 8/22/2002 LOI#: H0208035
 Facility/Project: Memorial Regional Hospital
 Applicant: South Broward Hospital District

Project Description: Add up to 6 comprehensive medical rehabilitation beds.

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after October 16, 2002, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on September 27, 2002.

AHCA Purchase Order Number: S5900K00142

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE OF QUOTA LIQUOR LICENSE DRAWINGS

The Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, is accepting applications for inclusion in the drawings for the following counties and amounts: Brevard (1), Broward (4), Collier (1), Dade (5), Hillsborough (3), Lee (2), Leon (1), Manatee (1), Orange (5), Palm Beach (3), Pasco (1), Pinellas (1), Polk (3), St. Lucie (1), Sarasota (1), Seminole (2), Volusia (1).

Applications will be accepted from August 19, 2002 through November 16, 2002. All interested parties should make inquiry by contacting the Division's district office serving their area of interest.

Further Information may be obtained by writing: Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida.

DEPARTMENT OF HEALTH

On September 3, 2002 John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Movic Enterprises, Inc. d/b/a Providence Drugs, license number PH 17660. Movic Enterprises' last known address is 4851 N. W. 183rd Street, Miami, FL 33101. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary

determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On September 3, 2002 John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Victor Osagie, R.Ph., license number PS 26947. Victor Osagie's last known address is 16742 S. W. 36th Court, Miramar, FL 33027. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FISH AND WILDLIFE CONSERVATION COMMISSION

AVAILABILITY OF DRAFT MANAGEMENT PLAN

The Florida Fish and Wildlife Conservation Commission at its January 23-25, 2002 meeting determined that reclassifying the red-cockaded woodpecker (*Picoides borealis*) from threatened status to species of special concern status was warranted, and directed the development of a management plan. A draft management plan for red-cockaded woodpecker has been prepared, and the Commission is now requesting written comments regarding conservation recommendations and expected economic and social impacts of implementing the management plan. Copies of the draft management plan are available at <http://www.wildflorida.org/RCWplan> or from Dr. Brad Gruver, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Written comments should be addressed to the above address, and will be accepted until 5:00 p.m., October 28, 2002.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN August 26, 2002
and August 30, 2002

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

4A-43.019	8/26/02	9/15/02	28/27	
4A-62.005	8/26/02	9/15/02	28/18	28/30

DEPARTMENT OF TRANSPORTATION

14-106.001	8/28/02	9/17/02	28/30	
14-106.002	8/28/02	9/17/02	28/30	
14-106.003	8/28/02	9/17/02	28/30	
14-106.004	8/28/02	9/17/02	28/30	
14-106.005	8/28/02	9/17/02	28/30	
14-106.006	8/28/02	9/17/02	28/30	
14-106.007	8/28/02	9/17/02	28/30	
14-106.008	8/28/02	9/17/02	28/30	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF CORRECTIONS

33-302.109	8/26/02	9/15/02	28/29	
33-601.217	8/26/02	9/15/02	28/29	

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

Bartram Springs Community Development District

42HH-1.001	8/28/02	9/17/02	28/29	
42HH-1.002	8/28/02	9/17/02	28/29	
42HH-1.003	8/28/02	9/17/02	28/29	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

61G15-24.001	8/27/02	9/16/02	28/30	
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DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

64B15-14.004	8/29/02	9/18/02	28/8	28/29
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Board of Athletic Training

64B33-1.005	8/30/02	9/19/02	26/25	28/31
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