

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Library and Information Services

RULE TITLE: Electronic Recordkeeping
 RULE NO.: 1B-26.003

PURPOSE AND EFFECT: The purpose of this amendment is to update guidelines for managing public records created or maintained in electronic form. Updated guidelines reflect current technologies and best practices in managing electronic records and ensuring their retention and accessibility in accordance with public records provisions of Florida Statutes, Chapter 119.

SUBJECT AREA TO BE ADDRESSED: Public records management guidelines for public records created or maintained in electronic form.

SPECIFIC AUTHORITY: 257.14, 257.36 FS.

LAW IMPLEMENTED: 257.14, 257.36 FS.

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

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

PLACE: Training Room, State Records Storage Center, 4319 Shelfer Road, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Jim Berberich, Chief, Bureau of Archives and Records Management, Division of Library and Information Services, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, (850)245-6700, Suncom 205-6700

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

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE TITLE: Claims
 RULE NO.: 2A-2.002

PURPOSE AND EFFECT: The Division proposes the development of a rule amendment to incorporate an updated form in the rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of a revised form in the rule.

SPECIFIC AUTHORITY: 960.045(1) FS.

LAW IMPLEMENTED: 960.065, 960.07, 960.13(1)(b), 960.198 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: Gwen Roache, Chief, Bureau of Victim Compensation, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

2A-2.002 Claims.

Application and benefit payment criteria, limitations and procedures for victim assistance are provided in the publication entitled "Victim Compensation Assistance," BVC-P001 (January 2000), effective 2-3-00, which is incorporated into these rules by reference. In addition, the following documents are incorporated into this rule by reference:

(1) BVC 100, entitled "Victim Compensation Claim Form," (rev. 7/02) (~~rev. 11/99~~), effective _____ ~~2-3-00~~.

(2) through (12) No change.

Specific Authority 960.045(1) FS. Law Implemented 960.065, 960.07, 960.13(1)(b), 960.198 FS. History--New 1-1-92, Amended 11-1-92, 9-13-94, 1-8-96, 6-25-96, 10-1-96, 9-24-97, 8-17-99, 2-3-00, 10-23-01, _____.

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE TITLE: Application and Payment Procedures
 RULE NO.: 2A-3.002

PURPOSE AND EFFECT: The Division proposes the development of a rule amendment to incorporate an updated form in the rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of a revised form in the rule.

SPECIFIC AUTHORITY: 960.045(1) FS.

LAW IMPLEMENTED: 960.28 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: Gwen Roache, Chief, Bureau of Victim Compensation, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

2A-3.002 Application and Payment Procedures.

Application and payment procedures for sexual assault examinations are provided on the form entitled "Sexual Battery Claim Form," DVS-201, (Rev. 8/02) (~~Rev. 11/99~~), effective ~~2-3-00~~, which is incorporated in this rule by reference.

Specific Authority 960.045(1) FS. Law Implemented 960.28 FS. History--New 11-1-92, Amended 9-13-94, 9-26-95, 6-19-96, 9-24-97, 2-3-00,_____.

DEPARTMENT OF BANKING AND FINANCE

Division of Banking

RULE TITLE: Appraisals, and Appraisal Standard Policies of State Financial Institutions

RULE NO.: 3C-100.600

PURPOSE AND EFFECT: To reduce the regulatory burden of Florida-chartered financial institutions by making Rule 3C-100.600 more nearly consistent with the appraisal requirements imposed by Federal regulators of financial institutions.

SUBJECT AREA TO BE ADDRESSED: Appraisals of real estate securing loans of Florida-chartered financial institutions.

SPECIFIC AUTHORITY: 655.012(3), 655.60 FS.

LAW IMPLEMENTED: 655.60 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., January 21, 2003

PLACE: Division of Banking Conference Room, 6th Floor, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Linda Townsend, Chief, Bureau of Financial Institutions, Dist. II, Division of Banking, Department of Banking and Finance, Suite 636, The Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9111

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3C-100.600 Appraisals, and Appraisal Standard Policies of State Financial Institutions.

(1) The board of directors of each state financial institution shall adopt appraisal standards and policies. Such standards and policies shall be reviewed and approved annually by the board of directors, and such approval shall be recorded in the minutes of the meetings of the board of directors.

(2) At a minimum, the appraisal standards and policies shall require that an appraisal prepared by a state-certified or state-licensed appraiser must be obtained prior to funding any loan or extension of credit that is based on the security of real estate, except:

- (a) Loans with a total value of \$250,000 or less;
- (b) Loans with a lien on real property when such property has been taken as collateral solely in an abundance of caution;
- (c) When a lien on real estate has been taken for purposes other than the real estate's value;
- (d) The transaction is a business loan that:
 - 1. Has a transaction value of \$1 million or less; and
 - 2. Is not dependent on the sale of, or rental income derived from, real estate as the primary source of repayment;
- (e) A lease of real estate, unless the lease is the economic equivalent of a purchase or sale of the leased real estate;
- (f) The transaction involves an existing extension of credit at the lending institution, provided that:

- 1. There has been no obvious and material deterioration in market conditions or physical aspects of the property that would threaten the institution's collateral protection after the transaction, even with the advancement of new monies; or
- 2. There is no advancement of new monies, other than funds necessary to cover reasonable closing costs;

(g) The transaction involves the purchase, sale, investment in, exchange of, or extension of credit secured by, a loan or interest in a loan, pooled loans, or interests in real property, including mortgage-backed securities, and each loan or interest in a loan, pooled loan, or real property interest met these appraisal requirements at the time of origination;

(h) The transaction is wholly or partially insured or guaranteed by a United States government agency or United States government-sponsored agency; or

- (i) The transaction either:
 - 1. Qualifies for sale to a United States government agency or United States government-sponsored agency; or
 - 2. Involves a residential real estate transaction in which the appraisal conforms to the Federal National Mortgage Association or Federal Home Loan Mortgage Corporation appraisal standards applicable to that category of real estate.

(3) Any loan or extension of credit not requiring a state-certified or state-licensed appraisal under paragraphs (2)(a), (d), or (f) shall not be funded until an appropriate evaluation of the real property has been obtained; and

(4) Any appraisal report or other evaluation shall be ~~certified to the financial institution and~~ dated within one year prior to funding the loan or extension of credit.

(5) Confirming appraisals and other evaluations include those prepared:

- (a) By persons on the staff of the financial institution;
- (b) For the financial institution by outside, independent third parties; and

(c) For or by other financial institutions or licensed lenders, provided those appraisals and evaluations meet the standards of this rule and otherwise comply with safe and sound practices.

Specific Authority 655.012(3), 655.60(2) FS. Law Implemented 655.60 FS. History–New 11-2-92, Amended 9-27-94, 11-7-01, _____.

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLES: RULE NOS.:

- Certificates of Authority 3F-5.0015
- Termination of a Preneed Sales Agent 3F-5.0035
- Procedures for Licensing a New Cemetery 3F-5.004
- Procedure for Licensing Transferred Cemeteries 3F-5.006
- Request for Additional Information – Applications 3F-5.008

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the language and remove any obsolete language.

SUBJECT AREA TO BE ADDRESSED: Certificates of Authority, Termination of a Preneed Sales Agent, Procedures for Licensing a New Cemetery, Procedure for Licensing Transferred Cemeteries, and Request for Additional Information – Applications.

SPECIFIC AUTHORITY: 497.103 FS.

LAW IMPLEMENTED: 497.201, 497.209, 497.237, 497.405(3), 497.439(9), 497.245, 497.337 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: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-5.0015 Certificates of Authority.

~~(1) No person or entity may sell a preneed contract for burial or funeral services, merchandise, or cash advances that does not have a valid certificate of authority.~~

(2) through (3) renumbered (1) through (2) No change.

Specific Authority 497.103 FS. Law Implemented 497.405(3) FS. History–New 10-15-95, Amended _____.

3F-5.0035 Termination of a Preneed Sales Agent.

Within thirty (30) days of any termination of any registered preneed sales agent, the certificateholder shall give written notice to the Department. The notice may be submitted in writing, electronically, or via facsimile, and shall contain:

(1) through (3) No change.

Specific Authority 497.103 FS. Law Implemented 497.439(9) FS. History–New 5-29-94, Amended _____.

3F-5.004 Procedures for Licensing a New Cemetery.

(1) through (j) No change.

(k) Shown compliance with Rule 3F-5.009, F.A.C., Regulatory Standards for Evaluating Applications by the Board.

(2) through (3) No change.

Specific Authority 497.103 FS. Law Implemented 497.201, 497.237, 497.245, 497.337 FS. History–New 9-29-75, Amended 6-21-77, 6-21-78, 11-2-78, 1-27-81, Formerly 3D-30.15, Amended 10-23-91, Formerly 3D-30.015, Amended 12-8-98, 6-26-02, _____.

3F-5.006 Procedure for Licensing Transferred Cemeteries.

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

(b) Copy of certificate of good standing, if applicable articles of incorporation;

(c) through (d) No change.

(e) Completion Of An Application To Transact Cemetery Business, Form DBF-CEM 1/96 REV 7/01 ~~DBF-F-33~~, effective October 23, 1991, which is hereby incorporated by reference. Form DBF-F-33 shall be accompanied by a license fee based on the cemeteries’ last fiscal year sales pursuant to Section 497.213, Florida Statutes;

(f) through (3) No change.

(4) Investigation. The Department shall investigate the following conditions:

(a) Character, reputation, financial standing, and business qualifications ~~and motives~~ of the new proponents;

(b) through (5) No change.

~~(6) Denial of License. If the department intends to deny an application, the provisions of Chapter 120, F.S., shall prevail. If the application is denied, written notice thereof will be given to the applicant and upon written request for a hearing thereon received within 21 days after receipt of notice of denial, a hearing may be held. Such hearing will be conducted in accordance with Chapter 120, Florida Statutes, and Chapter 28-6 of the Model Rules of Procedure.~~

~~(7) All forms herein are available by mail from The Department of Banking and Finance, Division of Finance, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350.~~

Specific Authority 497.103 FS. Law Implemented 497.201(1), 497.209 FS. History–New 9-29-75, Amended 11-2-78, 1-27-81, Formerly 3D-30.17, Amended 10-23-91, Formerly 3D-30.017, Amended 9-18-01, 6-26-02, _____.

3F-5.008 Request for Additional Information – Applications.

Rules 3F-5.004, ~~3F-5.005~~, 3F-5.006, 3F-5.007, and 3F-5.009, F.A.C., provide methods, procedures and supporting documentation for the licensing of new cemeteries, ~~existing cemeteries~~, transferred cemeteries and for conversion procedures. All information the applicant wants to present in order to support the application should be submitted with the

original filing. The required exhibits in the application forms are not intended to limit the applicant's presentation of any of the requirements, but merely represent the minimum information to be filed. Additional information must be submitted within sixty (60) days after a request therefor if specifically requested by the department within thirty (30) days after receipt of the application. Failure to respond to such request within sixty (60) days after the date of the request will be construed by the department and the Board of Funeral and Cemetery Services as grounds for denial of an application in accordance with the provisions of Section 120.60(2), F.S., and the file may be closed, unless good cause is shown that it remain open. Should the file be closed pursuant to these provisions, the applicant shall be duly notified. (See subsections 3-3.012(1)(a) and (3), F.A.C.)

Specific Authority 497.103 FS. Law Implemented 120.60(2), 497.201(2)(a), 497.209 FS. History--New 12-22-81, Formerly 3D-30.29, 3D-30.029, Amended 6-26-02,_____.

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLES: RULE NOS.:
 Records 3F-6.005
 Criteria for Burial; Disinterment; Reinterment 3F-6.007
 PURPOSE AND EFFECT: The Board proposes to amend these rules to update or delete obsolete language in accordance with statutes.

SUBJECT AREA TO BE ADDRESSED: Records, Criteria for Burial; Disinterment; Reinterment.
 SPECIFIC AUTHORITY: 497.103 FS.

LAW IMPLEMENTED: 497.305(1)(b), 497.309, 497.313(1), 497.317, 497.515(7), 497.431 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: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-6.005 Records.

The following records shall be made available to the Department for the purposes of examinations or inspections:

- (1) through (2) No change.
- (3) Advertising file as in Rule 3F-9.001, F.A.C.;
- (4) through (13) No change.
- ~~(14) List of current preneed sales agents;~~

(15) through (17) renumbered (14) through (16) No change.

These records will be available for review at the licensed facility or an alternative site of the cemetery company if approved by the Board pursuant to Section 497.309(2), F.S. Certificate of Authority holders will send written notification to the Board Office if records are available for review at an alternative site.

Specific Authority 497.103 FS. Law Implemented 497.309, 497.431 FS. History--New 3-21-95, Amended 5-27-98, 4-16-00,_____.

3F-6.007 Criteria for Burial; Disinterment; Reinterment.

(1) A cemetery shall not ~~be required to~~ perform a burial, interment, entombment, or inurnment, until it has received proper authorization. Such authorization shall consist of the following:

- (a) An original completed burial transit permit;
- (b) An authorization, ~~either orally or~~ in writing, on forms prescribed by the cemetery, according to either cemetery by laws or written operating procedures of the cemetery, from the individual(s) who own the burial rights for the burial space in which the burial is to take place; and

(c) through (3) No change.

(4) A cemetery shall not be required to perform a disinterment until it has received proper authorization. Such authorization shall consist of the following:

(a) ~~All required permits: An original disinterment permit and burial transit permit, unless the reinterment is to be made in the same cemetery;~~

(b) through (c) No change.

(5) Unless the cemetery is provided with all of the documentation, the cemetery ~~shall need~~ not perform the disinterment unless and until it receives a court order instructing it to do so.

(6) through (7) No change.

Specific Authority 497.103 FS. Law Implemented 497.305(1)(b), 497.309(1), 497.313(1), 497.317, 497.515(7) FS. History--New 3-21-95, Amended 2-25-98,_____.

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: RULE NO.:
 Wholesale Purchase Price 3F-7.006

PURPOSE AND EFFECT: The Board proposes to amend this rule to further clarify the language.

SUBJECT AREA TO BE ADDRESSED: Wholesale Purchase Price.

SPECIFIC AUTHORITY: 497.103 FS.

LAW IMPLEMENTED: 497.337, 497.417 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: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-7.006 Wholesale Purchase Price.

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

(c) Invoices and other documentation used to establish the listed wholesale purchase price shall be maintained by the certificateholder at the cemetery.

Specific Authority 497.103 FS. Law Implemented 497.337, 497.417 FS. History—New 3-1-90, Formerly 3D-30.035, Amended 5-27-98,_____.

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Exemption from the Act of Securities Purchased or Sold by Odd-lot Dealers	4-143.007
Certain Transactions Subject to Section 625.75 of the Act	4-143.008
Exemption of Long Term Profits Incident to Sales within Six Months of the Exercise of an Option	4-143.015

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: In the year 1999 pursuant to legislative mandate, the Department identified Rules 4-143.007, 4-143.008, and 4-143.015, F.A.C., as rules exceeding Department authority. In the year 2000 the legislature passed a law providing authority to adopt rules similar to Rules 4-143.007 and 4-143.015, F.A.C., establishing exemptions from the requirements of Sections 625.75 and 625.76, F.S. The existing rules deviate slightly from the statute. The amendment will conform the rules to the new statutory language. Rule 4-143.008 is being reworded to tie it to the existing statutory authority. Section 625.75, F.S. requires 10 percent shareholders of an insurer under certain circumstances to file a notice with the Department. Section 626.76, F.S., allows an insurer to recover profit resulting from a transaction by a 10 percent shareholder in certain circumstances. Section 625.765, F.S., created in 2000, provides authority to make exemptions. The amendments to Rules 4-143.007 and 4-143.015, F.A.C., limit the exceptions provided in those rules to the scope of that authority.

Rule 4-143.008, F.A.C., as it exists has the effect of construing Section 625.75, F.S. to apply to transactions where options are used rather than stock ownership to acquire an interest in an insurer. The amended rule does the same thing but is worded in a way that is more explicitly tied to the underlying statute.

If these or similar changes are not made, the rules will be placed on the agenda for the next Joint Administrative Procedures Committee meeting to be subjected to criticism.

SPECIFIC AUTHORITY: 624.308(1), 625.82 FS.

LAW IMPLEMENTED: 624.307(1), 625.75, 625.76, 625.78 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., January 14, 2003

PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lee Roddenberry, Bureau Chief, Bureau of Property and Casualty Insurer Solvency, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0326, (850)413-5200

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AT THE WORKSHOP.

DEPARTMENT OF INSURANCE

Division of Worker’s Compensation

RULE TITLE: Scope of Exemption
 RULE NO.: 4L-6.021
 PURPOSE AND EFFECT: To interpret Sections 440.02 and 440.05, Florida Statutes. The rule clarifies that changes to the exemption law as enacted through Chapter 2002-236, Laws of Florida, do not apply to work performed or to be performed on commercial building projects valued at an amount of \$250,000 or greater, where the project was placed under contract prior to July 1, 2002. The rule also clarifies that, except where the project was placed under contract prior to July 1, 2002, changes to the exemption law, as enacted through Chapter 2002-236, Laws of Florida, are applicable to exemptions issued prior to July 1, 2002 by the Division of Workers’ Compensation of the Florida Department of Labor and Employment Security.

SUBJECT AREA TO BE ADDRESSED: Workers' compensation exemptions for work performed on commercial building projects valued at \$250,000 or greater.

SPECIFIC AUTHORITY: 440.591 FS.

LAW IMPLEMENTED: 440.02, 440.05 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., January 16, 2003

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lee Pease, Bureau Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)488-2713

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

DEPARTMENT OF EDUCATION

RULE TITLE: Responsibilities of School Districts for Pupil Transportation RULE NO.: 6-3.017

PURPOSE AND EFFECT: The purpose of the rule development is to accommodate changes made in Florida Statutes regarding school bus inspections and certification of school bus safety inspectors, and to incorporate by reference updated out-of-service criteria in the Florida School Bus Safety Inspection Manual. The effect is to be consistent with existing statutes and to improve the safety, efficiency, and reliability of school buses in use in Florida's school districts.

SUBJECT AREA TO BE ADDRESSED: School bus inspection standards and procedures and school bus safety inspector certification requirements.

SPECIFIC AUTHORITY: 1006.22 FS.

LAW IMPLEMENTED: 1006.22 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.

Requests for the rule development workshop should be addressed to: Wayne V. Pierson, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1214, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Charlie Hood, School Transportation Management Section, 325 West Gaines Street, Room 1114, Tallahassee, Florida 32399-0400, (850)488-4405

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

DEPARTMENT OF EDUCATION

RULE TITLE: Specifications for New School Buses RULE NO.: 6-3.029

PURPOSE AND EFFECT: The purpose of the rule development is to adopt revised specifications to ensure that new Florida school buses incorporate the latest safety and reliability-related technological improvements available from all manufacturers. The effect is to improve the safety, efficiency, and reliability of new school buses.

SUBJECT AREA TO BE ADDRESSED: Requirements for newly purchased school buses.

SPECIFIC AUTHORITY: 1001.02, 1006.25 FS.

LAW IMPLEMENTED: 1006.22, 1006.25 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.

Requests for the rule development workshop should be addressed to: Wayne V. Pierson, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1214, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Charlie Hood, School Transportation Management Section, 325 West Gaines Street, Room 1114, Tallahassee, Florida 32399-0400, (850)488-4405

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Financial Records and Reports RULE NO.: 6A-14.072

PURPOSE AND EFFECT: The purpose is to prescribe the data and procedures to be used to maintain financial records in a consistent manner at the 28 community colleges. The effect is to ensure the financial records at the 28 community colleges and data shown on financial reports will be comparable throughout the Community College System.

SUBJECT AREA TO BE ADDRESSED: Financial records and reports in the community colleges.

SPECIFIC AUTHORITY: 229.053(1), 240.325 FS.

LAW IMPLEMENTED: 240.325 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.

Requests for the rule development workshop should be addressed to: Wayne V. Pierson, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1214, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: David Armstrong, Chancellor, Division of Community Colleges, 325 West Gaines Street, Tallahassee, Florida 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-14.072 Financial Records and Reports.

(1) Each community college shall keep financial records according to the Department of Education publication, "Accounting Manual for Florida's Public Community Colleges, 2002 2004," incorporated herein by reference. Copies may be obtained from the Division of Community Colleges, Department of Education, Tallahassee, Florida 32399-0400.

(2) through (3) No change.

Specific Authority 229.053(1), 240.325 FS. Law Implemented 240.325 FS. History—Formerly 6A-8.11, Repromulgated 12-19-74, Amended 12-26-77, 7-2-79, 5-14-85, Formerly 6A-14.72, Amended 11-12-91, 7-7-92, 2-16-94, 12-18-94, 11-27-95, 11-13-96, 12-9-97, 5-18-99, 2-29-00, 7-30-01.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Community Services Block Grant Program 9B-22

RULE TITLES: RULE NOS.:

Definitions 9B-22.002

Community Assistance Advisory Council 9B-22.004

Match Requirements 9B-22.006

Funds Distribution 9B-22.007

Contracting Procedures 9B-22.008

Agency Board Requirements 9B-22.011

PURPOSE AND EFFECT: To revise Chapter 9B-22, Fla. Admin. Code, to implement federally mandated program revisions.

SUBJECT AREA TO BE ADDRESSED: The revision of Rules 9B-22.002, 9B-22.004, 9B-22.006, 9B-22.007, 9B-22.008 and 9B-22.011, Fla. Admin. Code.

SPECIFIC AUTHORITY: 120.53, 163.03(3) FS.

LAW IMPLEMENTED: 120.53, 163.03(3), 163.03(3)(d) 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., January 21, 2003

PLACE: Department of Community Affairs, Sadowski Building, Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Lena A. Price, Social and Community Services Manager, Division of Housing and Community Development, Community Services Block Grant Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Suncom 278-7541, 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)966-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lena A. Price, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Suncom 278-7541

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9B-22.002 Definitions.

As used in these rules, except where the context clearly indicates a different meaning:

(1) No change.

(2) ~~"Secondary administrative expense" means an administrative expense to support program activities eligible under subsection (11) of this rule, but whose program activities are directly funded or governed by a source other than the Community Services Block Grant.~~

(2)(3) ~~"Advisory Council Committee" means the Community Assistance Services Block Grant Advisory Council Committee.~~

(4) ~~"Grantee" means the qualified applicant that receives funding for an approved program and operating budget for delivery of eligible services.~~

(3)(5) ~~"Federal Law" means, unless otherwise specified, the Community Services Block Grant Act of 1981, Public Law 97-35, as amended and as defined in 42 USC 9901-9921 45 C.F.R. Parts 16, 74 and 96.~~

(4)(6) ~~"Department" means the Department of Community Affairs.~~

(7) ~~"Program expense" means those costs incurred in direct service delivery, including program salaries.~~

~~(8) "Qualified grantees" include eligible entities, migrant and seasonal farmworker organizations, and local governments as defined in the following paragraphs (a)-(c), provided such applicant is in good standing or has not been determined ineligible.~~

~~(a) "Eligible entity" means any organization officially designated as a community action agency or a community action program under the Federal Legislative provisions of Section 210 of the Economic Opportunity Act of 1964, for fiscal year 1981 or established after 1981 in compliance with federal law to serve areas not served by an existing eligible entity. If such community action agency or community action program lost its designation under Section 210 of such Act as a result of a failure to comply with the provisions of said Act or who has been determined ineligible, a replacement community action agency will be designated in accordance with provisions of Federal Law.~~

~~(b) "Migrant and seasonal farmworker organization" means an organization funded to provide direct services to a target population of migrant and seasonal farmworkers under the Community Services Block Grant Program and having a Board of Directors composed of at least 51 percent representatives of migrant and seasonal farmworkers.~~

~~(c) "Local government" or "local governing authority" means the governing body of a county or municipality.~~

~~(5) "Eligible entity" means those entities defined in 42 USC 9902.~~

~~(6)(9) "Community Services Block Grant" or "CSBG" means Federal funds appropriated pursuant to the Federal Community Services Block Grant Act of 1981 as amended, Public Law 105-285 97-35.~~

~~(7)(10) No change.~~

~~(11) "Eligible activities" include the following:~~

~~(a) Provide a range of services and activities having a measurable and potentially major impact on causes of poverty in the community or those areas of the community where poverty is a particularly acute problem;~~

~~(b) Provide activities designed to assist low income participants including the elderly poor to:~~

- ~~1. Secure and retain meaningful employment;~~
- ~~2. Attain an adequate education;~~
- ~~3. Make better use of available income;~~
- ~~4. Obtain and maintain adequate housing and a suitable living environment;~~
- ~~5. Obtain emergency assistance through loans or grants to meet immediate and urgent individual and family needs, including the need for health related assistance;~~
- ~~6. Remove obstacles and solve problems that block the achievement of self-sufficiency;~~
- ~~7. Achieve greater participation in the affairs of the community; and~~

8. Make more effective use of other programs related to the purposes of the Community Services Block Grant Act.

(e) Provide, on an emergency basis, for the provision of such supplies and services, nutritious foodstuffs, and related services, as may be necessary to counteract conditions of starvation and malnutrition among the poor;

(d) Coordinate and establish linkages between governmental and other social services programs to assure the effective delivery of such services to low-income individuals; and

(e) Encourage the use of entities in the private sector of the community in efforts to ameliorate poverty in the community.

(12) through (13) renumbered (8) through (9) No change.

(14) "Match" means those resources, cash or in-kind, required from the grantee in order to receive a grant.

(15) "Population" means total number of residents for each county, excluding inmates of institutions, as extrapolated from the latest official State estimate of population by the University of Florida Bureau of Economic Research and Development. For limited purpose agencies as designated under title II of the Economic Opportunity Act of 1964 for fiscal year 1981 which served the general purposes of a community action agency under title II of such Act, "population" means the total estimated number of residents for each county or service area meeting the definition of that limited program.

(10) "Poverty Population" means number of persons living at or below the official poverty line as defined by the federal Office of Management and Budget based on the most recent data available from the Bureau of Census.

(16) "SFY" means State Fiscal Year.

(17) "FFY" means Federal Fiscal Year.

(18) "Public entity representatives" means individuals representing units of state, county or municipal government, including state agencies.

(19) "Consumers of services" means any person eligible to receive services under the Community Services Block Grant Program, or any person whose income is at or below the federal poverty line, including persons who are elderly, persons with disabilities or children.

(20) "Advocates" means those persons or groups whose mission is to advance the rights of persons defined in subparagraph (19) above, including advocates for the elderly, children, consumers of services and persons with disabilities.

Specific Authority 120.53, 163.03(3) FS. Law Implemented 120.53, 163.03(3) FS. History—New 11-8-82, Amended 2-29-84, Formerly 9B-22.02, Amended 10-23-89, 7-13-94, 12-17-95, 1-19-98,_____.

9B-22.004 Community Assistance Services Block Grant Advisory Council Committee.

(1) Purpose.

(a) To advise the Secretary in administering the program.

(a) Provide technical assistance and citizen input to the Department of Community Affairs in the area of issues relating to low to moderate income persons and the Community Services Block Grant, the Community Development Block Grant and the Weatherization Assistance Programs. ("The Programs").

(b) Offer suggestions for policies affecting the administration of grants; To assist the Department in statewide public hearings held to solicit local input prior to formulating recommendations for the distribution and administration of funds.

(c) Provide consultation on ways to promote understanding of the needs of low to moderate income populations, particularly the elderly, disabled, homeless, Native Americans and Migrant and Seasonal Farmworkers for the Programs;

(d) Review and comment on the State Weatherization Plan, Community Services Block Grant State Plan and the State Consolidated Plan; and

(e) Facilitate maximum development of resources to meet the needs of the low to moderate income residents of the State of Florida.

(2) Composition. The Advisory Council shall be broadly representative of individuals, organizations and agencies, including but not limited to, those that represent low to moderate income persons, the elderly, disabled, homeless, Native Americans and Migrant and Seasonal Farmworkers for The Programs. The Advisory Committee shall be composed of three members who are currently executive directors of community action agencies, one member who shall be the president of the Florida Association for Community Action, four members who are designated representatives of public entities, and four members who are consumers of services and/or their advocates (of which one shall represent the elderly, one shall represent the interests of Florida's children, and one shall represent migrant and seasonal farmworker organizations);

(a) Appointment. The Secretary shall appoint thirteen twelve voting members.

(b) No change.

(c) Compensation. Members shall receive no compensation for services, but may be paid for travel in accordance with Section 112.061, F.S. Fla. Stat. Rule 9B-22.004(4), F.A.C.

(d) Replacement. A committee member may be replaced when, in the judgment of the Chairperson, continued absences or conduct impair the performance of the Advisory Committee, or when the member no longer acts in the capacity for which he or she was originally appointed.

(e) Chairperson. The Advisory Committee shall be chaired by the Secretary, or in his or her absence by his or her designee, as a nonvoting member, except when required to break a tie vote of the Committee.

~~(f) Other Officers. Other officers shall be elected by the members of the Committee as necessary and shall serve for the remainder of their term from date of election.~~

~~(3) Sub-Committees. May be formed as necessary.~~

~~(4) Travel. Subject to availability of funds, members shall be reimbursed for travel to attend meetings, hearings, or other legal purposes as authorized by the Advisory Committee and approved by the Chairperson according to Section 112.061, F.S.~~

~~(3)(5) Meetings. The Advisory Committee will hold at least one meeting annually.~~

~~(a) Additional meetings may be called as needed by the Chairperson.~~

~~(b) Prior to each meeting, an agenda will be prepared by the Department and distributed to each Advisory Committee member. The Department will notify the Committee of meetings at least 21 days in advance. Twenty-one days prior to each meeting, a proposed agenda will be prepared by the department and distributed to each Advisory Committee member. Requests for consideration and inclusion of agenda items must be received by the Department no later than two weeks prior to the meeting date.~~

~~(c) through (d) renumbered (a) through (b) No change.~~

~~(c) Special meetings may be called by the Secretary of the Department of Community Affairs, with at least (5) days notice.~~

~~(e) A quorum will consist of seven voting members present after due notice. The Committee will act upon having a quorum.~~

~~(f) The Chairperson shall not vote, but every other member shall have one vote. There will be no votes by proxy.~~

~~(g) Roberts Rules of Order will be used to govern meetings.~~

~~(h) If there is an immediate danger to the public health, safety or welfare requiring emergency action, the Chairperson may schedule a CSBG Advisory Committee meeting by any procedure that is fair under the circumstances and necessary to protect the public interest.~~

~~(4) Governance. The Advisory Council shall have the authority to create and adopt bylaws which will govern the internal affairs of the Advisory Council.~~

~~Specific Authority 120.53, 163.03(3) FS. Law Implemented 163.03(3)(d) FS. History-New 11-8-82, Amended 2-29-84, Formerly 9B-22.04, Amended 10-23-89, 7-13-94, 12-17-95, _____.~~

9B-22.006 Match Requirements.

~~Specific Authority 120.53, 163.03(3) FS. Law Implemented 163.03(3)(d) FS. History-New 11-8-82, Amended 2-29-84, Formerly 9B-22.06, Amended 10-23-89, 7-13-94, 12-17-95, 1-19-98, Repealed _____.~~

9B-22.007 Funds Distribution.

~~(1) As required by 42 USC 9907, at least 90 percent of the funds will be available for distribution in accordance with the CSBG State plan required by the Federal government to~~

~~eligible entities qualified grantees as defined in subsection Rule 9B-22.002(5)(a) and (b) paragraphs 9B-22.002(8)(a) and (b), F.A.C.~~

~~(2) No change.~~

~~(3) Up to 1.0 percent of the CSBG funds will be used to provide training and technical assistance to CSBG eligible entities. If funds remain after all grants have been processed, they may be distributed by the Department for demonstration and research programs or carried over to the next fiscal year.~~

~~(4) Up to 0.5 percent of the CSBG funds will be used to provide training and technical assistance to CSBG eligible entities for issues related to farmworkers.~~

~~(5) An amount equal to \$100,000 will be provided annually for emergency farmworker assistance statewide in the event of a declared emergency.~~

~~(6) If funds remain after the items in subsections 9B-22.007(1), (2), (3) and (4) F.A.C., are budgeted, the funds will be used for activities permitted under 42 USC 9907.~~

~~(7)(4) No change.~~

~~(8)(5) Community Services Block Grant funds distributed by the Department to eligible entities, which have not been expended, shall be returned to the eligible entity for carryover into the next fiscal year for program activities consistent with the CSBG program. Prior to carryover of unexpended funds, these monies must be returned to the Department at the time of close-out. Unobligated funds in excess of 20 percent of the amount allocated to the entity for that year will be redistributed along with any new federal funds to all eligible entities during the second quarter of the next contract period. The balance of unobligated funds, up to 20 percent, will be re-contracted to the eligible entity who returned the funds.~~

~~(9) Administrative Limit. Community Services Block Grant Administrative expenses shall not exceed 25 percent of the total allocation to that entity. Any amount in excess of this limit shall be refunded to the Department at the time of contract close-out.~~

Specific Authority 120.53, 163.03(3) FS. Law Implemented 163.03(3)(d) FS. History—New 11-8-82, Amended 2-29-84, Formerly 9B-22.07, Amended 10-23-89, 7-13-94, 12-17-95, 1-19-98, _____.

9B-22.008 Contracting Procedures.

Specific Authority 120.53, 163.03(3) FS. Law Implemented 163.03(3)(d) FS. History—New 11-8-82, Amended 2-29-84, Formerly 9B-22.08, Amended 10-23-89, 7-13-94, 12-17-95, Repealed _____.

9B-22.011 Agency Board Requirements.

~~(1) Private Nonprofit Entities. In the case of a community action agency or nonprofit private organization receiving CSBG 90 percent funds, each board will be selected by the community action agency or nonprofit private organization and constituted so as to assure that:~~

~~(a) Board. In order for a private, nonprofit entity to be considered to be an eligible entity for purposes of subsection 9B-22.007(1), F.A.C., the entity shall administer the CSBG~~

~~program through a tripartite board that fully participates in the development, planning, implementation, and evaluation of the program to serve low-income communities.~~

~~(b) Selection and Composition of Board. The composition of the board shall meet the requirements of 42 USC 9910. At least one-third of the members are persons chosen in accordance with democratic selection procedures adequate to assure that they are representatives of the poor in the area served.~~

~~(c) The remainder of the members are officials or members of business, industry, labor, religious, welfare, education, or other major groups and interests in the community. Interest groups are organizations with non-profit status, incorporated and registered with the office of the Florida Secretary of State. Agency by-laws shall specify categories or interest groups represented by each member. In no case shall by-laws be acceptable that do not specify membership categories as indicated.~~

~~(c)(a) One-third of the members of the board are elected public officials, currently holding office, or their representatives. Letters reaffirming the delegation of the elected public official's responsibilities to his/her representative, signed by the elected officials shall be required each year regardless of the number of years the terms run.~~

~~(d) Agencies providing services in multi-county areas are required to submit to the department a plan to assure representation of every county served. When an entity expands to include a new county into its service area, the new county must be represented on the board by an elected public official currently holding office, or his representative for the first two years.~~

~~(2) Public Organizations. In the case of a public organization receiving funds under subsection 9B-22.007(1), F.A.C., 90 percent CSBG funds, such organization shall establish a board meeting the requirements of 42 U.S.C. 9901-675(c)(3).~~

~~(a) Board members may not be paid staff of any public, private, or nonprofit organization receiving CSBG funds, including employees of the eligible public entity.~~

~~(b) Board members must be selected to represent a balanced cross section of all geographic areas the organization is funded to serve.~~

~~(3) No change.~~

Specific Authority 120.53, 163.03(3) FS. Law Implemented 163.03(3)(d) FS. History—New 12-17-95, Amended 1-19-98, _____.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Review of Local Emergency

Management Plans

9G-6

RULE TITLES:	RULE NOS.:
Definitions	9G-6.002
County Comprehensive Emergency Management Plans	9G-6.0023
County Comprehensive Emergency Management Plans – Review by Division	9G-6.006

PURPOSE AND EFFECT: To ensure that county emergency management systems are properly preparing and planning to respond to, recover from, and mitigate the contemporary and historical threats facing Florida as a result of additional hazards and vulnerability identified at the federal, state, county and local levels of government.

SUBJECT AREA TO BE ADDRESSED: County Comprehensive Emergency Management Plans.

SPECIFIC AUTHORITY: 120.53, 120.57, 252.35(2)(u) FS.

LAW IMPLEMENTED: 120.57, 252.35(1),(2)(a),(b),(c),(d),(k),(u),(v), 252.38(1),(2), 252.60 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., January 22, 2003

PLACE: Department of Community Affairs, Division of Emergency Management Conference Room, Sadowski Building, Room 120L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Cicero Hartsfield, Planning Consultant, Bureau of Preparedness and Response, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9893, Suncom 293-9893, 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 AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cicero Hartsfield, Planning Consultant, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9893

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Leases for Real Property	60H-1

PURPOSE AND EFFECT: The Division of Facilities Management and Building Construction intends to review all rules contained in Chapter 60H-1, F.A.C., and all forms

referenced therein to assure that they reflect current law, Department policy and best practice. The Division anticipates amending the lease space for which Department approval must be obtained from 3,000 feet to 5,000 feet and providing for exceptions to the requirement of Rule 60H-1.007, F.A.C., relating to termination of private leases when state space becomes available.

SUBJECT AREA TO BE ADDRESSED: Real Property Leases.

SPECIFIC AUTHORITY: 255.249 FS.

LAW IMPLEMENTED: 255.25 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: 2:00 p.m., January 15, 2003

PLACE: Department of Management Services, Office of the General Counsel, 4050 Esplanade Way, Suite 260, Room 260; Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Randall C. Baker, Chief, Real Property Management, Department of Management Services, 4050 Esplanade Way, Building 4030, Suite 380, Tallahassee, FL 32399-0950, (850)488-6519, bakerr@dms.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE:	RULE NO.:
Continuing Education	64B2-13.004

PURPOSE AND EFFECT: The Board proposes to delete a section and add new provisions to this rule.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 460.408(3) FS.

LAW IMPLEMENTED: 456.013(6), 456.036(10), 460.408 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

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

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: RULE NO.:

Continuing Education During 64B2-13.007
 Initial Licensure Period

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

SUBJECT AREA TO BE ADDRESSED: Continuing Education During Initial Licensure Period.

SPECIFIC AUTHORITY: 460.405, 460.408, 456.013(6) FS.

LAW IMPLEMENTED: 456.013(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:

List of Approved Forms; Incorporation 64B8-1.007

PURPOSE AND EFFECT: The Board proposes an amendment to the rule to incorporate two new forms by reference.

SUBJECT AREA TO BE ADDRESSED: Additional forms to be added to the forms rule.

SPECIFIC AUTHORITY: 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.351 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Larry G. McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-1.007 List of Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public are listed as follows and are hereby adopted and incorporated by reference, and can be obtained from the Board office by writing to the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753, or by telephoning (850)245-4131:

(1) through (17) No change.

(18) DH-MQA 1069, entitled "Advanced Registered Nurse Practitioner (ARNP) Protocol Form," 10/02.

(19) DH-MQA 1070, entitled "Dispensing Practitioner Registration," 10/02.

(18) through (22) renumbered (20) through (24) No change.

Specific Authority 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS. Law Implemented 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.351 FS. History--New 4-17-01, Amended 11-20-01, 8-13-02,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:

Physician Assistant Licensure Renewal 64B8-30.005
 and Reactivation

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address reactivation of licensure and voluntary relinquishments.

SUBJECT AREA TO BE ADDRESSED: Reactivation of licensure and voluntary relinquishments.

SPECIFIC AUTHORITY: 456.013, 456.031(1)(a), 456.033(1), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.031(1), 456.033, 458.347 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-30.005 Physician Assistant Licensure Renewal and Reactivation.

(1) A Physician Assistant must renew his licensure on a biennial basis. Upon request by the Board or Department, the licensee must submit satisfactory documentation of compliance with the requirements set forth below.

(2) No change.

~~(3) Upon request by the Board or Department, the licensee must submit satisfactory documentation of compliance with the requirements set forth above.~~

~~(3)(4)~~ Renewal of Licensure as a Prescribing Physician Assistant. In addition to the requirements of paragraph (2) above, a prescribing physician assistant shall attest to having completed a minimum of 10 hours of continuing education in the specialty area(s) of the supervising physician(s), during the previous 2 years. These hours may be utilized to meet the general continuing education requirement.

(4) Reactivation of Inactive License. To reactivate an inactive license, the licensee must submit to the Department the following:

(a) Original of inactive license;

(b) Licensure verification from each state in which the licensee is licensed to practice as a physician assistant, or a statement that the licensee is licensed only in Florida.

(c) Statement of medical activities from the date the licensee became inactive to the present; or, if the licensee has not practiced as a physician assistant for at least 2 of the 4 years preceding application for reactivation, proof of recertification by NCCPA;

(d) Statement of any criminal or disciplinary actions pending in any jurisdiction;

(e) Proof of completion of the continuing medical education requirements in compliance with Rule 64B8-30.005(2)(c), (d), (e), (f) and (g), F.A.C., for each biennium in which the license was inactive;

(f) Appropriate fees.

(5) Licensure Renewal or Reactivation Applications.

(a) Application for renewal as a licensed Physician Assistant and as a Prescribing Physician Assistant or for reactivation must be made upon forms supplied by the Council.

(b) Renewal or reactivation application forms submitted to the Council must be complete in every detail and must be typed or legibly printed in black ink.

(6) The renewal and reactivation fees are found in Rule 64B8-30.019 or 64B15-6.013, F.A.C.

(7) The failure of any license holder to either renew the license or elect inactive status before the license expires shall cause the license to become delinquent.

(a) The delinquent status licensee must affirmatively apply for active or inactive status during the licensure cycle in which the license becomes delinquent. The failure by the delinquent status licensee to cause the license to be renewed or made inactive before the expiration of the licensure cycle in which the license became delinquent shall render the license null and void without further action by the Board or the Department.

(b) The delinquent status licensee who applies for license renewal or inactive status shall:

1. File with the Department the completed application for either license renewal as required by Section 458.347, F.S., or inactive status as required by Section 456.036, F.S.;

2. Pay to the Board either the license renewal fee or the inactive status fee, the delinquency fee, and if applicable, the processing fee; and

3. If renewal is elected, demonstrate compliance with the continuing education requirements found in Rule 64B8-30.005, F.A.C.

(8) Voluntary Relinquishment of License.

(a) If a licensee wishes to voluntarily relinquish a license at a time when no investigation has been initiated against the licensee, no investigation against the licensee is anticipated, and no disciplinary action is pending, and the licensee is not under any current restrictions by the Board of this state or any other jurisdiction, then the licensee's request for voluntary relinquishment may be acted upon by staff without further action by the Board. In such a case, the voluntary relinquishment shall not be considered action against the license as that term is used in Section 456.072, 458.331(2), or 459.015, Florida Statutes.

(b) If a licensee wishes to voluntarily relinquish a license, but the licensee or the license is currently under any of the constraints set forth in (a) above, then the licensee may relinquish the license only with the approval of the Board. If the voluntary relinquishment is accepted by the Board at the time an investigation is underway, or is anticipated, or when a disciplinary action is in progress, then the acceptance of the voluntary relinquishment of the license shall be considered action against the license as that term is used in Section 456.072, 458.331(2), or 459.015, Florida Statutes, and shall be reported as such by the Board.

Specific Authority 456.013, 456.031(1)(a), 456.033(1), 458.309, 458.347 FS. Law Implemented 456.013, 456.031(1), 456.033, 458.347 FS. History—New 5-13-87, Amended 1-9-92, Formerly 21M-17.0035, Amended 9-21-93, Formerly 61F6-17.0035, Amended 11-30-94, Formerly 59R-30.005, Amended 6-7-98, 3-3-02, _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE:

General Requirements

PURPOSE AND EFFECT: The Board proposes to review the existing text to determine if amendments are necessary.

RULE NO.:

64B8-45.001

SUBJECT AREA TO BE ADDRESSED: General Requirements.

SPECIFIC AUTHORITY: 456.013(7),(8), 468.507 FS.

LAW IMPLEMENTED: 456.013(7),(8), 468.514, 468.515 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances
RULE NO.: 64B10-14.004

PURPOSE AND EFFECT: The Board proposes to review and update the disciplinary guidelines language.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines; range of penalties; aggravating and mitigating circumstances.

SPECIFIC AUTHORITY: 456.079, 468.1685(1) FS.

LAW IMPLEMENTED: 456.072, 456.079, 468.1685(4),(5),(6), 468.1755(1)(a),(j),(r) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Taylor, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-1753

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

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE TITLE: Continuing Education Program Approval
RULE NO.: 64B11-6.001

PURPOSE AND EFFECT: The Board proposes to conduct a rules workshop to review and discuss the existing language in this rule to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: All matters pertaining to continuing education program approval.

SPECIFIC AUTHORITY: 456.013(8), 456.025, 468.204, 468.219(2) FS.

LAW IMPLEMENTED: 468.219(2), 468.221 FS.

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

TIME AND DATE: 9:00 a.m. or shortly thereafter, Monday, February 24, 2003

PLACE: 4042 Bald Cypress Way, Room 301, Tallahassee, Florida 32399-3255

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board's Executive Director at least five (5) 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).

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 meeting, they will need a record of proceedings, and for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, BIN C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Standards of Practice – Continuous Quality Improvement Program
RULE NO.: 64B16-27.300

PURPOSE AND EFFECT: The Board proposes the rule amendment to update and clarify the scope of quality-related events.

SUBJECT AREA TO BE ADDRESSED: Prescription error quality-related events.

SPECIFIC AUTHORITY: 465.0155 FS.

LAW IMPLEMENTED: 465.0155 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-27.300 Standards of Practice – Continuous Quality Improvement Program.

(1) No change.

(2) “Quality-Related Event” means the inappropriate dispensing or administration of a prescribed medication including:

(a) A variation from the prescriber’s prescription order, including, but not limited to:

1. ~~Dispensing an~~ Incorrect drug;
2. ~~Dispensing an~~ Incorrect drug strength;
3. ~~Dispensing an~~ Incorrect dosage form;
4. ~~Dispensing the drug to the wrong~~ Incorrect patient; or
5. ~~Providing~~ Inadequate or incorrect packaging, labeling, or directions.

(b) No change.

(3) through (5) No change.

Specific Authority 465.0155 FS. Law Implemented 465.0155 FS. History–New 7-15-99, Amended 1-2-02,_____.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: _____ RULE NO.: _____

Definition of Compounding 64B16-27.700

PURPOSE AND EFFECT: The Board proposes the rule amendment to implement Section 465.0265, Florida Statutes, enacted by Chapter 2002-182, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Compounded prescriptions supplied to another pharmacy.

SPECIFIC AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 465.003(12), 465.0155, 465.0265 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-27.700 Definition of Compounding.

“Compounding” is the professional act by a pharmacist or other practitioner authorized by law, employing the science or art of any branch of the profession of pharmacy, incorporating ingredients to create a finished product for dispensing to a patient or for administration by a practitioner or his agent; and shall specifically include the professional act of preparing a unique finished product containing any ingredient or device defined by Sections 465.003(7), (8), F.S. The term also includes the preparation of nuclear pharmaceuticals and diagnostic kits incident to use of such nuclear pharmaceuticals. The term “commercially available products,” as used in this section, means any medicinal product as defined by Section 465.003(7), (8), F.S., that are legally distributed in the State of Florida by a drug manufacturer or wholesaler.

(1) No change.

(2) The preparation of drugs or devices for sale or transfer to pharmacies, practitioners, or entities for purposes of dispensing or distribution is not compounding. Except that the supply of patient specific compounded prescriptions to another pharmacy under the provisions of Section 465.0265, Florida Statutes, and Rule 64B16-28.450, F.A.C., is authorized.

Specific Authority 465.005 FS. Law Implemented 465.003(12), 465.0155, 465.0265 FS. History–New 10-1-92, Formerly 21S-27.700, 61F10-27.700, 59X-27.700, Amended.

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: _____ RULE NO.: _____

Requirements for Forensic Psychological

Evaluations of Minors for the Purpose of Addressing Custody, Residence or Visitation Disputes

64B19-18.007

PURPOSE AND EFFECT: The Board proposes to review the existing rule to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Forensic Psychological Evaluations of Minors.

SPECIFIC AUTHORITY: 490.004(4) FS.

LAW IMPLEMENTED: 490.009(2)(s) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #B01, Tallahassee, Florida 32399-3253

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

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-32.002
Notice of Fund Availability	67-32.003
General Program Restrictions	67-32.004
Application Procedures	67-32.005
Terms and Conditions of Loan	67-32.006
Selection, Ranking and Funding Guidelines	67-32.007
Selection for Participation in Program	67-32.008
Right to Inspect and Monitor	
Funded Developments	67-32.010
Fees	67-32.011

PURPOSE AND EFFECT: Pursuant to Section 420.5087(3)(c)2., Florida Statutes (F.S.), the Florida Housing Finance Corporation administers the Elderly Housing Community Loan (EHCL) Program. This program provides loans to sponsors of affordable rental housing for very low-income elderly households. Rule 67-32, F.A.C., provides the procedures for the administration of this loan program and criteria for receiving, evaluating, and competitively ranking all applications for loans under the EHCL Program. The intent of this Rule is to provide loans to sponsors of housing for the elderly to make building preservation, health, or sanitation repairs or improvements which are required by federal, state, or local regulation or code, or life-safety or security-related repairs or improvements to such housing.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2003 application and program requirements for the Elderly Housing Community Loan Program, as specified in Rule Chapter 67-32, Florida Administrative Code (F.A.C.).

SPECIFIC AUTHORITY: 420.5087 FS.

LAW IMPLEMENTED: 420.5087 FS.

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

TIME AND DATE: 10:00 a.m., January 13, 2003

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Sixth Floor, Closing Room A, Tallahassee, FL 32301-1329

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact Vicki Brady at the address below. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Vicki Brady, SAIL Program Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

**Section II
Proposed Rules**

DEPARTMENT OF BANKING AND FINANCE

Division of Banking

RULE TITLE: Branch Office Closing **RULE NO.:** 3C-105.407

PURPOSE AND EFFECT: To make the branch closing process less burdensome for financial institutions subject to the provisions of Section 658.26, Fla. Stat.

SUMMARY: The rule addresses the written notification requirement for branch closure for financial institutions subject to the provisions of Section 658.26, Fla. Stat.

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

SPECIFIC AUTHORITY: 655.012(3), 658.26(3)(e) FS.

LAW IMPLEMENTED: 655.012(3), 658.26(3), 655.013, 667.003 FS.

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

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

PLACE: Suite 526, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Pullen, Division of Banking, Department of Banking and Finance, Suite 636, The Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9111

THE FULL TEXT OF THE PROPOSED RULE IS:

3C-105.407 Branch Office Closing.

The Department shall be notified in writing at least 30 days prior to the closing of an established branch office. Such notification shall include a statement that the financial institution's evidence of a board has approved resolution approving the closing and a copy of the notice that was sent to the customers of the branch office have been notified notifying them of the anticipated closing.

Specific Authority 655.012(3), 658.26(3)(e) FS. Law Implemented 655.012(3), 658.26(3), 665.013, 667.003 FS. History--New 7-27-81, Formerly 3C-13.071, 3C-13.0071, Amended 8-14-94, 4-15-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Charity, Bureau Chief, District I, Division of Banking

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Alex Hager, Director, Division of Banking

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 27, 2002

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Residential Solicitations

RULE NO.: 3F-9.002

PURPOSE AND EFFECT: The Board proposes to amend this rule to remove references to cemetery company and substitute licensee or certificateholder in its place and change the time for solicitation to 9:00 p.m. rather than 9:30.

SUMMARY: This rule sets forth the criteria for funeral and cemetery services companies to solicit the public.

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: 497.103, 497.115, 497.321 FS.

LAW IMPLEMENTED: 497.115, 497.321 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNED IN THE FAW (IF NOT REQUESTED, A HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, FL 32399-0350

THE FULL TEXT OF THE PROPOSED RULE IS:

3F-9.002 Residential Solicitations.

(1) No Change.

(2) No ~~licensee or certificateholder, cemetery company~~ officer, director, employee, or agent shall initiate, conduct, or attempt to conduct a pre-need residential solicitation, for the purpose of selling or other transfer of burial rights, merchandise, or services, after the hour of ~~9:00~~ 9:30 p.m. and before the hour of 9:00 a.m. of the next calendar day except upon the prior express request of the person solicited.

(3) No ~~licensee or certificateholder, cemetery company~~ officer, director, employee, or agent shall knowingly initiate, conduct, or attempt to conduct pre-need residential solicitation, for the purpose of selling or other transfer of burial rights,

merchandise, or services, of any person, or of any family of any person, who is suffering ill health except upon the prior express request of the person solicited.

Specific Authority 497.103, 497.115, 497.321 FS. Law Implemented 497.115, 497.321 FS. History--New 4-16-86, Formerly 3D-30.034, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Funeral and Cemetery Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral and Cemetery Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 16, 2002

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

DEPARTMENT OF INSURANCE

Division of Workers' Compensation

RULE TITLES: Compensation Notice

RULE NOS.: 4L-6.007

Notice of Election to be Exempt and Revocation of Election to be Exempt by Sole Proprietors, Partners, or Corporate Officers

4L-6.012

PURPOSE, EFFECT AND SUMMARY: Section 440.40, Florida Statutes, as amended in the 2002 legislative session, provides that the Department may by rule prescribe the form of a notice regarding the new Anti-Fraud Reward program. Rule 4L-6.007, F.A.C., does this.

Section 440.05, Florida Statutes, permits sole proprietors and partners to elect to be exempt from the requirements of the workers' compensation law, provided that they submit certain federal tax records with their applications. New businesses lack federal tax records which would enable them to qualify for an exemption. The purpose of this rule amendment is to implement the changes to that section enacted in Chapter 2002-236, Laws of Florida (CS/CS/SB.108). The effect of the rule is to adopt criteria that will enable the new sole proprietor or partner to demonstrate an intent to engage in a legitimate enterprise within the construction industry and not evade the statutory requirements for an exemption. paragraph 4L-6.012(2)(c), is amended to conform with Chapter 202-236, Laws of Florida, CS/CS/SB.108.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 440.05(9), 440.10(1)(f), 440.40, 440.107(2), 440.591 FS.

LAW IMPLEMENTED: 440.05, 440.10(1)(f), 440.40, 440.107(2), 440.107(2), 440.591 FS.

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

TIME AND DATE: 9:30 a.m., January 23, 2003

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Philip Wilcox, Investigations Manager, Bureau of Compliance, 200 East Gaines Street, Tallahassee, FL 32399-4228, (850)488-2333, Ext. 173

THE FULL TEXT OF THE PROPOSED RULES IS:

4L-6.007 Compensation Notice.

(1) Upon issuance of an insurance policy or certificate of membership in a self-insurance fund or a renewal certificate thereof, the insurer or self-insurance servicing agent shall furnish the employer a sufficient number of typewritten or printed compensation notices, commonly referred to as the "broken arm poster." ~~The Such~~ compensation notice shall be:

~~(a) Red with white lettering on the background and with black, blue and red lettering on the arm;~~

~~(b) 11 inches by 17 inches, printed on paper or cardboard stock 11 inches by 17 inches, and have the same form and content as Form D14-1548, "Worker's Comp Works For You Poster", (Rev 12/02), which is incorporated herein by reference. As an alternative to having the Anti-Fraud Reward Program language in the poster itself, the employer may elect to attach the Anti-Fraud Reward Program Notice to the poster on a separate piece of paper, with the same form and contract as D14-1549, "Anti-Fraud Reward Program Notice", (Rev 12/02), which is incorporated herein by reference.~~

~~(c) headed: "Workers' Comp Works For You", in letters not less than one-half inch high; and~~

~~(d) contain the following words: "This notice of compliance must be posted by the employer and maintained conspicuously in and about the employer's place or places of employment."~~

(2) through (5) No change.

Specific Authority 440.40 FS. Law Implemented 440.40 FS. History--New 11-20-79, Amended 4-15-81, 1-2-86, Formerly 38F-6.07, Amended 2-2-00, Formerly 38F-6.007, Amended _____.

4L-6.012 Notice of Election to be Exempt and Revocation of Election to be Exempt by Sole Proprietors, Partners, or Corporate Officers.

(1) Any sole proprietor or partner actively engaged in the construction industry, and any corporate officer of a construction or non-construction industry corporation, who elects to be exempt from the provisions of the workers' compensation law (Chapter 440, Florida Statutes) shall file with the Division a Notice of Election to be Exempt (~~DWC LES Form BCM-250~~).

(2) The following documentation shall be attached by the applicant to every Notice of Election to be Exempt (~~DWC LES Form BCM-250~~):

(a) Each sole proprietor actively engaged in the construction industry shall attach a copy of the sole proprietor's Federal Income Tax Form 1040 and its accompanying Schedule C as filed by the applicant with the Internal Revenue Service (IRS) for the most recent tax year.

(b) Each partner of a partnership actively engaged in the construction industry shall attach a copy of the partner's Federal Income Tax Schedule K-1 (Form 1065), and Form 1040 and its accompanying Schedule E as filed by the applicant with the IRS for the most recent tax year.

(c) In lieu of the documents required in paragraphs (a) and (b) above, a sole proprietor or partner that is engaged in the construction industry but has not been in business long enough to provide the federal tax documentation prescribed in paragraphs (a) and (b) shall establish an intention to engage in a legitimate enterprise within the construction industry by submitting all of the following: Each corporate officer shall attach, if the applicant is not listed as an officer of the corporation on the current records of the Florida Secretary of State, Division of Corporations, must provide a notarized affidavit attesting that the applicant is a bona fide officer of the corporation and providing the date such appointment or election became or shall become effective:

1. A copy of any occupational license required by the jurisdiction in which the business is located or performing regular work;

2. A copy of any trade license required by the political subdivision of the State in which the work is being performed or a state license required under Chapter 489, F.S.;

3. Proof that the business has obtained a fictitious name if a fictitious name is used; and

4. A Federal Employer Identification Number issued to the business associated with the sole proprietor, partner, applying for the exemption;

(d) Each corporate officer shall attach, if the applicant is not listed as an officer of the corporation on the current records of the Florida Secretary of State, Division of Corporations, a notarized affidavit attesting that the applicant is a bona fide officer of the corporation and providing the date such

appointment or election became or shall become effective. The statement must be signed, under oath, by both the officer and the president or chief operating officer of the corporation.

(3) The following information may be stricken by any applicant from a Federal Income Tax Form before filing same with the Division:

(a) ~~I~~ Identification of the spouse and dependents of the applicant, including filing status;

(b) ~~A~~ny W-2 income, interest and dividend income, refunds, credits, alimony received, capital gains or losses other than those associated with the applicant's business enterprise;

(c) IRA distributions, pensions, annuities, farm income, unemployment compensation, or social security benefits;

(d) ~~A~~ny deductions from income in order to derive adjusted gross income;

(e) ~~T~~ax computation, credits, other taxes, payments, refunds or amounts owed.

(4) No change.

(5) Any sole proprietor, partner or corporate officer who has been issued an exemption from the provisions of Florida's workers' compensation law (Chapter 440, Florida Statutes) may revoke such exemption by filing with the Division a Revocation of Election to be Exempt (~~DWC LES Form BCM-250-R~~).

(6) No change.

(7) Notice of Election to be Exempt (~~DWC LES Form BCM-250~~), or Revocation of Election to be Exempt (~~DWC LES Form BCM-250-R~~), shall only be filed by an applicant on the applicant's own behalf.

(8) No change.

Specific Authority 440.05(9), 440.591 FS. Law Implemented 440.05 FS. History—Amended 2-15-94, 12-28-97, 2-2-00, 9-6-01, Formerly 3F-6.012, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Philip Wilcox, Bureau of Compliance, Division of Workers Compensation, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lee Pease, Chief of Compliance, Bureau of Compliance, Division of Workers Compensation, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 8, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 19, 2002

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

DOCKET NO.: 02-50R

RULE CHAPTER TITLE:
State Buffer Preserves

RULE CHAPTER NO.:
18-23

RULE TITLES:	RULE NOS.:
Scope and Goals	18-23.002
Activities in Buffer Preserves Enforcement	18-23.007
	18-23.010

PURPOSE AND EFFECT: The Office of Coastal and Aquatic Managed Areas (CAMA) is proposing to amend Chapter 18-23, F.A.C., to ensure that the State Buffer Preserves and natural upland islands within the State Aquatic Preserves are appropriately managed to protect their natural and cultural resources for today's citizens and for future generations. The amendment will apply to all uplands managed by CAMA, which have expanded from the old Buffer Preserves listed in paragraph 18-23.002(4)(a), F.A.C. Paragraph 18-23.002(4)(a), F.A.C., has been deleted because it is inaccurate as to some of the areas described, and it does not include all uplands currently managed by CAMA. Describing the boundary of each Buffer Preserve in the rule is not practicable because the Buffer Preserves are constantly changing in size and shape as more lands are acquired by Board of Trustees under the Florida Forever Act and leased to CAMA. However, the rule has provided an address and telephone number so that any person requesting the boundaries of any Buffer Preserve can obtain them as they exist when the person requests the information. Chapter 18-23, F.A.C., does not include spoil islands, which are sovereignty submerged lands, not uplands, and spoil islands are not subject to this chapter. The language in subsection 18-23.002(3), F.A.C., stating the management goals of CAMA, has been clarified, but the goals have not substantially changed.

Rule 18-23.007 has been substantially renumbered and partially reorganized to clarify which activities in Buffer Preserves are prohibited and which are limited. Two activities formerly listed in subsections 18-23.007(16) and (18), F.A.C., have been deleted. The language of the prohibited and limited activities has been clarified. A waiver of prohibitions and limitations imposed by this section has been added for Department employees or certain designees.

New Rule 18-23.010, F.A.C., has been added to implement the provisions of Section 253.86, Fla. Stat., enacted in 2001, specifying civil fines of up to \$500 for violations of the rules promulgated under that section. Subsection (1) provides fines for three categories of violations. The amount for violation of each paragraph of subsections 18-23.002(a) and (b), F.A.C., has been provided in subsection 18-23.010(1), F.A.C. The procedure for notification of the person in violation has been added as subsection (2).

SUMMARY: The rule is being amended to: (1) delete the currently-described Buffer Preserves and provide for the rule to apply to all Buffer Preserves and natural islands within Aquatic Preserves; (2) advise the public where it can obtain information about boundaries of current Buffer Preserves; (3)

clarify the management goals of CAMA for the Buffer Preserves; (4) clarify which activities are prohibited and which are limited in the Buffer Preserves; (5) provide for limitations and restrictions to be waived under certain circumstances; (6) provide for fines for violations of the rule; and (7) provide amounts of fines and procedure for notification to the violator of such fines.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None 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.

SPECIFIC AUTHORITY: 253.86(1) FS.

LAW IMPLEMENTED: 253.86, Ch. 258, Part II FS.

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

TIME AND DATE: 6:00 p.m. – 9:00 p.m., February 6, 2003

PLACE: West Melbourne Public Library, 2755 Wingate Blvd., West Melbourne, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the workshop 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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Danny Riley, Office of Coastal and Aquatic Managed Areas, 3900 Commonwealth Blvd., Mail Station 235, Tallahassee, Florida 32399-3000, (850)245-2094

THE FULL TEXT OF THE PROPOSED RULES IS:

18-23.002 Scope and Goals ~~Intent~~.

(1) The rules of this chapter are supplemental to Chapter 18-2, F.A.C. (Management of Uplands Vested in the Board of Trustees). This chapter applies to all lands managed by the Office of Coastal and Aquatic Managed Areas that are on mainlands above the mean or ordinary high water line adjacent to aquatic preserves, and to natural islands lying within the Aquatic Preserves designated in chapter 258, Part II, F.S., owned by the State. This chapter does not include spoil islands. The lands subject to this chapter are collectively entitled "Buffer Preserves." Any lands above the mean or ordinary high water line that are within state buffer preserve boundary and are managed by the Office of Coastal and Aquatic Managed Areas shall be managed in accordance with this rule.

(2) Contact the Office of Coastal and Aquatic Managed Areas, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 235, Tallahassee, FL 32399-3000 (telephone (850)245-2094) for specific information regarding the geographic locations and boundaries

~~of the Buffer Preserves. The policies, standards and criteria in this rule are supplemental to Chapter 18-2, F.A.C. (Management of Uplands Vested in the Board of Trustees), and shall be utilized in the management of all state buffer preserve properties.~~

(3) The management goals of the Buffer Preserves are to:

(a) ~~To~~ Conserve and preserve natural ecological values of ecosystems and systems;

(b) Provide public access and recreation that is compatible with natural and cultural resource conservation;

(c) ~~To~~ Protect and preserve wetlands, natural and water resources of adjacent aquatic preserves, parks and other special management areas administered by either the Department or other state, or federal, or local government authorities;

(d) ~~To~~ Protect and preserve native plant and animal species and natural communities, particularly any that are endangered or threatened;

(e) ~~To~~ Restore natural communities and original ecosystem functions, which have been historically degraded, to the greatest extent possible;

(f) ~~To~~ Protect archaeological/historical/cultural resources; and

(g) ~~To~~ Enhance public appreciation for elements of natural and cultural diversity;

~~(g) Provide To public visitation and recreation.~~

(4) ~~Persons interested in obtaining details or legal descriptions of a particular preserve should contact the Office of Coastal and Aquatic Managed Areas, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, FL 32399, (telephone (904)488-3456).~~

(a) The preserves are described as follows:

1. ~~Charlotte Harbor State Buffer Preserve, as described in the Official Records of Lee County in Book 1050, pages 1656-1660 and 1672-1678; Book 1067, pages 1989-1995; Book 1161, pages 305-307; Book 1268, pages 1972-1994; Book 1685, pages 3863 and 3864; Book 1763, page 46; Book 1791, pages 4492-4494; Book 1794, pages 940-948; Book 2348, pages 1843-1847; and in the Official Records of Charlotte County in Book 565, pages 1096, 1168, and 1723-1765; Book 567, pages 1183-1191; Book 569, pages 535, and 520-530; Book 571, pages 1778-1809; Book 597, pages 1490-1498; Book 616, page 771; Book 715, pages 406 and 407; Book 886, pages 2046 and 2047; Book 951, pages 2138-2143; and Book 953, pages 1384-1386.~~

2. ~~Coupon Bight State Buffer Preserve, as described in the Official Records of Monroe County in Book 997, page 999; Book 1078, pages 1094, 1095, 1153, 1425, 1462, and 2098; Book 1082, page 1818; Book 1084, page 2156; Book 1085, page 1483; Book 1092, page 878; Book 1097, page 2299; Book 1104, pages 578 and 579; Book 1116, page 1649; Book 1117, pages 1113 and 1134; Book 1119, page 1785; Book 1120, pages 1642 and 1645; Book 1123, page 743; Book 1131; pages~~

1377, 1730, and 1731; Book 1145, pages 1007, 1008, and 1336; Book 1151, page 1301; Book 1155, page 720; Book 1225, pages 1236 and 1237; and Book 1229, pages 962 and 963.

3. Estero Bay State Buffer Preserve, as described in the Official Records of Lee County in Book 1924, pages 2148-2150; Book 2125, pages 84-86; and Book 2207, pages 4418-4439.

Specific Authority ~~253.86(1)~~ ~~253.03~~ FS. Law Implemented ~~253.86, ch. 258, Part II 259.032~~ FS. History—New 8-7-94, Amended 5-8-96, _____.

18-23.007 ~~Limitations on Activities in Buffer Preserves.~~

~~In order to conserve, preserve and restore the natural resources of the preserves and ensure the safety and enjoyment of their visitors, the following uses or activities may be limited or prohibited within the preserves. The preserve manager shall authorize such activities only in the case of a life-threatening emergency or as part of a natural resource management program.~~

~~(1) The Buffer Preserves shall be open to the public from sunrise to until sunset, except for those that are natural islands, which shall remain open at all times unless otherwise closed pursuant to the authority of the rules of this chapter unless otherwise posted. Visitors are required to notify the preserve manager of their intent to occupy the preserve during closed hours. The Department in furtherance of the policy and intent of Chapter 253, F.S., shall close any preserve or section thereof to the public at any time or for any interval of time, when necessary in order to protect the public's health, safety or welfare due to causes such as fire, severe weather conditions, natural hazards, management activities or environmental conditions.~~

~~(2) To conserve, preserve and restore the natural and cultural resources and ensure the safety and enjoyment of visitors, the following activities shall be limited or prohibited within the boundaries of the Buffer Preserves. The Buffer Preserve manager shall verbally authorize such activities only in the case of a life-threatening emergency or as part of a natural resource management program designed to promote environmental protection, which is approved by the Department. Any other authorization for any prohibited or limited activity may be sought by submitting a written request to the Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas, 3900 Commonwealth Boulevard, MS 235, Tallahassee, FL 32399-3000. A written request shall, at a minimum, contain the following information: name of requestor, contact person, address, telephone number, location of proposed activity, reason for proposed activity, number of people expected to participate in the proposed activity, how the requestor will avoid damage to natural and cultural resources, and how the requestor will address public safety, if needed. Such requests shall only be granted if the Department determines that the proposed activity would not damage the natural or cultural resources. Such authorizations~~

~~shall include any restrictions necessary to protect natural and cultural resources and shall contain provisions for revocation. The number of authorizations issued shall be limited by the Department if necessary to avoid cumulative impacts or address public safety concerns.~~

~~(a) Prohibited Activities:~~

~~1.(2) Possession and Consumption of alcoholic beverages is prohibited. This does not apply to the natural islands of the Buffer Preserves.~~

~~2.(3) Use of Vehicles may not be used on in areas other than designated public access preserve roads.~~

~~3.(4) Hunting, harassing, possessing or trapping of wildlife is prohibited.~~

~~(5) No person shall otherwise possess, trap, harass or hunt any animal without authorization.~~

~~4.(6) Also prohibited are all Use of animal trapping or concealment devices and the erection of any structure for the purpose of concealment. Shooting into preserve areas from beyond preserve boundaries is prohibited.~~

~~5.(7) The Use or possession of firearms of any type or other weapons potentially dangerous to wildlife and humans, including shooting into Buffer Preserves from beyond the boundaries safety are prohibited.~~

~~6.(8) Admission of unleashed domestic animals are prohibited, except those assisting the handicapped.~~

~~(9) Hiking, horseback riding, and bicycle riding shall be restricted to trails or preserve roads specifically designated for each such recreational activity.~~

~~(10) Camping may be conducted only at designated areas.~~

~~(11) Fires are allowed in designated areas only.~~

~~(12) All waste water, refuse and trash shall be disposed of properly by placing it in designated containers, if provided, or removed to an off-site disposal facility or receptacle.~~

~~7.(13) The Transplantation or removal of any plant or animal, or parts of plants or animals life (living or dead) from any buffer preserve is prohibited, except as provided herein. Any person, upon being convicted of a violation of this rule, shall be accountable for all costs in reparation to the area of violation which shall be determined by biological assessment.~~

~~(14) Solicitation or distribution and advertising of any event, other than department materials or announcements of preserve sponsored or sanctioned events and gatherings.~~

~~(15) Personal watercraft operation in wetland or low lying areas so designated with signs and referenced on the base map of the preserve.~~

~~(16) Aquaculture.~~

~~8.(17) Any Removal, disturbance, pollution or destruction of property, or natural, historic, or cultural resources. No person shall, regardless of intent, destroy, dig, or remove from any preserve area or the waters thereof any plant, animal, artifact, or other material. The mutilation, displacement, or breaking off of any water bottom formation or~~

growth is also prohibited. Such person, upon being convicted of a violation of this rule shall be accountable for all costs in reparation to the area of violation which shall be determined by biological assessment.

9. Motor vehicle or vessel operation in interior water bodies, wetlands, or low lying areas, except those so designated for such use with signs.

10. Solicitation or distribution of commercial materials and advertising of any commercial event, other than Department materials or announcements of Department-sponsored or sanctioned events and gatherings.

(18) Authorizations for any prohibited activity shall be obtained by submitting a written request to the Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas, 3900 Commonwealth Boulevard, Mail Station 235, Tallahassee, FL 32399. Authorizations shall only be granted if the Department determines that the proposed activity would not unfavorably affect or damage areas of the preserve. Authorizations shall include restrictions based on resource protection concerns and shall contain conditions for revocation. The number of authorizations issued shall be limited by the Department based on cumulative impacts or public safety concerns. The Office of Coastal and Aquatic Managed Areas shall respond to all authorizations within 60 days of the date of receipt of the written request.

(b) Limited Activities:

1. Hiking, horseback riding, and bicycle riding shall be restricted to trails or roads specifically designated for those activities.

2. Camping may be conducted only in designated areas.

3. Fires are allowed only in designated areas.

4. Visitors shall be responsible for the proper disposal of all waste-water, refuse and trash by placing it in designated containers, if provided, or removed to an off-site disposal facility or receptacle.

(c) Waiver of Restrictions for Property Management.

The prohibition or limitation of activities in this section shall not apply to Department staff or cooperating management agencies, volunteers, or contractors conducting management activities that are approved by the Department, consistent with a management plan approved by the Board of Trustees, and authorized in accordance with Chapter 18-2 F.A.C., if such authorization is required.

(d) Closures.

The Department, in furtherance of the policy and intent of Chapter 253, F.S., shall close any Buffer Preserve or section thereof to the public at any time and for any interval of time, when necessary to protect: public health, safety or welfare due to causes such as fire, weather conditions, natural hazards, management activities or environmental conditions; natural resources such as seasonally nesting birds at a specific site; and

cultural resources such as Indian middens. Staff of the Department's Office of Coastal and Aquatic Managed Areas shall post the closings.

Specific Authority 253.86(1) 253.03 FS. Law Implemented 253.86, ch. 258, Part II 253.03, 253.034, 253.04, 253.05, 253.12, 253.127 FS. History--New 8-7-94, Amended 5-8-96.

18-23.010 Enforcement.

(1) Violation of the rules of this chapter constitutes a non-criminal infraction and shall be punishable by fines as follows:

(a) A Non-Destructive Violation, which includes violation of the following rules: 18-23.007(2)(a)1. or 10., or (2)(b)4. is punishable by a fine of \$100.

(b) A Resource Damage Violation which includes violation of the following rules: 18-23.007(2)(a)2., 4., 6., 7., 8., or 9., or (2)(b)1. or 2. is punishable by a fine of \$250.

(c) A Public Danger Violation, which includes violation of the following rules: 18-23.007(2)(a)3. or 5. or (2)(b)3. is punishable by a fine of \$500.

(2) Violators shall be notified of the rule(s) violated and the amount of the fine by issuance of a non-criminal citation by a certified law enforcement officer.

Specific Authority 253.86(2) FS. Law Implemented 253.86 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Danny Riley, Office of Coastal and Aquatic Managed Areas, address and phone above

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Katherine Andrews, Director, Office of Coastal and Aquatic Managed Areas, address and phone above

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT AND SUMMARY PUBLISHED, PURSUANT TO SEC. 120.551, F.S., IN THE DEPARTMENT'S OFFICIAL NOTICE INTERNET SITE AT WWW.DEP.STATE.FL.US UNDER THE LINK TITLED "OFFICIAL NOTICES," AND IN FAW Vol. 28, No. 46, November 15, 2002

DEPARTMENT OF CORRECTIONS

RULE TITLE: Interstate Corrections Compact RULE NO.: 33-601.401

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reflect office reassignment of responsibilities for interstate corrections compact issues.

SUMMARY: The proposed rule reflects office reassignment of responsibilities for interstate corrections compact issues and deletes unnecessary language.

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: 941.57, 944.09, 945.21 FS.

LAW IMPLEMENTED: 941.55, 941.56, 941.57 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.401 Interstate Corrections Compact.

(1) Definitions. As used in this Chapter:

(a) “Transfer” means transfer under the Interstate Corrections Compact authorized by Sections 941.56 and 941.57, F.S.

(b) “Addministrator” means the Interstate Corrections Compact Administrator in the Office of Institutions ~~the Assistant Secretary for Community Corrections.~~

(c) “Sending state” means the state from which an inmate is transferred.

(d) “Receiving state” means the state to which an inmate is transferred.

(2) A current list of states that are parties to the Interstate Corrections Compact and copies of contracts with individual party states may be obtained by writing the Interstate Corrections Compact Administrator, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. A list of party states is also published in Florida Statutes Annotated (West Publishing Co.) at Section 941.55.

(3) ~~All transfers must be approved by T~~he Interstate Corrections Compact Administrator shall approve, deny or initiate the interstate transfer of an inmate.

(4) When Florida is the Sending State.

(a) The institutional classification team (ICT) is authorized to recommend an inmate for interstate compact transfer with or without the inmate’s request. A request for transfer may be initiated by the inmate to the ICT ~~or by the Warden~~ of the institution at which the inmate is incarcerated.

(b) Any inmate whose transfer has been requested, but who does not consent to the transfer, shall be given a hearing before the ICT Classification Team ~~or other appointed committee.~~ The inmate shall be given at least 48 hours written notice of such hearing.

(c) Any request for transfer shall be evaluated by the ICT Classification Team, which shall make its recommendations to the Interstate Corrections Compact Warden. ~~If the Warden~~

~~approves the requested transfer he shall forward the request to the Administrator for final action by the Assistant Secretary for Community Corrections.~~

(d) Inmates may be transferred:

1. ~~To be near home and job opportunities,~~

2. ~~For the safety of the inmate,~~

3. ~~To serve two sentences concurrently, or~~

4. For any ~~other~~ reason within the scope of Section 941.56, F.S.

(e) through (g) No change.

(5) When Florida is the Receiving State.

(a) A progress report shall be provided ~~given~~ to the sending state at six month intervals. The sending state shall be kept informed at all times of the inmate’s institutional address and shall be notified immediately if the inmate escapes.

(b) No change.

~~(c) Institutional or other officials of Florida shall not release publicity concerning inmates from a sending state except information of public record, such as sentence date. Information concerning the escape of an inmate may be given directly to news media by Florida. Persons who request other information shall be referred to the sending state.~~

~~(c)(d)~~ The release of inmates confined under the Interstate Corrections Compact will be in accordance with the instructions of the sending state.

~~(d)(e)~~ Inmates confined under the Interstate Corrections Compact shall be afforded the opportunity and shall be required to participate in programs of occupational training, industrial or other work on the same basis as inmates of Florida. Qualified inmates will be eligible for participation in Community Work Release Programs with the approval of the sending state. Approval will be obtained through the Interstate Corrections Compact Administrator.

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

~~(g)(h)~~ Inmates may be returned to the sending state upon recommendations by the ICT Classification Team and subsequent approval by the Interstate Corrections Compact Administrator Warden and the Secretary or his designee for the following reasons:

1. ~~F~~ailure to adjust,

2. ~~P~~ersonal safety of an inmate in the sending state is no longer a factor,

3. ~~P~~ersonal safety of an inmate in the receiving state becomes a factor,

4. At the request of the sending state, or

5. ~~O~~ther valid reason(s).

~~(h) If~~ When the return of an inmate is finally approved the sending state shall be notified to retake the inmate within 30 days.

(6) The Interstate Corrections Compact Addministrator shall coordinate the implementation of this section and shall conduct all routine correspondence with other party states.

Specific Authority 941.57, 944.09, 945.21 FS. Law Implemented 941.55, 941.56, 941.57 FS. History—New 7-7-81, Formerly 33-21.01, Amended 12-30-96, Formerly 33-21.001, 33-301.101, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jerry Vaughan
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2002

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

RULE TITLE: Publications, Rules, and Interagency

RULE NO.:

Agreements Incorporated by Reference 40E-4.091

PURPOSE AND EFFECT: Rule 40E-4.091(1)(a), F.A.C., incorporates by reference the “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – June, 2002” (ERP BOR). Included as part of the ERP BOR are Appendices 2, 3, and 6. This rulemaking initiative proposes to amend Appendix 6, entitled “Above Ground Impoundments” by revising the reporting requirements and the typical special condition language.

SUMMARY: Appendix 6 of the SFWMD’s ERP BOR specifies for the benefit of the regulated community the appropriate criteria applicable to the construction and operation of above ground impoundments associated with surface water management systems. An above ground impoundment is defined in Section 373.403(1), F.S., as a “dam”, which means “any artificial or natural barrier, with appurtenant works, raised to obstruct or impound, or which does obstruct or impound, any of the surface waters of the state.” Specifically, the proposed revisions to Appendix 6 clarify that inspection reports of the conditions of such above ground impoundments must be retained by the permittee and made available to SFWMD staff upon request. Additionally, the typical special condition for all above ground impoundments sets forth with particularity that permittees must inspect on an annual basis the above ground impoundment, control structure, levee and berm for structural integrity and memorialize the inspection via a report signed and sealed by a Florida Professional Engineer. In the event that any deficiencies are found which may impact off-site areas, the report must detail proposed techniques and schedules for repairs, as necessary, and be submitted to SFWMD staff.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory costs has been prepared by the SFWMD.

Substantially affected persons, no later than 21 days from the publication date of this notice, may submit to the SFWMD a good faith written proposal for a lower cost regulatory alternative to this proposed rule which substantially accomplishes the objectives of the law being implemented. The proposal may include the alternative of not adopting any rule, so long as the proposal explains how the lower costs and objectives of the law will be achieved by not adopting any rule. The proposal shall be timely submitted to the contact person named below.

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.413 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.416, 373.418, 373.421, 373.426 FS.

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

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

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Penelope Bell, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, 1(800)432-2045, Extension 6320, Suncom 229-6320 or (561)682-6320 or via email at pbell@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41, and 40E-400, F.A.C.:

(a) “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – _____ “June 2002”

(b) through (j) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.413, 373.441, 373.171 FS. Law Implemented 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441 FS. History–New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, _____.

(The following represents proposed amendments to “Appendix 6 – Above Ground Impoundments” of the document entitled “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – June, 2002”)

APPENDIX 6

ABOVE GROUND IMPOUNDMENTS

1.0 through 3.0 No change.

4.0 OPERATION AND MAINTENANCE

4.1 Reporting

Inspection Reporting of impoundment conditions, repairs, etc. will be a continuing process required by permit special condition. Inspection reports are to be retained by the permittee and copies made available to the District upon request. It The District will indicate those general areas of interest for which reporting is required, but it is the basic responsibility of the permittee to initiate interim reporting and/or more detailed reporting to the District as conditions change, emergencies or problems arise, etc. It is expected that Major impoundments will be reported in accordance with the operation and maintenance manual and emergency response and evacuation plan adopted at the time of permit issuance, with updates as necessary.

4.2 No change.

4.3 Typical Special Condition

4.3.1 UPON COMPLETION OF CONSTRUCTION, AND ON AN ANNUAL BASIS (IN MARCH OF EACH YEAR) THE PERMITTEE SHALL HAVE AN INSPECTION PERFORMED TO ASSESS THE STRUCTURAL ADEQUACY OF ALL ABOVE GROUND DIKES, CONTROL STRUCTURES, LEVEES AND BERMS BEHIND WHICH WATER IS TO BE CONTAINED AND WHERE FAILURE COULD IMPACT OFF-SITE AREAS. A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF FLORIDA SHALL PERFORM EACH INSPECTION AND PREPARE EACH REPORT. THESE REPORTS SHALL BE SIGNED AND SEALED BY THE PROFESSIONAL ENGINEER PERFORMING THE INSPECTION, KEPT ON FILE BY THE PERMITTEE AND MADE AVAILABLE TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) PERSONNEL UPON REQUEST. IF DEFICIENCIES ARE FOUND THAT WILL AFFECT THE PERFORMANCE OF THE IMPOUNDMENT, A REPORT WHICH IS SIGNED AND SEALED BY THE ENGINEER PERFORMING THE INSPECTION SHALL BE SUBMITTED TO THE DISTRICT

WHICH INCLUDES, BUT IS NOT LIMITED TO, THE PROPOSED TECHNIQUE AND SCHEDULE FOR REPAIR OF ANY DEFICIENCIES NOTED.

~~4.3.1. Upon completion of construction, or alteration the permittee shall submit a report to this District of engineering adequacy of all above ground dikes, levees and berms behind which water is to be contained and where failure could impact off-site areas. Such reports shall include proposal of technique and schedule for repair of any deficiencies noted, and shall be signed and sealed by a Florida registered professional engineer.~~

~~4.3.2. On a semi-annual basis (in May and December of each year), the permittee shall submit reports to this District of engineering adequacy of all above ground dikes, levees and berms behind which water is to be contained and where failure could impact off-site areas.~~

5.0 No change.

NAME OF PERSON ORIGINATING PROPOSED RULE: Terrie Bates, Director, Environmental Resource Regulation Department

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Chip Merriam, Deputy Executive Director, Water Resources Management

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 11, 2002

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-52R

RULE CHAPTER TITLE: Operation Permits for Major

Sources of Air Pollution 62-213

RULE TITLES: RULE NOS.:

Title V Air General Permits 62-213.300

Forms and Instructions 62-213.900

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

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 01-50R

RULE CHAPTER TITLE: Drinking Water Standards,

Monitoring, and Reporting 62-550

RULE TITLES:	RULE NOS.:
Intent and Scope	62-550.102
Definitions for Public Water Systems	62-550.200
Primary Drinking Water Standards:	
Treatment Technique Requirements	62-550.315
Physical Characteristics Monitoring	
Requirements	62-550.517
Microbiological Monitoring Requirements	62-550.518
Monitoring Requirements for Surface	
Water Systems and Ground Water	
Systems Under the Direct Influence	
of Surface Water	62-550.560
Reporting Requirements for Public	
Water Systems	62-550.730
Requirements for Subpart H Surface	
Water Systems	62-550.817

SUMMARY: The Department is incorporating the U.S. Environmental Protection Agency's (USEPA's) Interim Enhanced Surface Water Treatment Rule (IESWTR) into the Department's drinking water rules, Chapters 62-550 and 62-555. The Department is also amending the State surface water treatment rules (SWTR) by replacing certain paraphrasing of federal rules with references to federal rules, by moving surface water treatment rules from Chapter 62-555 to Chapter 62-550, F.A.C., and by amending DEP Forms 62-555.900(2) and (6).

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

For more information, contact: Greg Parker, P.E., (850)245-8635.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 01-51R	
RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Permitting and Construction of	
Public Water Systems	62-555
RULE TITLE:	RULE NOS.:
Scope of Additional Requirements for	
Surface Water Systems	62-555.600
Surface Water Treatment Requirements	62-555.610
Surface Water Filtration	62-555.620
Surface Water Disinfection	62-555.630
Forms and Instructions	62-555.900

SUMMARY: The Department is incorporating the U.S. Environmental Protection Agency's (USEPA's) Interim Enhanced Surface Water Treatment Rule (IESWTR) into the Department's drinking water rules, Chapters 62-550 and 62-555, F.A.C. The Department is also amending the State surface water treatment rules (SWTR) by replacing certain paraphrasing of federal rules with references to federal rules,

by moving surface water treatment rules from Chapter 62-555 to Chapter 62-550, F.A.C., and by amending DEP Forms 62-555.900(2) and (6).

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

For more information, contact: Greg Parker, P.E., (850)245-8635.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Generic Permits	62-621
RULE TITLE:	RULE NO.:
Permits	62-621.300

DEP announces proposed amendments to Rule 62-621, F.A.C., incorporating a new generic permit to address the regulation of Phase II MS4s under the NPDES stormwater program.

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

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 01-57R	
RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Municipal Separate Storm	
Sewer System	62-624
RULE TITLES:	RULE NOS.:
Policy and Purpose	62-624.100
Definitions	62-624.200
General Provisions	62-624.300
General Conditions	62-624.310
Application Procedures for New MS4 Permits	62-624.400
Re-application Procedures for MS4 Permits	62-624.420
Contents of Re-application for MS4 Permit	62-624.440
Application Processing	62-624.460
Standards for Issuing or Denying Permits	62-624.500
Annual Report	62-624.600
Transfer of Operational Authority	62-624.700
Regulated Phase II MS4s	62-624.800
Permit Application Procedures for	
Phase II MS4s	62-624.810

DEP announces proposed amendments to Rule 62-624, F.A.C., incorporating unregulated "Phase II MS4s".

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

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE TITLES:	RULE NOS.:
Application Deadlines; Examination Rescheduling	64B-1.001
Notification of Applicants	64B-1.002
Examination Administration	64B-1.003
Conduct at Test Site	64B-1.004
Licensure Examination Format; Examination Procedures for Candidates with Disabilities	64B-1.005
Practical Examinations	64B-1.006
Selection Criteria for Examiners and Examination Consultants	64B-1.007
Grading of Examinations; Grade Notification; Chiropractic Examination Grading	64B-1.008
Requesting a Pre-hearing Review	64B-1.009
Security and Monitoring Procedures	64B-1.010
Requirements and Standards of a National Examination	64B-1.011
Post-Examination Review	64B-1.013
Fees: Examination and Post-Examination Review	64B-1.016
Use of Pilot Test Items	64B-1.017

PURPOSE AND EFFECT: The Department of Health proposes to update the rules regarding licensure examinations.

SUMMARY: The Department of Health has determined to review the entirety of this chapter to update the language and to remove redundant text. Specifically, the terms related to candidates with disabilities, selection criteria for examiners and examination consultants, the requirements and standards for a national vender and the post-examination review process are clarified. Also, the laws and rules fee and the certification fee for optometry examinations are deleted, and a CBT laws and rules fee is added.

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

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

SPECIFIC AUTHORITY: 456.004, 456.013, 456.017 FS.

LAW IMPLEMENTED: 456.013, 456.017 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Christie Brown, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C90, Tallahassee, Florida 32399-3290

THE FULL TEXT OF THE PROPOSED RULES IS:

64B-1.001 Application Deadlines; Examination Rescheduling.

(1) No change.

(2) The original examination fee paid by the applicant shall be applied to a rescheduled examination in the following situations:

(a) If the applicant is unable to sit for the originally scheduled examination by reason of ~~the~~ military service and submits to the board, or the department, where there is no board, a copy of the applicant's military orders or a letter from the applicant's commanding officer, no later than twenty-one (21) days following the examination date the applicant was scheduled for; or

(b) If the applicant demonstrates to the board, or to the department, where there is no board, that serious injury, illness, or other physical impairment prevented the candidate from taking the examination. Any such request to reschedule sitting for an examination shall include a statement from the applicant's treating physician, which shall be received no later than twenty-one (21) days following the examination date for which the applicant was scheduled, and shall include:

1. through 2. No change.

3. An attestation that such injury, illness, or physical impairment prevented the applicant from taking the examination; or

(c) No change.

(d) ~~If the department or contract provider, through some mechanical or clerical error of the department, insufficient time is allowed for completion of an examination or clinical procedure, materials are lost by the department, or other problems occur which are due to the department's inaction or negligence.~~

1. Provides insufficient time for completion of an examination or clinical procedure through some mechanical or clerical error, or

2. Loses examination materials, or

3. Has other problems that prevent an examination from being administered in its entirety.

(3) Examination Administrator is defined as a person(s) responsible for the administration or the delivery of the examination to the candidate either in person or electronically.

Specific Authority 456.004(5), 456.013(1), 456.017(1) FS. Law Implemented 456.013(1), 456.017(1) FS. History—New 9-7-98, Amended _____.

64B-1.002 Notification of Applicants.

(1) Unless otherwise specified by board rule after a decision is made that an applicant meets the lawful requirements for the licensure examination, the department or contract provider will schedule the applicant for the next examination for which space is available that begins at least forty-five (45) days after the applicant is certified or after ninety (90) days from receipt of a complete application.

(2) If all certified candidates cannot be scheduled for the next subsequent examination due to space, time, or other limitations beyond the control of the department or contract provider, the candidates will be scheduled chronologically according to the date the application was complete.

(3) The department or contract provider ~~its designee~~ will notify candidates of the place, date and time of the examination and provide the candidate with verification of scheduling. For department developed examinations, a candidate will also receive an official admission slip which will be required for admission to sit for the examination. The department or contract provider shall inform the candidate of the length of the examination, patient criteria when a patient is needed for a practical examination, and any special equipment or materials the candidate needs to bring to the examination. Except with regard to national examinations, the department or contract provider shall also inform a candidate of the major content areas tested on the examination.

Specific Authority 456.004(5), 456.017(1) FS. Law Implemented 456.017(1) FS. History—New 9-7-98, Amended.

64B-1.003 Examination Administration.

Unless the national examination requires a different set of administration procedures, the following procedures shall be followed for any examination administered by the department or its contract provider ~~designee~~.

(1) All examinations ~~administered by the department~~ will be administered in accordance with the department's "General Administration Manual for Examinations," 1996, incorporated herein by reference, and can be obtained from the Division of Medical Quality Assurance, Bureau of Operations, Testing Services, 4052 Bald Cypress Way, Bin C-90, Tallahassee, Florida 32399-3290. Administration requirements set forth by national examination will be compiled within the administration of the specific examination.

(2) During the examination, the candidates will follow the instructions given by ~~of~~ the examination administrator supervisor. The instructions shall be provided to the candidates in either written or oral form and shall be read to the candidates by the examination administrator supervisor. ~~The candidates will be permitted to ask the examination supervisor or proctor reasonable questions relating to the instructions.~~

(3) The department's valid admission slip for the specified examination and a government-issued photo identification ~~I.D.~~ such as a valid driver's license or passport, shall be presented in order to gain admission to the examination. A

government-issued photo identification ~~A valid government-issued photo I.D. such as a driver's license~~, shall be acceptable in the absence of the admission slip provided the candidate's name appears on the examination admission roster that has been prepared ~~by the department or its contract provider~~ for the specific examination.

(4) If the candidate arrives at the designated testing location after the designated starting time, the examination administrator will attempt reasonable accommodations.

(a) Candidates sitting for paper and pencil examinations ~~the candidate~~ will be permitted to take the examination only after signing a statement indicating the candidate's late arrival time; and the candidate's agreement that he/she and agreeing that the candidate will have only the remaining designated time in the examination to complete the examination. No late arriving candidate for paper and pencil examinations will be permitted to take that examination if:

1. The ~~Any~~ candidate ~~who~~ refuses to sign such a statement, or will be disqualified from the examination and may apply to the department for scheduling for the next available examination.

2. At the time ~~If, when~~ the late candidate arrives, any other candidate has already finished the examination and left the examination room;

In either case, if the late candidate wants to take the examination, he or she will not be permitted to sit for the examination and shall apply to the department for scheduling for the next available examination.

(b) For candidates sitting for computer-based testing examinations, reasonable accommodation will be the re-scheduling of the examination by the examination administrator.

(c) Candidates sitting for practical or clinical examinations will not be allowed to take the examination at their scheduled time. If reasonable accommodation is not available at a later time during the scheduled examination and the late candidate wants to take the examination, he or she shall apply to the department for scheduling for the next available examination.

(5) If through some mechanical or clerical error of the department or the contract provider, the candidate does not receive the allotted time to complete the examination, additional time shall be allowed upon approval of the examination administrator supervisor.

(6) All examination questions, booklets, answer sheets, electronic files and other examination papers and materials, in any form, are the sole property of the department or the national provider. No candidate shall take any of the examination questions, booklets, portions thereof, answers sheets, electronic files and other examination papers and materials, in any form, from the examination room, or retain, reproduce or compromise the examination in whole or in part by any means or method whatsoever.

Specific Authority 456.004(5), 456.017(1)(d) FS. Law Implemented 456.017(1)(d) FS. History—New 9-7-98, Amended _____.

64B-1.004 Conduct at Test Site.

For examinations administered by the department or a contract provider For professions directly regulated by the department and for professions regulated by a board, if incorporated into the rules of the appropriate board, the conduct at the test site shall be as follows:

(1) The examination administrator supervisor and proctors are the department's designated agents in maintaining a secure and proper examination administration. Failure to comply with the written or oral instructions provided by the department's designated agents shall result in the removal of the examinee from the examination room.

(2) through (4) No change.

Specific Authority 456.004(5), 456.017(1)(d) FS. Law Implemented 456.017(1)(d) FS. History—New 9-7-98, Amended _____.

(Substantial rewording of Rule 64B-1.005 follows. See Florida Administrative Code for present text.)

64B-1.005 Licensure Examination Format; Examination Procedures for ~~Disabled~~ Candidates with Disabilities.

(1) Definitions.

(a) The term "disability" means, with respect to an individual:

1. A physical or mental impairment that substantially limits one or more of the major life activities of such individual;

2. A record of such an impairment; or

3. Being regarded as having such an impairment.

(b) A physical or mental impairment means:

1. Any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin, and endocrine; or

2. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term does not include learning problems that are primarily the result of visual, hearing or motor disabilities, mental retardation, emotional disturbance, english as a foreign language, or of environmental, cultural or economical disadvantage.

(c) Major life activities are activities that an average person can perform with little or no difficulty which include: walking, talking, hearing, seeing, speaking, breathing, learning, working, caring for one's self and performing manual tasks.

(2)(a) The department will provide reasonable and appropriate accommodations to candidates with physical, mental, or specific learning disabilities to the extent permitted

by cost, administration restraints, security considerations and availability of resources. Accommodations made will vary depending upon the nature and the severity of the impairment.

(b) For national examinations the national vendor will determine what accommodations are available.

(3)(a) Candidates requesting special testing accommodation due to a disability shall file a request for special testing accommodation no later than sixty (60) days prior to the first day of the examination on form DH 1307, Application For Candidates Requesting Special Testing Accommodation in Accordance with the Americans with Disabilities Act, for which special testing accommodation is requested. Form DH 1307 is hereby incorporated by reference, and can be obtained from the Division of Medical Quality Assurance, Bureau of Operations, Testing Services, 4052 Bald Cypress Way, Bin C-90, Tallahassee, Florida 32399-3290. If a candidate becomes disabled after the sixty-day deadline has passed and that candidate has not requested special accommodation, the department will provide any such requested accommodation that can be made available without posing undue burden or jeopardizing the security and integrity of the examination. However, in no event will accommodation be provided to exam candidates requesting special accommodation ten (10) days or less, before the examination.

(b) In addition to form DH 1307, the candidate shall provide the department with documentation of their disability completed by a practitioner licensed pursuant to Chapter 490, (Psychology), Chapter 458 (Medical Practice), Chapter 459 (Osteopathy), Chapter 461 (Podiatry), Chapter 463 (Optometry), Chapter 468, Part I (Speech-Language Pathology & Audiology), or Chapter 460 (Chiropractic Medicine), Florida Statutes, or by a comparable practitioner licensed in another jurisdiction in the United States. Such documentation shall be sufficient to allow an independent reviewer to evaluate the diagnosed condition(s) and shall include:

1. The diagnosis and duration of the candidate's condition;

2. The name of the test(s) used for diagnosis; and

3. Recommendations regarding appropriate accommodations and testing environment.

4. Reasonable accommodations shall be made for candidates who qualify. All accommodations must be directly linked to the amelioration of the identified functional limitations caused by the asserted disability. Permissible accommodations include:

(a) Additional Time: Provided for candidates requiring extra time to take an examination. However, in no event shall a candidate be provided an untimed examination.

(b) Alternate Setting: Individual and small group examination administrations shall be available to qualified candidates.

(c) Alternate Recording of Responses: The candidate's responses can be recorded by a proctor or by another method approved by the department. In the event answer sheets are

machine-scored, the proctor shall transcribe the candidate's responses onto a machine-scannable answer sheet. In these instances, the candidate will verify that the answer marked was the candidate's intended option.

(d) Alternate Format: The test booklet can be produced in an appropriate manner as approved by the department on a case-by-case basis, based on the practitioner's recommendation.

(e) Assistive Devices: The candidate will be allowed to use appropriate assistive devices approved by the department based on the practitioner's recommendation.

(5) The department reserves the right to request further evidence on the necessity of the accommodation when the information submitted to substantiate a candidate's need for the requested accommodation is insufficient, incomplete, inconclusive, unclear, or does not substantiate the need for the requested accommodation.

(6) In no case shall any modifications authorized herein be interpreted or construed as an authorization to provide a candidate with assistance in determining the answer to any test question. No accommodation or modification shall be made that adversely affects the security or integrity of the examination.

(7) If a candidate approved for special testing accommodations receives a failing grade on his or her examination and requests an examination review, the candidate will receive the same approved accommodation at the review.

Specific Authority 456.004(5), 456.017(1) FS. Law Implemented 456.017(1) FS. History—New 9-7-98, Amended _____.

64B-1.006 Practical Examinations.

Unless specified in board rule, the following procedures shall be used with regard to department-developed practical examinations:

(1) Candidates required to take a practical/clinical examination shall be informed by the department in writing of the applicable performance criteria, patient criteria and any special equipment required for such performance.

(2) In the event professional examiners are employed to evaluate candidate performance on ~~in~~ practical examinations, no less than two (2) examiners shall independently evaluate the performance of each candidate. ~~The independent grades of the examiners shall be averaged to produce a final score.~~

(3) The examiners shall not discuss any ~~the~~ candidate's performance with anyone at any time during the examination or before the grades are recorded.

(4) The department's contract provider ~~examiners or their designee~~ shall provide instructions to the candidates.

(5) No change.

(6) The candidates and examiners shall not engage in conversation during the practical performance; unless said conversation is part of the practical examination.

Specific Authority 456.004(5), 456.017(1) FS. Law Implemented 456.017 FS. History—New 9-7-98, Amended _____.

(Substantial rewording of Rule 64B-1.007 follows. See Florida Administrative Code for present text.)

64B-1.007 Selection Criteria for Examiners and Examination Consultants.

Unless otherwise specified in board rule, in order to be eligible to serve as an examiner or an examination consultant for department-developed examinations, the prospective examiner or examination consultant:

(1) Must have three (3) years of continuous practice in the respective field in the state;

(2) Must possess an active license in the respective field in the state at the time of the examination;

(3) Must not have had his/her license in the respective field suspended or revoked. If the prospective examiner's or examination consultant's license has been disciplined other than with suspension or revocation, the department reserves the right to evaluate his/her selection as deemed appropriate;

(4) Must not currently be under investigation by the department; and

(5) Must not currently be teaching in the respective field in either: an academic setting in this state, or an examination preparation course in any state.

Specific Authority 456.004(5), 456.017(1) FS. Law Implemented 456.017(1) FS. History—New 9-7-98, Amended _____.

(Substantial rewording of Rule 64B-1.008 follows. See Florida Administrative Code for present text.)

64B-1.008 Grading of Examinations; Grade Notification; Chiropractic Examination Grading.

(1) Grading of all examinations shall be processed as follows:

(a) National examinations shall be graded solely and exclusively by the national examination provider or its contract provider.

(b) Department-developed objective, multiple choice examinations shall be graded by the department or its contract provider. The department or its contract provider shall review any statistically questionable items for psychometric soundness via the item analysis. Based upon this review and the examination consultant's recommendations, the department or its contract provider shall adjust the scoring key by totally disregarding psychometrically unsound questions for grading purposes, or by giving credit for more than one correct answer per question. The department or its contract provider shall calculate each candidate's grade utilizing the scoring key, or adjusted scoring key if applicable, and shall provide each candidate a grade report.

(c) Department-developed practical examinations shall be graded by the department or its contract provider.

1. The department shall review any statistically questionable items or procedures for psychometric soundness after the examination has been administered. Based upon this review or the examination consultant's recommendations, the department shall adjust the scoring key by rejecting, crediting, or giving partial credit for any question or procedure which does not adequately and reliably measure the applicant's ability to practice the profession. The department or its contract provider shall calculate each candidate's grade using the scoring key, or adjusted scoring key if applicable, and shall provide each candidate a grade report.

2. In the event professional examiners are employed to evaluate candidate performance on practical examinations, no less than two (2) examiners shall independently evaluate the performance of each candidate.

3. Preceding each examination administration, examiners shall attend a standardization session to discuss the scoring criteria and standards.

(d) With regard to the Chiropractic examination:

1. Examiners shall meet the qualifications of Rule 64B2-11.007, Florida Administrative Code.

2. The practical examinations of candidates shall be reevaluated at a discrepancy review if the total score by one examiner is below passing and the total score by the second examiner is passing.

a. The candidate's practical examination shall be reevaluated by a committee of at least three (3) members.

b. The committee shall include at least two (2) examiners other than the two (2) original examiners.

c. The committee shall reevaluate the candidate's performance based on those criteria used by the two (2) original examiners.

d. The committee will conduct the evaluation using the examiner scan sheets, the videotape of the candidate's examination, and any other related information.

e. The final score awarded by the evaluation committee shall be the official score reported to the candidate.

(2) If there are additional adjustments to the scoring key due to mechanical or clerical miscalculations after the grades have been provided for a particular examination, amended grade reports shall be provided to all candidates whose status changes from fail to pass due to the adjustment unless the candidate has taken and passed a subsequent administration of the examination.

(3) Examinations developed for the department or by a professional testing entity other than a national examination provider shall be graded by that testing entity or by its contract provider. Grading procedures shall be in compliance with the provisions of this rule.

(4) The department or its contract provider shall notify the candidate of the results of the candidate's examination no later than sixty (60) days after the examination date except when the grades are computed by or for a national organization

responsible for a national examination in Florida. In the case of a national examination, the grades shall be sent to the candidate no later than thirty (30) days after the department's receipt of the grades from the national examination provider.

(5) If the official grades are to be posted on the department's website, the website shall indicate in advance the official notification date the grades will be available on the internet.

(6) The department shall inform each passing candidate of the candidate's status and provide necessary instructions for the receipt of a license.

(7) Any candidate failing to receive a passing score on a licensure or certification examination shall be notified of the requirements for re-examination. For department-developed examinations, failing candidates shall also receive information regarding post-examination review and election of hearing rights.

(8) For computer-based testing examinations, candidates shall receive a preliminary grade report at the computer-based testing site.

Specific Authority 456.004(5), 456.017(1) FS. Law Implemented 456.017(1) FS. History—New 9-7-98, Amended _____.

(Substantial rewording of Rule 64B-1.009 follows. See Florida Administrative Code for present text.)

64B-1.009 Requesting a Pre-hearing Review.

After the candidate's petition for a hearing, pursuant to section 120.57, Florida Statutes, and Rule 28-106.201, Florida Administrative Code, has been filed, either the candidate, the candidate's attorney or both shall be permitted one (1) pre-hearing review of the disputed examination questions and answers at the department's headquarters in Tallahassee for the purpose of preparing for the administrative hearing under the following conditions:

(1) Pre-hearing reviews will not be conducted during the thirty (30) day period immediately prior to the next examination.

(2) A written request for such review shall be submitted to the department's attorney at least fourteen (14) days prior to the hearing date.

(3) If the candidate has previously paid a post-examination review fee, no fee will be charged for the pre-hearing review. If the candidate has not paid a post-examination review fee, then the candidate will be required to pay the fee in order to receive a pre-hearing review.

(4) The department will not respond to any oral or written comments made about the examination during the pre-hearing review.

(5) All procedures outlined in Rules 64B-1.004 and 64B-1.013, Florida Administrative Code, shall apply to pre-hearing reviews. Rule 64B-1.013, Florida Administrative Code, shall apply to the candidate and the candidate's attorney, if present, for the pre-hearing review.

Specific Authority 456.004(5), 456.017, 456.014 FS. Law Implemented 456.017, 456.014 FS. History—New 9-7-98, Amended 2-21-00, _____.

64B-1.010 Security and Monitoring Procedures.

Specific Authority 456.004(5), 456.017(1)(d) FS. Law Implemented 456.017(1)(d) FS. History—New 9-7-98, Repealed _____.

(Substantial rewording of Rule 64B-1.011 follows. See Florida Administrative Code for present text.)

64B-1.011 Requirements and Standards of a ~~Definition of~~ a National Examination.

(1) National examinations will be certified by the department according to the criteria established in this rule.

(a) The national examination shall be developed either by or for a national or multi-state professional association, board, council or society (hereinafter referred to as national organization). The national organization providing the examination shall either:

1. Be recognized by state regulatory boards as a national organization, or

2. Be recognized by a substantial number of that profession's licensed practitioners as a national organization, or

3. Have a substantial number of the nation's practitioners licensed or certified through an examination provided by or for the national organization.

(b) Examinations prepared by or for a national organization shall meet the following requirements:

1. The examinations shall be administered for the purpose of assessing entry-level skills necessary to protect the health, safety and welfare of the public from incompetent practice.

2. The national organization or its test provider shall be the responsible body for overseeing the development and scoring of the national examination, and

3. The national organization or its test provider shall provide security guidelines for the development, administration and scoring of the national examination and shall oversee the enforcement of these guidelines.

(c) A national examination shall meet the following generally accepted testing standards:

1. The examination tests the scope of practice and entry-level knowledge, skills and abilities defined by a national or multi-state job/task analysis or similar study with a representative sample of licensed practitioners and professional practices.

2. The examination is justified in terms of the protection of the health, safety and welfare of the patient or client.

3. The scores, sub-scores or combinations of scores are statistically reliable.

4. The examination uses psychometrically sound methods to determine the passing score.

5. There are standardized procedures for administering and scoring the examination.

6. There are standardized procedures to ensure the security of the examination.

(2) If an organization makes a request to the department to certify a national examination, the organization shall submit to the Division of Medical Quality Assurance, Bureau of Operations, Testing Services, 4052 Bald Cypress Way, Bin C-90, Tallahassee, Florida 32399-3290, documentation establishing that it meets the requirements established in subsection (1) of this rule, and a non-refundable fee of:

1. \$1,700 for a written examination,

2. \$3,000 for a clinical examination, or

3. \$4,200 for an examination consisting of both a written and clinical component.

(3) No fee shall be charged for certifying an examination if the request for certification is initiated by the department or the respective board.

Specific Authority 456.004(5), 456.017(1)(c) FS. Law Implemented 456.017(1)(c) FS. History—New 9-7-98, Amended _____.

(Substantial rewording of Rule 64B-1.013 follows. See Florida Administrative Code for present text.)

64B-1.013 ~~Post-Examination Review~~ ~~Post Exam Review~~ ~~of Examination Questions, Answers, Papers, Grades and Grading Key.~~

(1) When review of a national examination administered by the department is permitted, the review shall be conducted in accordance with national examination security procedures.

(2) A candidate who has taken and failed a department-developed objective multiple choice examination, a department-developed practical examination or an examination developed for the department by a professional testing entity shall have the right to one (1) post-examination review of those examination questions answered incorrectly, the answers to those examination questions answered incorrectly, and to materials, grades and grading keys related thereto.

(a) The candidate shall request a post-examination review in writing to the department. The request shall be received by the department within twenty-one (21) days from the date of notification of the failing grade. If the official grade report is sent by regular U.S. mail, the department will allow an additional five (5) days for mailing. If the official grade is posted on the department's website, the candidate's request for post-examination review shall be post-marked within twenty-one (21) days from the date the official grades are posted as indicated on the department's website.

(b) Post-examination reviews shall be completed no later than sixty (60) days following the date on which the grades for the examination are released.

(c) Post-examination reviews will not be conducted during the thirty (30) day period immediately prior to the next administration of the examination.

(d) The provisions outlined in Rule 64B-1.004, Florida Administrative Code, shall apply to all review sessions. Violation of such provisions by a candidate shall result in termination of the review session and the candidate shall be subject to other sanctions as determined by the appropriate board pursuant to the board’s disciplinary guidelines.

(e) Post-examination reviews shall be conducted in the presence of a representative of the department at its Tallahassee headquarters during regular working hours which are defined as 8:00 a.m. through 4:30 p.m., Monday through Friday, excluding official state holidays. For opticianry neutralization and computer-based testing examinations, post-examination reviews may be conducted at another location.

(f) A representative from the department shall remain with all candidates throughout all post-examination reviews. The representative shall inform candidates that he or she cannot defend the examination or attempt to answer any examination questions during the review.

(g) For written examinations, the candidate will be provided one-half the time given for the examination administration for completion of a post-examination review. For clinical examinations, the time provided will be determined for each specific profession.

(h) Prior to a post-examination review, candidates shall be provided written instructions concerning the conduct, rules and guidelines for the review, and shall acknowledge in writing at that time, receipt of such instructions and affirm that they will abide by such instructions.

(i) Upon completion of a post-examination review, candidates shall acknowledge in writing: the start and end time of the review, all materials that have been reviewed and any other relevant review information.

(j) In addition to the other provisions of this rule, candidates shall be prohibited from leaving a post-examination review with written notes, grade sheets, or any other examination materials.

(3) A candidate who has taken and failed a department-developed examination, completed a post-examination review and wishes to challenge the examination shall file a request/petition for administrative hearing with the department within 21 days after the date on which he/she completes his/her post-examination review.

Specific Authority 456.004(5), 456.017(1) FS. Law Implemented 456.017(1) FS. History–New 9-7-98, Amended _____.

64B-1.016 Fees: Examinations, and Post-Examination Review Fees.

(1)(a) The following fees shall be assessed by the department to cover administrative costs, actual per-applicant costs, and costs incurred to develop, purchase, validate, administer, and defend the following department developed, administered, or managed examinations:

Profession	Exam Fees	Exam Fee
Acupuncture Chiropractic Medicine	Exam	\$1,091.00
	National Written	
	Physical Diagnosis	\$610.00
	Technique	\$250.00
	X-Ray	\$180.00
	Laws & Rules	\$60.00
	Acupuncture	\$220.00
Dental	CBT Laws & Rules	\$35.00
	CBT Acupuncture	\$135.00
	Clinical	\$950.00
Dental Hygiene	Laws & Rules	\$95.00
	CBT Laws & Rules	\$30.00
	Clinical	\$325.00
Electrolysis	Laws & Rules	\$60.00
	CBT Laws & Rules	\$20.00
	Written Exam	\$505.00
Hearing Aid Specialist	National Written	\$300.00
	Massage	
Nursing Home Administrator	Colonics	\$595.00
	CBT Colonics	\$385.00
	Laws & Rules	\$240.00
Opticianry	CBT Laws & Rules	\$155.00
	Practical	\$385.00
	Neutralization	\$190.00
Optometry	Laws & Rules	\$115.00
	Clinical	\$590.00
	Pharmacology	\$370.00
	CBT Laws & Rules	\$30.00 70.00
	Certification	\$168.00
Osteopathic Medicine	National Written	\$2,500.00
Psychology	National Exam	\$458.00
	Laws & Rules	\$120.00
	CBT Laws & Rules	\$80.00

(b) No change.

(2) No change.

Specific Authority 456.004 FS. Law Implemented 456.004(10), 456.017(2) FS. History–New 3-14-02, Amended _____.

64B-1.017 Use of Pilot Test Items.

Multiple choice examinations developed by or for the department might include pilot test or experimental questions for the purpose of evaluating the statistical and psychometric qualities of new or revised questions prior to their use in an examination.

(1) Pilot test or experimental questions will not be identified to the candidates as pilot test questions on the examination.

(2) The maximum number of pilot test questions included on an examination form shall not exceed 20 percent of the number of scored questions on the examination or ten (10) questions, whichever is greater.

(3) Pilot test questions shall not be counted toward the candidate's score on the examination. Answers to pilot test questions shall not be subject to review by the candidates during the candidates' post-examination review session.

Specific Authority 456.004(5), 456.017(1) FS. Law Implemented 456.017(1) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Amy Jones, Division Director, Medical Quality Assurance
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Amy Jones, Division Director,
Medical Quality Assurance
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 18, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 18, 2002

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE TITLE: Continuing Education as a Condition
for Renewal

RULE NO.: 64B6-5.001

PURPOSE AND EFFECT: The Board proposes to update the rule regarding the laws and rules course.

SUMMARY: The Board sets forth in this rule the requirements for teaching a laws and rules course and the subject areas that must be included in the course. The Board also deletes a reference to the continuing education requirement for the 1999-2001 biennium.

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

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

SPECIFIC AUTHORITY: 456.013(6),(8), 484.044, 484.047(1),(4) FS.

LAW IMPLEMENTED: 484.047(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: Sue Foster, Executive Director, Board of Hearing Aid Specialist, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-5.001 Continuing Education as a Condition for Renewal.

(1) As a condition of the biennial renewal of an active license, each hearing aid specialist shall attend and certify attending 20 credit hours (per biennium) of Board approved continuing education which are relevant to, and which enhance, the licensee's ability to dispense hearing aids. Board-approved means approved by a chairman-appointed committee of one, or as specified by subsection 64B6-5.002(1), F.A.C. Continuing education courses, or portions thereof, which are devoted to content areas other than those identified in Rule 64B6-8.003, F.A.C., or risk management, shall not be approved for continuing education credit. Effective for the biennium beginning in 2001, these certified hours shall include two hours per biennium relating to hearing aid laws and rules. ~~Not more than two hours of continuing education relating to hearing aid laws and rules shall be accepted for the 1999-2001 biennium.~~

(a) The laws and rules course shall be taught by a Board approved instructor and shall include the following subject areas:

- 1. Chapter 484, Part II, F.S.
- 2. Rule Chapter 64B6, F.A.C.
- 3. Chapter 456, F.S.

(b) The laws and rules course must provide integration of the above subject areas into the competencies required for the practice of dispensing hearing aids.

(2) No change.

Specific Authority 456.013(6),(8), 484.044, 484.047(1),(4) FS. Law Implemented 484.047(4) FS. History--New 4-1-85, Formerly 21JJ-15.001, Amended 8-5-87, 4-8-90, 8-21-90, 8-19-91, Formerly 21JJ-5.005, Amended 11-20-95, Formerly 61G9-5.005, Amended 9-23-99, 6-28-00, 11-9-00,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Hearing Aid Specialists
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Hearing Aid Specialists
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: November 22, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: December 20, 2002

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE TITLES: Definitions 64B6-8.001
Qualifications for Trainees, Sponsors
and Designated Hearing Aid Specialists 64B6-8.002
Trainee Stages, Minimum Training
Requirements, and Training Program 64B6-8.003

PURPOSE AND EFFECT: The Board proposes to update the rules regarding the trainee program.

SUMMARY: In these rules, the Board redefines the term "sponsor," and clarifies when an audiologist may be a sponsor. The Board also specifies when trainees who have failed the exam may continue to function as trainees.

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: 484.0445(1), 484.044 FS.

LAW IMPLEMENTED: 484.041, 484.0445, 484.045 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: Sue Foster, Executive Director, Board of Hearing Aid Specialist, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-8.001 Definitions.

(1) No change.

(2) Sponsor: An active Florida licensed hearing aid specialist or dispensing audiologist with an established place of business in Florida, who is responsible for the direct supervision and education of a trainee, and who meets the qualifications established by this chapter.

(3) through (4) No change.

Specific Authority 484.0445(1), 484.044 FS. Law Implemented 484.041, 484.0445, 484.045 FS. History—New 2-12-84, Amended 4-18-85, Formerly 21JJ-8.01, Amended 8-12-87, 9-13-90, Formerly 21JJ-8.001, 61G9-8.001, Amended.

64B6-8.002 Qualifications for Trainees, Sponsors and Designated Hearing Aid Specialists.

(1) No change.

(2) The Department shall temporarily certify as a sponsor, until the next Board meeting, only those persons who meet the following requirements, in addition to those imposed by law:

(a) The prospective sponsor must have possessed an active license and have been actively practicing for at least two (2) consecutive years immediately prior to sponsorship, and must be Board certified by the National Board for Certification in Hearing Instrument Sciences (NBCHIS), except that audiologists licensed under Chapter 484, Part II, Florida Statutes, are not required to be NBCHIS certified. Compliance with national board certification will take effect three (3) years from the time this rule takes effect;

(b) through (c) No change.

(3) The sponsor may designate only those persons who meet the following requirements, in addition to those imposed by law, to assist in the training of a trainee pursuant to Section 484.0445, Florida Statutes, and this chapter:

(a) The designated person must have possessed an active hearing aid specialist license and have been actively practicing for at least two (2) consecutive years immediately prior to being designated to assist in a training program; and must be Board certified by the National Board for Certification in Hearing Instrument Sciences, except that audiologists licensed under Chapter 484, Part II, Florida Statutes, are not required to be NBCHIS certified. Compliance with national board certification will take effect three (3) years from the time this rule takes effect; and

(b) No change.

Specific Authority 484.044, 484.0445 FS. Law Implemented 484.0445, 484.045 FS. History—New 1-12-84, Formerly 21JJ-8.02, Amended 8-12-87, 9-13-90, Formerly 21JJ-8.002, Amended 12-6-94, Formerly 61G9-8.002, Amended.

64B6-8.003 Trainee Stages, Minimum Training Requirements, and Training Program.

(1) A training program shall be a minimum of six months in length. The trainee shall be in a training program for a minimum of twenty (20) hours each week. A trainee shall be under the direct supervision of the sponsor at all times when performing the functions of a hearing aid specialist. During the training program, a trainee shall complete the International National Hearing Aid Society Home Study Course and shall submit proof of passing the home study course final examination prior to taking the licensure examination. If the trainee passes the home study course final examination but fails the licensure examination, he or she will not have to repeat the home study course prior to the next available licensure examination. The training program shall be divided into three (3) stages:

(a) through (c) No change.

(2) through (5) No change.

(6) A If the trainee who fails the licensure examination she or he may continue in Stage III of the training program by submitting to the Board within 10 days of receiving the examination results a training program continuation request repeat the training program one time by meeting the criteria in Rule 64B6-8.002, F.A.C., and taking the next available examination. A trainee who fails the licensure examination and does not submit a training program continuation request to the Board within 10 days of receiving the examination results may repeat the training program one time by meeting the criteria in Rule 64B6-8.002, F.A.C., and taking the next available examination.

(7) through (8) No change.

Specific Authority 484.0445(1), 484.044 FS. Law Implemented 484.0445, 484.045 FS. History—New 2-12-84, Formerly 21JJ-8.03, Amended 8-12-87, 10-1-90, 1-28-91, 4-23-91, 8-19-91, Amended 3-18-93, Formerly 21JJ-8.003, Amended 4-21-94, Formerly 61G9-8.003, Amended 7-11-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Hearing Aid Specialists
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 22, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 20, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Licensure Denial
RULE NO.: 64B8-4.022

PURPOSE AND EFFECT: The current rule with regard to licensure denial is being repealed.

SUMMARY: The rule is being repealed.

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

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

SPECIFIC AUTHORITY: 458.309, 458.310, 458.311, 458.3115, 458.3124, 458.313, 458.3135, 458.3145, 458.315, 458.316, 458.3165, 458.317 FS.

LAW IMPLEMENTED: 458.311, 458.313, 458.331 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-4.022 Licensure Denial.

Specific Authority 458.309, 458.310, 458.311, 458.3115, 458.3124, 458.313, 458.3135, 458.3145, 458.315, 458.316, 458.3165, 458.317 FS. Law Implemented 458.311, 458.313, 458.331 FS. History--New 11-4-93, Formerly 61F6-22.022, 59R-4.022, Repealed.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Probationary Conditions and Definitions
RULE NO.: 64B8-8.006

PURPOSE AND EFFECT: The rule is being repealed since the definitions contained therein have been incorporated in the recent amendment to Rule 64B8-2.001, F.A.C.

SUMMARY: The rule is being repealed.

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

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

SPECIFIC AUTHORITY: 458.309 FS.

LAW IMPLEMENTED: 458.331 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.006 Probationary Conditions and Definitions.

Specific Authority 458.309 FS. Law Implemented 458.331 FS. History--New 11-15-88, Formerly 21M-20.006, 61F6-20.006, Amended 8-23-95, 5-29-97, Formerly 59R-8.006, Repealed.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2002

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Standards of Practice for the Dispensing
RULE NO.: 64B16-27.831

of Controlled Substances for Treatment of Pain

PURPOSE AND EFFECT: The rule amends the time requirement for providing prescription records pursuant to Section 465.017(2), Florida Statutes, to accommodate any non-business hours over week-ends; and, specifies an exemption from the requirements to obtain suitable identification when dispensing a controlled substance prescription by mail.

SUMMARY: The rule clarifies when records of controlled substance prescriptions shall be made available pursuant to Section 465.017(2), Florida Statutes, and when an exemption from the requirements to obtain suitable identification is allowed.

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

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

SPECIFIC AUTHORITY: 465.005, 465.0155 FS.

LAW IMPLEMENTED: 465.0155, 456.072(1)(i), 465.016(1)(i), 465.016(1)(o), 465.017(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AT THE BOARD'S NEXT MEETING TO BE HELD ON FEBRUARY 5, 2003 IN GAINESVILLE, FLORIDA.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-27.831 Standards of Practice for the Dispensing of Controlled Substances for Treatment of Pain.

(1) through (4) No change.

(5) Every pharmacy permit holder shall maintain a computerized record of controlled substance prescriptions dispensed. A hard copy printout summary of such record, covering the previous 60 day period, shall be made available within 72 ~~24~~ hours following a request for it by any law enforcement personnel entitled to request such summary under authority of Section 465.017(2), F.S. Such summary shall include information from which it is possible to determine the volume and identity of controlled substance medications being dispensed under the prescription of a specific prescriber, and the volume and identity of controlled substance medications being dispensed to a specific patient.

(6) No change.

(7) Any pharmacist that dispenses a controlled substance subject to the requirements of this rule when dispensed by mail shall be exempt from the requirements to obtain suitable identification.

Specific Authority 465.005, 465.0155 FS. Law Implemented 465.0155, 456.072(1)(i), 465.016(1)(i), 465.016(1)(o), 465.017(2) FS. History--New 8-29-02, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 1, 2002

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Centralized Prescription Filling
 RULE NO.: 64B16-28.450

PURPOSE AND EFFECT: The rule implements Section 465.003(16) and Section 465.0265, Florida Statutes, both enacted by Chapter 2002-182, Laws of Florida.

SUMMARY: The rule addresses the requirements for pharmacies engaged in centralized prescription filling.

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

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

SPECIFIC AUTHORITY: 465.005, 465.003, 465.0265 FS.

LAW IMPLEMENTED: 465.003(16), 465.0265 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AT THE BOARD'S NEXT MEETING TO BE HELD ON FEBRUARY 5, 2003 IN GAINESVILLE, FLORIDA.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.450 Centralized Prescription Filling.

Pharmacies acting as the supplier pharmacy under the centralized prescription filling of Section 465.0265, Florida Statutes, shall be licensed as either a community pharmacy or a non-resident pharmacy as appropriate.

(1) Community pharmacies acting as the supplier pharmacy and limiting its dispensing to centralized prescription filling may petition the board for exemptions from the following rules:

(a) Rule 64B16-28.1035, F.A.C. Patient Consultation Area;

(b) The signage requirement of Subsection 64B16-28.109(1), F.A.C.;

(c) Rule 64B16-28.140, F.A.C. Record Maintenance Systems for Community, Special-Limited Community, Special-Closed Systems, Special-Parenteral/Enteral, and Nuclear Permits;

(d) Rule 64B16-28.404, F.A.C. Regulation of Daily Operating Hours.

(2) A Policy and Procedure Manual shall:

(a) Be prepared and maintained specific to the supplying and receiving pharmacy at both locations;

(b) Appropriately address each of the elements required by Section 465.0265(2)(a)-(f), Florida Statutes;

(c) Be reviewed and found compliant with this section and Section 465.0265, Florida Statutes, by a board representative prior to initiation of service.

(3) Delivery shall only be to the pharmacy where the prescription resides and must be in a timely manner.

(4) The supplying and receiving pharmacy shall each be identified on the prescription container label. The receiving pharmacy shall be identified with pharmacy name and address. The supplying pharmacy may be identified by a code available at the receiving pharmacy.

(5) The receiving pharmacy shall notify prescription drug patrons of the pharmacy by printed notice or signage that a central pharmacy may be involved in the preparation of dispensed prescription drug products.

Specific Authority 465.005, 465.003, 465.0265 FS. Law Implemented 465.003(16), 465.0265 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 20, 2002

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Overpayment and Benefit Recovery
PURPOSE AND EFFECT: Benefit Recovery staff have determined that it is not cost effective to pursue claims of \$1,250 or less in bankruptcy proceedings. This rule amendment establishes claim thresholds to correspond to that determination.

RULE NO.: 65A-1.900

SUMMARY: The benefit recovery program will not pursue a claim in bankruptcy proceedings if the amount of the claim is at or below \$1,250.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: An estimate of the regulatory cost was not prepared for these rules.

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

SPECIFIC AUTHORITY: 414.41, 414.45 FS.

LAW IMPLEMENTED: 24.115(4), 414.31, 414.41 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: 11:00 a.m., January 20, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Bowman, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 417, Tallahassee, FL 32399-0700, (850)921-5549

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.900 Overpayment and Benefit Recovery.

The purpose of this section is to define the administrative policies applicable to the establishment and recovery of overpayment in the public assistance programs.

(1) through (8) No change.

(9) Claim Thresholds.

The benefit recovery program will not pursue a claim in bankruptcy proceedings if the amount of the claim is at or below \$1,250.

(9) through (11) renumbered (10) through (12) No change.

Specific Authority 414.41, 414.45 FS. Law Implemented 24.115(4), 414.31, 414.41 FS. History--New 7-21-92, Amended 1-5-93, 9-5-93, Formerly 10C-1.900, Amended 7-9-98, 4-22-00, 2-26-02.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rodney McInnis, Operations Review Specialist

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: John Bowman, Program Administrator, Technologies and Systems Development Bureau, Special Programs Unit

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 27, 2002

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

DEPARTMENT OF INSURANCE

RULE NOS.: 4-154.102, 4-154.112
RULE TITLES: Applicability and Scope, Guaranteed Availability of Individual Health Coverage to Eligible Individuals

SECOND NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 43, October 25, 2002, of the Florida Administrative Weekly. The first Notice of Change was published in Vol. 28, No. 47, November 22, 2002. These changes are being made to address concerns expressed at the public hearing.

(1) Subsection (2) of Rule 4.154-102, F.A.C., is changed to read: (2) Rules 4-154.110 through 4-154.112 and Rules 4-154.114 through 4-154.116, F.A.C., shall also apply to insurance coverage subject to the provisions of Section 627.6487, Florida Statutes. Notwithstanding the foregoing, nothing in this rule chapter shall be construed to establish that the Department has rate approval authority over any rate applicable to a group policy issued outside this state, where that authority is not separately conferred by statute.

(2) Subsection (3)(a) of Rule 4.154-112, F.A.C., is changed to read: (3)(a) To enable the Department to monitor this coverage, the issuer shall file no later than March 1 of each year report the information in 1. through 5. on an annual (calendar year) basis. Form D14-1386, (rev. 11/2001), Individual Health Coverage Policy Forms Issued/Renewed in Florida, which is hereby adopted and incorporated by reference. Copies of the form may be obtained from and shall be submitted to the Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, Tallahassee, FL 32399-0328, or submitted electronically through <http://portal.fldoi.com>. Forms are also available and may be printed from the Department's website: www.doi.state.fl.us.

The remainder of the rule reads as previously published.

DEPARTMENT OF INSURANCE

RULE NOS.:	RULE TITLES:
4-154.511	Discontinuance or Modification of Policy Forms
4-154.513	Employee Health Care Access Act Annual and Quarterly Statement Reporting Requirement
4-154.514	Designation of Election to Become a Risk-Assuming or Reinsuring Carrier
4-154.515	Change of Status of Small Employer Carrier's Election to Become Risk-Assuming Carrier or Reinsuring Carrier

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 28, No. 33, August 16, 2002, of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF INSURANCE

RULE NO.:	RULE TITLE:
4-154.517	Group Conversion Election and Premium Notice Form

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. 33, August 16,

2002, of the Florida Administrative Weekly. These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

In subsection (2) of Rule 4-154.517, paragraph (e) is deleted and the remaining paragraphs renumbered accordingly; and subparagraph (g)3. is deleted and the remaining subparagraphs renumbered accordingly.

The remainder of the rule reads as previously published.

DEPARTMENT OF INSURANCE

RULE NOS.:	RULE TITLES:
4-204.001	Purpose and Scope
4-204.002	Definitions
4-204.004	Form Filings
4-204.006	Forms Review
4-204.010	Viatical Settlement Contracts and Forms Related Thereto
4-204.012	Viatical Settlement Purchase Agreements
4-204.022	Required Business Records in General
4-204.0225	Required Business Record
4-204.025	Department Forms

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 27, No. 45, November 9, 2001, of the Florida Administrative Weekly and subsequently noticed in Vol. 27, No. 51, Vol. 28, No. 12, Vol. 28, No. 29, Vol. 28, No. 39 and Vol. 28, No. 46, has been withdrawn.

DEPARTMENT OF INSURANCE

RULE NO.:	RULE TITLE:
4-235.003	Sale of Certificates of Deposit

NOTICE OF CORRECTION

When the notice of proposed rulemaking for Rule 4-235.003, F.A.C., was filed, it incorrectly identified August 23, 2002 as the date the notice of proposed rule development was published in the Florida Administrative Weekly. The correct date that it was actually published was August 16, 2002, which is in Vol. 28, No. 33 of the Florida Administrative Weekly.

The remainder of the rule reads as previously published.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
5E-2	Pesticides

NOTICE OF CHANGE

A notice is hereby given that the following corrections have been made to the "Purpose, Effect and Summary" section of the proposed rule notice published in Vol. 28, No. 51, December 19, 2002, issue of the Florida Administrative Weekly.

When corrected the above referenced section of the notice will read as follows:

PURPOSE, EFFECT AND SUMMARY: The purpose and effect of this proposed rule is to adopt performance standards and acceptable test conditions for pesticides with directions for use as preventative termite treatments for new construction. The language of this rule was developed through a negotiated rulemaking as provided for in Chapter 120.54(2)(d), F.S., noticed by the Department in the April 26, 2002 issue of the Florida Administrative Weekly, Vol. 28, No. 17. The negotiating committee represented pesticide registrants, pest control operators, home builders, building officials, insurance industry, university extension service, and the Department. The language proposed in this notice represents the consensus of the negotiating committee. The committee also agreed that any performance standard for these pesticides adopted by the United States Environmental Protection Agency subsequent to the adoption of the rule should be adopted as allowed under Chapter 487.041(4)(e), F.S., provided the conditions of the statute are met.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-208.101
 RULE TITLE: Employee Grooming, Uniform and Clothing Requirements

SECOND NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 35, (August 30, 2002), issue of the Florida Administrative Weekly, and amended in the first notice of change, published in Vol. 28, No. 47, November 22, 2002 issue of the Florida Administrative Weekly.

33-208.101 Employee Grooming, Uniform and Clothing Requirements.

- (1) through (8) No change.
- (9) Correctional Probation Officer Badges.
 - (a) No change.
 - 1. No change.
 - 2. The circuit administrator or designee shall conduct quarterly circuit badge inventories and submit the circuit badge inventory to the regional director. The quarterly circuit badge inventory shall include the following information:
 - a. through c. No change.
 - d. Status (including issued, not issued, stolen, lost, or retired), and
 - e. Total counts for each status, including the total number of badges issued, the total number of badges not issued, the total number of badges stolen, the total number of badges lost, and the total number of badges retired.
 - 3. No change.
 - (b) through (d) No change.

(e) Loss or theft of a badge shall be reported to the officer's immediate supervisor within 72 hours of the officer becoming aware that the badge was stolen or lost. ~~Theft or Loss~~ of a badge shall be reported by the officer on the Community Corrections Incident Report, Form DC3-225, followed by a MINS report by the circuit administrator. Form DC3-225 is incorporated by reference in Rule 33-302.104, F.A.C. The officer shall be responsible for reimbursing the department for any issued badge which is lost.

- (f) through (i) No change.
- (10) No change.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-302.105
 RULE TITLE: Probation and Parole – Use of Force
NOTICE OF CHANGE

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

33-302.105 Probation and Parole – Use of Force.

- (1) through (4) No change.
- (5) Use of chemical agents.
 - (a) through (b) No change.
 - (c) Only those chemical agents containing oleoresin capsicum and that are non-flammable shall be approved for use. Chemical agents may be issued to correctional probation staff including clerical support staff who have received training pursuant to paragraph (5)(b). Trained support staff are authorized to be issued a chemical agent with not more than two (2) ounces. The Receipt for Chemical Agents, Form DC3-254, will be utilized to document the issuance, testing, and return of chemical agents. ~~This form is hereby incorporated by reference.~~ The Chemical Agent Inventory, Form DC3-253, is utilized by the circuit office to maintain control of the chemical agents issued, stored, returned, and disposed of within the circuit. Forms DC3-253 and DC3-254 are ~~This form is~~ hereby incorporated by reference. Copies of Form DC3-254 and DC3-253 may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of these forms is October 2, 2001. Staff who have received training may carry chemical agents upon their persons during working hours. Nothing in this rule authorizes staff to carry department issued chemical agents while off duty. Support staff must store chemical agents safely and securely in the office after working hours. If an employee has a question regarding chemical agents, he or she shall refer to the manufacturer's instructions or shall contact his or her supervisor.
 - (d) through (e) No change.

(f) Use of chemical agents on animals shall be limited to those situations in which the officer is in danger of an immediate attack from the animal. Following use of chemical agents, the officer shall immediately remove himself from the area, contact local animal control officers or local law enforcement if there is no local animal control office, and make a formal complaint regarding the attack. Under no circumstances shall chemical agents be used on animals who are not posing an immediate threat to the officer. ~~Form DC3-225, Community Corrections Incident Report, shall be used to report use of chemical agents on animals.~~

(g) No change.

(6) Staff or Offender Injury Sustained During Use of Force Incident.

(a) through (b) No change.

(c) When the offender has not been taken into custody after a use of force incident, the correctional probation officer shall advise the offender that he or she must be examined by a health care provider. When there is noticeable physical injury and the extent of the noticeable injury indicates that the offender needs emergency medical services, the correctional probation officer shall call emergency services for the offender as soon as the emergency has been resolved to an extent which allows the officer to leave the scene possible. Documentation of notification to the offender that a medical examination is required, any express refusal of medical care, and all contacts for medical services by the correctional probation officer shall be included in the Community Corrections Report of Force Used, Form DC3-210.

(7) No change.

Specific Authority 944.09 FS. Law Implemented 944.35 FS. History--New 5-28-86, Amended 8-6-90, 2-15-98, Formerly 33-24.017, Amended 10-2-01,

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE CHAPTER NO.: 59G-11
 RULE CHAPTER TITLE: Florida 211 Provider Certification Requirements

RULE NOS.: 59G-11.002, 59G-11.003
 RULE TITLES: Definitions, Agency Certification Process and Requirements

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. 38, September 20, 2002, issue of the Florida Administrative Weekly.

The document Standards for Professional Information and Referral, 4th edition, September 2000, which is incorporated herin by reference is deleted from Rules 59G-11.002 and .003, F.A.C., and replaced with Standards for Professional Information and Referral, 4th edition, revised October, 2002.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-44.003
 RULE TITLE: Disciplinary Guidelines
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. 17, of the April 26, 2002, issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Council, at its meeting of September 13, 2002, voted to change subsection (4)(r) of the rule. The Board of Medicine, at its meeting held on December 7, 2002, in Tampa, Florida, approved the Council's recommendation.

When changed, subsection (4)(r) shall read as follows:

- | | |
|---|--|
| (r) Performing or attempting to perform health care services on the wrong patient, a wrong procedure, an unauthorized procedure, or a procedure that is medically unnecessary or otherwise unrelated to the patient's diagnosis or medical condition.
(456.072(1)(aa)) | (r) For the first offense, from 1 year probation with conditions and a \$1,000 fine to 1 year suspension, 2 years probation and a \$5,000 fine. For the second offense, from 1 year suspension, 2 years probation with conditions and a \$5000 fine to revocation and a \$10,000 fine. |
|---|--|

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-56.002
 RULE TITLE: Equipment and Devices; Protocols for Laser and Light-Based Devices

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule development, as noticed in Vol. 28, No. 34, of the Florida Administrative Weekly on August 23, 2002, has been withdrawn.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-5.002
 RULE TITLE: Criteria for Approval

NOTICE OF PUBLIC HEARING

The Board of Optometry hereby gives notice of an public hearing on the above-referenced rule(s) to be held on January 10, 2003, 11:00 a.m., Nova Southeastern University, University Park Plaza, 3530 S. University Drive, Room 516-517, Davie, FL. The rule was originally published in Vol. 28, No. 49, of the December 6, 2002, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Executive Director, Board of Optometry/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

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 Osteopathic Medicine

RULE NO.: 64B15-14.007 **RULE TITLE:** Standard of Care for Office Surgery

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 41, October 11, 2002 issue of the Florida Administrative Weekly.

The change is being made in response to a public hearing at the Board's December meeting.

The change is to (6)(b)1. a. to read as follows:

a. The surgeon must have staff privileges at a licensed hospital to perform the same procedure in that hospital as that being performed in the office setting or must be able to document satisfactory completion of training such as Board certification or Board qualification by a Board approved by the American Osteopathic Association, the American Board of Medical Specialties, the Accreditation Council on Graduate Medical Education or any other board approved by the Board of Osteopathic Medicine or must be able to demonstrate to the accrediting organization or to the Department comparable background, training and experience. In addition, the surgeon must have knowledge of the principles of general anesthesia. If the anesthesia provider is not an anesthesiologist, there must be a licensed M.D., or D.O., anesthesiologist, other than the surgeon, to provide direct supervision of the administration and maintenance of the anesthesia.

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

DEPARTMENT OF HEALTH

Optical Establishments

RULE NO.: 64B29-1.002 **RULE TITLE:** Optical Establishment Inspections

NOTICE OF PUBLIC HEARING

The Department of Health hereby gives notice of a public hearing on the above-referenced rule to be held on February 12, 2003, 9:00 a.m., or shortly thereafter, at the Clarion Hotel, 2101 Dixie Clipper Road, Jacksonville, Florida 32218, (904)741-1997. The rule was originally published in Vol. 28, No. 43, of the October 25, 2002, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Department of Health, c/o General Counsel's Office, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE CHAPTER NO.: 68D-1 **RULE CHAPTER TITLE:** Boating Safety Forms

RULE NO.: 68D-1.001 **RULE TITLE:** Forms

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule, as noticed in Vol. 27, No. 4, January 26, 2001, Florida Administrative Weekly, has been withdrawn.

**Section IV
Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 458, "SUPER 7'S BINGO" **RULE NO.:** 53ER02-66

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game Number 451, "SUPER 7'S BINGO" 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; and the 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:

53ER02-66 Instant Game Number 458, "SUPER 7'S BINGO."

(1) Name of Game. Instant Game Number 458, "SUPER 7'S BINGO" (referred to herein as SUPER 7'S BINGO).

(2) Price. SUPER 7'S BINGO lottery tickets sell for \$2.00 per ticket.

(3) SUPER 7'S BINGO 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 SUPER 7'S BINGO 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 SUPER 7'S BINGO lottery ticket, or as to the prize amount, the Void if Removed Number under the latex shall prevail over the bar code.

(4) The "CALLER'S CARD" play symbols are as follows:

INSERTY SYMBOLS

(5) The player's cards play symbols are as follows:

INSERTY SYMBOLS

(6) Determination of Prize Winners.

(a) There are four player's cards numbered 1 through 4 and one Caller's Card on each SUPER 7'S BINGO ticket. A "FREE" space will appear in the center of each player's card. A "FREE" space can substitute as a number in a pattern of which it is a part.

(b) A ticket whose numbers on one of the player's cards match the Caller's Card numbers in one of the following patterns shall entitle the claimant to the prize shown for that pattern on that card:

1. Horizontal line of five numbers (or four numbers and one "FREE" space).

2. Vertical line of five numbers (or four numbers and one "FREE" space).

3. Diagonal line of four numbers and one "FREE" space.

4. Four corners (consisting of four numbers).

5. "X" (consisting of eight numbers and one "FREE" space).

Prizes that appear in the player's cards area are: FREE TICKET, \$3, \$10, \$25, \$50, \$150, \$250, \$1,000, \$25,000. Prize amounts for a particular pattern are different on each player's card.

(c) A ticket whose numbers on one of the player's cards match the Caller's Card numbers in a "7" pattern (consisting of six numbers and one "FREE" space in the highlighted "7" pattern) shall entitle the claimant to the prize shown for that card as follows:

- 1. Card 1 – \$7
- 2. Card 2 – \$77
- 3. Card 3 – \$777
- 4. Card 4 – \$7,777

(7) Players may win on one or more player's cards per ticket; however, players may not win more than one prize on each player's card.

(8) A claimant who is entitled to a prize of a "FREE TICKET" shall be entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that totals \$2.00, except as follows. A person who submits by mail a SUPER 7'S BINGO lottery ticket which entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 458 are as follows:

GAME PLAY	WIN	NUMBER OF WINNERS IN 84 POOLS OF 120,000 TICKETS	
		ODDS OF 1 IN	PER POOL
LINE – CARD 1	\$2 TICKET	18.75	537,600
LINE – CARD 2	\$3	10.00	1,008,000
"7" – CARD 1	\$7	25.00	403,200
"7" – CARD 1 + LINE – CARD 2	\$10	75.00	134,400
LINE – CARD 3	\$10	75.00	134,400
"7" – CARD 1 + LINE – CARD 3	\$17	150.00	67,200
4 CORNERS – CARD 1	\$25	150.00	67,200
"7" – CARD 1 + LINE – CARDS 2 & 4	\$35	2,400.00	4,200
4 CORNERS – CARD 2	\$50	300.00	33,600
"7" – CARD 2	\$77	6,000.00	1,680
"X" – CARD 1	\$150	44,800.00	225
4 CORNERS – CARDS 1 & 3 + LINE – CARD 4	\$200	252,000.00	40
"X" – CARD 1 + 4 CORNERS – CARD 2	\$200	252,000.00	40
4 CORNERS – CARDS 1, 2 & 3 + LINE – CARD 4	\$250	252,000.00	40
"X" – CARD 2	\$250	252,000.00	40
4 CORNERS – CARD 4	\$250	252,000.00	40
"7" – CARD 3	\$777	672,000.00	15
"X" – CARD 3	\$1,000	1,680,000.00	6

"7" - CARD 4	\$7.777	2,520,000.00	4
"X" - CARD 4	\$25,000	3,360,000.00	3

(10) The estimated overall odds of winning some prize in Instant Game Number 458 are 1 in 4.21. Some prizes, including the top prizes, may be sold out at time of ticket purchase.

(11) For reorders of Instant Game Number 458, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a SUPER 7'S BINGO lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for SUPER 7'S BINGO 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 12-16-02.

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

EFFECTIVE DATE: December 16, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 461, "ACES HIGH" RULE NO.: 53ER02-67

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 461, "ACES HIGH," 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; and the estimated odds of winning, value, number and size of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-67 Instant Game Number 461, "ACES HIGH".

(1) Name of Game. Instant Game Number 461, "ACES HIGH."

(2) Price. ACES HIGH lottery tickets sell for \$1.00 per ticket.

(3) ACES HIGH 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 ACES HIGH 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 ACES HIGH 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 CARD" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(5) The "DEALER'S CARD" 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 Prizewinners. There are four games in Instant Game Number 461, ACES HIGH.

(a) A ticket having a card in the "YOUR CARD" play area of a game that is higher than the card in the "DEALER'S CARD" play area of the same game shall entitle the claimant to the corresponding prize shown for that game. The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$400, and \$4,000. 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 an ACES HIGH 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.

(b) A ticket having an "ACE" symbol in the "YOUR CARD" play area of a game shall entitle the claimant to a prize of double the corresponding prize shown for that game.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 461 are as follows:



<u>GAME PLAY</u>	<u>WIN</u>	<u>ODDS OF 1 IN</u>	<u>NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS PER POOL</u>
<u>FREE TICKET</u>	<u>\$1 TICKET</u>	<u>10.00</u>	<u>1,008,000</u>
<u>\$1</u>	<u>\$1</u>	<u>15.00</u>	<u>672,000</u>
<u>\$2</u>	<u>\$2</u>	<u>25.00</u>	<u>403,200</u>
<u>\$1 x 4</u>	<u>\$4</u>	<u>100.00</u>	<u>100,800</u>
<u>\$1 + \$2 (ACE CARD)</u>	<u>\$5</u>	<u>100.00</u>	<u>100,800</u>
<u>\$5</u>	<u>\$5</u>	<u>100.00</u>	<u>100,800</u>
<u>(\$2 x 3) + \$4</u>	<u>\$10</u>	<u>300.00</u>	<u>33,600</u>
<u>\$10</u>	<u>\$10</u>	<u>300.00</u>	<u>33,600</u>
<u>(\$5 x 3) + \$10</u>	<u>\$25</u>	<u>1,384.62</u>	<u>7,280</u>
<u>\$5 + \$10 (ACE CARD)</u>	<u>\$25</u>	<u>900.00</u>	<u>11,200</u>
<u>\$25</u>	<u>\$25</u>	<u>900.00</u>	<u>11,200</u>
<u>\$5 + (\$10 x 2) + \$25</u>	<u>\$50</u>	<u>1,200.00</u>	<u>8,400</u>
<u>\$25 (ACE CARD)</u>	<u>\$50</u>	<u>1,200.00</u>	<u>8,400</u>
<u>\$50</u>	<u>\$50</u>	<u>7,200.00</u>	<u>1,400</u>
<u>\$25 x 4</u>	<u>\$100</u>	<u>252,000.00</u>	<u>40</u>
<u>\$50 (ACE CARD)</u>	<u>\$100</u>	<u>252,000.00</u>	<u>40</u>
<u>\$100</u>	<u>\$100</u>	<u>252,000.00</u>	<u>40</u>
<u>\$400</u>	<u>\$400</u>	<u>840,000.00</u>	<u>12</u>
<u>\$4,000</u>	<u>\$4,000</u>	<u>1,260,000.00</u>	<u>8</u>

(10) The estimated overall odds of winning some prize in Instant Game Number 461 are 1 in 4.03. Some prizes, including the top prizes, may be sold out at the time of ticket purchase.

(11) For reorders of Instant Game Number 461, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing an ACES HIGH lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for ACES HIGH 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 12-13-02.

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

EFFECTIVE DATE: December 13, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLE: Replacement of Obsolete Emergency Rule
 RULE NO.: 53ER02-68
 SUMMARY OF THE RULE: This emergency rule is replacing another emergency rule that has been determined to be obsolete or unnecessary by the Department of the Lottery.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-68 Replacement of Obsolete Emergency Rule. Emergency Rule 53ER02-65 is being replaced by this emergency rule because the Corporate Account Sale Incentive Program set forth in 53ER02-65 has been cancelled and therefore, the rule is obsolete.

Specific Authority 24.105(2), 24.109(1) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History—New 12-16-02, Replaces 53ER02-65, F.A.C.

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

EFFECTIVE DATE: December 16, 2002

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

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Petition for Waiver from Martin County, DCA02-WAI-249, is deemed approved by virtue of ninety (90) days having passed since the Petition was received by the Department on September 5, 2002. The Petitioner sought a waiver of Rule 9B-43.006, Fla. Admin. Code and Form CDBG-N-5 of the Neighborhood Revitalization Manual. Petitioner asked for a waiver of the requirement that a health and safety problem must be documented by a citation from the Florida Department of Health to at least 50% of the LMI households in order for Petition to be awarded 80 points.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Department of Highway Safety and Motor Vehicles hereby gives notice that it received a Petition for Variance of Rule 15A-10.014 on December 2, 2002 from DUI Counterattack Hillsborough, Inc., and a second Petition for Variance of Rule 15A-10.014 on December 5, 2002 from the Northeast Florida Safety Council. In the petition the petitioners seek to waive the statutory maximum for contributions to their retirement plans. Copies of the petition(s) may be obtained by contacting Patricia Armstrong at the Bureau of Driver Education and DUI Programs, Department of Highway Safety and Motor Vehicles.

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on December 13, 2002, South Florida Water Management District (District) received a petition for waiver from Guy W. & Faith M. Nicholls, Application No. 02-1202-1M, for utilization of Works or Lands of the District known as the C-24 Canal, St. Lucie County, for existing cross-fence with 16' vehicular gates and a 4' wide pedestrian pass-through opening. The petition seeks relief from subsections 40E-6.011(4),(6) and (7), and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which requires that a 40 foot wide strip of right of way, measured from the top of the bank landward, be unencumbered by permanent and/or semi-permanent above ground structures to enable the District to perform the required routine and emergency operations and maintenance activities necessary to insure flood protection to the entire community.

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

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2002-1202 DAO-ROW), on December 12, 2002, to Gregory G. Crane. The petition for waiver was received by the SFWMD on September 26, 2002. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 28, No. 41, on October 11, 2002. No public comment was received. This Order provides a waiver for the existing dock with stairs to remain within the west right of way of C-51, Section 5, Township 44 South, Range 43 East, Palm Beach County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which requires a minimum elevation for docking facilities

within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Gregory G. Crane from suffering a substantial hardship and a violation of the principles of fairness.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2002-201 DAO-ROW), on December 12, 2002, to Mark A. Yaffey. The petition for waiver was received by the SFWMD on October 4, 2002. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 28, No. 46, on November 15, 2002. No public comment was received. This Order provides a waiver for proposed placement of a fence enclosure within the east right of way of C-100A to a point approximately 5 feet from the top of the canal bank, Section 27, Township 55 South, Range 40 East, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4),(6) and (7), and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which provides that a 40 foot wide strip of right of way, measured from the top of the bank landward, be unencumbered by permanent and/or semi-permanent above-ground structures to enable the District to perform the required routine and emergency operations and maintenance activities necessary to insure flood protection to the entire community. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Mark A. Yaffey from suffering a violation of the principles of fairness.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat.

(SFWMD 2002-200 DAO-ROW), on December 12, 2002, to Kelle Sheehan. The petition for waiver was received by the SFWMD on October 16, 2002. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 28, No. 44, on November 1, 2002. No public comment was received. This Order provides a waiver for an existing dock to remain within the west right of way of C-51, Section 8, Township 44 South, Range 43 East, Palm Beach County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which requires a minimum elevation for docking facilities within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Kelle Sheehan from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2002-197 DAO-ROW), on December 12, 2002, to John Keller. The petition for waiver was received by the SFWMD on September 17, 2002. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 28, No. 43, on October 25, 2002. No public comment was received. This Order provides a waiver for an existing playset and trees within a fence enclosure to remain with the north right of way of C-14, Section 35, Township 48 South, Range 41 East, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4),(6) and (7), and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which provides that a 40 foot wide strip of right of way, measured from the top of the bank landward, be unencumbered by permanent and/or semi-permanent above-ground structures to enable the District to perform the required routine and emergency operations and maintenance activities necessary to insure flood protection to the entire community. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as

follows: 1) these facilities do not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent John Keller from suffering a violation of the principles of fairness.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2002-199 DAO-ROW), on December 12, 2002, to William A. Waggoner. The petition for waiver was received by the SFWMD on August 28, 2002. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 28, No. 39, on September 27, 2002. No public comment was received. This Order provides a waiver for existing low voltage lighting, temporary shed, cross fencing, landscaping, a portion of rock pond, rock planter and flag pole to remain within the north right of way of C-17, Section 16, Township 42 South, Range 43 East, Palm Beach County. Specifically, the Order grants a waiver from subsections 40E-6.011(4),(6) and (7), and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which provides that a 40 foot wide strip of right of way, measured from the top of the bank landward, be unencumbered by permanent and/or semi-permanent above-ground structures to enable the District to perform the required routine and emergency operations and maintenance activities necessary to insure flood protection to the entire community. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent William A. Waggoner from suffering a violation of the principles of fairness and a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

DEPARTMENT OF THE LOTTERY

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

Petitioner	Date Filed
Paul G. Brining, Morriston, Florida	December 16, 2002
Ann O. Cowart, Satsuma, Florida	December 6, 2002
Jeffrey Daniels, Boca Raton, Florida	December 6, 2002
Leon M. DaSilva, Lauderhill, Florida	December 13, 2002
Larry A. Dinzy, Orlando, Florida	December 6, 2002
James B. Dodge, Okahumpka, Florida	December 6, 2002
Mary V. Hales, Miramar, Florida	December 13, 2002
Evelyn M. Jones, Leesburg, Florida	December 6, 2002
Frances King, Interlachen, Florida	December 16, 2002
Ruby W. Lee, Deland, Florida	December 11, 2002
Claude Miles, Fort Lauderdale, Florida	December 13, 2002
Willie B. Sorey, Panama City, Florida	December 11, 2002
Matthew B. Taylor, Parrish, Florida	December 11, 2002
James Treat, Clermont, Florida	December 16, 2002
Catherine West, Gainesville, Florida	December 13, 2002

Emergency Rule 53ER02-61, F.A.C, sets forth the provisions for payment of prizes to players.

A copy of the petitions can be obtained from: Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Board of Electrical Contractors' Licensing Board hereby gives notice that it has received a petition, filed on November 25, 2002, by Dominic Pipia, seeking a waiver and/or variance of Rule 61G6-9.001, which sets forth the number of continuing education hours per year a licensee must prove in reactivate an inactive license.

This matter will be addressed by the Board at the regularly scheduled board meeting on January 24, 2003, 8:00 a.m., or shortly thereafter, Crowne Plaza Orlando Airport, 5555 Hazeltine National Drive, Orlando, FL 32812, (407)856-0100. Written comments on this petition should be filed with Board of Electrical Contractors' Licensing, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750, within 14 days of publication of this notice.

For a copy of the petition, contact: Anthony Spivey, Executive Director, Board of Board of Electrical Contractors' licensing, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP received on October 18, 2002, a petition from Environmental Chemical Corporation (T&G Properties, FDEP Facility Identification No. 519200278), for a waiver pursuant to Section 376.3071(12)(k)5., F.S., of certain record keeping requirements under Section 376.3071(12)(e), F.S. On December 12, 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."

The Department of Environmental Protection received, on November 13, 2002, a petition from ARCADIS G&M, Inc., (OGC Case Number 02-1902) seeking a variance under Section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under Rule 62-522.300(3), Florida Administrative Code.

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," under the underground injection control program area.

For information on this variance petition call: Cathy McCarty, (850)245-8654.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received a petition from the Cedar Key Water and Sewer District (CDWSD) seeking a variance under Section 120.542, Florida Statutes, from subsection 62-610.462(3), Florida Administrative Code, which requires a minimum staffing of a Class C or higher operator 6 hours per day, 7 days per week for any wastewater treatment facility (WWTF) that provides reclaimed water for public access irrigation. Petitioner (CDWSD) wants to use a Class C or higher operator 8 hours per day 5 days per week with operator visits to the WWTF on weekend days. The petition has been assigned File No.: 02-1190.

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

For more information, call Frank Watkins: (904)807-3300.

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a petition for waiver filed on December 13, 2002, by Jay H. Ross, M.D., seeking a waiver from Rule 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.

FLORIDA HOUSING FINANCE CORPORATION

Florida Housing Finance Corporation gives notice of the entry of an Order Granting Petition for Waiver from subsection 67-47.090(5) and paragraph 67-44.100(2)(d), F.A.C.

NAME OF THE PETITIONER: Ocala Housing Authority

DATE PETITION WAS FILED: November 5, 2002

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Fla. Admin. Code R. 67-50.060, which states “the Application may not be changed or altered after submission...” Petitioner is also requesting a waiver of Rule 67-44.100, Fla. Admin. Code, which states “...Once the application has been accepted by the corporation, no additions, deletions or changes will be accepted.” Petitioner seeks to change the Development Name and the site of the proposed development homes from one property owned by the Petitioner to another property owned by the Petitioner.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, November 15, 2002, Vol. 28, No. 46.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: December 6, 2002

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail: Sherry.Green@floridahousing.org.

FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE IS HEREBY GIVEN that on December 9, 2002, the Florida Fish and Wildlife Conservation Commission filed a Final Order Denying Variance disposing of a Petition for Variance from portions of Rule 68C-22.006, Florida

Administrative Code. The Petition was filed with the Commission on September 10, 2002, and noticed in the Florida Administrative Weekly on August 16, 2002, Vol. 28, No. 33.

The Final Order denies the petition for variance finding that the Brevard County Non-Motorized Water Sports Association, Inc. failed to demonstrate standing to see the variance, failed to demonstrate that the purposes of Section 370.12, F.S., would be met and failed to allege a substantial hardship.

A copy of the Commission’s Order may be obtained by contacting: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

DEPARTMENT OF STATE

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

DATE AND TIME: January 27, 2003, 9:00 a.m. – 3:00 p.m.

PLACE: Orlando City Hall, Yale Room, 9th Floor, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cultural Facilities Program Task Force Meeting.

A copy of the agenda may be obtained by writing: Mr. Donald Blancett, Division of Cultural Affairs, 1001 Desoto Park Drive, Tallahassee, Florida 32301, (850)487-2980, Ext. 131.

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

Literature Organizations

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

PLACE: R. A. Gray Building, Room 307, 500 S. Bronough Street, Tallahassee, FL

Folk Arts Organizations

DATE AND TIME: February 5, 2003, 9:00 a.m. – Close*

Dance Organizations

DATE AND TIME: February 6, 2003, 9:00 a.m. – Close*

Music Organizations

DATE AND TIME: February 11, 2003, 9:00 a.m. – Close*

Sponsor/Presenter, Theatre-Community, Theatre-Professional Organizations

DATE AND TIME: February 12, 2003, 9:00 a.m. – Close*

Interdisciplinary/Multidisciplinary/Discipline Service Organizations

DATE AND TIME: February 18, 2003, 9:00 a.m. – Close*

Visual Arts Organizations and Museums

DATE AND TIME: February 19, 2003, 9:00 a.m. – Close*

Media Arts Organizations

DATE AND TIME: February 25, 2003, 9:00 a.m. – Close*
 PLACE: R. A. Gray Building, Auditorium, 500 S. Bronough Street, Tallahassee, FL
 PURPOSE: To review applications to the 2003-2004 Cultural Support Grants Program.

*5:00 p.m. or until conclusion of business.

Please note that all programs' meeting locations are subject to change. Confirm each meeting location with Division staff.

Telephone Participation Procedures – As stated on page 16 of the 2003-2004 Cultural Support Grants Program Guidelines, organization grant applicants may participate in the panel meetings by telephone. Applicants must submit a written request for telephone participation, which must be received by the Division no later than 4:00 p.m. Eastern Standard Time on the last business day immediately preceding the scheduled panel meeting. The request must contain the organization name and application number; the name and date of the panel meeting; the name of the person or persons designated to speak to the panel; and the complete telephone number, including the area code and extension. The request must be signed by an authorized official of the organization, with the name and title typed below the signature.

A copy of each meeting agenda may be obtained by writing: Melissa Ray, Division of Cultural Affairs at The Capitol, Tallahassee, Florida 32399-0250, (850)487-2980.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meetings, he/she may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review. 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: Dennis Hutchison, (850)487-2980. If you are hearing or speech impaired, please contact the agency by calling TT (850)488-5779.

DEPARTMENT OF INSURANCE

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

DATE AND TIME: January 31, 2003, 10:00 a.m.
 PLACE: Prime F. Osborn III Convention Center, Boardroom B, 1000 Water Street, Jacksonville, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Code Advisory Council meeting to discuss the next edition of the Florida Fire Prevention Code and other fire code issues.

A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in this meeting, please contact Millicent King, 200 E. Gaines Street, Tallahassee, FL 32399-0342 or call (850)413-3619 or Fax (850)922-2553, at least five calendar days before the meeting for assistance.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces a meeting of the Pest Control Enforcement Advisory Council.

DATE AND TIME: January 22, 2003, 10:00 a.m. – 4:00 p.m.
 PLACE: Mid-Florida Research and Education Center, 2725 Binion Road, Apopka, Florida 32703, (407)884-2034
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Election of Chairman, Vice Chairman and Secretary. This is the first meeting of the Council and will be an organizational meeting. The mission of the Council will be discussed, and further meetings will be planned.

A copy of the agenda may be obtained by calling: Steven Dwinell, Florida Department of Agriculture and Consumer Services, (850)488-7447.

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Fertilizer Technical Council, to which all persons are invited.

DATE AND TIME: January 30, 2003, 1:30 p.m.
 PLACE: Bob Crawford Agricultural Center, 615 East Main Street, Bartow, Florida 33830, (863)499-2500
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Feed Technical Council Meeting.

You may contact: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, Room L-29, Tallahassee, Florida 32399-1650, (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry**, announces a meeting of the Off Highway Recreation Advisory Committee which is open to all interested persons.

DATE AND TIME: Monday, January 6, 2003, 10:00 a.m.
 PLACE: Doyle Conner Building, Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, FL 32399-1650
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting of the Off Highway Recreation Advisory Committee.

A copy of the agenda may be obtained by contacting: John Waldron, 3125 Conner Boulevard, Tallahassee, FL 32399-1650, (850)414-9852.

NOTICE OF CANCELLATION – The Florida **State Fair Authority** announces the cancellation of the Wednesday, December 18, 2002, Full Authority Meeting and Committee Meetings.

The Florida **State Fair Authority** announces a meeting of the Finance, Long Range Planning and Marketing Committees.

DATE AND TIME: Wednesday, January 22, 2003, 10:30 a.m.

PLACE: Bob Thomas Equestrian Center-Horse Pavilion, Florida State Fairgrounds, Tampa, Florida 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss old and new business of the Finance, Long Range Planning and Marketing Committees.

AGENDA: A copy of the agenda may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, Post Office Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact Ms. Ann Menchen, (813)621-7821, as soon as possible.

The Florida **State Fair Authority** announces a meeting of the Full Authority to which all persons are invited.

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

PLACE: Bob Thomas Equestrian Center-Horse Pavilion, Florida State Fairgrounds, Tampa, Florida 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Reports: Finance, Long Range Planning and Marketing; Status of Amphitheater Negotiations; Acquisition of Ferman Property.

AGENDA: A copy of the agenda may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, Post Office Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact Ms. Ann Menchen, (813)621-7821, as soon as possible.

DEPARTMENT OF EDUCATION

The Members of the **Duval County Research and Development Authority**, in accordance with Section 286.011(8), Florida Statutes, at the request of legal counsel, I am hereby calling a Shade Meeting of the Duval County Research and Development Authority (the "Authority") to be held:

DATE AND TIME: Tuesday, January 7, 2003, 1:00 p.m.

PLACE: City Hall Annex, 14th Floor, Conference Room, 220 East Bay Street, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider settlement negotiations or strategy related to the following matter: Duval County Research and Development Authority vs. Phillip B. Phillips, Jr. and Phillips American Finance Corp., D/B/A Phillips & Company.

Following the commencement of the meeting, the governing body will move into a closed attorney-client session pursuant to Section 286.011(8), Florida Statutes, and only the following listed persons will be entitled to attend this session:

- | | |
|---|-------------------------------|
| Member and Chair | Member, Marcia Parker-Tjoflat |
| Patrick Cusick | Member, Alford Sinclair |
| Member, Henry Luke | Member, James Cobb |
| Executive Director, Earle Traynham | |
| General Counsel | Chief Deputy, General Counsel |
| Richard R. Mullaney | Cindy Laquidara |
| Deputy General Counsel | Assistant General Counsel |
| Karen Chastain | John F. Germany, Jr. |
| Assistant General Counsel, C. William Curtis, III | |
| Court Reporter | |
| Patrick Cusick, Chair | |
| Duval County Research and Development Authority | |

The **Gulf Coast Community College**, District Board of Trustees will hold its monthly meeting as follows. Contact person for the meeting is Dr. Robert L. McSpadden, President.

DATE AND TIME: January 16, 2003, 10:00 a.m.

PLACE: Gardner Seminar Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting.

The **Florida Rehabilitation Council**, Executive Committee announces a Conference call.

DATE AND TIME: February 6, 2003, 10:30 a.m. – 11:30 am.

PLACE: Headquarters, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call for the Executive Committee/ Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32399-0696, (850)487-3431.

Any interested parties that need further information may contact: Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address, at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning, at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council**, Evaluation Committee announces a Conference call.

DATE AND TIME: February 6, 2003, 11:30 a.m. – 12:30 p.m.

PLACE: Headquarters, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call for the Evaluation Committee/ Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32399-0696, (850)487-3431.

Any interested parties that need further information may contact: Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning, at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council**, Coordination Committee announces a Conference call.

DATE AND TIME: January 7, 2003, 10:00 a.m.

PLACE: Headquarters, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call for the Coordination committee/ Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32399-0696, (850)487-3431.

Any interested parties that need further information may contact: Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning, at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council**, Executive Committee announces a Conference call.

DATE AND TIME: January 13, 2003, 2:30 p.m. – 5:00 p.m.

PLACE: Headquarters, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting for the Executive Committee/Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32399-0696, (850)487-3431.

Any interested parties that need further information may contact: Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning, at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the

notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The Florida **Rehabilitation Council for the Blind** announces the following Public Forum to which all interested individuals are invited to attend.

DATE AND TIME: Thursday, January 16, 2003, 4:00 p.m. – 6:00 p.m.

PLACE: Radisson Hotel Tallahassee, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: For consumer input on the effectiveness of services provided by the Florida Division of Blind Services in assisting individuals with visual impairments achieving employment and independence under Title I of the Rehab Act.

CONTACT: Phyllis Dill, The Division of Blind Services, 7201 North 9th Avenue, Suite A-11, Pensacola, FL 32504, (850)484-5030 or through the Florida Telephone Relay System 711.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

The Florida **Rehabilitation Council for the Blind** announces the following meeting.

DATES AND TIMES: January 17, 2003, 8:30 a.m. – 5:00 p.m.; January 18, 2003, 8:30 a.m. – 12:00 Noon

PLACE: Radison Hotel Tallahassee, 415 North Monroe Street, Tallahassee, FL, (850)224-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Phyllis Dill, Division of Blind Services, 7201 N. 9th Avenue, Suite A-11, Pensacola, FL 32504, (850)484-5030 or through the Florida Telephone Relay system 711.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

The **Florida Rehabilitation Council**, Evaluation Committee announces a Conference call.

DATE AND TIME: January 23, 2003, 11:30 a.m. – 12:30 p.m.

PLACE: Headquarters, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call Evaluation committee/Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32399-0696, (850)487-3431.

Any interested parties that need further information may Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning, at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

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 Centre Hotel, 9840 International Drive, Orlando, Florida 32819, 1(800)800-9840

DATE AND TIME: January 12, 2003, 10:00 a.m.

Meeting of the Accessibility Technical Advisory Committee

DATE AND TIME: January 13, 2003, 10:00 a.m.

Meeting of the Accessibility Advisory Council to consider the following applications for waiver from accessibility code requirements: Crispin Porter Bogusky Office Interiors, 3390 Grand Avenue, #380, Streets of Mayfair, Coral Gables, Florida; 816 Commerce Way Building, 816 Commerce Way, Miami Beach, Florida; Rene Ruiz Couture, 259 Miracle Mile, Coral Gables, Florida; Jackson Kirschner Architect, 1437 Highland Avenue, Melbourne, Florida; Merritt Square Mall Cobb Theatres, 777 East Merritt Island Causeway, Merritt Island, Florida; Jacksonville Museum of Modern Art, 333 North Laura Street, Jacksonville, Florida.

DATE AND TIMES: January 13, 2003, 8:00 a.m. – Meeting of the Structural Technical Advisory Committee; 10:00 a.m. – Meeting of the Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee; 10:00 a.m. – Meeting of the Education Technical Advisory Committee; 11:00 a.m. – Meeting of the Education Program Oversight Committee; 1:00 p.m. – Product Approval/Prototype Buildings/Manufactured Buildings POC Rule 9B-72, Product Approval Workshop; 1:00 p.m. – Meeting of the Energy Technical Advisory Committee; 1:00 p.m. – Meeting of the Fire Technical Advisory Committee; 2:00 p.m. – Meeting of the Accessibility Technical Advisory Committee

DATE AND TIME: January 14, 2003, 8:30 a.m. – Meeting of the Plenary Session of the Florida Building Commission
Agenda review and approval. Review and approval of December 2002 Meeting minutes. Rule Workshop on Rule Chapter 9B-72 (Product Approval). Consideration of requests for waiver from accessibility code requirements: Crispin Porter Bogusky Office Interiors, 3390 Grand Avenue, #380, Streets of Mayfair, Coral Gables, Florida; 816 Commerce Way Building, 816 Commerce Way, Miami Beach, Florida; Rene Ruiz Couture, 259 Miracle Mile, Coral Gables, Florida; Jackson Kirschner Architect, 1437 Highland Avenue, Melbourne, Florida; Merritt Square Mall Cobb Theatres, 777 East Merritt Island Causeway, Merritt Island, Florida; Jacksonville Museum of Modern Art, 333 North Laura Street, Jacksonville, Florida.

Legal staff report on requests for Declaratory Statements.

Second Hearing:

DCA02-DEC-272 by Ari Sklar, Sklarchitecture; DCA02-DEC-289 by Grant Tolbert, Hernando County Development Department; DCA02-DEC-342 by Pete Quintela, Miami-Dade Code Compliance; DCA02-DEC-352 by David Bishop, Fawley-Bryant Architects, Inc.; DCA02-DEC-355 by Greg Doyle, Florida Roof Deck Association; DCA02-DEC-356 by Oriol Haage, Miami-Dade County Code Compliance.

First Hearing:

DCA02-DEC-271 by Jack McStravic, Lee County Division of Development Services; DCA02-DEC-354 by Lawrence Bennett; DCA02-DEC-357 by Oriol Haage, Miami-Dade Code Compliance; DCA02-DEC-359 by William Brewer; DCA02-DEC-365 by Peter Schwab, Wayne Automatic Fire Sprinklers, Inc.; DCA02-DEC-366 by Kim Nothard, Kid Safe Pool Nets, Inc.; DCA02-DEC-369 by Joe Hetzel, DASMA.

Consideration of Committee Reports and Recommendations: Accessibility TAC Report; Structural TAC Report; Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee Report; Education Technical Advisory Committee and Program Oversight Committee; Energy TAC Report; Fire TAC Report.

Closed Door Session of Commission with Counsel regarding FPSA Rule Challenge.

Legal staff report update on FPSA Challenge on pool alarm standards

Receive public comment.

DATE AND TIME: January 14, 2003, 1:00 p.m. – Meeting of the Structural Technical Advisory Committee (continued January 15, 2003, 8:00 a.m. if needed)

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

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).

NOTICE OF ADDITIONAL WORKSHOP – The **Department of Community Affairs** announces an additional workshop for Rule Chapter 9B-72, Fla. Admin. Code, which appeared in the November 22, 2002 edition of the Florida Administrative Weekly. The workshop is scheduled to be held as follows:

DATE AND TIME: Tuesday, January 14, 2003, 10:00 a.m.

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, Florida.

All interested persons are invited to attend. For further information, please contact Jim Richmond, Assistant General Counsel, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-0410.

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).

DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Professionalism Program announces the following meeting for the **Criminal Justice Standards and Training Commission** and Commission-related meetings.

DATE AND TIME: Training Center Directors' Committee Meetings, Tuesday, January 28, 2003, 9:30 a.m.

DATE AND TIME: Training Center Directors' Business Meeting, Tuesday, January 28, 2003, 1:30 p.m.

DATE AND TIME: Commission Workshop, Wednesday, January 29, 2003, 2:00 p.m.

DATE AND TIME: Probable Cause Determination Hearings, Wednesday, January 29, 2003, 8:30 a.m.

DATE AND TIME: CJS&T Commission meeting business agenda, Thursday, January 30, 2003, 8:30 a.m.

DATE AND TIME: Officer Discipline Case Proceedings, Thursday, January 30, 2003, 1:00 p.m. – Open

PLACE: St. Petersburg Hilton, 333 1st Street, South, St. Petersburg, FL 33701

RATE: The guestroom rate is \$95.00 for a single or double occupancy from January 26, 2003 to January 31, 2003. The deadline to make reservations is December 27, 2002.

TELEPHONE NUMBER FOR HOTEL RESERVATIONS: Phone: 1(800)944-5500, Fax: (727)823-4797

GENERAL SUBJECT MATTER TO BE CONSIDERED: These meetings are held to discuss issues relating to standards, training, certification, de-certification, and record management for law enforcement, correctional, and correctional probation officers, Commission rules, and certification and recertification of criminal justice training schools. All parties are invited to attend.

COMMISSION MEETING AGENDAS: A copy of the January 30, 2003, Commission Meeting agenda may be obtained by contacting: Donna Hunt, (850)410-8615, or Commission information may be accessed at http://www.fdle.state.fl.us/cjst/commission/cjstc_meeting.html on January 13, 2003. A copy of the Officer Discipline Agenda may be obtained by contacting Brenda Presnell, (850)410-8648.

If you wish to write the Commission for a copy of the above agendas, please write: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Donna Hunt or Brenda Presnell. If you wish to call or write for a copy of the Training Center Directors' Association agenda, please write or call Training Center Director Association, Chairman Ray Newman, (863)297-1030, Polk Community College, 999 Avenue H, Northeast, Winter Haven, Florida 33881-4299.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact Donna Hunt, (850)410-8615, at least 5 days prior to the meeting.

DEPARTMENT OF TRANSPORTATION

NOTICE OF CANCELLATION – The **Department of Transportation**, District 1 announces the cancellation of a public hearing that was published in the December 20, 2002, edition of the Florida Administrative Weekly. The hearing as scheduled is cancelled. The hearing was scheduled as follows:

DATE AND TIME: Tuesday, January 14, 2003, 7:00 p.m.

PLACE: Burnett Middle School, 1010 Kingsway Road, North, Seffner, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The hearing was scheduled to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of the proposed construction of Weigh-in-Motion Station on Interstate 4 between Interstate 75 in Hillsborough County and U.S. 27, in Polk County.

Anyone with questions about the cancellation should call: Ben Walker, 1(800)292-3368.

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

DATE AND TIME: January 15, 2003, 9:00 a.m. – 4:00 p.m.

PLACE: Department of Transportation, Florida Transportation Commission Office, 5th Floor, Executive Suite, 605 Suwannee Street, Tallahassee, Florida, where the public can access a teleconference of the Florida Transportation Commission's Secretary Search Committee.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and action on the Search Committee's activities in relation to selection of potential candidates for nomination for Secretary of Transportation per Section 20.23(1), Florida Statutes.

A copy of the agenda and information may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting are asked to advise the Commission at least 48 hours before the meeting by contacting Cathy Goodman, (850)414-4105.

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

DATE AND TIME: January 23, 2003, 9:00 a.m. – 4:00 p.m.

PLACE: Department of Transportation, Florida Transportation Commission Office, 5th Floor, Executive Suite, 605 Suwannee Street, Tallahassee, Florida, where the public can access a teleconference of the Florida Transportation Commission's Secretary Search Committee.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and action on the Search Committee's activities in relation to selection of potential candidates for nomination for Secretary of Transportation per Section 20.23(1), Florida Statutes.

A copy of the agenda and information may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting are asked to advise the Commission at least 48 hours before the meeting by contacting Cathy Goodman, (850)414-4105.

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.

DATE AND TIME: Tuesday, January 14, 2003, 9:00 a.m. – 4:00 p.m. (EST)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review suggestions provided by the public at the rule development workshop held on January 9, 2003. Current rules addressed at the workshop are as follows: Rule 19-8.010, Rule 19-8.012, Rule 19-8.013, Rule 19-8.028, and Rule 19-8.029 F.A.C. Two new rules were also proposed at the workshop: Rule 19-8.030 and 19-8.031, F.A.C. During the meeting, the Advisory Council will consider public comments made at the workshop and will determine which rules will be filed for Notice of Proposed Rulemaking. In addition, the Advisory Council will consider changes to the investment policy and engage in other 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 person needing special accommodation to attend the meeting is requested to contact Patti Elsbernd by mail, at the address given immediately above, or by telephone (850)413-1346, five days prior to the meeting so that appropriate arrangements can be made.

FLORIDA PAROLE COMMISSION

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

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

PLACE: Building C, 2601 Blairstone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Commission Business Meeting.

A copy of the agenda and subsequent agenda, if any, may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450, Attention: Frederick Dunphy, Commissioner-Secretary.

If you need accommodation in order to participate in this process, please notify the Commission in advance.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a Customer Meeting to be held in the following docket, to which all interested persons and parties are invited to attend.

DOCKET NO.: 020407-WS – Application for Rate Increase in Polk County by Cypress Lakes Utilities, Inc.

DATE AND TIME: Wednesday, January 22, 2003, 6:00 p.m.

PLACE: Lakeland City Commission Chamber, 228 South Massachusetts Avenue, Lakeland, FL 33801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit customers to give testimony regarding the rates and service of Cypress Lakes Utilities.

A copy of the agenda for this meeting may be obtained by writing: Division of Commission Clerk and Administrative Services, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0850.

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 speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD). One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Film and Entertainment** and the **Florida Film Advisory Council**, Education Committee will convene in a conference call meeting of the Committee. This is a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 8, 2003, 2:00 p.m.

PLACE: The Governor's Office of Film and Entertainment, 400 South Monroe Street, Suite 2002, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review projects, discuss committee tasks and related general administrative matters of the Council.

A copy of the agenda may be obtained by writing: Audrey L. Anderson, Coordinator, the Office of Film and Entertainment, State of Florida, Executive Office of the Governor, Suite 2002, The Capitol, Tallahassee, Florida 32399-0001 or calling (850)410-4765.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

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

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

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

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

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

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

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

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

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

DATE AND TIME: Wednesday, January 8, 2003, 9:00 a.m. – 10:00 a.m.

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

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

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

DATE AND TIME: Monday, January 13, 2003, 9:00 a.m. – 10:00 a.m.

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

DATE AND TIME: Wednesday, January 15, 2003, 9:00 a.m. – 10:00 a.m.

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

DATE AND TIME: Friday, January 17, 2003, 9:00 a.m. – 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Task Force issues.

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

NOTICE OF CANCELLATION – The **Governor's Commission on Workers' Compensation Reform** has cancelled the following meeting.

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

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

NOTICE OF RESCHEDULING – The **Governor's Commission on Workers' Compensation Reform** announces the following public meeting to which all persons are invited. This meeting has been rescheduled from its original date of January 7, 2003, at the same location.

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

PLACE: Edison Community College, Learning Resources Hall (J103 Corbin Auditorium), 8099 College Parkway, S. W., Ft. Myers, Florida 33919, 1(800)749-2322, (239)489-9051 (Fax)

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

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

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

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

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, Florida 32827, (407)825-1234.

GENERAL MATTERS TO BE DISCUSSED: The work of the Governor's Select Task Force will make recommendations to protect Floridians' access to high-quality and affordable healthcare. The Governor's Select Task Force shall study the relevant issues and make written recommendations and/or propose legislation. The work product of the Governor's Select Task Force should include, but need not be limited to, the following: (1) findings from an examination of the Florida healthcare liability insurance market, pertinent tort laws, claims and premium data compared to other states of similar size and diversity; (2) an assessment of the impact of the cost, accessibility and availability of healthcare liability insurance on the cost, accessibility and availability of high quality healthcare in this state; and (3) specific strategies to ease the healthcare liability insurance crisis faced by physicians, hospitals and other healthcare providers in the state. A report of such recommendations and/or proposed legislation shall be submitted by January 31, 2003, to the Governor, the President of the Florida Senate and the Speaker of the House of Representatives.

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

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

REGIONAL PLANNING COUNCILS

The **Central Florida Regional Planning Council** announces a public meeting of the Local Emergency Planning Committee (LEPC), and its Membership Sub-Committee, Spill Review Sub-Committee, Public Relations Sub-Committee, Exercise Sub-Committee, and Risk Management Program Sub-Committee, to which all persons are invited.

DATE AND TIME: Wednesday, January 8, 2003, 10:00 a.m.

PLACE: Southwest Florida Water Management District, 170 Century Boulevard, Bartow, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Bi-Monthly Meeting of the LEPC, and Special Sub-Committee Meetings.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

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

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, January 13, 2003, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

MEETING: Tampa Bay Regional Planning Council

DATE AND TIME: Monday, January 13, 2003, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: TBRPC Legislative Committee

DATE AND TIME: Monday, January 13, 2003, 11:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

MEETING: Agency On Bay Management

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

PLACE: 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702 (Please call to confirm date, time and location)

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

The **South Florida Regional Planning Council** announces a public meeting of the State Road 7/U.S. 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, January 16, 2003, 2:00 p.m. – 4:00 p.m.

PLACE: City of Hollywood, Driftwood Community Center, Room 112 A & B, 3000 N. 69th Avenue, Hollywood, Florida 33024

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue deliberations regarding economic development, aesthetic improvement and increased intergovernmental cooperation along the corridor.

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

Anyone deciding to appeal any decision made by the State Road 7/U.S. 441 Collaborative Steering Committee with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

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

REGIONAL TRANSPORTATION AUTHORITIES

The **Hillsborough Area Regional Transit Authority (HART)** announces the following public meetings of the Governing Board of the Authority to which all persons are invited:

Public Hearing

DATE AND TIME: January 7, 2003, 8:30 a.m.

PLACE: County Center, 18th Floor, Planning Commission Board Room, 601 E. Kennedy Boulevard, Tampa, FL

PURPOSE: Regularly Scheduled Board Meeting.

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Call to order.
2. Approval of Minutes.
3. Introductions, Recognition and Awards.
4. Consumer Advisory Committee Report.
5. Public Comment on Action Items.
6. Consent Action Items.
7. Other Action Items.
8. Chairman's Report.
9. Reports from HART Representatives.
10. HART Committee Reports.
11. Other Board Member's Report.
12. Executive Director's Report.
13. Employee Comment.
14. General Public Comment.
15. Discussion and Presentations.
16. Monthly Information Reports.
17. Other Information Items.
18. Other Business.

A copy of the detailed agenda may be obtained by contacting: Mary Staples, Administrative Assistant II, Hillsborough Area Regional Transit Authority, 201 E. Kennedy Boulevard, Suite 900, Tampa, FL 33602, (813)223-6831, Ext. 2111.

Section 286.0105, Florida Statutes, states that if a person decided to appeal any decision made by a board, agency or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that 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 based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Lauren Skiver, (813)623-5835, at least 48 hours before the meeting. If the caller is hearing impaired, contact the Authority, (813)626-9158 (TTD).

WATER MANAGEMENT DISTRICTS

AMENDED NOTICE – The **St. Johns River Water Management District** announces the following public meetings and hearings which may be conducted by means of or in conjunction with communications technology. All persons are invited.

PROJECTS AND LAND COMMITTEE

DATE AND TIME: Tuesday, January 7, 2003, 1:00 p.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Projects & Land Committee agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD WORKSHOP

DATE AND TIME: Tuesday, January 7, 2003, 3:00 p.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop and training session on District's Project Delivery & Project Controls System and discussion of potential revisions to budget tools and budget book format.

MEETING OF GOVERNING BOARD CHAIR AND COMMITTEE CHAIRS

DATE AND TIME: Wednesday, January 8, 2003, 8:15 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

FINANCE AND ADMINISTRATION COMMITTEE MEETING

DATE AND TIME: Wednesday, January 8, 2003, 8:45 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Finance & Administration Committee agenda items followed by committee recommendations to be approved by the full Governing Board. Staff will recommend approval of external budget amendments which affect the adopted FY2002-2003 budget.

REGULATORY COMMITTEE MEETING

DATE AND TIME: Wednesday, January 8, 2003, 10:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Regulatory agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD/REGULATORY MEETING AND PUBLIC HEARING ON LAND ACQUISITION

DATE AND TIME: Wednesday, January 8, 2003, 1:00 p.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

NOTE: In the event of a declared emergency or emergency conditions, all or part of these meetings may be conducted as a teleconference in order to permit maximum participation of Governing Board members. A copy of the agenda may be obtained by writing to the St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429. Any item which appears on the agenda for the Governing Board, Regulatory, and/or Committee meetings may be considered on day one or day two. Day two may be cancelled if all items completed on day one. The order of items appearing on the agenda is subject to change during the meetings. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings is requested to advise the District at least 48 hours before the meeting or hearing by contacting Ann Freeman, (386)329-4101. If you are hearing or speech impaired, please contact the District by calling (386)329-4450 (TDD). If any person decides to appeal any decision with respect to any matter considered at the above-listed meetings or hearings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The **St. Johns River Water Management District** announces the following public meetings and hearings which may be conducted by means of or in conjunction with communications technology. All persons are invited.

GOVERNING BOARD WORKSHOP

DATE AND TIME: Tuesday, January 7, 2003, 1:00 p.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop and training session on District's Project Delivery & Project Controls System and discussion of potential revisions to budget tools and budget book format.

PROJECTS AND LAND COMMITTEE

DATE AND TIME: Tuesday, January 7, 2003, 3:00 p.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Projects & Land Committee agenda items followed by committee recommendations to be approved by the full Governing Board.

MEETING OF GOVERNING BOARD CHAIR AND COMMITTEE CHAIRS

DATE AND TIME: Wednesday, January 8, 2003, 8:15 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

FINANCE AND ADMINISTRATION COMMITTEE MEETING

DATE AND TIME: Wednesday, January 8, 2003, 8:45 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Finance & Administration Committee agenda items followed by committee recommendations to be approved by the full Governing Board. Staff will recommend approval of external budget amendments which affect the adopted FY2002-2003 budget.

REGULATORY COMMITTEE MEETING

DATE AND TIME: Wednesday, January 8, 2003, 10:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Regulatory agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD/REGULATORY MEETING AND PUBLIC HEARING ON LAND ACQUISITION

DATE AND TIME: Wednesday, January 8, 2003, 1:00 p.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

NOTE: In the event of a declared emergency or emergency conditions, all or part of these meetings may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by writing to the St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429. Any item which appears on the agenda for the Governing Board, Regulatory, and/or Committee meetings may be considered on day one or day two. Day two may be cancelled if all items completed on day one. The order of items appearing on the agenda is subject to change during the meetings.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings is requested to advise the District at least 48 hours before the meeting or hearing by contacting Ann Freeman, (386)329-4101. If you are hearing or speech impaired, please contact the District by calling (386)329-4450 (TDD).

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

The **St. Johns River Water Management District** announces the following public meeting which may be attended by District Governing Board members:

ST. JOHNS RIVER SUMMIT 2003

DATES AND TIME: Monday, January 13, 2003; Tuesday, January 14, 2003, 8:00 a.m. – 5:30 p.m. each day

PLACE: Prime F. Osborn III Convention Center, 1000 Water Street, Jacksonville, FL 32204

GENERAL SUBJECT MATTER TO BE CONSIDERED: To develop a comprehensive agenda for the entire St. Johns River. For a copy of the agenda and registration materials, write: Office of the Mayor, City of Jacksonville, Attn. Jill Johnson, 117 W. Duval St., Suite 400, Jacksonville, FL 32202, (904)630-2709, Internet: http://sjrwmd.com/programs/outreach/news/sjr_summit/ on the Internet.

Pursuant to the provision of the Americans with Disabilities Act, anyone requiring special accommodations to participate in this meeting is asked to advise the city of Jacksonville at least five working days before the meeting by calling (904)630-2709.

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

NORTHWEST HILLSBOROUGH BASIN BOARD MEETING

DATE AND TIME: Tuesday, January 7, 2003, 1:30 p.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin Board business.

GOVERNING BOARD WORKSHOP

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

PLACE: Embassy Suites Hotel, 3705 Spectrum Boulevard, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Governing Board business.

GOVERNING BOARD FEDERAL FUNDING SUBCOMMITTEE MEETING

DATE AND TIME: Monday, January 13, 2003, 10:00 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss potential Federal funding opportunities for District projects.

BASIN BOARD EDUCATION COMMITTEE MEETING

DATE AND TIME: Tuesday, January 14, 2003, 9:30 a.m.

PLACE: Weedon Island Education Center, 1800 Weedon Island Drive, St. Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Committee business.

PEACE RIVER BASIN BOARD MEETING

DATE AND TIME: Friday, January 17, 2003, 9:30 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

A copy of the agenda for the above meeting(s) may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899, or by calling the SWFWMD, (352)796-7211 or 1(800)423-1476, Suncom 628-4150.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida) or (352)796-7211, Extension 4609, Fax (352)754-6874, TDD ONLY 1(800)231-6103 (Florida).

The **Southwest Florida Water Management District** announces a public meeting.

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

PLACE: Southwest Florida Water Management District, District Headquarters, Board Room, 2379 Broad Street, Brooksville, Florida 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: The public hearings on rule amendments to Chapters 40D-2 and 40D-8, F.A.C., for Category 3 lake levels and for the Southern Water Use Caution Area are continued to the Governing Board meeting on January 28, 2003.

A copy of the Governing Board agenda may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899 or by calling Southwest Florida Water Management District, (352)796-7211 or 1(800)231-6103, Suncom 628-4150, TDD ONLY 1(800)231-6103.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Pursuant to the provisions of the American 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 Dianne Lee, (352)796-7211 or 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax (352)754-6878, Suncom 663-6878.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited.

DATES AND TIMES: Wednesday, January 8, 2003, 9:00 a.m. – Until completed; Thursday, January 9, 2003, 8:30 a.m. – Until completed

PLACE: SFWMD, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

PURPOSE: Governing Board Public Workshop, Human Resources Committee and Governing Board Meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- A. Regular Governing Board Workshop/Meeting to discuss and consider District business including regulatory and non-regulatory matters.
- B. Human Resources Committee Meeting.

NOTE: A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, MSC 6115, West Palm Beach, Florida 33416-4680, or may be acquired via the SFWMD Web Site at www.sfwmd.gov/agenda.html.

Except for public hearings, any item which appears on the agenda for any of the Governing Board meetings that appear in this notice may be discussed and considered at any of the Governing Board Meetings that appear in this notice.

The order of items appearing on the agendas is subject to change during the meetings. Any item which appears on the agenda for the Governing Board Workshop/Meeting or Regular Meeting may be considered at the January 8, 2003, Workshop Meeting or January 9, 2003, Regular Meeting of the Governing Board.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board Members.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Deputy District Clerk, (561)686-6447, at least two business days in advance of the meeting to make appropriate arrangements.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: January 14, 2003, 6:30 p.m. – 8:00 p.m.

PLACE: South Florida Water Management District, Okeechobee Service Center, Suite 201, 205 North Parrott Avenue, Okeechobee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: As part of the Lake Okeechobee Sediment Management Feasibility Study, the District has developed a draft Evaluation of Alternatives based on the study's goals and performances measures. The draft Evaluation of Alternatives presents findings from the detailed evaluation of the three sediment management alternatives remaining after the initial screening of 36 alternatives, which were analyzed and screened using specific criteria including effectiveness, implementability, applicability to Lake Okeechobee, risk and liability.

The three remaining technologies presented in the Evaluation of Alternatives include:

- No In-Lake Action – combined with monitoring of external loads
- In-Place Chemical Treatment – using aluminum compounds
- Hydraulic Dredging – using three post-dredge sediment management scenarios, including beneficial reuse

This is the fourth public/interagency meeting to be held concerning the Feasibility Study. The meeting is being held to solicit input on the Evaluation of Alternatives, and will focus on the District's current and future plans. The public is invited to participate.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680. The draft Evaluation of Alternatives and agenda may be downloaded from the project website at: http://www.sfwmd.gov/org/wrp/wrp_okee/projects/sediment_mgmt_details.html.

Persons with disabilities who need assistance may contact Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

For more information, contact: District Project Manager, Jorge Patino, (561)682-2731.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

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

DATE AND TIME: Friday, January 3, 2003, 1:00 p.m. – Until completion

PLACE: 2740 Centerview Drive, Suite 1-A, Tallahassee, Florida or (850)414-1711 or Suncom 994-1711

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a regular business meeting.

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

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs**, Advisory Council announces a conference call to which all persons are invited to join.

DATE AND TIME: January 15, 2003, 12:00 Noon – 2:00 p.m.

PLACE: (850)922-7892 or Suncom 292-7892 or toll-free from outside the Tallahassee area 1(800)416-4132 (Interested individuals may join by notifying: Mark Walsh, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2155)

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Department of Elder Affairs Advisory Council to discuss the department and set goals for the upcoming year.

To obtain a copy of the agenda, please contact Mark Walsh, (850)414-2155, by email WalshM@elderaffairs.org, or by mail at 4040 Esplanade Way, Tallahassee, Florida 32399-7000.

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 department at least 48 hours before the meeting by contacting Mark Walsh, (850)414-2155. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency For Health Care Administration** announces a meeting of the Emergency Department Data Advisory Panel to which all interested parties are invited.

DATE AND TIME: Friday, January 24, 2003, 10:00 a.m.

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

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

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

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

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a meeting of the MyFloridaMarketPlace Steering Committee to which all persons are invited.

DATE AND TIME: Monday, January 13, 2003, 9:30 a.m.

PLACE: The Capitol Building, Room 2107, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact: Kathleen Anders, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, FL 32399-0950, (850)921-5266, at least 48 hours prior to the workshop.

The **Department of Management Services** announces a meeting of the People First – HR Outsourcing Steering Committee to which all persons are invited.

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

PLACE: The Capitol Building, Room 2107, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact: Kathleen Anders, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, FL 32399-0950, (850)921-5266, at least 48 hours prior to the workshop.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday and Wednesday, January 14-15, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Commission Offices, Suite 100, 2009 Apalachee Parkway, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss the daily functions and activities of the Commission. On January 15, 2003, 9:00 a.m., the Commissioners will hold the deliberation of a case that has come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Ms. Denise Crawford, Clerk of the Commission.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. This meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Wednesday, January 15, 2003, 9:00 a.m.

PLACE: Commission on Human Relations, Suite 100, 2009 Apalachee Parkway, Tallahassee, Florida. The meet-me telephone number is (850)414-5775, for Tallahassee residents, Toll Free 1(888)461-8118, for residents outside of Tallahassee or Suncom 994-5775.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that has come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Ms. Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, Ext. 1032.

VERBATIM RECORD OF MEETING: If any person decided to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA NOTICE: Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1032, at least five working days prior to the meeting.

The **Correctional Privatization Commission** announces a meeting to which all persons are invited.

DATE AND TIME: Friday, January 10, 2003, 1:00 p.m.

PLACE: Capital Office Complex, 4050 Esplanade Way, Suite 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of pertinent Commission business relating to the current and upcoming fiscal years.

Any person who decides to appeal a decision of the Correctional Privatization Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Section 286.0105, Florida Statutes.

A copy of the agenda may be obtained by writing: Correctional Privatization Commission, Office of the Executive Director, 4050 Esplanade Way, Pepper Building, Suite 680, Tallahassee, Florida 32399-0950.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Correctional Privatization Commission, Office of the Executive Director, (850)921-4034, at least five (5) calendar days prior to the meeting.

If you are hearing or speech impaired, please contact the Correctional Privatization Commission, Office of the Executive Director, by using the Florida Relay Service and can be reached at 1(800)955-8771 (TDD).

The **Florida Partnership for School Readiness** announces a meeting of their Board to which all interested parties are invited.

DATE AND TIME: January 23, 2003, 9:30 a.m. – 3:30 p.m.

PLACE: The Holiday Inn Airport, I-95 at Airport Road, Jacksonville, Florida. For reservations, please contact the hotel, (904)741-4404, and state that you are part of the Florida Partnership for School Readiness room block in order to get the \$81.00 per night room rate.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Board business.

For more information, please contact: Lisa Barnes, (850)922-4200 or lisa.barnes@schoolreadiness.org.

The **Florida Black Business Support Corporation** announces a teleconference meeting of its loan investment committee to which all interested persons are invited.

DATE AND TIME: January 9, 2003, 2:00 p.m.

PLACE: Teleconference – (850)487-4850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To plan and discuss the Board's business plan to identify areas for future Board priorities, loan investment committee discussion/review/approval of pending loan requests and related issues, and approve actions taken by the Chairman and/or President under delegated authority.

A COPY OF THE AGENDA MAY BE OBTAINED BY CONTACTING: The Florida Black Business Support Corporation, 1713 South Gadsden Street, Tallahassee, FL 32301, (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend these meeting, please notify the FBBSC office, (850)487-4850, at least seven (7) days prior to the meetings.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Division of Hotels and Restaurants** announces a meeting of the Elevator Safety Technical Advisory Committee to which all persons are invited.

DATE AND TIME: Monday, January 13, 2003, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: (850)921-6433 or Suncom 291-6433, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1012

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to discuss the regulation of elevator safety.

The person to be contacted regarding the meeting is: Rick Spikes, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012, (850)410-1492. The Johns Building, 725 South Bronough Street, Tallahassee, FL.

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 workshop by contacting Rick G. Spikes, Operations Review Specialist, (850)410-1492. If you are hearing or speech impaired, please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Board of Funeral Directors and Embalmers** announces the following meeting to be held by telephone conference call, to which all parties are invited to attend.

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

PLACE: Access Phone#: (850)414-1706, Suncom 994-1706

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Funeral Directors and Embalmers, 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 Florida **Board of Professional Engineers** announces a public meeting of the Public Relations Committee to which all persons are invited.

DATE AND TIME: Tuesday, January 14, 2003, 9:00 a.m. – Until conclusion of meeting

PLACE: The Ramada Inn North, Executive Conference Room, 2900 N. Monroe Street, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on the Florida Board Professional Engineers (FBPE) Public Relations program.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Board Operations Committee to which all persons are invited.

DATE AND TIME: Tuesday, January 14, 2003, 1:00 p.m. – Until conclusion of meeting

PLACE: The Ramada Inn North, Executive Conference Room, 2900 North Monroe Street, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of operations of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The **Florida Engineers Management Corporation** announces a public telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, January 14, 2003, 2:00 p.m.

PLACE: Conference Call: 1(800)298-9646, Florida Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general corporation/board business.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Wednesday, January 15, 2003, 9:00 a.m. – Until conclusion of meeting

PLACE: The Ramada Inn North, Executive Conference Room, 2900 N. Monroe Street, Tallahassee, Florida 32303

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees to which all persons are invited.

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

PLACE: The Ramada Inn North, Executive Conference Room, 2900 N. Monroe Street, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, January 22, 2003, 2:00 p.m.

PLACE: Conference Call: 1(800)955-9331, Florida Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The **Board of Professional Geologists** announces a General Business Meeting. All interested parties are invited to attend.

DATES AND TIMES: January 27, 2003, 1:00 p.m.; January 28, 2003, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399

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)487-7990.

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 Thursday, January 23, 2003.

The **Board of Accountancy** announces the following public meeting to which all person are invited.

DATE AND TIME: January 17, 2003, 9:00 a.m., Independence Task Force

PLACE: Hilton Airport, 2225 Lois Avenue, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Independence Task Force meeting to discuss possible changes regarding Independence. This is a public meeting.

A copy of the Board agenda may be obtained by writing: John W. Johnson, Acting Division Director, Division of Certified Public Accounting, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607.

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

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting John W. Johnson, (352)333-2500. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The **Florida Real Estate Appraisal Board** announces a meeting of its Probable Cause Panel.

DATE AND TIME: Monday, January 13, 2003, 9:00 a.m. or soonest thereafter

PLACE: Department of Business and Professional Regulation, Division of Real Estate, North Tower, Ninth Floor, Room 901, 400 W. Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Real Estate Appraisal Board Probable Cause Panel. PORTIONS OF THE PROBABLE CAUSE PANEL MEETING ARE NOT OPEN TO THE PUBLIC.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Real Estate Appraisal Board, Division of Real Estate, (407)245-0800, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Real Estate Appraisal Board, Division of Real Estate using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces that the Technical Advisory Group established to assist in revising Chapter 62-552, F.A.C., State Revolving Fund Program for Drinking Water Facilities will meet on January 7, 2003, to consider rule issues including pre-construction and construction grants for financially disadvantaged communities; construction loans for rate based community water systems; interest rate determination; project list information; priority determination; ranking projects for project list; project list management; planning, design, construction, and post-construction requirements; and audits required.

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

For more information, call: Venkata Panchakarla, (850)245-8366.

The **Department of Environmental Protection**, Clean Boating Partnership announces that the first quarterly meeting for 2003 is scheduled for:

DATES AND TIMES: Thursday, January 9, 2003, 12:00 Noon – 5:00 p.m.; Friday, January 10, 2003, 8:00 a.m. – 12:00 Noon

PLACE: La Quinta Inn and Suites – Orlando Airport, 7160 North Frontage Road, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to review, discuss and recommend to the Florida Department of Environmental Protection policy and implementation strategies for the Clean Marina Program.

A copy of the agenda may be obtained by contacting: Jan R. De Laney, (850)245-2847, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, M.S. #665, Tallahassee, Florida 32399-3000.

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 Division of Law Enforcement within the link or button titled "Official Notices".

The **Department of Environmental Protection**, Division of Air Resource Management announces a public hearing to which all persons are invited.

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

PLACE: Douglas Building, First Floor, Conference Room B, 3900 Commonwealth Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will hear comments on a proposed Title V air general permit for secondary aluminum sweat furnaces subject to 40 CFR Part 63, Subpart RRR, that choose to comply by using an afterburner.

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".

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

DATE AND TIME: January 29, 2003, 10:00 a.m. – Completion of business

PLACE: Florida State University, Center for Professional Development, 555 West Pensacola Street, Tallahassee, FL 32306

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting to discuss the implementation of the Statewide Invasive Species Management Plan for Florida, a 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 contacting: Don C. Schmitz, Department of Environmental Protection, Division of State Lands, Bureau of Invasive Plant Management, 3900 Commonwealth Boulevard, M.S. #705, Tallahassee, FL 32399, (850)245-2809.

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)245-2511. 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."

The **Department of Environmental Protection** announces a public hearing to be conducted by the Division of Administrative Hearings on February 17-21, 2003, to take testimony and evidence concerning the environmental effects and any other appropriate matters regarding the site certification of the proposed Florida Power and Light Company, Unit 8 Power Plant Siting Application No. 89-27A, OGC Case No. 02-0197, pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-518, Florida Statutes.

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

DATE AND TIME: January 7, 2003, 9:30 a.m. – 10:30 a.m.

PLACE: Conference Call: 1(800)416-4132

GENERAL SUBJECT MATTER TO BE CONSIDERED: A subcommittee (Interfacility Transfer Criteria Subcommittee) appointed by the State Trauma System Plan Implementation Committee is holding a meeting to assist the Department of Health to develop educational materials for acute care hospitals on all aspects of the hospital partnership concept.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this conference call is asked to advise the agency before December 30, 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**, Bureau of Emergency Medical Services announces a public meeting to which all persons are invited.

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

PLACE: Jacksonville Omni, Jacksonville, Florida, Toll Free 1(800)647-7427

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this conference call is asked to advise the agency before December 30, 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, Board of Hearing Aid Specialists** announces a telephone conference call. All interested parties are invited to attend with the information listed below, which is normally open to the public.

DATE AND TIME: January 6, 2003, 4:00 p.m.

PLACE: Call: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business and Legislative Discussion.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

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 Sue Foster, (850)245-4474, by Monday, December 30, 2002.

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

DATE AND TIME: January 10, 2003, 2:00 p.m.

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

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

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

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 322317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Department of Health, Division of Medical Quality Assurance, Board of Medicine**, Probationers Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 17, 2003, 9:00 a.m.

PLACE: Hilton Tampa Airport Westshore, 2225 N. Lois Ave., Tampa, Florida 33607, (813)877-6688

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

A copy of the agenda may be obtained by writing: Timothy Callaghan, Compliance Officer, Department of Health, Division of Medical Quality Assurance, Client Services Unit, 4052 Bald Cypress Way, BIN #C01, Tallahassee, FL 32399-3251.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting, he will need a record of the proceeding, and for such purpose, he may need to insure that a verbatim proceeding 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 Timothy Callaghan, (850)245-4444, Ext. 3547, at least 10 calendar days prior to the meeting. If you are hearing or speech impaired, please call Mr. Callaghan 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 **Board of Medicine**, Probable Cause Panel (North) announces a telephone conference call to be held via meet me number.

DATE AND TIME: January 24, 2003, 2:00 p.m.

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

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

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

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, (850)922-2414, 1(800)955-8771(TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The Florida **Board of Medicine**, Credentials Committee announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, January 25, 2003, 8:30 a.m. or soon thereafter

PLACE: The Wyndham Westshore, 4860 W. Kennedy Blvd., Tampa, FL 33609, (813)286-4400

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

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.

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).

The **Board of Nursing**, Probable Cause Panel will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: January 21, 2003, 5:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number (850)488-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4125, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda item may be obtained by writing: Dan Coble, Executive Director, 4052 Bald Cypress Way, BIN #C02, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Occupational Therapy**, hereby gives notice that a public rule workshop for Rule 64B11-5.001, F.A.C., will be held at the time, date and place listed below.

DATE AND TIME: Monday, February 24, 2003, 9:00 a.m. or shortly thereafter

PLACE: Room 301, 4042 Bald Cypress Way, Tallahassee, Florida 32399-3255

A Notice of Rule Development was published in Vol. 28, No. 48, of the November 27, 2002, Florida Administrative Weekly. The person to be contacted regarding the rule workshop is: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

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).

The **Department of Health, Board of Opticianry** announces an official Board meeting. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATE AND TIME: February 12, 2003, 9:30 a.m.

PLACE: Clarion Hotel Airport Conference Center, 2101 Dixie Clipper Drive, Jacksonville, Florida 32218

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Opticianry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, at least one week prior to the meeting date.

The **Board of Optometry** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, January 10, 2003, 9:30 a.m.

PLACE: NOVA Southern University, University Park Plaza, Room 516-517, 3530 S. University Drive, Davie, Florida 33328

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

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

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

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

The **Board of Speech-Language Pathology and Audiology** announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: Wednesday, January 15, 2003, 9:00 a.m. or soon thereafter

PLACE: Hilton Tampa Airport Westshore, 2225 North Lois Avenue, Tampa, Florida 33607, (813)877-6688

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop on Rule 64B20-4.003.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Speech-Language Pathology and Audiology, (850)245-4161, at least five (5) 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 at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, BIN #C-06, Tallahassee, Florida 32399-3256.

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

The **Council of Licensed Midwifery** announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: Friday, January 17, 2003, 9:00 a.m. or soon thereafter

PLACE: Meet me Number: Contact the Council of Licensed Midwifery, (850)245-4161 for the meet me number

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

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Council of Licensed Midwifery, (850)245-4161, at least five (5) 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 at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Council of Licensed Midwifery, 4052 Bald Cypress Way, BIN #C-06, Tallahassee, Florida 32399-3256. Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

This is to announce variance meetings of the **Public Swimming and Bathing Facilities Advisory Review Board** members. These meetings are open to the public.

DATES AND TIME: Thursday, January 16, 2003; Wednesday, March 12, 2003, 9:30 a.m. – 3:00 p.m.

PLACE: Hurston Building, South Tower, 1st Floor, Conference Room B, 400 West Robinson Street, Orlando, FL 32801, (407)317-7172

DATES AND TIME: Wednesday, May 14, 2003; Wednesday, July 9, 2003; Wednesday, September 10, 2003; Wednesday, November 12, 2003, 9:30 a.m. – 3:00 p.m.

PLACE: Hurston Building, South Tower, 1st Floor, Conference Room A, 400 West Robinson Street, Orlando, FL 32801, (407)317-7172

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these meetings will be for the board to make recommendations to the department for agency action on variance requests, rule and policy development, and other technical review problems.

The person to be contacted regarding these meetings or agendas is: Mr. Robert S. Pryor, Environmental Engineering, Department of Health, Bureau of Water Programs, 4052 Bald Cypress Way, BIN #C22, Tallahassee, FL 32399-1742, (850)245-4444, Ext. 2369.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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

DATE AND TIME: Wednesday, January 8, 2003, 9:00 a.m.

PLACE: Hernando County School Board Building, 919 N. Broad St., Brooksville, 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 Local Advocacy Council**, Service Area 6 (Daytona Multi-Program) announces the following public meetings to which all persons are invited.

DATE AND TIME: January 23, 2003, 9:30 a.m.

PLACE: Volusia County Health Department, Conference Room 516 B, 1845 Holsonback Drive, Daytona Beach, Florida

A copy of the agenda for each meeting may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Suite 430, Daytona Beach, FL 32114-3284 (Attn: Lotta Mapp).

If you need special accommodations (i.e.assisted listening devices, sign language interpreter, etc.) please notify Lotta Mapp, (386)258-4437, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 12, Community Alliance CBC Workgroup announces the following public meeting to which all persons are invited.

DATE AND TIME: January 7, 2003, 2:00 p.m.

PLACE: Daytona Beach Regional Service Center, Conference Room 148, 210 N. Palmetto Avenue, Daytona Beach, Florida

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284 (Attn: Denise Kelly).

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Council on Homelessness** announces a meeting of its Housing Committee to which all persons are invited.

COMMITTEE: Housing Committee

DATES AND TIME: Tuesdays, January 14, 2003; February 11, 2003; March 11, 2003, 9:00 a.m. – 10:00 a.m.

PLACE: Call: (850)487-8540, Suncom 277-8540

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Strategic Plan to reduce the number of persons who may be facing homelessness in Florida.

A copy of the agenda may be obtained by contacting: Tom Pierce, State Office on Homelessness, Building 2, Room 103-A, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850, Tom_Pierce@dcf.state.fl.us.

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

The **Council on Homelessness** announces a meeting of its Housing Committee to which all persons are invited.

COMMITTEE: Housing Committee

DATES AND TIME: Thursdays, January 16, 2003; February 20, 2003; March 20, 2003, 2:00 p.m. – 3:00 p.m.

PLACE: Call: (850)487-8540, Suncom 277-8540

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Strategic Plan to reduce the number of persons who may be facing homelessness in Florida.

A copy of the agenda may be obtained by contacting: Tom Pierce, State Office on Homelessness, Building 2, Room 103-A, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850, Tom_Pierce@dcf.state.fl.us.

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

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a workshop and meeting of the Board of Directors to which all interested parties are invited.

DATE AND TIME: January 24, 2003, 9:00 a.m. – Until adjourned

Fiscal Committee

Guarantee Committee

Combined Cycle Committee

Multifamily Revenue Bond Committee

Board Meeting

PLACE: Wyndham Westshore, 4860 W. Kennedy Blvd., Tampa, FL 33609-2591, (813)286-4400

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider, review, and take action on matters brought to the Fiscal Committee and to consider recommendations made by the Fiscal Committee to the Board.
2. Consider, review, and take action on matters brought to the Guarantee Committee and to consider recommendations made by the Guarantee Program Committee to the Board.
3. Consider, review, and take action on matters brought to the Combined Cycle Committee and to consider recommendations made by the Combined Cycle Committee to the Board.
4. Consider, review, and take action on matters brought to the Multifamily Revenue Bond Committee and to consider recommendations made by the Multifamily Revenue Bond Committee to the Board.
5. Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds of pending multifamily issues, which have satisfied the requirements for funding.
6. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
7. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
8. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
9. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
10. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
11. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.

12. Consideration of all necessary actions with regard to the Multifamily Bond Program.
13. Consideration of approval of underwriters for inclusion on approved master list and teams.
14. Consideration of all necessary actions with regard to the HOME Rental Program.
15. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
16. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
17. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
18. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
19. Consideration of all necessary actions with regard to the Home Ownership Programs.
20. Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.
21. Consideration of Appeals from Combined Cycle ranking and grading with entry of final orders.
22. Consideration of workouts or modifications for existing projects funded by the Corporation.
23. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
24. Consideration of funding additional reserves for the Guarantee Fund.
25. Consideration of audit issues.
26. Evaluation of Professional and Consultant performance.
27. Such other matters as may be included on the Agenda for the January 24, 2003, Board Workshop and Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sheila Freaney, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** will host a public hearing to be held:

DATE AND TIME: Wednesday, January 15, 2003, 10:00 a.m.

PLACE: The Hamilton County Courthouse, Board Meeting Room 112, Jasper, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To present the results of the Management Advisory Group for the development of the Suwannee Ridge Mitigation Park Conceptual Management Plan. All members of the public are invited to attend. A management prospectus for the Suwannee Ridge Mitigation Park is available by calling (850)488-8856. For more information contact: Mike Allen, (850)488-8856.

NOTICE OF CORRECTION – In the December 20, 2002, issue of the Florida Administrative Weekly, the **Fish and Wildlife Conservation Commission** announced public workshops concerning the transport of nets across Florida waters. The notice contained an error. Two workshops concerning this topic were announced for Melbourne, Florida, on January 7, 2003, one from 2:00 p.m. – 4:00 p.m. and another from 6:00 p.m. – 8:00 p.m. The second workshop was noticed in error. The only workshop concerning transport of nets in Melbourne will take place from 2:00 p.m. – 4:00 p.m., at the place indicated in the original notice.

FLORIDA LEGISLATURE

The **Council for Education Policy, Research and Improvement** announces a public meeting.

DATE AND TIME: Friday, January 3, 2003, 1:30 p.m. – 4:30 p.m.

PLACE: Advanced Technology Center, Downtown Campus of Florida Community College at Jacksonville, Room 103, 401 West State Street, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of career and workforce development issues being considered by the Committee on Career Education and Development. The report may be assessed at the Council website: www.cepri.state.fl.us.

For further information contact: Council Office, (850)488-7894.

The **Council for Education Policy, Research and Improvement** announces a public meeting.

DATE AND TIME: Wednesday, January 8, 2003, 8:30 a.m. – 5:00 p.m.

PLACE: Florida State University, College of Medicine, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take action on recommendations related to the teaching profession for inclusion in the Master Plan as well as reports on

centers and institutions, and equity of funding per student among state universities. The Council will also discuss career and workforce development issues being considered by the Committee on Career Education and Development and other ongoing assignments. The reports may be assessed at the Council website: www.cepri.state.fl.us.

For further information contact: Council Office, (850)488-7894.

TRANSPORTATION AND EXPRESSWAY AUTHORITY MEMBERSHIP OF FLORIDA

The **Transportation and Expressway Authority Membership of Florida** (TEAMFL) announces a public meeting to which all persons are invited.

DATE AND TIME: January 9, 2003, 8:45 a.m.

PLACE: Wyndham Grand Bay Hotel, 2669 South Bayshore Drive, Miami, FL 33133

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Break-Out Sessions; Engineering, Public Information, Finance, and Toll Collections.
2. General Session will present the subject “Toll Facilities Providing Inter-Connectivity to Multimodal Systems” and “MIC and its Future Completion”. MDX will present its “Plans for the Inter-Connectivity to the MIC”.

Additional information by be obtained: Robert C. Hartnett, Executive Director, 2121 Camden Road, Suite B, Orlando, FL 32803, (407)896-0035, Fax (407)897-7012.

LEON COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Development Review Committee of the **Leon County Research and Development Authority** announces a public meeting to which all persons are invited.

DATES AND TIME: Every second Tuesday of each month, 8:30 a.m. through June 2003

PLACE: Innovation Park Administrative Centre, 1736 West Paul Dirac Drive, Tallahassee, Florida 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED: The development and operation of Innovation Park and related matters.

Any person who desires to appeal a decision of the Leon County Research and Development Authority will need a record of the proceedings of the Authority conducted at such meetings. Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance.

For information regarding the proposed agenda, interested persons may contact: Ms. Lewis, (850)575-0031.

The Board of Governors of the **Leon County Research and Development Authority** announces a public meeting to which all persons are invited.

DATES AND TIME: Every third Tuesday of each month, 8:30 a.m. through June 2003

PLACE: Innovation Park Administrative Centre, 1736 West Paul Dirac Drive, Tallahassee, Florida 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED: The development and operation of Innovation Park and related matters.

Any person who desires to appeal a decision of the Leon County Research and Development Authority will need a record of the proceedings of the Authority conducted at such meetings.

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

For information regarding the proposed agenda, interested persons may contact: Ms. Lewis, (850)575-0031.

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces a public meeting, where all interested parties are invited.

DATE AND TIME: Thursday, January 9, 2003, 11:30 a.m.

PLACE: City Hall City of Orlando, Second Floor, Conference Room R, 400 S. Orange Avenue, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Business Meeting.

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, (850)878-1874.

FLORIDA CONFLICT RESOLUTION CONSORTIUM

The **Florida Conflict Resolution Consortium** announces a meeting of its Advisory Council to which all interested parties are invited.

DATE AND TIME: Thursday, January 16, 2003, 9:00 a.m. – 3:00 p.m.

PLACE: Turnbull Conference Center, Florida State University, 555 West Pensacola Street, Tallahassee, Florida 32306

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be a strategic planning session.

CHARLOTTE HARBOR AQUATIC AND STATE BUFFER RESERVES

The **Subcommittee On Managed Marshes** announcement of Quarterly Field Trip and Business Meeting.

DATE AND TIME: Tuesday, January 21, 2003, 10:30 a.m., Field Trip

PLACE: Charlotte Harbor Aquatic and State Buffer Preserves Office, 12301 Burnt Store Rd., Punta Gorda, FL (see directions below). A field trip to nearby salt marshes of interest will be provided. Directions to the Buffer Preserve: The Buffer Preserve Office is south of Punta Gorda on Burnt Store Rd. Exit I-75 at the North Jones Loop exit and proceed west through two lights with U.S. 41 being the second light. Proceed straight and you will be on Burnt Store Rd. Go three miles, then on the right you will see brown road signs indicating the Buffer Preserve Office and where to turn. The Preserve is located in an old pasture. Don't turn at the Charlotte Harbor Environmental Center. If you are coming down U.S. 17, take I-75 to the south, then one exit to North Jones Loop Rd. Contact person is: Bob Reppenning, (941)575-5861.

DATE AND TIME: Wednesday, January 22, 2003, 8:30 a.m., Business Meeting

PLACE: Charlotte Harbor Aquatic and State Buffer Preserves Office, Punta Gorda, FL. Contact person is: Bob Reppenning, (941)575-5861

Contact: Doug Carlson, (772)562-2393, dcarlson1@hotmail.com, for any questions, and to include items on agenda.

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

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN THAT the Department of Insurance has received a petition for a declaratory statement from Millennium Diagnostic Imaging Center, Inc. The petition seeks the agency's opinion as to the applicability and interpretation of Section 627.736(5)(b)5., Florida Statutes, as it applies to the petitioner. Specifically, the petitioner requests an opinion of whether the Department has primary jurisdiction over disputes involving the application of Section 627.736(5)(b)5., Florida Statutes; and alternatively whether magnetic resonance imaging (MRI) services subject to reimbursement under Medicare Part B should be reimbursed under the participating, non-participating, or limiting charge fee schedule therein.

A copy of the petition may be obtained by contacting: Susan Dawson, Division of Legal Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4195.

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed November 26, 2002, by Mr. Alfonso Fernandez-Fraga. The Petition is seeking the Department's interpretation of NFPA 13, adopted by the Florida Fire Prevention Code. Petitioner specifically requests a declaratory statement on the following questions:

- A. Is it the intent of National Fire Protection Association Publication 13 to require fire sprinkler protection in residential condominium high-rise apartment buildings?
- B. If not, is there any other provision in National Fire Protection Association Publication 13 or anywhere else that would mandate the installation of fire sprinklers in residential condominium high-rise apartment buildings?

A copy of the petition for declaratory statement may be obtained in any of the following ways: Write to, call, or send a fax to Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in the event any question arises).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

NOTICE IS HEREBY GIVE THAT on December 16, 2002, the Department of Agriculture and Consumer Services received a Withdrawal of Petition for Declaratory Statement from Howard Hochman, the attorney for the Florida Pest Control and Chemical Company withdrawing the Petition for Declaratory Statement bearing certificate of service dated July 1, 2002, which was received by the Department of Agriculture and Consumer Services on September 26, 2002, and which sought the Department’s opinion as to whether toxic molds must be identified and reported on Form 1145, Wood Destroying Organism Inspection Report when there is visual evidence of toxic molds on or in the structure inspected and further, whether mold or fungi not known to cause physical destruction or breaking down of wood must be reported on Form 1145 when visually observable by the inspector.

A copy of the Withdrawal of Petition for Declaratory Statement may be obtained by writing: Mr. Harry Bosman, Agency Clerk, Department of Agriculture and Consumer Services, 407 South Calhoun Street, Room 509, Mayo Building, Tallahassee, Florida 32399.

NOTICE IS HEREBY GIVEN THAT the Department of Highway Safety and Motor Vehicles has received a petition for declaratory statement under Section 120.565, Florida Statutes, in regards to the Florida Fish and Wildlife Conservation Commission. The petition requests a statement as to the provision of Sections 328.03, 328.46(1) and 328.56, Florida Statutes (2002), as it relates to the Petitioner.

**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:

Rancy F. Snyder vs. Department of Transportation; Case No.: 02-4722RX; Rule No.: 14-90.0041(2)

Peace River Citrus Products, Inc., Fresh Juice of Florida, Inc. and Sun Orchard of Florida, Inc. vs. Department of Citrus; Case No.: 02-4607RP; Rule No.: 20-15

Elizabeth Green vs. Department of Corrections; Case No.: 02-4723RP; Rule No.: 33-210

Teresa A. Burns vs. Department of Corrections; Case No.: 02-4604RP; Rule Nos.: 33-210.101-.103

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

GBS Groves, Inc. and Citrus Growers Associates, Inc. vs. Department of Citrus; Case No.: 02-2936RP; Rule Nos.: 20-71.005-.006, 20-72.009; Dismissed

Carlos Levy, D.O. vs. Department of Health, Board of Osteopathic Medicine; Case No.: 02-2308RX; Rule No.: 64B15-14.008; Dismissed

Orange County vs. South Florida Water Management District; Case No.: 02-1622RU; Dismissed

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

NONE

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

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

A meeting to review and evaluate proposals received in response to the Request for Proposals (RFP) #2003-07, Implementation of the Florida College Entry-Level Placement Testing (FCELPT) Program, will be held 8:00 a.m. – 5:00 p.m. (ET), January 7-9 (10 if necessary), 2003, in Room 1721/25 of the Turlington Building.

To obtain additional information and request an agenda for this meeting, please contact: Dr. Judith Keck, by calling (850)488-8198.

NOTICE TO CONSTRUCTION MANAGERS

The University of Central Florida announces that construction management services will be required for the project listed below:

Project No. BR-000

Project and Location: UCF Alumni Center, University of Central Florida, Orlando, Florida 32816-3020.

Project Description: The pre-construction and construction of a new facility that contains approximately 19,161 gross square feet of office, administrative, conference, banquet, and library space.

The new building will serve as the primary facility for the University of Central Florida's Alumni Relations, and will be located on the main campus. The construction cost will be approximately \$3,700,000.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed, negotiated fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Documents. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBE's). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract. Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability;

quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed "Revised Construction Manager Qualifications Supplement" dated 02/02. Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Gina Seabrook, Office of Facilities Planning, University of Central Florida, 4000 Central Florida Boulevard, Post Office Box 163020, Orlando, FL 32816-3020, (407)823-2166, Fax (407)823-5141, email gseabroo@mail.ucf.edu.

The project fact sheet for the UCF Alumni Center may be found on the Facilities Planning home page. Our Internet address is: <http://www.fp.ucf.edu>.

Four (4) bound copies of the required proposal data shall be submitted to: Mr. Peter Newman, Facilities Planning, 4000 Central Florida Blvd., Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. (Local Time), January 28, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 South Belcher Road, Largo, Florida until 2:00 p.m. (Local Time), January 29, 2003, for the purpose of selecting a Contractor for supplying all labor, material, and ancillary services required for the construction of the following per the accompanying drawings and specifications:

Kindergarten Pod Renovation – Bid #03-968-592
 Lealman Avenue Elementary School
 4001 58th Avenue, North
 St. Petersburg, FL 33714

Provide labor and materials to demolish existing Mechanical, Electrical and Plumbing systems and install new Mechanical, Electrical and Plumbing systems, demolish interior walls, windows, doors, ceilings, finishes and fixtures and replace with new walls, windows, doors, ceilings finishes and fixtures per plans and specifications. This project requires bonding.

A Pre-Bid Conference will be held at the project site on January 8, 2003, 9:00 a.m. ATTENDANCE IS MANDATORY. Public opening of the Bids will occur in the Purchasing Conference Room at the above address and all interested parties are invited to be present.

Plans and specifications are available at the office of:
 Purchasing Department
 Walter Pownall Service Center
 11111 South Belcher Road
 Largo, FL 33773

HOLIDAY HOURS: All Schools and Administrative Offices are closed for the Winter Holidays from December 23, 2002 to January 3, 2003. Schools and Administrative Offices will re-open January 6, 2003.

Bonding and insurance are required for this project. The Owner reserves the right to reject all bids.

**BY ORDER OF THE SCHOOL BOARD OF
 PINELLAS COUNTY, FLORIDA**

J. HOWARD HINESLEY	LINDA S. LERNER
SUPERINTENDENT OF SCHOOLS	CHAIRMAN
AND EX-OFFICIO SECRETARY	MARK C.
TO THE SCHOOL BOARD	LINDEMANN
	DIRECTOR,
	PURCHASING

Invitation To Bid (ITB)
 For a Roofing Contractor

Sealed bids will be received by Duval County Public Schools, Division of Facilities Services, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened

and recorded in the Duval County Public Schools, School Board Building, 1701 Prudential Drive, 5th Floor, Room 513D, Jacksonville, Florida.

**BIDS ARE DUE ON OR BEFORE FEBRUARY 11, 2003
 AND WILL BE ACCEPTED UNTIL 2:00 P.M.**

PROJECT TITLE: District wide Roof Replacement Project (Stage II)

DCPS PROJECT NO.: M-88870

SCOPE OF WORK: Stage II of this project is to remove and replace all old built up roofing at Baldwin Middle/High School No. 38 and Sadie T. Tillis Elementary School No. 116 and replace shingles on Building No. 1 and old modified roofing on Building No. 3 at Thomas Jefferson Elementary School No. 48. The estimated construction cost \$712,500.

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on January 31, 2003, 10:30 a.m. (Local Time), at Sadie T. Tillis Elementary School No. 116, 6084 Morse Avenue, Jacksonville, Florida 32244. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed contractors and registered corporations as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$75.00 at the office of:

Akel, Logan & Shafer, P.A.
 704 Rosselle Street
 Jacksonville, Florida 32204

DCSB Point of Contact: Dale Hughes, (904)858-6300

Contract documents for bidding may be examined at:

F.W. Dodge McGraw Hill Plan Room	Construction Bulletin
Construction Market Data, Inc.	National Association of
	Minority Contractors

MBE Participation Goal: 10% overall

The Bid Award Recommendation will be posted on the First Floor, Bulletin Board, Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

WATER MANAGEMENT DISTRICTS

**REQUEST FOR BIDS – NO. 02/03-016WR
 WELL DRILLING OF APPROXIMATELY 17**

MONITOR WELLS, IN TROY SPRINGS STATE PARK
 The Suwannee River Water Management District (District) invites interested contractors to submit sealed bids to drill approximately 17 wells at Troy Springs State Park.

A copy of the RFB will be available on December 27, 2002, at www.srwmd.state.fl.us.

Responses to this request are due at the District office by 3:00 p.m., January 17, 2003.

Or, requests for the RFB document (RFB #02/03-016WR) should be directed to:

Suzanne Richardson, Administrative Assistant
Suwannee River Water Management District
9225 CR 49
Live Oak, FL 32060
(386)362-1001 or 1(800)226-1066 (Florida only)

If you have questions regarding the project, please direct them to: Warren Zwanka, (386)362-1001 or toll free (Florida only) 1(800)226-1066, Fax (386)362-1056.

**REQUEST FOR BIDS – NO. 02/03-017WR
WELL DRILLING OF APPROXIMATELY 9**

MONITOR WELLS, AT MADISON BLUE SPRINGS

The Suwannee River Water Management District (District) invites interested contractors to submit sealed bids to drill approximately nine (9) wells at Madison Blue Springs, located in Hamilton and Madison Counties.

A copy of the RFB will be available on December 27, 2002, at www.srwmd.state.fl.us.

Responses to this request are due at the District office by 3:00 p.m., January 17, 2003.

Or, requests for the RFB document (RFB 02/03-017 WR) should be directed to:

Suzanne Richardson, Administrative Assistant
Suwannee River Water Management District
9225 CR 49
Live Oak, FL 32060
(386)362-1001 or 1(800)226-1066 (Florida only)

If you have questions regarding the project, please direct them to Ron Ceryak, (386)362-1001 or toll free (Florida only) 1(800)226-1066, Fax (386)362-1056.

EXPRESSWAY AUTHORITIES

**NOTICE TO TOLL OPERATIONS AND MAINTENANCE
FIRMS – REQUEST FOR STATEMENT OF
QUALIFICATIONS (RSOQ)**

MDX PROJECT NO. 00025 (the “Project”)

The Miami-Dade Expressway Authority (MDX) is seeking the services of a qualified Toll Operations and Maintenance Management Consultant (the “Firm”) to provide MDX with operations and maintenance services associated with the collection of tolls, the management of toll facilities, issuance of violation citations and receipt of violation payments, and the generation and closure of maintenance work orders for the MDX Toll System (“MTS”) (the “Project Services”). The Project Services include the staffing of all positions, reporting

of all activities, management of the Project Services, and establishing performance criteria to measure the quality of staff and overall quality of the MTS program.

FEDERAL AND STATE DEBARMENT: By signing and submitting a Statement of Qualifications (SOQ), the Firm certifies that no principal (which includes shareholders, partners, officers, directors, or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal, state or local department or agency.

SYSTEM: The Miami-Dade Expressway System is comprised of State Road (SR) 112, SR 836, SR 874, SR 878 and SR 924 (“MDX System”). The MDX System consists of a total of 31.2 centerline miles of a limited access roadway system. The MTS is comprised of the tolling facilities located on the MDX System. The current system comprises four (4) mainline toll plazas and one ramp plaza with a total of 47 toll lanes.

DESCRIPTION OF WORK: MDX anticipates that it will retain a single Firm to serve as the Toll Operations and Maintenance Consultant. The Project Services to be provided will require the Firm to provide qualified staff with experience in toll operations and collections, violation processing center operations, human resources, security, and toll facility maintenance services. To evaluate each interested Firm’s ability to provide the desired services, Firms are requested to submit a response to this Request for Statement of Qualifications (RSOQ) setting forth their qualifications for the anticipated work.

The selected Firm will be responsible for the oversight and quality assurance of all toll operations, and facility maintenance-related activities for the MTS, as well as contract administration functions relating to the Project Services, as required by MDX. The contract is anticipated to be for an initial term of five (5) years, with optional renewals that can potentially total five (5) additional years. Interested Firms are hereby notified that they can obtain a more detailed description of the Project Services by accessing the MDX’s website at www.mdx-way.com or contacting Ms. Helen M. Cordero, MDX Procurement Officer as detailed below.

It is MDX’s intent to award the Project and MDX Project No. 00026 (Toll Hardware Maintenance Services) to separate Firms. However, MDX reserves the right to consider hiring one Firm to perform the services for both projects.

SELECTION PROCEDURE: At least three firms will be shortlisted using the Evaluation Criteria shown. The shortlisted Firms will be requested to provide written Technical Proposals and submit a Price Proposal based on the information and criteria requirements contained in the Request for Proposals (“RFP”) to be issued by MDX. Oral interviews with the shortlisted Firms may be required. **FIRMS THAT DO NOT PROVIDE THE REQUIRED INFORMATION AND/OR**

DOCUMENTATION TO ADDRESS THE PREREQUISITE CRITERIA DESCRIBED BELOW SHALL NOT BE ELIGIBLE FOR SHORTLISTING.

After reviewing the documentation submitted, evaluating the SOQs using the Evaluation Criteria shown herein, and ranking the Firms, MDX will notify all Firms in writing if they have been shortlisted, and will distribute one (1) copy of the RFP package to each shortlisted Firm.

RESPONSE PROCEDURE: Qualified firms are encouraged to submit a SOQ package to MDX. One (1) original (unbound) SOQ, and fourteen (14) copies (fifteen (15) in total), on 8 1/2" x 11" paper, **MUST** be received by the Miami-Dade Expressway Authority, 3790 N. W. 21 Street, Miami, Florida 33142, Attn: Ms. Helen M. Cordero, MDX Procurement Officer, by, January 27, 2003, by 12:00 Noon, Eastern Time (the "Deadline Date and Time"). SOQs submitted past the Deadline Date and Time will be deemed non-responsive.

The deadline to submit questions in reference to this Request for Statements of Qualifications (RSOQ) is January 17, 2003 by 5:00 p.m. Questions should be submitted in compliance with the Communication Provision below. The responses to questions received will be posted on MDX's website www.mdx-way.com as an extension of this advertisement, or may be obtained by contacting MDX's Procurement Officer pursuant to the Communication Provision below. It is the Firm's responsibility to check the website or with MDX's Procurement Officer for these responses.

RESPONSIVENESS OF SOQS AND CONDITIONS CAUSING DISQUALIFICATIONS OF FIRMS: A responsive SOQ is one that conforms, in all material respects, to the requirements and instructions of the RSOQ.

SOQs will be rejected if found to be irregular, conditional or not in conformance with the requirements and instructions contained herein.

An SOQ will be found to be irregular or non-responsive for reasons including, but not limited to, violation of the Cone of Silence (as defined below), failure to strictly comply with and satisfactorily address the Prerequisite Criteria, failure to submit the information needed to evaluate the SOQ based on the Evaluation Criteria, incomplete SOQs, failure to provide or complete required forms, improper signatures, submittal of more than one SOQ by the same Firm, evidence of collusion among Firms or evidence that a Firm has a financial interest in another Firm submitting an SOQ for this engagement.

SOQs will be rejected if more than one SOQ is received from an individual, firm, partnership, or corporation, or combination thereof (furnished as the prime proposer), under the same or different names. Such duplicate interest will cause the rejection of all SOQs in which such Firm has participated. A Firm or any of the entities comprising the Firm shall not appear as a Proposer in any other SOQ for the Projects.

MDX, at its sole and absolute discretion, reserves the right to reject any and all SOQs or part of any and all SOQs, re-advertise the RSOQ, postpone or cancel, at any time, this procurement process for the Project, waive irregularities in the SOQs or to withdraw the RSOQ, if it is in the best interest of MDX. All expenses involved with the preparation and submission of an SOQ to MDX, or any work performed in connection therewith, shall be solely the Firm's responsibility.

SUBMITTAL OF STATEMENT OF QUALIFICATIONS: The SOQ shall be in writing submitted on the letterhead of the Firm. The SOQ must not exceed twenty (20) pages. Resumes, MDX forms, and certificates/licenses (appendixes A & B) as well as the cover letter, table of contents, front and back cover and section dividers are not included in the 20-page limit. The SOQ must be submitted on 8 1/2" x 11" size paper, except for charts and exhibits may be of a larger size, but must be folded to 8 1/2" x 11" size. All information must be assembled and indexed in the order indicated herein. Minimum type or font size on graphics and charts shall be 10 point and 12 point on text. The SOQ **MUST** include at a minimum, the documentation and/or information required in the Prerequisite Criteria and Evaluation Criteria.

PREREQUISITE CRITERIA: SOQs will not be considered from Firms that do not satisfy, at a minimum, the following Prerequisite Criteria. All requested documentation and/or information must be provided in the SOQ to confirm that the Firm has satisfied all Prerequisite Criteria.

1. The Firm shall have a minimum of five (5) years specific experience in providing the Project Services and shall be able to demonstrate so by providing contact information of references as well as a general description of the role of the Firm and the services provided for each reference.
2. As required by Section 287.133, Florida Statute, a Firm may not submit an SOQ for the Project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. Each Firm must submit a statement verifying that it is not on the convicted vendor list.
3. The Firm must have a full service operational office located in Miami-Dade County at the time of Notice to Proceed. Information must also be provided as to the location of the Firm's office(s). If a Firm has offices outside Miami-Dade County, the Firm shall make an affirmative statement confirming that, if selected, it will establish such an office in Miami-Dade County
4. A certificate of Good Standing evidencing that the Proposer is qualified to do business in the State of Florida shall be provided by the Firm Documentation provided to comply with this criterion must be current.
5. An executed Commitment Letter (a copy of this form may be obtained from MDX's website) shall be provided by the Firm stating that the Firm shall satisfy the 10% Small Business Participation Goal for the Project, in compliance with MDX's Small Business Participation Policy (a copy of

this Policy may be obtained from MDX’s website). Further documentation addressing this requirement shall be required of the shortlisted Firms, pursuant to requirements in the RFP.

6. An executed Vendor’s Certificate (a copy of this form may be obtained from MDX’s website.)

EVALUATION CRITERIA: The SOQ will be reviewed, evaluated and ranked by the MDX Technical Evaluation Committee using the following Evaluation Criteria:

- I. Qualifications and experience of the Firm as it relates to the Project Services (see subcriteria listed below). Depth and breadth of the Firm’s experience as a whole in the performance of similar engagements. (60%). This criterion shall be evaluated based upon the following subcriteria and associated percentages:
 - A. Toll Collection Operations (15%)
 - B. Violation Processing Center Operations (10%)
 - C. General Maintenance Services (15%)
 - D. Security Services (5%)
 - E. Project References (15%)
- II. Proposed key personnel of the Firm, their qualifications, their roles (including resumes) and the Firm’s organizational structure. (30%.) This criterion shall be evaluated based upon the following subcriteria and associated percentages:
 - A. Program Manager (10%)
 - B. Key Personnel (10%)
 - C. Organizational Structure (10%)
- III. An estimate of the Firm’s current workload and available resources. The Firm should specifically address this criterion with respect to the proposed key personnel for this engagement. (10%).

REQUIRED INFORMATION AND FORMAT OF SOQ

1. Cover Letter – Provide a transmittal cover letter that provides the project name and number, and a brief summary and overview of the qualifications of the Firm. The letter should identify the name, address, phone number, fax number, and Internet email address of the Firm and the name of the Program Manager (one contact person per Firm). An individual authorized to sign on behalf of the Firm in an agreement with MDX shall sign the letter.
2. Table of Contents
3. Response to Evaluation Criteria I. As part of the Firm’s response, it shall provide a listing of relevant management type projects of the Firm or sub consultants, currently ongoing or completed within the last five (5) years. The project listing should include the following:
 - Project name and location;
 - Description of the work performed on the project by any or all of the Firm’s identified team members identified below;
 - Firm’s actions leading directly to cost savings or

- efficiency in operations or maintenance; and
 - Name, address, and phone number of the reference client contact (may be used for reference purposes)
4. Response to Evaluation Criteria II. As part of the Firm’s response, it shall provide: (1) a brief history of the Firm, including all known subconsultants. The Firm’s history should include a record of the establishment of the local office and the services disciplines of the Firm offered by the local office. If personnel from an office outside the Miami-Dade County area are expected to be assigned to the Project, a statement of such intent should be made; (2) the qualifications and experience of the designated Program Manager, including a description of the Project Manager’s role in previous projects of similar nature. The intent is to allow the potential provider to elaborate on the unique qualifications of the Program Manager, and not restate the information provided in the resume; (3) a graphic organizational chart that identifies the key personnel that would be assigned to the Project and their area of expertise. The chart should clearly indicate the firm that each individual is employed by, the location of the office that individual normally reports to, years of experience and the lines of responsibility; and (4) the current workload of the key personnel, including a commitment to the percentage of their availability for the Project duration.
 5. Appendix A
Resumes for each individual team member shall be included as Appendix A at the back of the Statement of Qualifications. Please note that resumes shall be limited to one page per individual.
 6. Appendix B
Documentation required to comply with the Prerequisite Criteria shall be included as Appendix B.
- COMMUNICATION: Communications between any respondent and any MDX Board member, MDX consultants and/or staff is strictly prohibited from the date of publication of the RSOQ through the date of final MDX action with respect to the selection of the successful Firm for this engagement (this communication prohibition is also referred to herein as the Cone of Silence). The only exceptions to this are: 1) communications at a pre-proposal conference; 2) communications at an oral interview, or a publicly noticed meeting of MDX and/or its Operations Committee; 3) written communications regarding questions about the RSOQ. Such written communication should be directed to Ms. Helen M. Cordero, MDX Procurement Officer, via e-mail at hcordero@mdx-way.com or facsimile at (305)637-3283; or 4) communications by Firms that were not shortlisted to submit a Technical Proposal. This exception will only apply 72 hours after approval of the shortlist by the Operations Committee, assuming no protest

is filed. Any violation of the requirements set forth in this paragraph shall constitute grounds for immediate and permanent disqualification of the offending respondent.

PROTEST RIGHTS:

1. To be considered, a protest must be in writing and filed with the Secretary of the MDXX Board within seventy-two (72) hours, excluding Saturdays, Sundays and legal holidays observed by MDX, after receipt of the Final Shortlist if the protest is directed towards any part of the procurement that has occurred as of the time of that decision.

It is intended that this provision be utilized to address any issues concerning the manner or process by which Firms are identified as qualified to receive the Request for Proposal for the Project. Should issues arise after the time period for filing a protest has passed pursuant to this provision, which issues are determined by MDX to be covered by this provision, the protesting party shall be deemed to have waived any right to protest same.

2. A protest bond in the amount of \$20,000.00 will be required for any protest.
3. After the MDX Operations Committee renders its decision regarding the firms to be shortlisted, a copy of the final shortlist of firms invited to submit proposals in response to the Request for Proposals ("Final Shortlist") shall be sent to all firms who submitted a Statement of Qualifications for the Project by MDX's Chief Purchasing Officer or his designee.
4. Within five (5) calendar days from the date of filing of the protest, the protesting party shall provide MDX with the grounds for its protest.
5. Upon receipt of a timely filed written protest, MDX and the protesting party shall attempt to resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest.
6. If the protest is not resolved by mutual agreement within ten (10) business days from the date of filing, MDX and the protesting party shall select a mutually agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual agreement. All costs of mediation shall be borne by the protesting party, unless otherwise agreed upon by MDX. No court proceedings regarding any protest may be filed until the parties have first participated in mediation.
7. In the event mediation is unsuccessful, the party filing a protest pursuant to this provision shall file and serve the requisite legal action within fifteen (15) calendar days of the date of mediation.
8. In the event that a party serving a protest in accordance with this provision fails to: (1) resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest; (2) work with MDX to select an agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual

agreement; or (3) file and serve the requisite legal proceeding within fifteen (15) calendar days after the termination of an unsuccessful mediation, the protest shall be deemed withdrawn and have no further force and effect. Any waiver of this provision must be in writing and signed by MDX's Executive Director.

9. Failure to file a protest in accordance with the requirements set forth herein with respect to any decisions made prior to the issuance of the Final Shortlist in accordance with this provision shall constitute a waiver of any right to initiate any protest proceedings regarding those decisions.

EQUAL EMPLOYMENT OPPORTUNITIES AND SMALL BUSINESS ENTERPRISES PROGRAM: MDX, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §200c et seq., the Florida Civil Rights Act of 1992, as amended, §760.10 et. seq., Fla. Stat. (1996) and other federal and state discrimination statutes, prohibits discrimination on the basis of race, color, sex, age, national origin, religion, and disability or handicap. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women as employees in the work force.

MDX strongly encourages small, minority and women-owned business to have full opportunity to submit bids and proposals in response to solicitation documents issued by MDX, and commits that bidders and proposers will not be discriminated against on the basis of sex, race, color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain an M/WBE participation of twenty-five percent (25%) for the aggregate of its projects. However, compliance with MDX's overall goal is not a pre-requisite for bidders or proposers on MDX projects. Please be advised that MDX has adopted a Small Business Enterprise Policy, and a 10% Small Business Goal shall be required for the Project (see Prerequisite Criteria above.)

MDX RESERVES THE RIGHT TO REJECT ANY OR ALL STATEMENTS OF QUALIFICATIONS RECEIVED.

**NOTICE TO HARDWARE MAINTENANCE FIRMS
REQUEST FOR STATEMENT OF QUALIFICATIONS
(RSOQ) – MDX PROJECT NO. 00026 (the "Project")**

The Miami-Dade Expressway Authority (MDX) is seeking the services of a qualified firm (the "Firm") to provide all hardware maintenance activities associated with the toll systems hardware on the MDX Toll System ("MTS"). These activities include, but are not limited to, all labor, materials, test equipment (exclusive of the bench test simulator components), tools, transportation, vehicles, staff and other support services as deemed necessary to provide maintenance services on the MTS (the "Project Services"). This effort includes the staffing of all positions, reporting of all activities,

management of the Project Services, and establishing performance criteria to measure the quality of staff and overall quality of the program.

FEDERAL AND STATE DEBARMENT: By signing and submitting a Statement of Qualifications (SOQ), the Firm certifies that no principal (which includes shareholders, partners, officers, directors, or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal, state or local department or agency.

SYSTEM: The Miami-Dade Expressway System is comprised of State Road (SR) 112, SR 836, SR 874, SR 878 and SR 924 ("MDX System"). The MDX System consists of a total of 31.2 centerline miles of a limited access roadway system. The MTS is comprised of the tolling facilities located on the MDX System. The current system comprises four (4) mainline toll plazas and one ramp plaza with a total of 47 toll lanes.

DESCRIPTION OF WORK: MDX anticipates that it will retain a single Firm to serve as the Hardware Maintenance Consultant. The Project Services to be provided will require the Firm to provide qualified staff with experience in hardware maintenance services for the MTS. To evaluate each interested Firm's ability to provide the desired services, Firms are requested to submit a response to this Request for Statement of Qualifications (RSOQ) setting forth their qualifications for the anticipated work.

The selected Firm will be responsible for the oversight and quality assurance of all hardware maintenance related activities for the MTS, as well as contract administration functions relating to the Project Services, as required by MDX. The contract is anticipated to be for an initial term of five (5) years, with optional renewals that can potentially total five (5) additional years. Interested Firms are hereby notified that they can obtain a more detailed description of the Project Services by accessing the MDX's website at www.mdx-way.com or contacting Ms. Helen M. Cordero, MDX Procurement Officer as detailed below.

It is MDX's intent to award the Project and MDX Project No. 00025 (Toll Operations and Maintenance Services) to separate Firms. However, MDX reserves the right to consider hiring one Firm to perform the services for both projects.

SELECTION PROCEDURE: At least three firms will be shortlisted using the Evaluation Criteria shown. The shortlisted Firms will be requested to provide written Technical Proposals and submit a Price Proposal based on the information and criteria requirements contained in the Request for Proposals ("RFP") to be issued by MDX. Oral interviews with the shortlisted Firms may be required. **FIRMS THAT DO NOT PROVIDE THE REQUIRED INFORMATION AND/OR DOCUMENTATION TO ADDRESS THE PREREQUISITE CRITERIA DESCRIBED BELOW SHALL NOT BE ELIGIBLE FOR SHORTLISTING.**

After reviewing the documentation submitted, evaluating the SOQs using the Evaluation Criteria shown herein, and ranking the Firms, MDX will notify all Firms in writing if they have been shortlisted, and will distribute one (1) copy of the RFP package to each shortlisted Firm.

RESPONSE PROCEDURE: Qualified firms are encouraged to submit a SOQ package to MDX. One (1) original (unbound) SOQ, and fourteen (14) copies (fifteen (15) in total), on 8 1/2" x 11" paper, **MUST** be received by the Miami-Dade Expressway Authority, 3790 N. W. 21 Street, Miami, Florida 33142, Attn: Ms. Helen M. Cordero, MDX Procurement Officer, by January 27, 2003, by 12:00 Noon, Eastern Time (the "Deadline Date and Time"). SOQs submitted past the Deadline Date and Time will be deemed non-responsive.

The deadline to submit questions in reference to this Request for Statements of Qualifications (RSOQ) is January 17, 2003, by 5:00 p.m. Questions should be submitted in compliance with the Communication Provision below. The responses to questions received will be posted on MDX's website www.mdx-way.com as an extension of this advertisement, or may be obtained by contacting MDX's Procurement Officer pursuant to the Communication Provision below. It is the Firm's responsibility to check the website or with MDX's Procurement Officer for these responses.

RESPONSIVENESS OF SOQS AND CONDITIONS CAUSING DISQUALIFICATIONS OF FIRMS: A responsive SOQ is one that conforms, in all material respects, to the requirements and instructions of the RSOQ.

SOQs will be rejected if found to be irregular, conditional or not in conformance with the requirements and instructions contained herein.

An SOQ will be found to be irregular or non-responsive for reasons including, but not limited to, violation of the Cone of Silence (as defined below), failure to strictly comply with and satisfactorily address the Prerequisite Criteria, failure to submit the information needed to evaluate the SOQ based on the Evaluation Criteria, incomplete SOQs, failure to provide or complete required forms, improper signatures, submittal of more than one SOQ by the same Firm, evidence of collusion among Firms or evidence that a Firm has a financial interest in another Firm submitting an SOQ for this engagement.

SOQs will be rejected if more than one SOQ is received from an individual, firm, partnership, or corporation, or combination thereof (furnished as the prime proposer), under the same or different names. Such duplicate interest will cause the rejection of all SOQs in which such Firm has participated. A Firm or any of the entities comprising the Firm shall not appear as a Proposer in any other SOQ for the Projects.

MDX, at its sole and absolute discretion, reserves the right to reject any and all SOQs or part of any and all SOQs, re-advertise the RSOQ, postpone or cancel, at any time, this procurement process for the Project, waive irregularities in the SOQs or to withdraw the RSOQ, if it is in the best interest of

MDX. All expenses involved with the preparation and submission of an SOQ to MDX, or any work performed in connection therewith, shall be solely the Firm's responsibility.

SUBMITTAL OF STATEMENT OF QUALIFICATIONS: The SOQ shall be in writing submitted on the letterhead of the Firm. The SOQ must not exceed twenty (20) pages. Resumes, MDX forms, and certificates/licenses (appendixes A & B) as well as the cover letter, table of contents, front and back cover and section dividers are not included in the 20-page limit. The SOQ must be submitted on 8 1/2" x 11" size paper, except for charts and exhibits may be of a larger size, but must be folded to 8 1/2" x 11" size. All information must be assembled and indexed in the order indicated herein. Minimum type or font size on graphics and charts shall be 10 point and 12 point on text. The SOQ MUST include at a minimum, the documentation and/or information required in the Prerequisite Criteria and Evaluation Criteria.

PREREQUISITE CRITERIA: SOQs will not be considered from Firms that do not satisfy, at a minimum, the following Prerequisite Criteria. All requested documentation and/or information must be provided in the SOQ to confirm that the Firm has satisfied all Prerequisite Criteria.

1. The Firm shall have a minimum of five (5) years specific experience in providing the Project Services and shall be able to demonstrate so by providing contact information of references as well as a general description of the role of the Firm and the services provided for each reference.
2. As required by Section 287.133, Florida Statute, a Firm may not submit an SOQ for the Project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. Each Firm must submit a statement verifying that it is not on the convicted vendor list.
3. The Firm must have a full service operational office located in Miami-Dade County at the time of Notice to Proceed. Information must also be provided as to the location of the Firm's office(s). If a Firm has offices outside Miami-Dade County, the Firm shall make an affirmative statement confirming that, if selected, it will establish such an office in Miami-Dade County
4. A certificate of Good Standing evidencing that the Proposer is qualified to do business in the State of Florida shall be provided by the Firm Documentation provided to comply with this criterion must be current.
5. An executed Commitment Letter (a copy of this form may be obtained from MDX's website) shall be provided by the Firm stating that the Firm shall satisfy the 10% Small Business Participation Goal for the Project, in compliance with MDX's Small Business Participation Policy (a copy of this Policy may be obtained from MDX's website). Further documentation addressing this requirement shall be required of the shortlisted Firms, pursuant to requirements in the RFP.

6. An executed Vendor's Certificate (a copy of this form may be obtained from MDX's website.)

EVALUATION CRITERIA: The SOQ will be reviewed, evaluated and ranked by the MDX Technical Evaluation Committee using the following Evaluation Criteria:

- Qualifications and experience of the Firm as it relates to the required services. Depth and breadth of the Firm's experience as a whole in the performance of similar engagements. 60%
 - A. Toll Collection Systems (20%)
 - B. Violation Processing Center Systems (20%)
 - C. Network/Communication Systems (10%)
 - D. Security Systems (10%)
- Proposed key personnel of the Firm, their qualifications and their roles (including resumes). 30%
- An estimate of the Firm's current workload and available resources. The Firm should specifically address this criterion with respect to the proposed key personnel for this engagement. 10%

REQUIRED INFORMATION AND FORMAT OF SOQ

1. Cover Letter – Provide a transmittal cover letter that provides the project name and number, and a brief summary and overview of the qualifications of the Firm. The letter should identify the name, address, phone number, fax number, and Internet email address of the Firm and the name of the Program Manager (one contact person per Firm). An individual authorized to sign on behalf of the Firm in an agreement with MDX shall sign the letter.
2. Table of Contents
3. Response to Evaluation Criteria I. As part of the Firm's response, it shall provide a listing of relevant management type projects of the Firm or sub consultants, currently ongoing or completed within the last five (5) years. The project listing should include the following:
 - Project name and location;
 - Description of the work performed on the project by any or all of the Firm's identified team members identified below;
 - Firm's actions leading directly to cost savings or efficiency in operations or maintenance; and
 - Name, address, and phone number of the reference client contact (may be used for reference purposes)
4. Response to Evaluation Criteria II. As part of the Firm's response, it shall provide: (1) a brief history of the Firm, including all known subconsultants. The Firm's history should include a record of the establishment of the local office and the services disciplines of the Firm offered by the local office. If personnel from an office outside the Miami-Dade County area are expected to be assigned to the Project, a statement of such intent should be made; (2) the qualifications and experience of the designated Program Manager, including a description of the Project Manager's role in previous projects of similar nature. The intent is to

allow the potential provider to elaborate on the unique qualifications of the Program Manager, and not restate the information provided in the resume; (3) a graphic organizational chart that identifies the key personnel that would be assigned to the Project and their area of expertise. The chart should clearly indicate the firm that each individual is employed by, the location of the office that individual normally reports to, years of experience and the lines of responsibility; and (4) the current workload of the key personnel, including a commitment to the percentage of their availability for the Project duration.

5. Appendix A

Resumes for each individual team member shall be included as Appendix A at the back of the Statement of Qualifications. Please note that resumes shall be limited to one page per individual.

6. Appendix B

Documentation required to comply with the Prerequisite Criteria shall be included as Appendix B.

COMMUNICATION: Communications between any respondent and any MDX Board member, MDX consultants and/or staff is strictly prohibited from the date of publication of the RSOQ through the date of final MDX action with respect to the selection of the successful Firm for this engagement (this communication prohibition is also referred to herein as the Cone of Silence). The only exceptions to this are: 1) communications at a pre-proposal conference; 2) communications at an oral interview, or a publicly noticed meeting of MDX and/or its Operations Committee; 3) written communications regarding questions about the RSOQ. Such written communication should be directed to Ms. Helen M. Cordero, MDX Procurement Officer, via e-mail hcordero@mdx-way.com or facsimile, (305)637-3283; or 4) communications by Firms that were not shortlisted to submit a Technical Proposal. This exception will only apply 72 hours after approval of the shortlist by the Operations Committee, assuming no protest is filed. Any violation of the requirements set forth in this paragraph shall constitute grounds for immediate and permanent disqualification of the offending respondent.

PROTEST RIGHTS:

1. To be considered, a protest must be in writing and filed with the Secretary of the MDXX Board within seventy-two (72) hours, excluding Saturdays, Sundays and legal holidays observed by MDX, after receipt of the Final Shortlist if the protest is directed towards any part of the procurement that has occurred as of the time of that decision.

It is intended that this provision be utilized to address any issues concerning the manner or process by which Firms are identified as qualified to receive the Request for Proposal for the Project. Should issues arise after the time period for filing a protest has passed pursuant to this provision, which

issues are determined by MDX to be covered by this provision, the protesting party shall be deemed to have waived any right to protest same.

2. A protest bond in the amount of \$20,000.00 will be required for any protest.
3. After the MDX Operations Committee renders its decision regarding the firms to be shortlisted, a copy of the final shortlist of firms invited to submit proposals in response to the Request for Proposals ("Final Shortlist") shall be sent to all firms who submitted a Statement of Qualifications for the Project by MDX's Chief Purchasing Officer or his designee.
4. Within five (5) calendar days from the date of filing of the protest, the protesting party shall provide MDX with the grounds for its protest.
5. Upon receipt of a timely filed written protest, MDX and the protesting party shall attempt to resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest.
6. If the protest is not resolved by mutual agreement within ten (10) business days from the date of filing, MDX and the protesting party shall select a mutually agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual agreement. All costs of mediation shall be borne by the protesting party, unless otherwise agreed upon by MDX. No court proceedings regarding any protest may be filed until the parties have first participated in mediation.
7. In the event mediation is unsuccessful, the party filing a protest pursuant to this provision shall file and serve the requisite legal action within fifteen (15) calendar days of the date of mediation.
8. In the event that a party serving a protest in accordance with this provision fails to: (1) resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest; (2) work with MDX to select an agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual agreement; or (3) file and serve the requisite legal proceeding within fifteen (15) calendar days after the termination of an unsuccessful mediation, the protest shall be deemed withdrawn and have no further force and effect. Any waiver of this provision must be in writing and signed by MDX's Executive Director.
9. Failure to file a protest in accordance with the requirements set forth herein with respect to any decisions made prior to the issuance of the Final Shortlist in accordance with this provision shall constitute a waiver of any right to initiate any protest proceedings regarding those decisions.

EQUAL EMPLOYMENT OPPORTUNITIES AND SMALL BUSINESS ENTERPRISES PROGRAM: MDX, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §200c et seq., the Florida

Civil Rights Act of 1992, as amended, §760.10 et. seq., Fla. Stat. (1996) and other federal and state discrimination statutes, prohibits discrimination on the basis of race, color, sex, age, national origin, religion, and disability or handicap. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women as employees in the work force.

MDX strongly encourages small, minority and women-owned business to have full opportunity to submit bids and proposals in response to solicitation documents issued by MDX, and commits that bidders and proposers will not be discriminated against on the basis of sex, race, color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain an M/WBE participation of twenty-five percent (25%) for the aggregate of its projects. However, compliance with MDX's overall goal is not a pre-requisite for bidders or proposers on MDX projects. Please be advised that MDX has adopted a Small Business Enterprise Policy, and a 10% Small Business Goal shall be required for the Project (see Prerequisite Criteria above.)

MDX RESERVES THE RIGHT TO REJECT ANY OR ALL STATEMENTS OF QUALIFICATIONS RECEIVED.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE REGARDING ELECTRONIC POSTING

Pursuant to Section 287.042(3)(b)2., Florida Statutes, the Department of Management Services hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Florida Coastal Management Program, announces the results of the Subgrant Evaluation Committee that met on November 7, 2002. All Coastal Partnership Initiative proposals were ranked and scored by the committee for consideration of coastal management funds in FY 2003-2004.

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

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION TO BID

Proposals are requested from qualified roofing contractors by the Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 02240220
 PROJECT: REROOFING OF THE PARKVIEW AND ADAMS COTTAGES
 SUNLAND TRAINING CENTER,
 MARIANNA
 MARIANNA, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those firms which demonstrate current relevant licensure with the Florida Department of Business and Professional Registration by submittal of a copy of that license or certificate with their bid.

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: If the construction award is \$100,000.00 or more, a Performance Bond and Labor and Material Payment Bond are required.

BID DATE AND TIME: Sealed bids will be received on January 16, 2003, until 2:00 p.m. (Local Time), at which time they will be publicly opened and read aloud.

PLACE: MANAUSA LEWIS & DODSON, ARCHITECTS
 211 JOHN KNOX ROAD
 TALLAHASSEE, FLORIDA 32303

MANDATORY PRE-BID INSPECTION: We will conduct a mandatory prebid inspection with the architect at the project site on Tuesday, January 7, 2003, 10:00 a.m. (Local Time), for all interested contractors.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be examined and obtained from the Architect/Engineer:

MANAUSA LEWIS AND DODSON, ARCHITECTS
 211 JOHN KNOX ROAD
 TALLAHASSEE, FLORIDA 32303
 TELEPHONE: (850)385-9200

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted at 4:00 p.m., local time, on January 16, 2003, at the location where the bids were opened. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be otherwise notified. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "notice

and Protest Procedures:, the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5, F.A.C., by the Owner.

FLORIDA SHERIFF’S ASSOCIATION

Invitation to Bid

The Florida Sheriff’s Association (FSA) and the Florida Association of Counties (FAC) invites interested bidders to submit bids in accordance with these solicitation documents. The purpose of this solicitation is to establish a contract for the purchase of tires. The technical specifications describe the product in more detail. The contract term is to begin on March 1, 2003, and to end December 31, 2004.

As more specifically stated in the Instructions to Bidders, the following anticipated time line applies to this solicitation:

- BID NUMBER: 03/4-01-0205
- BID TITLE: Tires And Related Services
- ADVERTISEMENT DATES: December 27, 2002 and January 3, 2003
- PRE-BID CONFERENCE: January 7, 2003, 10:00 a.m.
- PRE-BID CONFERENCE TO BE HELD AT:
Hillsborough County Sheriff’s Office
Fleet Facilities
2210 North Falkenburg Road
Tampa, FL 32619-0965
(813)247-0031
- Bid Opening Date: February 5, 2003, 10:30 a.m.
- Bid Opening To Be Held At: Florida Sheriffs Association
Cooperative Bid Coordinator’s Office
2617 Mahan Drive (32308)
P. O. Box 12519
Tallahassee, FL 32317-2519

BIDS MUST BE CONTAINED IN A SEALED ENVELOPE ADDRESSED TO THE FLORIDA SHERIFFS ASSOCIATION. INDICATE ON THE OUTSIDE OF THE ENVELOPE THE BID NUMBER, TITLE, OPENING DATE AND TIME. ALL BIDS MUST BE RECEIVED ON OR BEFORE THE DATE AND TIME NOTED ABOVE.

ALL QUESTIONS PERTAINING TO THIS BID, SHOULD BE DIRECTED TO: LYNN MEEK, FLORIDA SHERIFFS ASSOCIATION, (850)877-2165.

SARASOTA COUNTY PUBLIC HOSPITAL

ANNOUNCEMENT OF REQUEST
FOR STATEMENTS OF QUALIFICATIONS FOR
ARCHITECTURAL AND ENGINEERING
PROFESSIONAL SERVICES
FOR CONTINUING SERVICES CONTRACTS

The Sarasota County Public Hospital Board is accepting statements of qualifications from architectural and engineering consulting firms under the provisions of the Consultants’ Competitive Negotiation Act, Section 287.055, Florida Statutes. From time to time, the hospital will negotiate with and hire a pre-qualified architect and/or engineer for the purpose of construction design services. The scope of work may include programming, schematic design, design development, construction documents, and construction administration for architectural, interior design, mechanical, electrical, structural and site design work for various projects under this threshold.

Firms qualified to submit statements of qualifications include architectural and engineering firms. Services required may include architectural, mechanical, electrical, structural, landscape and civil design and engineering. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida professional and corporate registration certificates.
2. Completed GSA Standard Forms 254 and 255.
3. Proof of general and professional liability insurance.
4. A separate statement as to whether the firm is a certified small and/or minority business enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985.
5. Examples of other past hospital Agency for Healthcare Administration related projects.
6. Information related to the qualifications of various personnel who will be utilized on hospital Projects.
7. Any additional information to be included at the discretion of the submitting firm.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals. In each discipline, no fewer than three qualified firms will be chosen for inclusion on the pre-qualified list. These candidates may be asked to make presentations to a selection committee.
2. Considerations in the selection of candidates include: the firm’s recent related design experience, location and ability to respond rapidly, qualifications of personnel and past hospital A.H.C.A. project experience. The hospital reserves the right to request additional information beyond the data set forth above.

3. Questions regarding submissions shall be directed to Dan McDaniel, AIA, Director of Architecture and Facility Planning, (941)917-2048 or Bill Shevlin, Manager of Construction and Renovation Services, (941)917-1899.
4. Submissions shall be titled "Statements of Qualifications for Continuing Services Contracts" and must be received no later than 3:30 p.m., January 14, 2003. Proposals received after this deadline will be returned.

Mailing Address:	Office Location:
Construction and Renovation Services	Construction and Renovation Services
1700 South Tamiami Trail	1833 Hawthorne Street
Sarasota, FL 34239	Sarasota Memorial Hospital
Published: Sarasota Herald Tribune	
	Florida Administrative Weekly

**REQUEST FOR STATEMENTS OF QUALIFICATIONS
FOR GENERAL CONTRACTING WORK
FOR A PRE-QUALIFIED BIDDING LIST**

The Sarasota County Public Hospital Board, is accepting statements of qualifications from general contracting firms for the purpose of pre-qualifying general contractors for various construction projects within the hospital. Firms will be divided into categories based on their size and past experience.

The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to construction services. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida professional and corporate registration certificates.
2. Completed AIA Document A305 Contractor's Qualification Statement latest edition.
3. Proof of general and professional liability insurance coverage.
4. A separate statement as to whether the firm is a certified small/or Minority Business Enterprise as defined by the Florida Small Business Assistance Act of 1985.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project.
6. Resumes of key personnel that would be used on the projects at Sarasota Memorial and their past experience in projects of similar size and scope.
7. Previous examples of successful completion of hospital Agency for Healthcare Administration projects.
8. Any additional information to be included at the discretion of the submitting firm.

All interested firms are further informed as follows:

1. The hospital reserves the right to reject any or all submittals. No less than three (3) firms will be chosen for inclusion on the pre-qualified list in each category. These candidates may be asked to make presentations to a selection committee.
2. The basis for selecting candidates includes, but is not limited to, consideration of related project experience, qualifications of proposed team member's and previous Hospital A.H.C.A. experience. The hospital reserves the right to request additional information beyond the data set forth above.
3. Submissions shall be titled "Statement of Qualifications for General Contracting Work". Submittals must be received by the hospital no later than 3:30 p.m., January 14, 2003. Submit statements to Bill Shevlin, Manager of Construction and Renovation Services, Sarasota Memorial Hospital, 1700 South Tamiami Trail, Sarasota, Florida 34239. Submittals received after this deadline will be returned unopened.
4. Interested persons should contact: Bill Shevlin, (941)917-1899 with questions. A list of project categories is available from Pamela Bloking, (941)917-1804.

Published: Sarasota Herald Tribune
Florida Administrative Weekly

**Section XII
Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following applications. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Rule 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., January 17, 2003):

**APPLICATION AND PLAN FOR THE
PURCHASE OF CERTAIN ASSETS**

AND ASSUMPTION OF CERTAIN LIABILITIES

Acquiring Entity: Cornerstone Community Bank, 6300 4th Street, North, St. Petersburg, Florida 33702

Selling Entity: Madison Bank, 35388 U.S. 19, North, Palm Harbor, Florida 34684

Received: December 12, 2002

APPLICATION TO MERGE

Constituent Institutions: Coast Bank of Florida, Bradenton, Florida and Coast Interim Bank, Bradenton, Florida
Resulting Institution: Coast Bank of Florida
Received: December 13, 2002

SECURITIES GUARANTY FUND

NOTICE IS HEREBY GIVEN that the Department of Banking and Finance, Division of Securities and Finance, on December 16, 2002, issued a Notice of Intent to Enter a Final Order Granting Recovery from the Securities Guaranty Fund in Administrative Proceeding No. 3462-S-4/02 to Janice A. Eshliman regarding the activities of Mark Lansing, CRD #1983926. Those persons whose substantial interests may be determined by this proceeding are advised that they may request a hearing concerning the Notice of Intent, to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petition for hearing must comply with Rules 28-106.201, 28-106.301 or 28-107.004, Florida Administrative Code, and must be received within twenty-one (21) days of the date of publication of this notice. Petitions shall be filed with:

Agency Clerk
Department of Banking and Finance
Suite 526, Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0350

FAILURE OF A RESPONDENT TO TIMELY FILE A REQUEST FOR HEARING WITHIN THE 21 DAY TIME PERIOD, SHALL CONSTITUTE A WAIVER OF THAT RESPONDENT'S RIGHT TO REQUEST A HEARING ON ANY MATTER SET FORTH IN THE NOTICE OF INTENT, AND THE DEPARTMENT WILL ISSUE ITS FINAL ORDER TAKING THE ACTIONS SET FORTH IN THE NOTICE OF INTENT.

SECURITIES GUARANTY FUND

NOTICE IS HEREBY GIVEN that the Department of Banking and Finance, Division of Securities and Finance, on December 16, 2002, issued a Notice of Intent to Enter a Final Order Granting Recovery from the Securities Guaranty Fund in Administrative Proceeding No. 3462-S-4/02 to Lloyd R. Peyton and Janet S. Peyton; The Estate of Alice Casciano, Through its Personal Representative, James H. Pinnick, and Paul Case and Marie Case regarding the activities of Sunpoint Securities, Inc., CRD #1517814. Those persons whose substantial interests may be determined by this proceeding are advised that they may request a hearing concerning the Notice of Intent, to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petition for hearing must comply with Rules 28-106.201, 28-106.301 or 28-107.004,

Florida Administrative Code, and must be received within twenty-one (21) days of the date of publication of this notice. Petitions shall be filed with:

Agency Clerk
Department of Banking and Finance
Suite 526, Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0350

FAILURE OF A RESPONDENT TO TIMELY FILE A REQUEST FOR HEARING WITHIN THE 21 DAY TIME PERIOD, SHALL CONSTITUTE A WAIVER OF THAT RESPONDENT'S RIGHT TO REQUEST A HEARING ON ANY MATTER SET FORTH IN THE NOTICE OF INTENT, AND THE DEPARTMENT WILL ISSUE ITS FINAL ORDER TAKING THE ACTIONS SET FORTH IN THE NOTICE OF INTENT.

DEPARTMENT OF INSURANCE

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
CASE NO.: 02-CA-1128

In Re: The Receivership of ARIES INSURANCE COMPANY, a Florida corporation.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH ARIES INSURANCE COMPANY.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 14th day of November, 2002, the Department of Insurance of the State of Florida was appointed as Receiver of ARIES INSURANCE COMPANY, and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of ARIES INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59 p.m., November 14, 2003, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Insurance, Receiver for ARIES INSURANCE COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110.

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA02-OR-368
In Re: MONROE COUNTY LAND
DEVELOPMENT REGULATIONS ADOPTED BY
MONROE COUNTY ORDINANCE NO. 018-2002

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On August 19, 2002, the Department received for review Monroe County Ordinance No. 018-2002 which was adopted by the Monroe County Board of County Commissioners on July 17, 2002 ("Ord. 018-2002"). Ord. 018-2002 amends Sections 9.5-232, 233, 234, 235, 235.1, 236, 237, 238, 239, 242, 243, 244, 246, 248, 251, 252 and 253 of the Monroe County Code to correct scrivener's errors in Ordinance 033-2001.
3. Ord. 018-2002 is consistent with the County's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2002) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 018-2002 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 018-2002 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

- (e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
- (f) To enhance natural scenic resources, promote aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
- (h) To protect the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:
 2. Sewage collection and disposal facilities;
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

Ord. 018-2002 is not inconsistent with the remaining Principles. Ord. 018-2002 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 018-2002 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

H. E. "SONNY" TIMMERMAN, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN

OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ___ day of December, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

- Honorable Charles "Sonny" McCoy
Mayor of Monroe County
500 Whitehead Street
Key West, Florida 33040
- Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040
- Timothy J. McGarry, AICP
Director, Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

By Hand Delivery or Interagency Mail:

- Jim Quinn, Bureau of State Planning, DCA Tallahassee
- Rebecca Jetton, DCA Florida Keys Field Office
- Richard A. Lotspeich, Assistant General Counsel, DCA Tallahassee

DCA Final Order No.: DCA02-OR-367

In Re: CITY OF KEY WEST LAND DEVELOPMENT REGULATIONS ADOPTED BY CITY OF KEY WEST ORDINANCE NO. 02-26

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2002), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The City of Key West is a designated area of critical state concern.
2. On November 13, 2002, the Department received for review City of Key West Ordinance No. 02-26 which was adopted by the City of Key West City Commission on November 6, 2002 ("Ord. 02-26"). Ord. 02-26 amends Chapter 108 of the

Code of Ordinances entitled "Planning and Development" by amending Sections 108-61, 108-62, 108-63 and 108-64 in order to revise the membership and operation of the Development Review Committee; and amends Chapter 122 of the Code entitled "Zoning" by amending Section 122-63 to revise Development Review Committee review of conditional use applications.

3. Ord. 02-26 is consistent with the City's Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in an area of critical state concern. §§ 380.05(6) and (11), Fla. Stat., (2002).
5. The City of Key West is an Area of Critical State Concern. § 380.05, Fla. Stat. (2002) and Rule 28-36.001, Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2002). The regulations adopted by Ord. 02-26 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the "Principles"). § 380.05(6), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles for the City of Key West Area of Critical State Concern are set forth in Rule 28-36.003(1), Fla. Admin. Code.
8. Ord. 02-26 promotes and furthers the following Principles in Rule 28-36.003(1):
 - (a) Strengthen local government capabilities for managing land use and development.
9. Ord. 02-26 is not inconsistent with the remaining Principles. Ord. 02-26 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-26 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE.

A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this __ day of December, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

- Jimmy Weekley
Mayor of the City of Key West
P. O. Box 1409
Key West, Florida 33041
- Cheri Smith
Clerk to the City Commission
P. O. Box 1409
Key West, Florida 33041
- Robert Tischenkel
City Attorney
P. O. Box 1409
Key West, FL 33041
- Julio Avel
City of Key West
P. O. Box 1409
Key West, FL 33041

By Hand Delivery or Interagency Mail:

- Jim Quinn, Growth Management Administrator, DCA Tallahassee
- Rebecca Jetton, DCA Florida Keys Field Office
- Richard A. Lotspeich, Assistant General Counsel, DCA Tallahassee

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

- FILE NO.: BLID-803-004
- DATE RECEIVED: June 29, 2002
- DEVELOPMENT NAME: OLD HYDE PARK VILLAGE
- DEVELOPER/AGENT: Kieth W. Bricklemyer
- DEVELOPMENT TYPE: 28-24.023, 28-24.031, 28-24.020, F.A.C.
- LOCAL GOVERNMENT: Hillsborough County

**NOTICE OF APPROVAL FOR PRESERVATION
2000 AND FLORIDA FOREVER FUNDS**

The Florida Communities Trust ("Trust") reviewed and approved project plans for land acquisition projects submitted under the Trust Preservation 2000 Program, Series P10 and the Florida Forever Program, Series FF1 funding cycles. The project plans listed below were 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: 00-067-P10/Miracle Strip Park-On-The-Sound
- Grantee: City of Fort Walton Beach
- Amount of Approved Funds: the lesser of 98.63% of the final total project costs or \$1,797,945.00
- Project: 01-098-FF1/North Fork of the St. Lucie River-Phase II
- Grantee: St. Lucie County
- Amount of Approved Funds: the lesser of 50.00% of the final total project costs or \$775,000.00

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

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

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

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk at 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

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

Pursuant to Section 320.642, Florida Statutes, Workhorse Custom Chassis, LLC, intends to allow the establishment of Sheehan Pontiac GMC Truck, as a dealership for the sale of Workhorse motor vehicles at 2800 North Federal Highway, Lighthouse Point (Broward County), Florida 33064, on or after January 10, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Sheehan Pontiac GMC Truck are dealer operator(s) and principal investor(s): Thomas Sheehan, 2800 North Federal Highway, Lighthouse Point, FL 33064.

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: Vince Napoli, Workhorse Custom Chassis, LLC, 850 Stephenson Hwy., Suite 510, Troy, MI 48083.

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

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

Pursuant to Section 320.642, Florida Statutes, Workhorse Custom Chassis, LLC, intends to allow the establishment of Diesel Specialists of Orlando, Inc., as a dealership for the sale of Workhorse motor vehicles, at 487 Thorpe Road, Orlando (Orange County), Florida 32824, on or after January 13, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Diesel Specialists of Orlando, Inc. are dealer operator(s) and principal investor(s) Marie T. and Mark A. Lovell, 17617 Longridge Drive, Mont Verde, FL 34756 and Edward P. Barnhill, 13540 Lake Luntz Drive, Winter Garden, FL 34787.

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: Vince Napoli, Regional Sales Manager-South, Workhorse Custom Chassis, LLC, 850 Stephenson Hwy., Suite 510, Troy, MI 48083.

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

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Fields Motorcars of Florida, Inc. intends to allow the establishment of Jaguar Ft. Pierce as a dealership for the sale of Jaguar vehicles at 4771 S. U.S. 1, Ft. Pierce (St. Lucie County), Florida, on or after March 2004.

The name and address of the dealer operator(s) and principal investor(s) of Jaguar Ft. Pierce are dealer operator(s): John R. Fields, 717 Rockefeller Road, Lake Forest, IL 60045 principal investor(s): John R. Fields, 717 Rockefeller Road, Lake Forest, IL 60045, Jerome Ipjian, 3254 Brookdale Lane, Northbrook, IL 60062 and Randolph Fields, 1237 Windsong Road, Orlando, FL 32809.

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

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

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

A copy of such petition or complaint must also be sent by U.S. Mail to: Michael Coleman, Franchise Development Manager, Fields Motorcars of Florida, Inc., 3440 Preston Ridge Road, Suite 600, Alpharetta, GA 30005.

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

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

Pursuant to Section 320.642, Florida Statutes, notice is given that STR, Inc. Motorsports Division intends to allow the establishment of Scooter Menace d/b/a Solano Cycle of Gainesville, as a dealership for the sale of Kymco and STR brands, at 3550 S. W. 34th Street, #L, Gainesville (Alachua County), Florida 32608 on or after December 10, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Menace d/b/a Solano Cycle of Gainesville are dealer operator(s) and principal investor(s): Martin Solano, 4372 Sycamore Pass Court West, Jacksonville, FL 32258.

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

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

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

A copy of such petition or complaint must also be sent by U.S. Mail to: Bruce Ramsey, Director, Sales & Marketing, STR, Inc. Motorsports Division, 1770 Campton Rd., Inman, SC 29349.

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

WATER MANAGEMENT DISTRICTS

Notice of Approval of Priority Water Bodies and
Schedule for Establishment of Minimum Flows and Levels
The Suwannee River Water Management District, pursuant to Section 373.042(2), Florida Statutes, hereby publishes its approved priority list and schedule for minimum flows and levels.

Magnitude n/a	River	Schedule	Facility/Project: Baptist Hospital, Inc. Applicant: Baptist Hospital, Inc. Project Description: Establish a new 96-bed satellite hospital through the relocation of 96 beds at Baptist Hospital Approved Cost: \$0 County: Bay Service District: 2 CON #: 9596 Decision Date: 12/13/2002 Decision: A
1	Lower Suwannee River Spring	2003	
1	Fanning	2010	Facility/Project: SemperCare Hospital of Panama City, Inc. Applicant: SemperCare Hospital of Panama City, Inc. Project Description: Establish a new 30-bed long-term care hospital on the campus of Bay Medical Center Approved Cost: \$811,338 County: Bay Service District: 2 CON #: 9597 Decision Date: 12/13/2002 Decision: D
1	Manatee	2010	
1	Madison Blue	2010	
1	Troy	2010	
1	Ichetucknee group	2012	
2	Little Fanning Spring	2010	
1	Lafayette Blue Spring	2015	
2	Little Sulfur (Ruth) Spring	2015	
2	Bonnet Spring	2016	
2	Peacock Spring	2016	
2	SUW1017972 – Un-named Spring	2016	
2	Suwannee Spring	2017	
2	SUW10923973 – Un-named Spring	2017	
2	White Spring	2017	
1	ALA112971 – Un-named Spring	2018	
1	Columbia Springs near Ellisville	2018	
1	Hornsby Spring near High Springs	2018	
1	COL61981 – Un-named Spring	2019	
1	GIL1012973	2019	
2	COL101974 – Un-named Spring	2019	
1	Devil’s Ear (Ginnie group)	2020	
1	July Spring	2020	
2	Allen Mill Pond	2020	
2	Anderson Spring	2020	
2	Pot Spring	2020	
2	Big Spring	2020	
2	Pothole Spring	2020	
2	Rock Sink Spring	2020	
2	TAY76992	2020	
1	Wacissa Group (all)	2021	
2	Lime Springs	2021	
2	Suwanacoochee Spring	2021	
1	Santa Fe Rise	2022	
1	Falmouth (karst window)	2023	
1	Nutall Rise	2024	
1	Alapaha Rise	2025	

Inquiries should be directed to: Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001.

AGENCY FOR HEALTH CARE ADMINISTRATION

CERTIFICATE OF NEED

DECISIONS ON BATCHED APPLICATIONS

The Agency For Health Care Administration made the following decisions on Certificate of Need applications for Hospital Beds and Facilities batching cycle with an application due date of September 11, 2002:

County: Escambia Service District: 1
CON #: 9595 Decision Date: 12/13/2002 Decision: D

Facility/Project: Baptist Hospital, Inc.
Applicant: Baptist Hospital, Inc.
Project Description: Establish a new 96-bed satellite hospital through the relocation of 96 beds at Baptist Hospital
Approved Cost: \$0
County: Bay Service District: 2
CON #: 9596 Decision Date: 12/13/2002 Decision: A
Facility/Project: SemperCare Hospital of Panama City, Inc.
Applicant: SemperCare Hospital of Panama City, Inc.
Project Description: Establish a new 30-bed long-term care hospital on the campus of Bay Medical Center
Approved Cost: \$811,338
County: Bay Service District: 2
CON #: 9597 Decision Date: 12/13/2002 Decision: D
Facility/Project: HealthSouth LTAC of Bay County, Inc.
Applicant: HealthSouth LTAC of Bay County, Inc.
Project Description: Establish a 40-bed long-term care hospital
Approved Cost: \$0
County: Bay Service District: 2
CON #: 9598 Decision Date: 12/13/2002 Decision: A
Facility/Project: HealthSouth emerald Coast Rehabilitation Hospital
Applicant: Lakeshore System Services of Florida, Inc.
Project Description: Add 10 CMR beds
Approved Cost: \$2,086,404
County: Citrus Service District: 3
CON #: 9599 Decision Date: 12/13/2002 Decision: D
Facility/Project: Seven Rivers Community Hospital
Applicant: Tenet HealthSystems Hospitals, Inc.
Project Description: Add 16 comprehensive medical rehabilitation beds through the delicensure of 8 acute beds and 8 adult psychiatric beds
Approved Cost: \$0
County: Volusia Service District: 4
CON #: 9604 Decision Date: 12/13/2002 Decision: D
Facility/Project: SemperCare Hospital of Volusia, Inc.
Applicant: SemperCare Hospital of Volusia, Inc.
Project Description: Establish a 43-bed long-term care hospital
Approved Cost: \$0
County: Clay Service District: 4
CON #: 9605 Decision Date: 12/13/2002 Decision: A
Facility/Project: Kindred Hospital North Florida
Applicant: Kindred Hospitals East L.L.C.
Project Description: Add 20 long-term care hospital beds
Approved Cost: \$2,815,001
County: Volusia Service District: 4
CON #: 9606 Decision Date: 12/13/2002 Decision: D
Facility/Project: HealthSouth LTAC of Jacksonville, Inc.
Applicant: HealthSouth LTAC of Jacksonville, Inc.
Project Description: Establish a 40-bed long-term care hospital
Approved Cost: \$0

County: Pinellas Service District: 5
 CON #: 9608 Decision Date: 12/13/2002 Decision: D
 Facility/Project: Palms of Pasadena Hospital
 Applicant: Palms of Pasadena Hospital, L.P.
 Project Description: Establish a comprehensive medical rehabilitation unit of 20 beds through the delicensure of 13 skilled nursing unit beds and 7 acute care beds
 Approved Cost: \$0

County: Pinellas Service District: 5
 CON #: 9609 Decision Date: 12/13/2002 Decision: A
 Facility/Project: All Children's Hospital
 Applicant: All Children's Hospital, Inc.
 Project Description: Add 13 Level III neonatal intensive care unit beds through the delicensure of 6 Level II beds and the addition of 7 new Level III beds
 Approved Cost: \$1,766,543

County: Hillsborough Service District: 6
 CON #: 9610 Decision Date: 12/13/2002 Decision: A
 Facility/Project: St. Joseph's Hospital
 Applicant: St. Joseph's Hospital, Inc.
 Project Description: Establish a 76-bed satellite hospital through the delicensure of 76 beds at St. Joseph's Hospital
 Approved Cost: \$75,976,836

County: Hillsborough Service District: 6
 CON #: 9612 Decision Date: 12/13/2002 Decision: D
 Facility/Project: HealthSouth LTAC of Tampa, Inc.
 Applicant: HealthSouth LTAC of Tampa, Inc.
 Project Description: Establish a 40-bed long-term care hospital
 Approved Cost: \$0

County: Orange Service District: 7
 CON #: 9614 Decision Date: 12/13/2002 Decision: A
 Facility/Project: Arnold Palmer Hospital
 Applicant: Orlando Regional Healthcare System, Inc.
 Project Description: Add 34 Level II neonatal intensive care unit beds
 Approved Cost: \$1,611,244

County: Orange Service District: 7
 CON #: 9615 Decision Date: 12/13/2002 Decision: A
 Facility/Project: Arnold Palmer Hospital
 Applicant: Orlando Regional Healthcare System, Inc.
 Project Description: Add 116 acute care beds through the delicensure of 116 acute beds at Lucerne Medical Center
 Approved Cost: \$129,887,939

County: Charlotte Service District: 8
 CON #: 9616 Decision Date: 12/13/2002 Decision: D
 Facility/Project: Punta Gorda, H.M.A.
 Applicant: Punta Gorda, H.M.A.
 Project Description: Establish a new 75-bed acute care hospital through the delicensure of 75 acute beds at Charlotte Regional Medical Center
 Approved Cost: \$0

County: Palm Beach Service District: 9
 CON #: 9617 Decision Date: 12/13/2002 Decision: A
 Facility/Project: JFK Medical Center
 Applicant: Columbia JFK Medical Center, L.P.
 Project Description: Add 36 acute care beds
 Approved Cost: \$4,914,252

County: Palm Beach Service District: 9
 CON #: 9618 Decision Date: 12/13/2002 Decision: D
 Facility/Project: Wellington Regional Medical Center
 Applicant: Wellington Regional Medical Center, Inc.
 Project Description: Add 7 acute care beds
 Approved Cost: \$0

County: Broward Service District: 10
 CON #: 9619 Decision Date: 12/13/2002 Decision: A
 Facility/Project: St. John's Rehabilitation Hospital and Nursing Center, Inc.
 Applicant: St. John's Rehabilitation Hospital and Nursing Center, Inc.
 Project Description: Add 6 comprehensive medical rehabilitation beds
 Approved Cost: \$71,107

County: Broward Service District: 10
 CON #: 9620 Decision Date: 12/13/2002 Decision: D
 Facility/Project: Memorial Regional Hospital
 Applicant: South Broward Hospital District
 Project Description: Add 6 comprehensive medical rehabilitation beds
 Approved Cost: \$0

County: Broward Service District: 10
 CON #: 9621 Decision Date: 12/13/2002 Decision: A
 Facility/Project: Kindred Hospital of South Florida – Ft. Lauderdale
 Applicant: Kindred Hospitals East, L.L.C.
 Project Description: Add 6 long-term care hospital beds
 Approved Cost: \$39,003

County: Dade Service District: 11
 CON #: 9622 Decision Date: 12/13/2002 Decision: A
 Facility/Project: Palmetto General Hospital
 Applicant: Lifemark Hospitals of Florida, Inc.
 Project Description: Add 5 Level III neonatal intensive care unit beds through the delicensure of 5 acute care beds
 Approved Cost: \$1,228,350

County: Dade Service District: 11
 CON #: 9623 Decision Date: 12/13/2002 Decision: D
 Facility/Project: South Miami Hospital
 Applicant: South Miami Hospital, Inc.
 Project Description: Establish a 6-bed Level II neonatal intensive care unit through the delicensure of 6 Level II neonatal intensive care unit beds
 Approved Cost: \$0

CERTIFICATE OF NEED**RECEIPT OF EXPEDITED APPLICATIONS**

The Agency For Health Care Administration received the following Certificate of Need applications for expedited review:

County: Highlands Service District: 6
Facility/Project: The Palms of Sebring
Applicant: Sebring Senior Care, LLC
Project Description: Transfer combined CON Nos. 9275 and 9352 for 60 community SNF beds

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Walton District: 1
ID #: 0200027 Decision: A Issue Date: 12/11/2002
Facility/Project: Sacred Heart Hospital on the Emerald Coast
Applicant: Sacred Heart Hospital of Pensacola, Inc.
Project Description: Establish an adult inpatient diagnostic cardiac catheterization program
Proposed Project Cost: \$3,800,000
County: Orange District: 7
ID #: 0200028 Decision: A Issue Date: 12/13/2002
Facility/Project: Lakeside Alternatives
Applicant: Lakeside Alternatives, Inc.
Project Description: Delicense 94 acute care beds
Proposed Project Cost: \$1,000

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection gives notice of its intent to grant a water quality exemption (OGC Case Number 02-1626) to the Palm Beach County Water Utilities Department. The water quality exemption is to allow the Eastern Hillsboro Canal aquifer storage and recovery project to exceed the secondary drinking water standard for color.

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," under program area "ground water."

For information concerning this intent to grant, contact: Richard Deuerling, (850)245-8653.

DEPARTMENT OF HEALTH

On December 16, 2002, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Barry H. Lubin, M.D., license number ME 25789. This Emergency

Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**FISH AND WILDLIFE CONSERVATION
COMMISSION****AVAILABILITY OF DRAFT MANAGEMENT PLAN**

The Florida Fish and Wildlife Conservation Commission at its May 2002 meeting determined that reclassifying the Panama City crayfish (*Procambarus [Leonticambarus] econfinae*) from species of special concern status to threatened status was warranted, and directed the development of a management plan. A draft management plan for Panama City crayfish 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 www.wildflorida.org/crayfish 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., February 10, 2003.

Notice of Availability**of Biological Status Report for the Florida Manatee**

The Florida Fish and Wildlife Conservation (FWC) announces the availability of the Final Biological Status Report for the Florida manatee. The Report was prepared in response to a Petition to re-evaluate the status of the Florida manatee (*Trichechus manatus latirostris*). The manatee is currently classified as Endangered at both the state and the federal levels. The Report recommends, based on the State of Florida's criteria for listing, that the Florida manatee be listed as "Threatened." The FWC status assessment does not affect the federal listing of the manatee as Endangered.

A copy of the FWC Report is available on the Commission's Marine Research Institute website <http://www.florida.marine.org> or a hard copy may be obtained from the Institute's Endangered and Threatened Species Section, 100 Eighth Avenue, S. E., St. Petersburg, Florida 33701, (727)896-8626, or manatee_review@fwc.state.fl.us, upon payment of copying costs.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN December 9, 2002
and December 13, 2002

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

DEPARTMENT OF STATE
Division of Cultural Affairs

IT-1.001	12/9/02	12/29/02	28/34	28/46
----------	---------	----------	-------	-------

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

5L-3.004	12/9/02	12/29/02	28/40	
----------	---------	----------	-------	--

DEPARTMENT OF EDUCATION

Florida Atlantic University

6C5-8.002	12/11/02	12/31/02	Newspaper	
6C5-8.003	12/11/02	12/31/02	Newspaper	
6C5-8.004	12/11/02	12/31/02	Newspaper	
6C5-8.006	12/11/02	12/31/02	Newspaper	
6C5-8.007	12/11/02	12/31/02	Newspaper	

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

12D-7.003	12/10/02	12/30/02	28/40	
12D-7.0143	12/10/02	12/30/02	28/40	
12D-8.006	12/10/02	12/30/02	28/40	
12D-8.008	12/10/02	12/30/02	28/40	
12D-8.011	12/10/02	12/30/02	28/40	28/50
12D-13.009	12/10/02	12/30/02	28/40	28/46
12D-13.011	12/10/02	12/30/02	28/40	
12D-13.024	12/10/02	12/30/02	28/40	
12D-13.052	12/10/02	12/30/02	28/40	
12D-51.003	12/10/02	12/30/02	28/40	

DEPARTMENT OF TRANSPORTATION

14-18.002	12/10/02	12/30/02	28/44	
14-99.001	12/10/02	12/30/02	28/40	28/45
14-117.001	12/10/02	12/30/02	28/44	
14-117.002	12/10/02	12/30/02	28/44	
14-117.003	12/10/02	12/30/02	28/44	
14-117.004	12/10/02	12/30/02	28/44	
14-117.005	12/10/02	12/30/02	28/44	
14-117.006	12/10/02	12/30/02	28/44	

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

DEPARTMENT OF CITRUS

20-71.005	12/12/02	1/1/03	28/15	28/27
20-71.006	12/12/02	1/1/03	28/15	28/27
20-72.009	12/12/02	1/1/03	28/15	28/27

DEPARTMENT OF CORRECTIONS

33-103.002	12/13/02	1/2/03	28/43	
33-103.015	12/13/02	1/2/03	28/43	

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-2.091	12/12/02	1/1/03	20/48	20/52
40D-2.101	12/12/02	1/1/03	20/48	28/46
40D-2.321	12/12/02	1/1/03	20/48	28/46
40D-2.381	12/12/02	1/1/03	20/48	28/46
40D-2.501	12/12/02	1/1/03	20/48	28/5
40D-2.621	12/12/02	1/1/03	20/48	28/46
40D-2.801	12/12/02	1/1/03	20/48	21/44

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

64B17-7.001	12/13/02	1/2/03	28/34	28/46
64B17-9.001	12/13/02	1/2/03	28/42	28/46

School Psychology

64B21-502.004	12/11/02	12/31/02	28/45	
---------------	----------	----------	-------	--

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

68A-11.001	12/12/02	1/1/03	28/42	
68A-11.005	12/12/02	1/1/03	28/42	
68A-20.005	12/12/02	1/1/03	28/42	

Marine Fisheries

68B-14.001	12/12/02	1/1/03	28/42	
68B-14.002	12/12/02	1/1/03	28/42	
68B-14.0035	12/12/02	1/1/03	28/42	
68B-14.00355	12/12/02	1/1/03	28/42	
68B-14.0036	12/12/02	1/1/03	28/42	
68B-14.0045	12/12/02	1/1/03	28/42	
68B-14.005	12/12/02	1/1/03	28/42	
68B-31.010	12/12/02	1/1/03	28/42	