

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF CITRUS**

|                                |                   |
|--------------------------------|-------------------|
| RULE CHAPTER TITLE:            | RULE CHAPTER NO.: |
| Intellectual Property Protocol | 20-107            |
| RULE TITLES:                   | RULE NOS.:        |
| Purpose                        | 20-107.001        |
| General Provisions             | 20-107.002        |
| Definitions                    | 20-107.003        |
| Procedures                     | 20-107.004        |
| Royalties                      | 20-107.005        |
| Payments                       | 20-107.006        |

PURPOSE AND EFFECT: New rule chapter establishing Department of Citrus patent protocol.

SUBJECT AREA TO BE ADDRESSED: Department of Citrus patent protocol.

SPECIFIC AUTHORITY: 601.10(1), 601.101 FS.

LAW IMPLEMENTED: 601.101 FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ANNOUNCED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

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

**DEPARTMENT OF CORRECTIONS**

|   |            |
|---|------------|
| RULE TITLES:                                      | RULE NOS.: |
| Correctional Probation Officers Carrying Firearms | 33-302.104 |
| Probation and Parole – Use of Force               | 33-302.105 |

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide additional requirements for the use of handcuffs by correctional probation officers and to require that officers carrying firearms also carry handcuffs.

SUBJECT AREA TO BE ADDRESSED: Use of handcuffs by correctional probation officers.

SPECIFIC AUTHORITY: 20.315, 120.53(1)(a), 790.06, 944.09 FS.

LAW IMPLEMENTED: 20.315, 120.53(1)(a), 790.06, 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.104 Correctional Probation Officers Carrying Firearms.

- (1) No change.
- (2) Definitions.
- (a) through (d) No change.

(e) “Deadly force” means force that is likely to cause death or great bodily harm and includes firing a firearm in the direction of a person or occupied vehicle.

- ~~(f)~~(e) No change.
- (3) Authorization Procedures.
- (a) through (j) No change.

(k) The officer shall immediately notify his or her immediate supervisor in the case of theft or loss of the authorized firearm. The officer shall notify local law enforcement agencies and the Florida Department of Law Enforcement in writing of the theft or loss and provide a copy to the supervisor to ensure the notification has been made as required. A Community Corrections Incident Report, Form DC3-225, shall be prepared by the officer any time a loss or theft occurs and shall be submitted to his or her immediate supervisor within 24 hours. The supervisor shall forward Form DC3-225 to the circuit administrator, who shall complete a MINS report. Form DC3-225 is hereby incorporated by reference in Rule 33-302.105, F.A.C. ~~A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida, 32399 2500. The effective date of this form is December 5, 2001.~~

- (4) through (6) No change.
- (7) Use of Firearm. For the purposes of this rule, "use of a firearm" means to discharge a firearm or to have a firearm readily accessible for immediate discharge, i.e., loaded and in a person's hand.
- (a) No change.

(b) In accordance with firearms training, correctional probation officers are authorized to use deadly force only after all other reasonable efforts to avoid confrontation have been exhausted, including retreat, use of handcuffs to restrain the offender, ~~or~~ use of defensive tactics or chemical agents. Effective December 1, 2000, all officers authorized to carry

firearms must be certified to carry chemical agents per Rule 33-302.105, F.A.C. and must carry chemical agents while carrying firearms. Effective \_\_\_\_\_, all officers authorized to carry firearms must complete handcuff training requirements provided by the department and must carry handcuffs while carrying a firearm.

(c) through (11) No change.

Specific Authority 20.315, 120.53(1)(a), 790.06, 944.09 FS. Law Implemented 20.315, 120.53(1)(a), 790.06, 944.09 FS. History--New 5-28-86, Amended 7-7-92, 12-20-92, 03-30-94, 9-27-94, 12-19-94, 3-8-95, 2-15-98, Formerly 33-24.013, Amended 3-4-01, 12-5-01, \_\_\_\_\_.

33-302.105 Probation and Parole – Use of Force.

(1) through (3) No change.

(4) Use of Handcuffs.

(a) Officers shall use handcuffs in accordance with subsection (1) of this rule. Handcuffs shall be used only by persons authorized by the department and shall only be used for purposes as outlined in this rule. Officers shall receive handcuff training yearly. Training documentation shall be maintained in the employee’s personnel file.

(b) No change.

(c) No employee will be permitted to use or access handcuffs until he or she has completed the ~~basic~~ handcuff training provided by the department. Staff who have completed the training are authorized to carry handcuffs upon their person during working hours. Staff who are authorized to carry firearms must have handcuffs on their persons when carrying firearms in the field. Nothing in this rule authorizes staff to carry department issued handcuffs while off duty.

(d) In any case in which handcuffs are used, except for training purposes, an accurate record shall be maintained by the circuit administrator as to the location and reason for use, and a factual description of the circumstances and the incident. This information shall be reflected on the Community Corrections Report of Force Used, Form DC3-210. The officer who used the handcuffs shall complete the report after the incident. Any additional officer(s) physically involved in the handcuffing who agrees with the facts and circumstances as reported on the DC3-210, shall prepare a Community Corrections Report of Force Used – Staff Supplement, DC3-211.

(5) through (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, 2-19-03, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Inmate Discipline – Miscellaneous Provisions  
RULE NO.: 33-601.311  
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide training to employees through the provision of feedback concerning disciplinary reports which have been rejected, disapproved, or dismissed.

SUBJECT AREA TO BE ADDRESSED: Inmate discipline.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.34, 944.719, 945.04 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.311 Inmate Discipline – Miscellaneous Provisions.

(1) through (3) No change.

(4) Once an employee has written a disciplinary report and submitted it to the shift supervisor, any rejection, disapproval, dismissal or finding of not guilty shall be communicated to the employee who initiated the report by the official making the decision, along with the reason for the rejection, disapproval, dismissal or finding of not guilty. This feedback is intended as a training aid for employees to foster overall improvement of the discipline process.

~~(5)~~(4) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.34, 944.719, 945.04, FS. History--New 3-12-84, Formerly 33-22.11, Amended 12-30-86, 5-24-90, 6-20-91, 10-01-95, Formerly 33-22.011, Amended 5-21-00, 2-11-01, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Institution Visits and Tours and Inmate or Probationer Presentations and Programs for the Public  
RULE NO.: 33-602.230

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the duties of staff regarding correctional institution tour programs.

SUBJECT AREA TO BE ADDRESSED: Correctional institution tours for juvenile offenders.

SPECIFIC AUTHORITY: 20.315, 944.09, 945.75 FS.

LAW IMPLEMENTED: 944.09, 944.23, 945.75 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.230 Institution Visits and Tours and Inmate or Probationer Presentations and Programs for the Public.

- (1) No change.
- (2) Juvenile Offender Tour Programs.
  - (a) No change.

(b) All tour requests from outside sponsors shall be in writing and shall be routed to the warden. A copy of the court order directing the participation of each juvenile offender shall be attached to the request.

(c) Staff Responsibilities for the Juvenile Offender Tour Program.

- 1. No change.
- 2. The institutional tour program facilitator shall:
  - a. through d. No change.
  - e. Place Secure a copy of the court order for each juvenile that directs the juvenile offender’s participation in the program from the outside sponsor in and maintain a file that is to be maintained of the copies of the court orders for three years;
  - f. through 3. No change.
- (d) through (7) No change.

Specific Authority 20.315, 944.09, 945.75 FS. Law Implemented 944.09, 944.23, 945.75 FS. History–New 10-6-83, Formerly 33-5.12, Amended 7-27-89, 3-8-98, Formerly 33-5.012, Amended 4-25-02,\_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Outpatient Hospital Services

RULE NO.: 59G-4.160

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Provider General Handbook and the Florida Medicaid Provider Reimbursement Handbook, UB-92, October 2003. The effect is a rewording of chapters one through five of the existing rule, renamed as the Florida Medicaid Provider General Handbook, and a substantial rewrite of chapters six through eight, renumbered chapters one through three, and renamed the Florida Medicaid Provider Reimbursement Handbook, UB-92. Both handbooks are incorporated by reference in this rule.

SUBJECT AREA TO BE ADDRESSED: Outpatient Hospital Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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. – 10:00 a.m., April 21, 2003

PLACE: Agency for Health Care Administration, 2728 Fort Knox Boulevard, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ouida Mazzoccoli, Medicaid Program Development, 2728 Fort Knox Boulevard, Building 3, Tallahassee, Florida 32308, (850)922-7351

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.160 Outpatient Hospital Services.

(1) This rule applies to all hospital providers enrolled in the Medicaid program.

(2) All hospital providers enrolled in the Medicaid program must comply with the provisions of the Florida Medicaid Provider General Handbook, the Florida Medicaid Hospital Coverage and Limitations Handbook, March 2003, and the Florida Medicaid Provider Reimbursement Handbook, UB-92, October 2003 ~~1998~~, all ~~both~~ incorporated by reference in this rule. These ~~both~~ handbooks are available from the fiscal agent contractor.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History–New 1-1-77, Revised 12-7-78, 1-18-82, Amended 7-1-83, 7-16-84, 7-1-85, 10-31-85, Formerly 10C-7.40, Amended 9-16-86, 2-28-89, 5-21-91, 5-13-92, 7-12-92, 1-5-93, 6-30-93, 7-20-93, 12-21-93, Formerly 10C-7.040, Amended 6-13-94, 12-27-94, 2-21-95, 9-11-95, 11-12-95, 2-20-96, 10-27-98, 5-12-99, 10-18-99, 3-22-01, 8-12-01, 2-25-03,\_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Home and Community-Based Services Waivers

RULE NO.: 59G-8.200

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081, October 2003. The handbook incorporates the Health Insurance Portability and Accountability Act (HIPAA) provisions and other billing information changes. The effect will be to incorporate by reference in the rule the current Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081, October 2003.

SUBJECT AREA TO BE ADDRESSED: Home and Community-Based Services Waivers.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.912 FS.

IF REQUESTED IN WRITING WITHIN 14 DAYS BY AN AFFECTED PERSON 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. – 11:00 a.m., April 17, 2003

PLACE: Conference Room D, Building 3, 2727 Mahan Drive, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Keith Young, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)487-2617

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-8.200 Home and Community-Based Services Waivers.

(1) through (5) No change.

(6) Program Requirements – General. All HCB services waiver providers and their billing agents must comply with the provisions of the Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081, October 2003, ~~November 1996~~, which is incorporated by reference and available from the Medicaid fiscal agent. The following requirements are applicable to all HCB services waiver programs:

(a) through (f) No change.

Specific Authority 409.919 FS. Law Implemented 409.906(12), 409.912(7) FS. History–New 4-20-82, Formerly 10C-7.527, Amended 3-22-87, 11-23-89, Formerly 10C-7.0527, Amended 1-16-96, 7-23-97, 1-6-02, 10-27-02,

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Land Sales, Condominiums and Mobile Homes**

RULE TITLE: Phase Condominium Filing  
 RULE NO.: 61B-17.003

PURPOSE AND EFFECT: To clarify existing provisions as to the per unit fee due for condominium phase amendment filings.

SUBJECT AREA TO BE ADDRESSED: The rule amendment makes it clear after the recent rule changes that the filing fees for phase amendment filings shall be based upon the per unit fee.

SPECIFIC AUTHORITY: 718.501(1)(f), 718.502(1)(c) FS.

LAW IMPLEMENTED: 718.104(4)(f), 718.403(1)-(7), 718.502(3), 718.503(2) 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., April 21, 2003

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

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

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

Street, Tallahassee, Florida 32399-1030 (The preliminary text is available on-line at <http://www.state.fl.us/dbpr/lsc/index.shtml>.)

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

**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

RULE CHAPTER TITLE: Fees  
 RULE CHAPTER NO.: 64B1-2

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

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 120.53(1), 456.025, 456.036(3),(4),(8), 457.104, 457.105(2)(d), 457.107(1),(3), 457.108(2) FS.

LAW IMPLEMENTED: 456.025(2),(5),(7), 456.036(3), 457.105(2)(d), 457.107(1),(3), 457.108(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE TITLE: Examination for Licensure  
 RULE NO.: 64B4-3.003

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify examination requirements.

SUBJECT AREA TO BE ADDRESSED: Clarification of examination requirements.

SPECIFIC AUTHORITY: 456.017, 491.004(5) FS.

LAW IMPLEMENTED: 456.017, 491.005 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.





Specific Authority 316.302, 316.3025, 316.515, 316.535, 316.545, 316.550, 316.70, 334.044(2) FS. Law Implemented 316.302, 316.3025, 316.515, 316.535, 316.545, 316.550, 316.70 FS. History—New 7-15-91, Amended 9-12-96,\_\_\_\_\_.

14-87.002 Penalties and Fees Due; Detaining and Impounding Commercial Motor Vehicles.

(1) Penalties and fees imposed upon the operations of commercial motor vehicles are due and payable upon the issuance of a citation or a permit. Law enforcement officers and weight inspectors employed by the Motor Carrier Compliance Office, and other authorized agents of the Department, upon issuance of a citation, shall allow motor carriers in good standing to make payment of penalties within 20 calendar days from the issuance of the citation. Payment must be received by the Motor Carrier Compliance Office Penalty Collections Unit in Tallahassee, Florida, within 20 calendar days from the date of the citation. Penalties due under Chapter 14-108 are due in accordance Rule 14-108.004. All penalties and fees not guaranteed by a Surety Bond must be paid to the officer or inspector issuing the citation or permit or detaining the vehicle for nonpayment of penalties prescribed under Rule 14-108.005 prior to further operation of the affected commercial motor vehicle on the roads of this State. Payment may be in cash, by cashier's check or by money order. In the event that payment is not made when payment is due, the motor vehicle will be impounded in accordance with Sections 316.3025 or 316.545, Florida Statutes.

(2) In the event that payment of penalties is not received within the 20 calendar day period, the commercial motor vehicle(s) shall be impounded in accordance with Sections 316.545, 316.3025, 316.516, and 316.550, Florida Statutes. Motor carriers who fail to pay any and all penalties owed to the Department will be referred to the Department of Highway Safety and Motor Vehicles, where the vehicle's registrations and fuel permits shall be revoked or suspended in accordance with Section 320.18, Florida Statutes. When a Surety Bond has been properly filed and accepted by the Department, the vehicle will be released upon presenting written evidence of the surety bond to the officer or inspector detaining the vehicle and payment must be remitted to the officer or inspector within ten working days of the release of the vehicle. Company checks may be accepted when a proper Surety Bond is on file. In the event that payment is not made within ten working days of release of the vehicle, the Department will take action to recover the penalty amount from the surety bond.

(3) The Director shall develop and adopt payment and collection practices consistent with state law and sound fiscal policy, and approve all forms for citations and notices of violations to be issued for violations involving commercial motor vehicles. Payment methods for citations include cash, money orders, certified funds (electronic or manual), credit cards, and company checks. A receipt shall be provided to the motor carrier upon payment of penalties collected. All penalties collected in accordance with these rules will be made

payable to the State Treasurer, who will credit the funds to the State Transportation Trust Fund and any other accounts specified by state law.

(4) Motor carriers who owe penalties to the state or have not paid penalties in a timely fashion on one or more previous occasion, shall be deemed to be not in good standing. Commercial motor vehicles operated by such motor carriers may be detained or impounded immediately and held until all penalties are paid to the Department. A list of such motor carriers will be provided statewide to Motor Carrier Compliance Office law enforcement officers and weight inspectors by the Penalty Collections Unit.

(5) Except as set forth in Rule Chapter 14-108, F.A.C., involving penalties assessed during compliance reviews, the fact that a motor carrier has requested a hearing before the Commercial Motor Vehicle Review board does not relieve responsibility to make payment of the assessed penalty within the 20 day period.

(6)(3) Commercial mMotor vehicles impounded in accordance with this rule will be released upon payment of all penalties owed to the Motor Carrier Compliance Office Penalty Collections Unit in Tallahassee, Florida, the penalty or the posting of a bond pursuant to Section 316.545, Florida Statutes, or upon a determination by the Commercial Motor Carrier Review Board to cancel or revoke the penalty, or upon the issuance of a Department order setting aside the penalty as the result of a proceeding held pursuant to Section 120.57, Florida Statutes. Commercial mMotor vehicles released as a result of the posting of a bond under Section 316.545, Florida Statutes, remain subject to the lien imposed by that statute.

(7) Any costs associated with the detention, impoundment, and storage of commercial motor vehicles in accordance with Sections 316.545, 316.3025, and 316.516, Florida Statutes, shall be the responsibility of the motor carrier, and proof of payment of such costs shall be provided to the Department prior to the vehicle being released.

Specific Authority 316.302, 316.515, 316.3025, 316.545, 316.550, 316.70, 334.044(2) FS. Law Implemented 316.302, 316.3025, 316.515, 316.535, 316.545, 316.550, 316.70 FS. History—New 1-8-86, Amended 2-25-87, 7-15-91, Amended 9-12-96,\_\_\_\_\_.

#### 14-87.004 Surety Bonds.

Specific Authority 316.3025, 316.515, 316.545, 316.550, 316.70, 334.044(2) FS. Law Implemented 316.302, 316.3025, 316.515, 316.535, 316.545, 316.550, 316.70 FS. History—New 1-8-86, Amended 2-25-87, 7-15-91, Repealed\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lt. Col. David Binder, Motor Carrier Compliance Office  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: José Abreu, P.E., Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2003  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 14, 2003

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Inmate Trust Fund  
 RULE NO.: 33-203.201

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify procedures for handling inmate funds.

SUMMARY: The proposed rule corrects titles used in conjunction with operation of the inmate trust fund; requires that funds for deposit be sent to a specific central location; provides for delay of availability of deposits over \$300; clarifies responsibilities related to stop payment orders; clarifies federal requirements concerning deposits of federal benefits payments; provides restrictions concerning IRS refund deposits; increases the amount per week that an inmate may withdraw for canteen purchases; provides guidelines for special withdrawals; clarifies procedures for the handling of trust fund balances upon the release or death of an inmate; clarifies requirements for provision of monthly trust fund account statements and specifies requirements which must be met for inmates to receive sixth month statements of trust fund activity.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09, 944.516, 945.091, 945.215 FS.

LAW IMPLEMENTED: 57.085, 717, 944.09, 944.516, 945.091, 945.215 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:

33-203.201 Inmate ~~Bank~~ Trust Fund.

(1) The following are the policies of the Department with respect to money received for the personal use or benefit of inmates:

(a) Inmates may establish a demand deposit account, hereinafter referred to as an inmate trust checking account, through the Inmate ~~Bank~~ Trust Fund at the Bureau of Finance and Accounting, Inmate Trust Fund Section institutions, community facilities and service centers. If an inmate establishes an inmate trust checking account through the Inmate ~~Bank~~ Trust Fund, such funds shall not accrue interest to him.

(b) In the case of probation and restitution center offenders who violate the conditions of probation and owe fees for room and board, a staff member of the probation and restitution center may file a claim for a cost judgment in conjunction with the violation report. The staff member shall file with the Office of the General Counsel Bureau of Sentence Structure and Transportation, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, a true copy of the judgment or other monetary order or sanction which has been entered by the appropriate court, together with a cover letter stating the date and amount of the judgment, money order or sanction, or the balance remaining if less than the face amount thereof.

(c) through (d) No change.

(e) The Department may invest, through the State Treasurer, funds on deposit in the Inmate ~~Bank~~ Trust Fund in excess of such cash as needed to meet the current needs of the inmates.

(f) Interest earned on these investments and on the central Inmate Trust Fund Public Funds Interest Checking Account or any local ~~NOW~~ accounts shall be deposited to the Inmate Welfare Trust Fund to be expended for the benefit of the inmate population in general.

(g)(f) No change.

(2)(a) All monies (cashiers checks, money orders, or certified bank drafts only; no cash or personal checks allowed) that are mailed to the Bureau of Finance and Accounting, Inmate Trust Fund Section, a service center for an inmate shall be initially deposited in the Inmate ~~Bank~~ Trust Fund. Funds must be mailed with the completed deposit form and made payable to the Inmate Trust Fund and include the inmate's name and DC number. Funds will become available for the inmate's use within ten working days after receipt by the Bureau of Finance and Accounting, Inmate Trust Fund Section, in Tallahassee. Every effort shall be made to have funds available sooner. Any money order, cashiers check, or certified bank draft in the amount of \$300 or higher posted to an inmate's account will have a ten day hold placed on the funds. After ten days the funds will be available for the inmate's use. If the funds were not deposited to the inmate's account due to the fact that the money order, cashier's check or certified bank draft was lost in the mail system and it is determined that the instruments were never cashed, it is the responsibility of the sender to stop payment on the instrument. The Department is not responsible for any stop payment fees charged to the sender. Deposits mailed to institutional or other department addresses other than the Bureau of Finance and Accounting, Inmate Trust Fund Section service centers will be returned to the sender forwarded to the service center, but this process will result in delay in deposit of the funds. In order to deposit the funds the sender shall ~~must~~ complete Form DC2-303, Inmate Trust Fund Deposit Form. Form DC2-303 is hereby incorporated by reference. ~~A copy of T~~his form may be obtained from any institution, facility, ~~service center~~, or by



requesting in writing from the Bureau of Finance and Accounting, Inmate Trust Fund Section, Centerville Station, P. O. Box 12100, Tallahassee, Florida 32317-2100, or the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_ May 7, 2000. Other items found in the incoming mail will be returned to the sender and will not be forwarded to the inmate. The sender can also transmit funds up to \$5,000.00 using Western Union's "Quick Collect" service. To utilize this process, the sender, if residing in the U.S. or Canada, must complete a quick collect form at a Western Union agent, include the required information, and pay the transaction fee. The sender can also transmit funds via Western Union using a credit card, by telephone, or by visiting their website at www.westernunion.com. In addition, senders who reside in a foreign country can send funds using Western Union's "Quick Pay" service. The sender must complete a Quick Pay/Payment Services form at a Western Union agent and pay a transaction fee. Additional information is available on their website at www.payment-solutions.com. The funds will be sent via electronic funds transfer (EFT) and will usually be available for the inmate's use within one to three working days.

(b) In accordance with 38 U.S.C. 5301 and 42 U.S.C 407, Veterans Administration (VA) and Social Security (SS) benefit checks are exempt from attachment, levy or seizure. The department shall not place liens on the inmate's trust fund account for medical co-payments, legal copies, or other department generated liens for VA and SS benefits checks mailed directly to the Bureau of Finance and Accounting, Inmate Trust Fund Section.

(c) Federal Income Tax refund checks received by inmates shall not be deposited until a determination is made by the department that it is a valid tax refund. If it is determined that the tax return is fraudulent, the check will be returned to the IRS and the inmate will be subject to disciplinary action. Additionally, inmates involved in tax fraud are subject to penalties in accordance with the Internal Revenue Code, 26 U.S.C. 6702.

(d)(b) Deposits sent by mail are processed using an advanced high-speed processing machine which requires the use of the deposit form; the form should not be photocopied. Attempts will be made to process deposits sent without the accompanying form, but the absence of the form could cause a delay of up to 30 days to process may result in delays. If staff are unable to determine to which inmate the money is being sent, the money will be returned to the sender with a request for additional information necessary to process the deposit. If staff are unable to determine to which inmate the money is being sent and are unable to return the money because the sender did not provide a valid return address, the money will be held in a clearing account until the sender or receiving

inmate is identified. If the inmate remains unidentified for 5 years the funds shall escheat to the state as unclaimed funds held by fiduciaries in accordance with Chapter 717, F.S.

(e)(e) An inmate may, however, withdraw his funds from the Inmate ~~Bank~~ Trust Fund for deposit into a savings account or similar interest bearing account with a private financial institution. If an inmate does not wish his monies to be deposited into the Inmate ~~Bank~~ Trust Fund, he must advise the donor of the funds to send them directly to the savings institution of his choice. This option shall not be available when an inmate is on work release or a similar paid work program. In this case, the provisions of Rule 33-601.602, F.A.C., disbursement of earnings, shall apply. All inmates on work release shall submit their full pay for deposit in the Inmate ~~Bank~~ Trust Fund so that subsistence and transportation costs, restitution, 10% savings hold, and court ordered payments, if applicable, may be deducted. In the case of inmates who are paid via EFT, the funds will be deposited into the inmate trust fund and the same provisions of Rule 33-601.602, F.A.C., shall apply. The inmate may transfer any excess funds to a private account as defined in paragraph (1)(b) in accordance with the personalized program plan.

(3) Inmates with sufficient balances in their individual inmate trust fund accounts shall be allowed to spend an amount set by the Secretary not to exceed \$100 a week at the institution's canteen for personal use. Inmates on work release ~~extended limits of confinement~~ with sufficient balances in their individual inmate ~~bank~~ trust fund accounts shall be allowed to request a weekly draw set by the Secretary not to exceed \$100 ~~of up to \$45~~ to be expended for personal use. In order to request an expenditure of funds in excess of the authorized canteen limit or weekly draw, the inmate shall complete Form DC2-304, Inmate Trust Fund Special Withdrawal Form. Form DC2-304 is hereby incorporated by reference. ~~A copy of this~~ form may be obtained from any institution or facility or from the Bureau of Finance and Accounting, Inmate Trust Fund Section, 1711 Mahan Drive, Tallahassee, Florida 32308 or from the Forms Control Administrator, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. ~~If forms are to be mailed, the request must be accompanied by a stamped, self-addressed envelope.~~ The effective date of this form is \_\_\_\_\_ May 7, 2000. If the inmate's identity is verified by designated institution or facility staff approved, these funds shall be paid to the inmate or his designated payee within 30 ~~40~~ days after receipt of the written request for withdrawal. This maximum time limitation shall not delay the weekly canteen limit or draw process which is usually accomplished in a shorter period of time. If the withdrawal is for the purpose of making a deposit to a savings or similar interest bearing account in the inmate's name, the check drawn upon the inmate ~~bank~~ trust fund shall be made payable to the savings institution which has been chosen by the inmate, with the inmate as a reference, and shall be mailed to the savings institution. If an inmate requests a

copy of a cancelled check or requests to stop payment on a check, the inmate shall be responsible for the fees charged to process these transactions. Requests for special withdrawals submitted without the required signatures or on other than the approved form will be returned to the inmate without processing. Inmates wishing to send funds to inmates at other institutions must obtain approval from the wardens at both institutions.

~~(4) Staff supervising inmates on extended limits of confinement shall require that a return receipt be attached to the Special Withdrawal Form as verification that the inmate used the funds provided for the items requested. Each facility which houses inmates on work release extended limits of confinement shall establish an inmate check cashing procedure with a local bank, business or other reputable establishment so that inmates can cash checks authorized by the facility or the Bureau of Finance and Accounting, Inmate Trust Fund Section service center. Under no circumstances shall an employee countersign or endorse an inmate's check for the purpose of cashing such check.~~

~~(5) When an inmate is transferred from one Department of Corrections facility to another which is under the authority of another service center, his trust funds shall be transferred to the new service center within 10 days after the transfer. If it is impossible to meet this deadline due to circumstances beyond the control of the Department, a letter of explanation shall be placed with the inmate's withdrawal request setting forth these circumstances.~~

~~(5)(6) When an inmate is released from the control of the department, and his or her inmate trust account balance exceeds \$1.00, the inmate's balance in the inmate bank trust fund at the time of discharge shall be mailed by the Bureau of Finance and Accounting, Inmate Trust Fund Section, within 45 days of the inmate's release service center to the an address provided by of the inmate's during the release process choice. However, if deposits of checks, money orders or other negotiable instruments have been made to the inmate's account but have not cleared the account of the payer payor by the time the inmate is discharged, funds equal to the amount of the uncleared deposits shall be retained in the inmate's trust fund account. Immediately after the deposits have cleared, the balance due the inmate shall be forwarded by registered mail to the inmate. Inmates being released will be provided with cash for travel and related expenses. For inmates who meet eligibility requirements set forth in Rule 33-601.502, F.A.C., this money shall be in the form of a discharge gratuity. For inmates who are not eligible for discharge gratuities, a hold will be placed on the inmate's trust account and the amount will be later deducted from the inmate's trust fund account, with any remaining account balance shall be being forwarded as indicated above. Pursuant to Chapter 717, F.S., in the event~~

that funds are unclaimed after a period of five years, the balance shall escheat to the state as unclaimed funds held by fiduciaries.

~~(6)(7) Upon the death of any inmate affected by the provisions of this section during the period of incarceration, all funds in excess of \$1.00 shall be held pending official notification from the personal representative of the inmate. Any unclaimed money held for him in trust by the Department or by the State Treasurer shall be applied first to the payment of any unpaid state claims against the inmate. Any remaining funds shall be transferred to the inmate's designated beneficiary or to the decedent's estate. In the event that the funds are unclaimed after a period of 1 year, the balance shall escheat to the state as unclaimed funds held by fiduciaries pursuant to s. 944.516, F.S.~~

~~(7)(8) When an inmate escapes and is not captured within 30 days, any balance in his Inmate Bank Trust Fund account, in excess of \$1.00, shall be forwarded to the person designated on the inmate's notification record. If this person cannot be located after reasonable efforts, the funds shall be held for five years and, if unclaimed, shall escheat to the state pursuant to Chapter 717, F.S. forwarded to Central Office for deposit in the Dormant Inmate Fund Account. If the escaped inmate is captured within 30 days, his funds shall be forwarded to the service center for the facility where the inmate is now incarcerated.~~

~~(8)(9) Interest earned on investments of money from the Inmate Bank Trust Fund may be used to replace any funds belonging to an inmate which have been stolen, lost or otherwise misappropriated from the inmate's trust account through no fault of the Department or its employees and which cannot be replaced by appropriated funds, insurance payments, or other available resources. However, such use may only be made if, pursuant to a thorough investigation as part of the normal auditing process, the Department's Internal Auditor recommends in a written report that such use is appropriate. If the Internal Auditor concludes that a shortage in funds is attributable to the negligence of specific individuals, his report shall contain a recommendation that the shortage be recovered from the identified negligent individuals. The Internal Auditor's report may also recommend other action, including prosecution, with respect to any missing funds. If the Internal Auditor concludes that the Department is at fault, the shortage shall be recovered from the institution's or service center's operating funds.~~

(a) Reviews of periodic financial statements, by the Bureau of Finance and Accounting, will include a determination of whether any inmate trust fund shortages exist. Any trust fund shortage will be resolved during the course of the review.

(b) The bureau chief will file an incident report with the Inspector General's Office if fraudulent activity is suspected. The Inspector General's Office will process the incident report

and forward the results to the Bureau of Internal Audit. The Bureau of Internal Audit will audit the funds as part of the next regularly scheduled audit of the Inmate Trust Fund. The audit will be conducted in accordance with s. 20.055 and 944.516(1)(f), F.S.

~~(9)(10)~~ Notice to the department of an adverse claim against funds held by an inmate in the inmate bank trust fund shall not cause the department to recognize the adverse claimant unless the adverse claimant shall also either:

~~(a) Procure a restraining order, injunction or other appropriate process against the department from a court in a cause therein instituted by him in which the inmate is made a party and served with process; or~~

~~(b) Execute to the department, in form and with sureties acceptable to it, a bond indemnifying the department from any and all liability, loss, damage, costs and expense for and on account of the department, placing a hold on the inmate's account.~~

~~(c) If the claimant satisfies one of the above prerequisites, the department shall place a hold on the inmate's account until such time as the claim is resolved.~~

~~(d) If the claimant is the State of Florida and the claim is a cost judgment entered by a state or federal court against the inmate either in a civil or criminal action brought by the inmate, or in an appeal of such civil or criminal action, or if the cost judgment is the result of any other monetary judgment, order, or sanction imposed by a court against an inmate, the provisions of subsection (10)(11) of this rule shall apply.~~

~~(10)(11)~~ Any cost judgment or other monetary judgment, order, or sanction imposed against an inmate as described in paragraph ~~(9)(10)~~(d) above, shall be paid by offsetting the amount of the judgment or monetary order or sanction against the inmate's funds in his inmate bank trust fund account in the following manner:

(a) The attorney representing the state in such civil or criminal action or appeal shall file with the Office of the General Counsel Admission and Release Authority, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, a true copy of the judgment or other monetary order or sanction which has been entered by the appropriate court, together with a cover letter stating the date and amount of the judgment, monetary order, or sanction, or the balance remaining if less than the face amount thereof, as well as the attorney's name, address and telephone number. The attorney shall also certify in the letter that:

1. through 4. No change.

(b) Upon receipt of the above documents, the Office of the General Counsel Admission and Release Authority shall determine if the inmate is still in the custody of the department. If the inmate is not in the custody of the department, the Office of the General Counsel Admission and Release Authority shall advise the attorney of that fact and, if known, advise the attorney of the last known forwarding address of the inmate. If the inmate

is in the custody of the department, the Office of the General Counsel Admission and Release Authority shall forward the letter and a copy of the judgment or relevant order to the Bureau of Finance and Accounting, Inmate Trust Fund Section service center for the institution where the inmate is presently incarcerated, specifically directed to the attention of the person who is in charge of or responsible for the inmate bank trust fund at that service center.

(c) Once the Bureau of Finance and Accounting, Inmate Trust Fund Section, service center receives the letter and a copy of the judgment or relevant order, a hold shall immediately be placed on the inmate's account. The inmate shall be promptly advised of the hold and that the reason therefore is an unsatisfied judgment or other monetary order or sanction. A copy of the attorney's letter or the letter from the probation and parole field office and a copy of the judgment or relevant order will be given to the inmate upon his request.

(d) No change.

(e) If there are insufficient funds in the inmate's account to satisfy the amount shown as due or the balance remaining as stated by the attorney, a check shall be issued payable to the "State of Florida" for the amount contained in the inmate's account. Each time that the inmate receives funds in his account, payment shall be disbursed to the State of Florida until the debt is satisfied. The hold shall remain on the inmate's account until sufficient funds have been paid to satisfy the amount shown as due on the balance remaining thereon. If the inmate is released from the custody of the department before he has paid the full amount of the judgment, upon his release, a notice shall be sent to the attorney or probation and parole office advising the attorney or office of the inmate's release, the inmate's last forwarding address, if known, and the fact that the inmate has not paid the full amount of the judgment. A copy of this notice shall be placed in the inmate's file.

~~(f) If the inmate is transferred to another institution or facility under a different service center within the department during the time that there is an unsatisfied judgement or other monetary order or sanction and a hold placed on his inmate account by reason thereof, the hold, as well as the attorney's letter and copy of the judgment or other monetary order or sanction, shall be transferred with the inmate to the new service center and the procedures specified above shall continue to apply.~~

~~(11)(12)~~ Inmates shall be provided with monthly statements detailing the activity in their bank trust fund accounts. Inmates will be provided one monthly trust account statement reflecting all transactions for the current month. If an inmate thinks the statement is wrong, or if additional information is needed about a transaction, the inmate must submit Form DC6-236, Inmate Request, no later than sixty days after the first statement on which the problem or error appeared. The request must provide sufficient detail for audit. The complaint will be investigated and errors will be corrected

promptly. If it takes more than ten working days to do this, a written notification of the delay will be provided. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

(12)(13) When necessary for meeting state or federal requirements for demonstrating indigence indigency to the courts, inmates shall be provided with copies of printouts of their trust fund activity for the previous six months upon presentation of information demonstrating litigation – case number (if known), court, completed affidavit of indigency – attached to an inmate request. Application of this provision is limited to those requests which specifically state that the printouts are necessary for this purpose. The printout shall be provided to the inmate by the Bureau of Finance and Accounting, Inmate Trust Fund Section, service center within 10 5 working days of receipt of the request. Copies shall be authorized in accordance with Rule 33-501.302, F.A.C.

Specific Authority 944.09, 944.516, 945.091, 945.215 FS. Law Implemented 57.085, 717, 944.09, 944.516, 945.091, 945.215 FS. History--New 1-27-86, Amended 7-16-89, 5-1-90, 3-2-92, 6-2-92, 8-25-92, 10-19-92, 4-13-93, 5-28-96, 6-15-98, Formerly 33-3.018, Amended 5-7-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Richard Prudom

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 14, 2002

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Routine Mail  
RULE NO.: 33-210.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to ensure the protection of the public and the maintenance of order in the institution by prohibiting inmates from placing advertisements soliciting funds, goods or services and prohibiting inmates from entering contests or sweepstakes.

SUMMARY: The proposed rule prohibits from placing advertisements soliciting funds, goods or services and prohibits inmates from entering contests or sweepstakes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED 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:

33-210.101 Routine Mail.

(1) through (2) No change.

(3) No other items may be received through incoming routine mail. If an impermissible item is found (other than items of an illegal nature, the entire correspondence will be returned to the sender pursuant to subsection (13)(14) of this rule. For example, the following items are not permissible for inclusion in or attachment to routine mail:

(a) through (e) No change.

(4) through (7) No change.

(8) Inmates shall not use correspondence privileges to solicit or otherwise commercially advertise for money, goods or services. For the purposes of this rule this includes advertising for pen-pals; inmates are not prohibited from corresponding with pen pals, but shall not place ads soliciting pen pals. Inmates are prohibited from receiving correspondence or materials from persons or groups marketing advertising services, or from subscribing to advertising services. Inmates who post ads or have ads posted with the assistance of another person shall be subject to disciplinary action.

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

(12) Inmates shall be prohibited from entering contests or sweepstakes through the mail while incarcerated.

(11) through (16) renumbered (13) through (18) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 10-8-76, Amended 10-11-77, 4-19-79, 11-19-81, 3-12-84, 10-15-84, Formerly 33-3.04, Amended 7-8-86, 9-4-88, 3-9-89, 9-1-93, 9-30-96, 5-25-97, 6-1-97, 10-7-97, 5-10-98, Formerly 33-3.004, Amended 12-20-99, Formerly 33-602.401, Amended 12-4-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Joel Anderson

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 7, 2003

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Admissible Reading Material  
RULE NO.: 33-501.401

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete unnecessary language, incorporate a new form, and address admissible reading material issues related to: commercial photographs; procedures for the handling of impounded, approved and rejected publications;

individual rejections; procedures for appealing impoundment decisions; non-print media; subscription purchases; and educational correspondence study materials.

SUMMARY: The proposed rule deletes unnecessary language, incorporates a new form, and addresses admissible reading material issues related to: commercial photographs; procedures for the handling of impounded, approved and rejected publications; individual rejections; procedures for appealing impoundment decisions; non-print media; subscription purchases; and educational correspondence study materials.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09, 944.11 FS.

LAW IMPLEMENTED: 944.11 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:

33-501.401 Admissible Reading Material.

(1) The provisions of this section shall apply to all publications, including books, newspapers, magazines, brochures, flyers, and catalogues, calendars and any other printed materials addressed to a specific inmate or found in the personal property of an inmate. Personal and commercially reproduced photographs are not publications. No photograph will be approved and issued to an inmate as admissible reading material. Policy governing the receipt of photographs by inmates through the mail is established in Rule 33-210.101, F.A.C.

(2) Definitions.

(a) General circulation newspaper – a publication issued daily or weekly under the same title that contains current news, editorials, feature articles, and usually advertising.

(b) Hard-bound book – a publication with a rigid, pressboard cover that is commonly attached to the book through use of end sheets.

(c) Impoundment – the action taken by authorized department staff to withhold an inmate's incoming publication or a publication found in an inmate's personal property pending review of its admissibility by the Literature Review Committee.

(d) Inmate grievance appeal – a Request for Administrative Remedy or Appeal, Form DC1-303. Form DC1-303 is incorporated by reference in Rule 33-103.019, F.A.C.

(e) Mail order distributors and bookstores – business establishments that sell publications to the general public.

(f) Non-print media – publications published in formats other than on paper. Examples include microfilm, microfiche, computer disks, CD-ROM disks, and audio-tapes.

(g) Periodical – a publication issued under the same title and published at regular intervals of more than once a year. Examples of periodicals include journals and magazines and some newspapers and catalogs.

(h) Print media – publications that are printed or written on paper. These include hardcover books, soft cover books, magazines, newspapers, catalogs, and brochures.

(i) Publication – a document that is offered to the public by sale or by gratuitous distribution. Single photographs are not publications.

(j) Publisher – a corporation, governmental agency, private or public educational institution, church or other religious organization, professional, business or fraternal organization or association that prints publications for sale or gratuitous distribution to the public.

(k) Redaction – a procedure whereby a reviewer removes specific subject matter deemed inadmissible.

(l) Rejection – the act or procedure for declaring a book, periodical, or other single issue of a publication to be contraband.

(m) Religious testament – sacred texts, prayer books, and devotional books for the inmate's recorded faith orientation.

(n) Soft cover book – a bound publication with a flexible, paper cover, also referred to as a soft bound or paperback book.

(3)(2) Inmates shall be permitted to receive and possess publications per terms and conditions established in this rule unless the publication is found to be detrimental to the security, order or disciplinary or rehabilitative interests of any institution of the department, or any privately operated institution, or when it is determined that the publication might facilitate criminal activity. Publications shall be rejected when one of the following criteria is met:

(a) through (h) No change.

(i) It ~~pictorially~~ depicts sexual conduct as follows:

1. through 6. No change.

(j) It ~~pictorially~~ depicts nudity or a lewd exhibition of the genitals in such a way as to create the appearance that sexual conduct is imminent, i.e., display of contact or intended contact with a person's unclothed genitals, pubic area, buttocks or female breasts orally, digitally or by foreign object, or display of sexual organs in an aroused state.

(k) through (m) No change.

(4)(a) The department shall maintain a list of rejected publications that shall identify all publications that have been reviewed and rejected by the literature review committee. The list of rejected publications shall be updated after every meeting of the literature review committee. All institutions shall keep a current copy of the list of rejected publications in every institutional mailroom and at a location accessible by inmates.

(b) The department shall maintain a list of approved publications that shall identify all publications that have been approved for receipt by inmates after being impounded by institutions and forwarded to the literature review committee for review. All institutions shall keep a current copy of the list of approved publications in every institutional mailroom and at a location accessible by inmates.

(5)(3) A subscription to a periodical publication cannot be totally rejected by the institution, but each issue of the subscription shall be reviewed separately and impoundment or rejection shall be based on the criteria established in subsection (3)(2).

(6) Inmates who are foreign nationals shall be permitted to receive publications in their native language that are mailed direct from government agencies, diplomatic missions, and consular offices of their country of citizenship. Such publications can be new or used, however, all other restrictions on admissible reading material established in this rule shall apply.

(7)(4) Incoming publications previously rejected by the literature review committee.

(8) An incoming publication that has previously been rejected by the department's literature review committee due to inclusion of subject matter held to be inadmissible per the criteria established in subsection (3)(2) shall not be reviewed again unless the publisher presents proof to the literature review committee that it has been revised and in the revision process the material resulting in the original rejection has been removed. When a rejected publication is received at an institution, it shall be impounded and shall not be issued to inmates. The warden or designee shall notify the inmate in writing on Form DC5-101, Notice of Rejection or Impoundment of Publications, within 15 calendar days of receipt that the publication has been rejected by the department's literature review committee and cannot be received. Form DC5-101 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_. The notice shall also advise the inmate that he or she has 30 days to make arrangements to have the rejected publication picked up by an approved visitor or sent to a relative or friend or the sender at the inmate's expense, or the institution will destroy it. The 30 day limit shall not include any time that a grievance appeal is pending

provided that the inmate has provided the warden with the written notice required in paragraph (7)(b) of this rule. The actual date that the notice is mailed to the publisher or sender shall be documented by date stamp on the copies provided to the publisher or sender and the institution's copy. For purposes of this subsection, the warden's "designee" may include the mailroom supervisor. A Notice of Rejection or Impoundment of Publications, Form DC5-101, notice shall address only one publication. If a single mailing notice includes more than one rejected publication, a Notice of Rejection or Impoundment of Publications, Form DC5-101 separate rejection notices shall be prepared for each.

(b) A list of books and individual issues of periodicals that have been rejected by the department's literature review committee shall be maintained in the institution mail room.

(8)(5) Incoming publications that have not been previously rejected by the literature review committee.

(a) The warden or designee shall impound and not issue to inmates any publication that which he or she finds to be inadmissible pursuant to the criteria in subsection (3)(2) within 15 calendar days of receipt of the publication at the institution. If only a portion of a publication meets one of the criteria for rejection established in subsection (3)(2), the entire publication shall be impounded. For the purposes of approving the impoundment of publications, the warden's "designee" shall be limited to the assistant warden or chief of a work camp, road prison, or forestry camp.

(b) The warden or designee shall advise the inmate in writing on Form DC5-101, Notice of Rejection or Impoundment of Publications, of the specific reasons for the impoundment within 15 calendar days of receipt of the publication at the institution and shall provide two copies of the form impoundment notice to the inmate. The warden or designee of the institution that originated the impoundment shall also provide a copy of the completed form notice to the publisher, mail order distributor, bookstore or sender. The actual date that Form DC5-101, Notice of Rejection or Impoundment of Publications, the notice is mailed to the publisher, mail order distributor, bookstore or sender shall be documented by date stamp on the copies provided to the publisher or sender and the institution's copy. An impoundment Notice of Rejection or Impoundment of Publications, Form DC5-101, shall only address one publication. If a single mailing or package includes more than one publication and more than one are determined to be inadmissible, separate Notice of Rejection or Impoundment of Publications, Form DC5-101, notices shall be prepared for each.

(c) The inmate shall be informed that the impounded or rejected publication shall be held at the institution for 30 days, and that he or she must make arrangements to have it picked up by an approved visitor or sent to a relative or friend or the sender at the inmate's expense. The inmate shall also be

advised that if the material is not picked up or mailed out within 30 days, the institution shall destroy it. The 30 day limit shall not include any time that a grievance appeal is pending provided that the inmate has provided the warden with the written notice required in paragraph (7)(b) of this rule. However, if the inmate fails to provide the warden with written notice of his or her appeal within 15 days of the impoundment or rejection, the institution shall not be required to store the publication beyond 30 days.

(c)(~~e~~) The impoundment of a publication by a warden or authorized designee of any correctional facility of the department shall result in that publication being impounded at all correctional facilities until such time as the literature review committee reviews the action. Inmates at other institutions who also receive the impounded publication shall be provided a Notice of Rejection or Impoundment of Publications, Form DC5-101, ~~written notice~~ explaining that it has been impounded pending review for admissibility; the Notice of Rejection or Impoundment of Publications, Form DC5-101, shall also detail the specific reasons why the publication was impounded. For purposes of this subsection, the warden's "designee" may include the mailroom supervisor.

(d)(~~e~~) No change.

(9)(~~6~~) Admissible Reading Material in an Inmate's Property.

(a) The review criteria established in subsection (3)(~~2~~) of this rule also apply to publications found in an inmate's personal property. If correctional staff find a publication that has been rejected by the department, the publication shall be impounded and DC Form DC6-220, Inmate Impounded Personal Property List, shall be completed as required by Rules 33-602.201 and 33-602.203, F.A.C. Form DC6-220 is incorporated by reference in Rule 33-602~~4~~.201, F.A.C.

(b) If correctional staff believe that a publication found in an inmate's personal property is inadmissible per subsection (3)(~~2~~) of this rule, it shall be impounded and DC Form DC6-220, Inmate Impounded Personal Property List, shall be completed as required by Rules 33-602.201 and 33-602.203, F.A.C. The publication shall then be forwarded to the warden or his or her designee for review. The warden or warden's designee shall review the publication within 15 days of impoundment. If the publication is found to be inadmissible, the warden or warden's designee shall prepare a Notice of Rejection or an Impoundment of Publications, Form DC5-101, ~~notice~~ that advises the inmate of the specific reasons for the impoundment. The Notice of Rejection or an Impoundment of Publications, Form DC5-101, ~~notice~~ shall only address one publication; ~~if~~ more than one publication is determined to be inadmissible, a separate Notice of Rejection or an Impoundment of Publications, Form DC5-101, ~~notices~~ shall be prepared for each. The inmate shall be provided with two copies of the form impoundment notice.

(10) Single issues of periodicals and newspapers, any book, and any other printed material addressed to a specific inmate or found in the property of an inmate shall be impounded when circumstances detailed in an individual inmate's criminal conviction, detailed in departmental disciplinary reports, or detailed in prior criminal convictions, indicates it would be a threat to the security, order or rehabilitative objectives of the correctional system or the safety of any person to allow the inmate access to subject matter in that publication.

(a) Publications received through the mail. Within 15 calendar days of receipt of the publication at the institution, the warden or designee shall advise the inmate in writing on Form DC5-101, Notice of Rejection or Impoundment of Publications, of the specific subject matter that is cause for impoundment pursuant to this subsection, to include the page numbers in the publication where this information is found, and the specific security, safety, or rehabilitation concerns that justify denying the individual inmate access to the publication. The warden or designee shall provide a copy of the completed Form DC5-101, Notice of Rejection or Impoundment of Publications, to the publisher, mail order distributor, bookstore, or sender. The actual date that the Form DC5-101, Notice of Rejection or Impoundment of Publications, is mailed to the publisher, mail order distributor, bookstore, or sender shall be documented by date stamp on the copies provided to the publisher or sender and the institution's copy. The inmate also shall be provided two copies of the form. Form DC5-101, Notice of Rejection or Impoundment of Publications, shall only address one publication. If a single mailing or package includes more than one publication and more than one are determined to be inadmissible, a Form DC5-101, Notice of Rejection or Impoundment of Publications, shall be prepared for each.

(b) Publications found in an inmate's personal property. Correctional staff shall impound the publication and complete DC Form DC6-220, Inmate Impounded Personal Property List, as required by Rules 33-602.201 and 33-602.203, F.A.C. The publication shall then be forwarded to the warden or his or her designee for review. The warden or warden's designee shall review the publication within 15 days of impoundment. If the warden or designee agrees that the publication should be impounded, he or she shall prepare a Form DC5-101, Notice of Rejection or Impoundment of Publications, identifying the specific subject matter that is cause for impoundment pursuant to this subsection, to include the page numbers in the publication where this information is found, and the specific security, safety, or rehabilitation concerns that justify denying the individual inmate access to the publication. Form DC5-101, Notice of Rejection or Impoundment of Publications, shall only address one publication. If more than one publication is determined to be inadmissible, a Form DC5-101, Notice of Rejection or Impoundment of Publications, shall be prepared for each. The inmate shall be provided with two copies of the form.

(c) A copy of the completed Form DC5-101, Notice of Rejection or Impoundment of Publications, shall also be sent to the Literature Review Committee, together with any other information that the warden or designee believes justifies the institution's decision to deny the inmate the publication.

(d) Publications that are impounded pursuant to this subsection shall be handled as provided in subsections (8) and (9) of this rule.

(e) Inmates may appeal impoundment decisions undertaken pursuant to this subsection through use of the inmate grievance procedure as provided in subsection (13) and paragraph (14)(c) of this rule and Chapter 33-103, F.A.C.

1. If the impoundment decision is disapproved, the institution shall give the publication to the inmate.

2. If the impoundment decision is approved, the institution shall advise the inmate that he or she has 30 days from date of receipt of notice that the grievance appeal has been denied to make arrangements to have the publication picked up by an approved visitor or sent to a relative or friend or the sender at the inmate's expense. If the publication is not picked up or mailed out within 30 days, the institution shall destroy it.

(f) Impoundment decisions that are approved pursuant to this subsection are individualized in nature and do not have affect on any other inmate. If institution staff believe that a publication is inadmissible per the criteria established in subsection (3) of this rule, and should be denied to all inmates, they shall follow the procedures established in subsections (8) and (9) of this rule.

(f) Inmates who otherwise secure publications that they were specifically prohibited from receiving pursuant to this subsection shall be subject to formal disciplinary action as provided in Rules 33-601.300-314, F.A.C. Any such publications found in the possession of the inmate shall be impounded as contraband, and may be destroyed upon conclusion of disciplinary proceedings and related grievance or legal appeals.

(b) At any time during the 30 day limit, an inmate may elect to have an impounded or rejected publication picked up by an approved visitor, relative, or friend or to pay to have the publication mailed to one of these approved individuals, or to have it disposed of or destroyed. If the inmate authorizes the institution to have the publication disposed of or destroyed before the 30 day limit or while a grievance appeal is known to be pending, such authorization shall be secured in writing.

(11)(a) Rejected and impounded publications shall be held at the institution for 30 days. Upon receipt of a Form DC5-101, Notice of Rejection or Impoundment of Publications, an inmate shall have 30 days from date of receipt of the form to make arrangements to have the publication picked up by an approved visitor or sent to a relative or friend or the sender at the inmate's expense. If the publication is not picked up or mailed out within 30 days, the institution shall destroy it. The 30 day limit shall not include any time that a grievance appeal

is pending provided that the inmate has provided the warden with the written notice required in paragraph (13)(b) of this rule. However, if the inmate fails to provide the warden with written notice of his or her appeal within 15 days of the impoundment or rejection, the institution shall not be required to store the publication beyond 30 days.

(12) Institutions shall store impounded or rejected publications in a secure location that is inaccessible by inmates. A copy of the completed Form DC5-101, Notice of Rejection or Impoundment of Publications, shall be kept with the impounded or rejected publication.

(13)(7) Inmates may appeal the impoundment or rejection of reading material through use of the inmate grievance procedure, Chapter 33-103, F.A.C. ~~Florida Administrative Code~~. When publications are impounded or rejected pursuant to the criteria established in this rule, inmates shall bypass the informal and formal institutional level of review, and file grievances direct to the office of the secretary. The grievance appeal shall be addressed to the office of the secretary and not to the literature review committee or to the library services administrator.

(a) If the inmate decides to appeal the impoundment or rejection to the office of the secretary, he or she shall file the appeal within 15 calendar days of the impoundment or rejection and must include a copy of Form DC5-101, Notice of Rejection or the Impoundment of Publications or rejection notice with the appeal. The inmate shall identify the grievance as being related to admissible reading material by writing the words "Admissible Reading Material" at the top of the grievance. Only one impounded or rejected publication shall be addressed in the appeal.

(b) through (d) No change.

(14)(8) Literature Review Committee.

(a) through (b) No change.

(c) Upon receipt of a Form DC5-101, Notice of Rejection or Impoundment of Publications, ~~impoundment notices~~ from a correctional facility ~~facilities~~ or receipt of inmate grievance appeals forwarded by the Bureau of Inmate Grievance Appeals, the library services administrator or designee shall schedule a meeting of the literature review committee to review institutional decisions to impound publications and inmate appeals within 30 days of receipt. ~~The literature review committee shall meet at least once every month if impoundment notices or appeals have been received.~~ The committee shall review the inmate's appeal, or, in the case of institutional impoundment decisions, the rule authority and reasons for the impoundment cited on the Form DC5-101, ~~Notice of Rejection or Impoundment of Publications~~, the portions of the publication that have been cited as cause for impoundment, and any other specific material relating to the decision to impound the publication or the inmate's appeal. The committee shall affirm or overturn the impoundment



decision, or approve or deny the appeal based upon the criteria set forth in this rule. Decisions shall be by majority vote. The decision of the committee shall be final.

(d) No change.

(e) If the inmate's grievance appeal is approved or if the literature review committee notifies institutions that the impoundment of a publication has been overturned, the institution shall issue the publication to the inmate. The following guidelines shall be followed:

1. The publication shall be retrieved from secure storage and turned over to security or service center staff authorized by the warden or designee to issue impounded publications to inmates.

2. A copy of the completed Form DC5-101, Notice of Rejection or Impoundment of Publications, shall be attached to the publication.

3. Institution staff shall stamp the completed Form DC5-101, Notice of Rejection or Impoundment of Publications, "Received by (signature of inmate) on (date)" in the upper right-hand corner on page 1 of the form.

4. The stamped Form DC5-101, Notice of Rejection or Impoundment of Publications, shall be presented to the inmate. The inmate shall be required to sign and date the form. The inmate shall be issued the publication only after he or she has signed and dated the form.

5. The signed form shall be retained by institutional or service center staff as documentation that the inmate was issued the publication.

~~(15)(9)(a)~~ The publisher, ~~wholesale or~~ mail order distributor, bookstore or sender may obtain an independent review of the warden's decision to impound a publication by writing to the library services administrator at 2601 Blair Stone Road, Tallahassee, Florida 32399-2500 within 15 days following receipt of Form DC5-101, the Notice of Rejection or Impoundment of Publications or rejection by the warden. The request for review must be accompanied by:

1. A copy of the completed Form DC5-101, Notice of Rejection or Impoundment of Publications or rejection notice; and

2. A copy of the impounded or rejected publication.

(b) The library services administrator shall forward this information to the literature review committee for review. If the appeal is approved, the publisher, ~~wholesale or~~ mail order distributor, bookstore or sender shall be notified of the decision. The decision shall also be communicated to all institutions of the department, and all privately operated institutions under contract with the department.

~~(16)(10)(a) through (b)~~ No change.

(c) Inmates subscribe to periodicals or other reading materials at their own risk and expense. Inmates will not be reimbursed by the Department of Corrections for materials that ~~which~~ are rejected.

(d) No change.

(e) Inmates may only receive and possess print media publications. Incoming publications published on non-print media or print media publications that include non-print media that are an integral part of the publication will be rejected and returned to the sender along with an explanation as to why the material is being rejected. However, unsolicited promotional computer diskettes and CD-ROMs that are mailed with a periodical issue, e.g. the CD-ROMs promoting America Online's Internet service, will be handled as provided in subsection (24) of this rule.

(f) If an inmate does not have space to store admissible reading material in his or her personal living area without creating a fire, safety, or sanitation hazard, the institution is authorized to not issue the items or to impound the items if previously issued until the inmate disposes of other personal property in order to create storage space for the publications.

(g) Inmates shall not order publications from publishers or senders on a "bill me later" basis. All book or periodical subscription purchases that are initiated by inmates shall include an Inmate Bank Trust Fund Special Withdrawal, Form DC2-304, that covers the complete cost of the purchase, and postage, if necessary, and shall include an envelope that is properly addressed to the publisher or sender. Such requests shall be submitted to the warden or designee for approval. If approved, the warden or designee shall forward the request to the Bureau of Finance and Accounting, Inmate Bank Section, for processing. Any outgoing correspondence that does not comply with these requirements shall be returned to the inmate. Form DC2-304 is incorporated by reference in Rule 33-203.201, F.A.C.

~~(17)(11)~~ No change.

~~(18)(12)~~ Books, periodicals or other publications shall be sent directly from the publishers, ~~wholesale or~~ mail order distributors or bookstores to the inmate unless otherwise authorized by the warden.

~~(19)(13)~~ No change.

(20) The address of all incoming books, periodicals and other publications must contain the inmate's committed name, identification number, and institutional address.

~~(21)(14)(a)~~ Publications and training materials selected for use in authorized programs of the Department, or in private correctional institutions operated under contract with the Department, PRIDE or the Corrections Medical Authority shall be reviewed by the department head or person designated by the warden to ensure that the subject matter contained therein is admissible and does not meet any of the criteria for inadmissibility in subsection ~~(3)(2)~~.

(b) Institutions shall permit inmates to enroll in correspondence study programs provided that the subject matter of course materials is not inadmissible pursuant to the criteria stated in subsection ~~(3)(2)~~. The warden shall designate one or more department heads to screen and approve all materials received pursuant to participation in correspondence

study programs. Individual items shall be inspected by institution staff upon receipt and shall either be approved and issued to the inmate, or rejected and handled as contraband in accordance with Rules 33-602.201 and 33-602.203, F.A.C. Upon delivery to the institution, course or training materials shall be forwarded to the department head that approved the request for inspection prior to delivery to the inmate.

1. Inmates shall secure prior approval from the warden or designee to receive any item not listed on the Inmate Property List, Appendix One, to Rule 33-602.201, F.A.C. Any such item that was not approved by the warden or designee in advance of receipt shall be rejected as contraband and handled in accordance with Rules 33-602.201 and 33-602.203, F.A.C.

2. Inmates in close management or on death row shall not be permitted to receive hardcover correspondence study materials. Paperback materials shall not have metal or spiral bindings.

3. All educational correspondence study materials shall be mailed directly from the course provider to the institution's education department via U.S. Postal Service mail.

~~(22)(15)~~ No change.

~~(23)(16)~~ Calendars.

(a) No change.

(b) Authorized sources:

1. Inmates shall be permitted to receive calendars from publishers, ~~wholesale or~~ mail order distributors and bookstores.

2. through 3. No change.

(c) Calendars that contain written or pictorial matter that is inadmissible per subsection ~~(3)(2)~~ of this rule shall be rejected and shall not be issued to inmates.

(d) No change.

~~(24)(17)~~ No change.

Specific Authority 944.09, 944.11 FS. Law Implemented 944.11 FS. History--New 10-8-76, Amended 3-3-81, 9-24-81, Formerly 33-3.12, Amended 6-9-87, 3-11-91, 12-17-91, 3-30-94, 11-2-94, 5-10-98, 10-20-98, Formerly 33-3.012, Amended 3-21-00, 8-10-00, 10-13-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Allen Overstreet

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 17, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 21, 2003

**DEPARTMENT OF CORRECTIONS**

RULE TITLE:  
Sex Offender Visiting Restrictions

RULE NO.:  
33-601.720

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the factors to be considered by the warden when determining whether to grant a request for a visit between an inmate sex offender and a minor accompanied by an authorized adult.

SUMMARY: The proposed rule clarifies the factors to be considered by the warden when determining whether to grant a request for a visit between an inmate sex offender and a minor accompanied by an authorized adult.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 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:

33-601.720 Sex Offender Visiting Restrictions.

(1) No change.

(2) A warden, with a recommendation from the CVA supervisor, is authorized to approve a visit between a minor who is accompanied by an authorized adult and an inmate who meets the criteria in subsection 33-601.720(1), F.A.C., above if visiting is not restricted by court order and the warden determines the visit to be in the minor's best interest. Factors to be considered are:

(a) An evaluation from a Florida licensed mental health counselor, marriage and family therapist, clinical social worker, psychologist or psychiatrist professionally certified or licensed counselor from the community, which reports the impact on the minor of such visits or the lack of visits,

(b) The duration and frequency of prior visits without adverse incidents,

~~(c) A psychological evaluation of the inmate as to the danger presented to the minor and any continuing issues regarding visits with the minor,~~

~~(c)(d)~~ The availability of non-contact visiting facilities at the institution, and

~~(d)(e)~~ Other factors related to the safety and best interest of the minor.

(3) The warden shall also consider the disciplinary history of the inmate when making the determination of whether to allow visitation. In order to be eligible to visit, an inmate must

not have been found guilty of any of the following disciplinary charges in Rule 33-601.314, F.A.C., during the three months prior to the request for visitation:

(a) 1-1 Assault or battery or attempted assault or battery, with a deadly weapon;

(b) 1-2 Other assault or battery or attempted assault or battery;

(c) 1-3 Spoken or written threats;

(d) 1-4 Disrespect to officials, employees, or other persons of constituted authority expressed by means of words, gestures, and the like;

(e) 1-5 Sexual battery or attempted sexual battery;

(f) 2-1 Participating in riots, strikes, mutinous acts or disturbances;

(g) 2-2 Inciting or attempting to incite riots, strikes, mutinous acts or disturbances – Conveying any inflammatory, riotous or mutinous communication by word of mouth, in writing or by sign, symbol or gesture;

(h) 2-3 Participating in or inciting a minor disturbance;

(i) 2-4 Fighting;

(j) 3-1 Possession or manufacture of weapons, ammunition or explosives;

(k) 7-6 Arson or attempted arson;

(l) 9-1 Obscene or profane act, gesture, or statement – oral, written or signified;

(m) 9-3 Breaking and entering or attempted breaking;

(n) 9-7 Sex acts or unauthorized physical contact involving inmates;

(o) 9-18 Unauthorized physical contact involving non-inmates;

(p) 9-20 Extortion or attempted extortion; or

(q) 9-22 Robbery or attempted robbery.

(4) Inmates shall not be permitted to visit with minors who are victims of their offenses unless a family court makes the determination that the visitation is necessary.

(5)(3) The warden shall provide documentation required in 33-601.720(2)(a) and (e), F.A.C., above to the CVA supervisor who shall recommend approval or denial to the warden.

(6) If visitation is recommended, the custodial parent or guardian of the child must complete and sign Form DC6-138, Consent for Visitation with Minor Child. Form DC6-138 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500 The effective date of this form is \_\_\_\_\_.

(7)(4) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New 11-18-01, Formerly 33-601.707, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Roderick Hall

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 17, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 21, 2003

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Permissible Items for Visitors  
RULE NO.: 33-601.725

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to add facial tissues and non-prescription sunglasses to the list of items which visitors are allowed to bring into a department facility.

SUMMARY: The proposed rule adds facial tissues and non-prescription sunglasses to the list of items which visitors are allowed to bring into a department facility.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 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:

33-601.725 Permissible Items for Visitors.

(1) Visitors shall be allowed to bring only authorized items listed into any department facility. Entry shall be denied if the visitor attempts to enter the institution or facility while possessing any unauthorized item or any authorized item in more than the approved amounts. Authorized items include:

(a) through (g) No change.

(h) ~~Prescription~~ Sunglasses.

(i) Small package of facial tissues in clear plastic.

(2) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New 11-18-01, Amended 5-27-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
James Upchurch

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2003  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 28, 2003

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Payment Methodology for Nursing Home Services  
 RULE NO.: 59G-6.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan payment methodology, effective January 1, 2003, to provide the following changes based on Senate Bill 1202, 2001-2002 Florida Legislature and House Bill 27E, General Appropriations Act, 2002-03 Florida Legislature.

1. The Agency is amending the Long-Term Care Reimbursement Plan to provide for an increase in the minimum staffing requirements for nursing homes. These requirements shall include, for each nursing home facility, a minimum certified nursing assistant staffing increase to 2.6 hours of direct care per resident per day beginning January 1, 2003.
2. The nursing home upper payment limit (UPL) calculation methodology will be revised from the current formula based 100% on bed allocations to a formula based 50% on bed allocations and 50% on cost allocations.
3. Update to AHCA Document Number 5300-0001 which incorporates a revised chart of accounts approved by the Auditor General August 23, 2002.

The effect of the proposed amendment will be:

1. An increase from the 2.3 minimum staffing ratio for Florida Medicaid nursing facilities to 2.6 hours of direct care per resident per day beginning January 1, 2003.
2. A revision to the current upper payment limit (UPL) formula based 100% on bed allocations to a formula based 50% on bed allocations and 50% on cost allocations.
3. Update to AHCA Document Number 5300-0001 which incorporates a revised chart of accounts approved by the Auditor General August 23, 2002.

SUMMARY: The proposed amendment to Rule 59G-6.010, F.A.C., incorporates revisions to the Florida Title XIX Long-Term Care Reimbursement Plan. The amendment seeks to: increase Florida Medicaid nursing home minimum staffing ratios from 2.3 hours per patient day to 2.6 hours per patient day effective January 1, 2003, revise the nursing home upper payment limit (UPL) methodology allocation, and incorporate by reference a revised chart of accounts.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory cost has not been prepared.

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 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: 2:00 p.m., April 30, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robert Butler, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120B, Mail Stop 21, Tallahassee, Florida 32308, (850)414-2756

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.010 Payment Methodology for Nursing Home Services.

Reimbursement to participating nursing homes for services provided shall be in accord with the Florida Title XIX Long-Term Care Reimbursement Plan, Version ~~XXIV~~ ~~XXX~~ Effective Date ~~January 8, 2003~~ and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Deputy Director for Medicaid, 2727 Mahan Drive, Mail Stop 8, Tallahassee, Florida 32308. The plan incorporates Provider Reimbursement Manual (CMS Pub. 15-1).

Specific Authority 409.919 FS. Law Implemented 409.908 FS. History—New 7-1-85, Amended 10-1-85, Formerly 10C-7.482, Amended 7-1-86, 1-1-88, 3-26-90, 9-30-90, 12-17-90, 9-15-91, 3-26-92, 10-22-92, 4-13-93, 6-27-93, Formerly 10C-7.0482, Amended 4-10-94, 9-22-94, 5-22-95, 11-27-95, 11-6-97, 2-14-99, 10-18-99 1-11-00, 4-24-00, 9-20-00, 11-20-01, 2-20-02, 7-14-02, 1-8-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING THE PROPOSED RULE: Mr. Robert Butler

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Bob Sharpe

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 20, 2002

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

RULE TITLE: Disciplinary Guidelines

RULE NO.: 61G18-30.001

PURPOSE AND EFFECT: The Board proposes the rule amendments to update unlicensed practice violations and penalties.

SUMMARY: The proposed rules address violations and penalties for leading the public to believe one is licensed when not or practicing without a valid active license; and, operating a veterinary establishment without a valid premise permit.

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: 455.2273(1) FS.

LAW IMPLEMENTED: 455.2273, 474.213, 474.214 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW FOR THE BOARD'S NEXT MEETING, JUNE, 2003.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-30.001 Disciplinary Guidelines.

(1) When the Board finds an applicant or licensee whom it regulates under Chapter 474, Florida Statutes, has committed any of the acts set forth in Section 474.213(1), Florida Statutes, which are felonies of the third degree as well as violations of the Practice act, it shall issue a final order imposing appropriate penalties, using the following disciplinary guidelines:

(a) through (i) No change.

(j) Leading the public to believe that the person is licensed as a veterinarian or is engaged in the licensed practice of veterinary medicine without a valid active license.

In the case of an applicant, the usual action of the Board shall be to request the Department issue a Cease and Desist Order, which will remain in effect until licensure is granted, plus an administrative fine of two thousand dollars (\$2,000.00) and, upon eligibility for licensure, imposition of a one year probationary period. In the case of a non-licensed veterinarian the Board shall request that the Department issue a Cease and Desist order and an administrative fine of two thousand dollars

(\$2,000.00) plus one year's probation if the subject should become licensed in the State of Florida.

In the case of a non-veterinarian the Board shall request that the Department issue a Cease and Desist Order and an administrative fine of two thousand dollars (\$2,000.00) for each count.

The usual action of the Board shall be an administrative fine of two thousand dollars (\$2,000.00). The Board shall also require that a premise permit be obtained or request the Department to issue a Cease and Desist order.

(k) Knowingly operating a veterinary establishment or premises without a valid premise permit.

(2) through (4) No change.

Specific Authority 455.2273(1) FS. Law Implemented 455.2273, 474.213, 474.214 FS. History--New 12-8-86, Amended 5-27-91, Formerly 21X-30.001, Amended 8-18-94, 5-13-96, 2-18-01, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Veterinary Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 3, 2003

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE TITLE: Examination Requirements for Licensure  
RULE NO.: 64B14-4.004

Candidates Pursuant to Section 468.805(3) PURPOSE AND EFFECT: The Board proposes to repeal this rule due to Legislative action in 2001.

SUMMARY: This rule is being repealed as it is no longer necessary pursuant to s. 468.805, F.S.

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

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

SPECIFIC AUTHORITY: 468.805(3) FS.

LAW IMPLEMENTED: 468.805(3) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.004 Examination Requirements for Licensure Candidates Pursuant to Section 468.805(3).

Specific Authority 468.805(3) FS. Law Implemented 468.805(3) FS. History--New 11-2-98, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2001

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE TITLE: Emergency Medical Services Grants Procedures  
RULE NO.: 64E-2.030

PURPOSE AND EFFECT: To amend current rule to modify requirements for grant fund distribution.

SUMMARY: The proposed rule removes language relative to the denial process and related remedies.

STATEMENT OF ESTIMATED REGULATORY COSTS: None 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: 401.121 FS.

LAW IMPLEMENTED: 401.111, 401.113, 401.121 FS.

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

TIME AND DATE: 10:00 a.m., April 29, 2003

PLACE: Division of Emergency Medical Services and Community Health Resources, 4025 Esplanade Way, Room 301 A & B, Tallahassee, Florida 32311-7829

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pam Lesley, Government Analyst, Division of Emergency Medical Services and Community Health Resources, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2733, Email Pam\_Lesley@doh.state.fl.us; or FAX (850)921-8162

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-2.030 Emergency Medical Services Grants Procedures

(1) through (2) No change.

(3) All grant award decisions shall be posted on a date and time certain at a specific location in Tallahassee, Florida. All grant award notices shall be published on the Bureau of Emergency Medical Services website at [www.doh.state.fl.us/ems](http://www.doh.state.fl.us/ems), at the date and time established in the FAW notice as outlined-in (2) above. ~~The 21 days for denied applicants to file a petition for an administrative hearing as provided in Section 120.569 and Section 120.57, F.S., shall commence at the date and time of the award posting. If any award denial results in a timely and legally sufficient petition for administrative hearing as provided by Rule 28 106.201, F.A.C., and Rule 28 106.301, F.A.C., no award shall be made until final order and, if applicable, appellate proceedings have concluded, on the action if the denied applicant. The department shall proportionately adjust awards should the result of an administrative proceeding dictate.~~

(4) through (6) No change.

Specific Authority 401.121 FS. Law Implemented 401.111, 401.113, 401.121 FS. History--New 6-6-90, Amended 12-10-92, 1-26-97, Formerly 10D-66.205, Amended 8-4-98, 11-3-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pam Lesley, Management Analyst

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Phil E. Williams, Division Director  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 20, 2003

NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 3, 2003  
P.O. B00829

**Section III**  
**Notices of Changes, Corrections and Withdrawals**

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

RULE NO.: 6E-2.0041  
RULE TITLE: Delivery of Programs through Nontraditional Assessments, Modes, and Methods

**NOTICE OF CHANGE**

Notice is hereby gives notice 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, 2003, issue of the Florida Administrative Weekly and the notice of change published in Vol. 29, No. 5, January 31, 2003, issue of the Florida Administrative Weekly.

The changes are as follows:

1. Proposed subsections (2)(c) shall now read:

“At least 25 percent of the units required in a nontraditional degree program shall be given by the institution awarding the degree, and shall not be derived from any combination of transfer, examination, or experiential learning; however, credits earned by active U.S. military members are excluded from this requirement due to the transient nature of the service. Credit awarded for prior experiential learning shall follow the requirement of subsection (5) of this rule, and shall not exceed 25 percent of the units required for completion of the program.

2. Proposed subsection (5)(e) the words “50 percent” shall be replaced by the words “25 percent.”

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Samuel Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301.

**PUBLIC SERVICE COMMISSION**

DOCKET NO. 001574-EQ

RULE NO.: 25-17.0832                      RULE TITLE: Firm Capacity and Energy Contracts

**NOTICE OF CHANGE**

Notice is hereby given that the following change has been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 7, February 14, 2003, issue of the Florida Administrative Weekly:

(4)(e)7. The ~~specific~~ period of time over which firm capacity and energy shall be delivered from the qualifying facility to the utility.

**DEPARTMENT OF ELDER AFFAIRS**

**Aging and Assisted Living Programs**

RULE NO.: 58C-1.003                      RULE TITLE: Administration

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the Notice of Proposed Rulemaking regarding the above rules, as notice in Vol. 29, No. 11, March 14, 2003, Florida Administrative Weekly, has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NOS.: 64B6-8.001                      RULE TITLES: Definitions  
64B6-8.002                      Qualifications for Trainees, Sponsors and Designated Hearing Aid Specialists

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 52, December 27, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsection (2) of Rule 64B6-8.001 shall now read as follows:

(2) Sponsor: An active, licensed hearing aid specialist under whose direct supervision one or more trainees are studying hearing aid dispensing for the purpose of qualifying for certification to sit for the licensure examination.

Subsections (2)(a) and (3)(a) of Rule 64B6-8.002 shall now read as follows:

(2)(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 licensed hearing aid specialists who are also 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;

(3)(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 licensed hearing aid specialists who are also 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

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

**Section IV  
Emergency Rules**

NONE

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

### WATER MANAGEMENT DISTRICTS

The St. Johns River Water Management District announces its intent to issue a variance from the provisions of Rule 40C-4.302(1)(c), F.A.C., and the associated portion of the Applicant's Handbook: Management and Storage of Surface Waters, including Section 12.2.5, (F.O.R. 2003-21) to Brevard County Board of County Commissioners, to repair and replace existing boat ramps and docks in Brevard County in the Indian River Lagoon which is categorized as Class II waters which are classified by the Department of Agricultural and Consumer Services as restricted for shellfish harvesting. This variance is sought in conjunction with St. Johns River Water Management District Permit application number 4-009-84822-1, to authorize repair and replacement of existing boat ramps and docks in Brevard County. Notice of the petition for variance was published in the Florida Administrative Weekly on March 14, 2003.

A person whose substantial interests are or may be determined by the District's proposed decision has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District) before the deadline for filing a petition. Mediation, pursuant to Rules 28-106.401-405, Florida Administrative Code, is not an available remedy. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka, Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) within nineteen (19) days of the District depositing notice of District decision in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition for an administrative hearing is deemed filed upon delivery of the petition to the District Clerk at the District Headquarters in Palatka, Florida. A petition must comply with Chapter 28-106, Florida Administrative Code. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code, and Section 40C-1.1007, Florida Administrative Code.

If the Governing Board takes action which substantially differs from the notice of District decision, a person whose substantial interests are or may be determined has the right to request an administrative hearing as described above. Pursuant to District Rule 40C-1.1007, Florida Administrative Code, the petition must be filed at the office of the District Clerk at the address described above, within nineteen (19) days of the District

depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of its final agency action (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.

Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure within 30 days of the rendering of the final District action. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.

A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy on the Department of Environmental Protection and any person named in the order within 20 days of the rendering of the District order.

Failure to observe the relevant time frames for filing a petition for judicial review or for Commission review as described above, will result in waiver of that right to review.

The Petition for Variance and permit application files are available for public inspection during normal business hours, 8:00 a.m. through 5:00 p.m., Monday through Friday, except legal holidays, at St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177. Request for copies or inspection of these files should be made to Mary Ellen Jones, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429 or telephone (386)312-2340.

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that on January 22, 2002, the Florida Department of Environmental Protection granted a petition filed by Florida Tile Industries, Inc. on October 3, 2002, seeking a variance under Sections 120.542 and 403.201, Florida Statutes. The variance request concerned land disposal restrictions under Rule 62-730.183, Florida Administrative Code, in the context of remediation of lead-contaminated soil. The variance is assigned File No.: 02-1736. Notice of receipt of the petition was published on the internet and in the Florida Administrative Weekly on October 25, 2002. No comments were received. Notice of the Order was published in a newspaper of general circulation and by radio announcement in Polk County on January 27, 2003. Copies of the Order may be received from Department of Environmental Protection,



Hazardous Waste Regulation Section, 2600 Blair Stone Road, MS 4560, Tallahassee, Florida 32399-2400, Attention: Shelton Graves.

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

**DEPARTMENT OF HEALTH**

The Board of Optometry hereby gives notice that on March 13, 2003, it received a petition from Michael J. Hill, O.D. seeking a permanent waiver from Rule 64B13-4.001, F.A.C., specifically how long a licensee may wait between passing the NBEO examination and applying for the state examination.

This matter will be addressed at the Board of Optometry meeting during the regularly scheduled board meeting on April 11, 2003 at 9:00 a.m., or shortly thereafter, at the Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399, (850)245-4355.

Comments on this petition should be filed with the Board of Optometry, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3255.

A copy of the Petition for Variance and Waiver may be obtained by writing: Joe Baker, Executive Director, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3252.

NOTICE IS HEREBY GIVEN that the Board of Orthotists and Prosthetists issued a Final Order on March 14, 2003 in response to a emergency petition for a waiver filed by Mark J. Harris. Petitioner sought a waiver of paragraph 64B14-4.110(1)(b), Florida Administrative Code, with respect to licensure requirements as an orthotic fitter assistant for two (2) years prior to licensure as an orthotic fitter.

The Board found the Petitioner met the requirements of Section 120.542(2), F.S., and thereby voted to GRANT Petitioner's request for a waiver.

For a copy of the petition, contact: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida.

NOTICE IS HEREBY GIVEN that on March 24, 2003, the Board of Physical Therapy Practice received a revised Petition for Waiver of Rule 64B17-3.001, F.A.C., from Georgious Adamopoulos. The Petition requests a waiver from the rule that requires the credentialing agency to use only original documentation from the institution where the applicant obtained physical therapy education.

Comments on this Petition should be filed with: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255. For a copy of the petition or information regarding the hearing date and location where this

petition will be considered, contact: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

**Section VI  
Notices of Meetings, Workshops and Public Hearings**

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

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

DATE AND TIME: April 22, 2003, 9:00 a.m.  
PLACE: City Hall, 180 Governmental Center, Pensacola, Florida  
PURPOSE: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency,

viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

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

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

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

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

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

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

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or

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

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

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

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

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

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

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#### **DEPARTMENT OF LEGAL AFFAIRS**

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

DATE AND TIME: Tuesday, April 8, 2003, 3:00 p.m.

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

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

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

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

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

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

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

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

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

DATE AND TIME: Wednesday, April 9, 2003, 3:00 p.m.  
 PLACE: Please call (850)414-3300 for instructions on participation

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

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

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

DATE AND TIME: Thursday, April 10, 2003, 10:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on participation

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

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

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

DATE AND TIME: Friday, April 11, 2003, 2:00 p.m.  
 PLACE: Please call (850)414-3300 for instructions on participation

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

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

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

DATE AND TIME: Wednesday, April 16, 2003, 10:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on participation

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

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

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

DATE AND TIME: Thursday, April 17, 2003, 10:30 a.m.  
 PLACE: Please call (850)414-3300 for instructions on participation

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

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

The Awards and Recognition Task Force Committee of the Florida **Commission on the Status of Women** will hold a telephone conference:

DATE AND TIME: Tuesday, April 22, 2003, 3:00 p.m.  
 PLACE: Please call (850)414-3300 for instructions on participation

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

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

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

DATE AND TIME: Wednesday, April 23, 2003, 3:00 p.m.  
 PLACE: Please call (850)414-3300 for instructions on participation

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

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

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

DATE AND TIME: Friday, April 25, 2003, 2:00 p.m.  
 PLACE: Please call (850)414-3300 for instructions on participation

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

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

**DEPARTMENT OF INSURANCE**

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited:

DATE AND TIME: May 13, 2003, during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of amendments to Rule Chapter 4-149, Florida Administrative Code. Notice of the proposed amendments was published in Vol. 28, No. 51, December 20, 2002 of the Florida Administrative Weekly. A notice of change was published in Vol. 29, No. 8, February 21, 2003 of the Florida Administrative Weekly.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting Frank Dino, (850)413-5014.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida **State Fair Authority** announces a meeting of the Finance Committee, and a combined meeting of the Long Range Planning and Marketing Committees.

DATE AND TIME: Monday, April 14, 2003, 10:30 a.m.

PLACE: Bob Thomas Equestrian Center, 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 Agendas may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, P. O. 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: Monday, April 14, 2003, 1:00 p.m.

PLACE: Bob Thomas Equestrian Center, Florida State Fairgrounds, Tampa, Florida 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Reports: Finance, Long Range Planning and Marketing, Post-Fair Report, Status of Amphitheater Contract, Acquisition of Ferman Property.

AGENDA: A copy of the Agenda may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, P. O. 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 **Department of Agriculture and Consumer Services, Division of Forestry** announces a meeting of the Florida Forestry Council to which all persons are invited.

DATE AND TIME: Wednesday, April 30, 2003, 10:00 a.m. – 12:00 p.m.

PLACE: Florida State Fairgrounds, 4800 U.S. Highway 301 North, Tampa, FL, (813)621-7821

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates on Division of Forestry programs. On-site review of the new Forestry Exhibit to be housed at the Florida State Fair.

A copy of the agenda may be obtained by contacting: L. Earl Peterson, Director, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-01650, (850)488-4274.

**DEPARTMENT OF EDUCATION**

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

DATE AND TIME: April 15, 2003, 8:30 – 11:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop discussion of Assessment and Accountability.

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

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)201-7390 (Voice), at least 7 days in advance, so that their needs can be accommodated.

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

DATE AND TIME: April 15, 2003, 12:00 – 5:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Minutes of Meeting held March 18, 2003; Commissioner's Report, including Updates on Just Read, Florida!, Implementation of the Constitutional Amendments, 2003 Legislative Session; Presentation: Operation Excellence: Improvements in Teacher Certification; Consideration of Commissioner's Recommendations on the Request from

Okaloosa-Walton Community College to Offer New Baccalaureate Degrees: Bachelor of Applied Science in Project and Acquisitions Management, and Bachelor of Science in Nursing; Consideration and action on the following Charter School Appeals: The Believers School of Learning vs. the School Board of Bradford County, Florida; Beaches Charter School vs. the School Board of Bay County, Florida; Request and Delegation to the Commissioner to release Drainage and/or Phosphate, Minerals, Metals and Petroleum Rights; Request Approval to Exercise Eminent Domain at the Chastain Center, Martin County, Indian River Community College; Request Approval for Site Designation of a Southeast Center, Orange County, Valencia Community College; Request Approval for Site Designation for the Green Industries Institute Special Purpose Center, Jefferson County, North Florida Community College; a Resolution of the State Board requesting the Division of Bond Finance of the State Board of Administration to issue Revenue Bonds on Behalf of Florida State University to Finance the Construction of a Parking Garage at the University; Resolutions authorizing the Issuance and Sale of State of Florida, Full Faith and Credit, State Board of Education Capital Outlay Bonds, 2003 Series A; Consideration of Proposed Rules: New Rule 6A-1.094221, Alternative Standardized Reading Assessment; Amended Rule 6A-1.0014, Comprehensive Management Information System; Amended Rule 6A-14.072, Financial Records and Reports; Amended Rule 6D-14.002, Transportation Policies and Procedures; and other matters pertaining to the State Board of Education.

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

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)201-7390 (Voice), at least 7 days in advance, so that their needs can be accommodated.

**The Duval County Research and Development Authority** announces a business meeting will be held on:

DATE AND TIME: April 16, 2003, 12:00 Noon – 2:00 p.m.

PLACE: University of North Florida, University Center, Room 1090, 12000 Alumni Drive, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business Meeting.

A copy of the meeting agenda may be obtained by contacting: Earle Traynham, Executive Director, Duval County Research and Development Authority, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224-2645.

**The Department of Education, Division of Vocational Rehabilitation**, Florida Rehabilitation Council and the Florida Independent Living Council announce a series of public meetings to which all persons are invited and to which all interested individuals are encouraged to attend.

DATE AND TIME: April 29, 2003, 5:30 p.m. – 7:30 p.m.

PLACE: St. Petersburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Information Gathering (Cycle 1).

DATE AND TIME: May 1, 2003, 5:30 p.m. – 7:30 p.m.

PLACE: Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Information Gathering (Cycle 1).

DATE AND TIME: May 20, 2003, 5:30 p.m. – 7:30 p.m.

PLACE: Homestead, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Plan Review (Cycle 2).

DATE AND TIME: May 21, 2003, 5:30 p.m. – 7:30 p.m.

PLACE: Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Plan Review (Cycle 2).

DATE AND TIME: May 22, 2003, 5:30 p.m. – 7:30 p.m.

PLACE: Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Plan Review (Cycle 2).

**STATE PLAN PUBLIC MEETING**

Sponsored by the Florida Department of Education, Division of Vocational Rehabilitation, Florida Rehabilitation Council (FRC) and the Florida Independent Living Council (FILC), the first cycle of public meetings will gather information relative to updating the Division's FFY 2004 State Plan.

During the second cycle of meetings, share your opinions and recommendations on the Division of Vocational Rehabilitation's (DVR) proposed draft of the FFY 2004 State Plan Amendment which addresses the needs, services, and employment of Floridians with disabilities.

For further information regarding the meetings, please contact DVR's office, (850)488-6210 or 1(800)451-4327 (Voice/TDD).

Please note that the following accommodations will be provided: American Sign Language Interpreters, Assistive Listening Devices, Real-Time Captioning, Large Print, and Braille materials.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, seven days before the meeting.

**The Gulf Coast Community College** District Board of Trustees will hold its monthly meeting as follows:

DATE AND TIME: April 10, 2003, 10:00 a.m.

PLACE: Gardner Seminar Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting.

Contact person for the meeting is Dr. Robert L. McSpadden, President.

The **Florida Institute of Phosphate Research** announces a meeting of the Board of Directors to which all persons are invited.

DATE AND TIME: Tuesday, April 8, 2003, 2:00 p.m.

PLACE: Florida Institute of Phosphate Research, Conference Room, 1855 West Main Street, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider setting of strategic goals for the April 22, 2003 Board of Directors meeting and other business pertaining to the operation of the Institute.

The **Florida Institute of Phosphate Research** announces a meeting of the Board of Directors to which all persons are invited.

DATE AND TIME: Tuesday, April 22, 2003, 9:00 a.m. – 6:00 p.m.

PLACE: Southwest Florida Water Management District, West Wing, 170 Century Drive, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider funding of research proposals and other business pertaining to the operation of the Institute.

A copy of the minutes of the February 7, 2003 Board Meeting may be obtained by writing: Dr. Paul R. Clifford, Executive Director, Florida Institute of Phosphate Research, 1855 West Main Street, Bartow, Florida 33830.

**DEPARTMENT OF COMMUNITY AFFAIRS**

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

DATES AND TIMES: April 16, 2003, 1:00 p.m. – 6:00 p.m.; April 17, 2003, 8:00 a.m. – 1:00 p.m. (times are subject to change)

PLACE: Sheraton Suites Orlando Airport, 7550 Augusta National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission is charged with developing recommendations to the Governor and Legislature to address the state's acute need for housing for very low-, low-, and moderate-income households. The Commission will continue its discussion of the work topic for the 2002-2003 Agenda, which is Manufactured Housing. For this meeting, the Commission will focus on the comparative cost of manufactured housing versus standard housing, mobile home park preservation and related topics.

Any person requiring special accommodations due to disability or physical impairment should contact Brenda Smith, (850)922-1462, at least five calendar days prior to the meeting. People who are hearing impaired should contact Ms. Smith using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained from: Brenda Smith, The Affordable Housing Study Commission, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1462.

**DEPARTMENT OF TRANSPORTATION**

The Florida **Department of Transportation** District 2 announces a Public Hearing to which all persons are invited:

DATE AND TIME: May 5, 2003, 7:00 p.m.

PLACE: The Love Grove Elementary School Cafeteria, 2446 University Boulevard South, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID 212379-3 and Federal Aid Project ID 2741001U; otherwise known as University Boulevard Bridge over the Arlington River in Jacksonville, Duval County, Florida. The Florida Department of Transportation is recommending that the existing bridge be replaced with a new bridge in the existing location, with a temporary bridge to the north of the existing bridge. The new bridge would have a 12-foot wide travel lane, 4-foot wide shoulder, and 6-foot wide sidewalk in each direction. Constructing a replacement bridge may require minimal additional right-of-way.

Anyone needing project or public hearing information, or special accommodations under the Americans with Disabilities Act of 1990, should write to the address given below or call (904)752-3300 or 1(800)749-2967. Special accommodations requested under the Americans with Disabilities Act should be made at least seven days prior to the Public Hearing.

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

The **Department of Transportation**, District 4 announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, May 15, 2003, 7:00 p.m.

PLACE: Driftwood Middle School, 2751 North 70th Terrace, Hollywood, Florida 33024

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being conducted to afford persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID Number 230674-1-22-01, Federal Aid Number 6680-012-U, otherwise known as County Road 822 (Sheridan Street) in Hollywood, Broward County, Florida. The limits of the project corridor are from west of North 64th Avenue to SR 7 (US 441).

Anyone needing project or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or call the FDOT Project Manager, (954)777-4324 or Toll Free 1(866)336-8435, Ext. 4324.

Special accommodation requests under the Americans With Disabilities Act should be made at least seven (7) days prior to the public hearing. A copy of the agenda may be obtained by writing to: Nicholas Danu, P.E., Project Manager, Florida Department of Transportation, District 4, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421.

## DEPARTMENT OF CITRUS

AMENDED NOTICE OF HEARING – The **Department of Citrus** announces a public meeting of the Negotiated Rulemaking Committee to which all persons are invited.

DATE AND TIME: Tuesday, March 25, 2003, 1:15 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address issues pertaining to amending 20-108, F.A.C., modifying provisions to include a deadline of July 1 for filing completed applications of dealers requiring a license by August 1 of each season to insure compliance with statute.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone at (863)499-2510.

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

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

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purposes of standing committee meetings and for the regular monthly meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balance scorecards, licensing, rulemaking, and other matters that are addressed during monthly meetings of the Commission. The Commission may also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to address issues related to the Tampa Juice, et. al. & Graves Brothers, et. al. vs. FDOC and The Lakeland Ledger Publishing Company, Publisher of The Ledger vs. FDOC. The parties attending the closed session will be John R. Alexander, Walter L. Brewer, Tristan G. Chapman, Harry H. Falk, Christopher W. Gargano, Raymond A. Jackson, William E. Kemper, Anina C. McSweeney, W. Lindsay Raley,

Jr., Daniel R. Richey, Ray Smith, Andrew R. Taylor, Bob Crawford, Hank B. Campbell, Esq., Monterey Campbell, Esq., Eric Taylor, Esq. and Kenneth O. Keck, Esq.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

## FLORIDA PAROLE COMMISSION

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

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

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

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

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

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

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

## PUBLIC SERVICE COMMISSION

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

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

DATE AND TIME: April 22, 2003, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the complaint of Florida Competitive Carriers Association against BellSouth Telecommunications, Inc. regarding BellSouth's practice of refusing to provide FastAccess Internet Service to customers who receive voice service from a competitive voice

provider, and request for expedited relief, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on January 6, 2003. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

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

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

Docket No. 020919-TP – Request for arbitration concerning complaint of AT&T Communications of the Southern States, LLC, Teleport Communications Group, Inc., and TCG South Florida for enforcement of interconnection agreements with BellSouth Telecommunications, Inc.

DATE AND TIME: April 21, 2003, 9:30 a.m.

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

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

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

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

Docket No. 020960-TP – Petition for arbitration of open issues resulting from interconnection negotiations with Verizon Florida Inc. by DIECA Communications, Inc. d/b/a Covad Communications Company.

DATE AND TIME: April 21, 2003, 1:30 p.m.

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

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

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

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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.: 021067-WS – Application for staff-assisted rate case in Polk County by River Ranch Water Management, L.L.C.

DATE AND TIME: Wednesday, April 23, 2003, 6:00 p.m.

PLACE: River Ranch Saloon, 3600 River Ranch Blvd., River Ranch, Florida 33867

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit customers to give testimony regarding the rates and service of River Ranch Water Management, L.L.C.

A copy of the agenda for this meeting may be obtained by writing: Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this workshop 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 Customer Meeting. Any person who is hearing or 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 the meeting.

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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.: 021192-WS – Application for Staff-Assisted Rate Case in Highlands County by Damon Utilities, Inc.

DATE AND TIME: Thursday, May 15, 2003, 6:00 p.m.

PLACE: River Greens Club House, 47 Lake Damon Drive, Avon Park, FL 33825



GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit customers to give testimony regarding the rates and service of Damon Utilities, Inc.

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**

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

DATE AND TIME: April 10, 2003, 3:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission business.

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

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

DATE AND TIME: April 17, 2003, 3:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission business.

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

**REGIONAL PLANNING COUNCILS**

**North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited:

MEETING: Geographic Information System (GIS) Workgroup of the North Central Florida Regional Hazardous Materials Response Team (Team).

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

PLACE: North Central Florida Regional Planning Council Office, 2009 N.W. 67 Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide guidance on the enhancement of the GIS application contained on the Team's hazmat laptops.

MEETING: Technical Issues Workgroup of the North Central Florida Regional Hazardous Materials Response Team (Team).

DATE AND TIME: April 14, 2003, 10:15 a.m.

PLACE: North Central Florida Regional Planning Council Office, 2009 N. W. 67 Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review technical issues relating to the operation of the Team.

MEETING: Plan Review Subcommittee of the North Central Florida Local Emergency Planning Committee (District 3 LEPC).

DATE AND TIME: April 14, 2003, 1:15 p.m.

PLACE: North Central Florida Regional Planning Council Office, 2009 N.W. 67 Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss revisions to the LEPC Emergency Response Plan.

MEETING: Public Information Subcommittee of the North Central Florida Local Emergency Planning Committee (District 3 LEPC).

DATE AND TIME: April 14, 2003, 2:15 p.m.

PLACE: North Central Florida Regional Planning Council Office, 2009 N.W. 67 Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To develop a work plan to conduct community workshops and Section 302 facility outreach.

Any persons deciding to appeal any decision with respect to any matter considered at the meetings may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653.

Persons with disabilities who need assistance may contact us, (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **Northeast Florida Regional Planning Council Ad Hoc Committee on Process, Practices and Priorities** announces the following public meeting to which all persons are invited:

DATE AND TIME: Wednesday, April 23, 2003, 10:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is established to examine how the Council can transform and conduct business to help meet new challenges.

A copy of the Ad Hoc Committee Charge agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216. Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The District 5, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

COMMITTEE NAME: Training Subcommittee  
 DATE AND TIME: Wednesday, April 16, 2003, 9:00 a.m. – 10:15 a.m.

COMMITTEE NAME: Local Emergency Planning Committee  
 DATE AND TIME: Wednesday, April 16, 2003, 10:30 a.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE DISCUSSED: Chairman report, Committee updates, and other organizational matters regarding the committees.

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

If you have any questions regarding the meeting you may contact: Charlotte Neupauer, (352)732-1315.

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular April 2003 monthly board meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: April 16, 2003, 4:30 p.m.  
 PLACE: Ocala City Hall, City Council Chambers, 151 S. E. Osceola Avenue, 2nd Floor, Ocala, Florida 34471  
 GENERAL MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

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

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

The **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, April 17, 2003, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

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

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council at 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited:

MEETING: Executive/Budget Committee  
 DATE AND TIME: Monday, April 14, 2003, 9:00 a.m.

PLACE: 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702 (Please call to confirm date, time and location)

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, April 14, 2003, 10:00 a.m.

PLACE: 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702 (Please call to confirm date, time and location)

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, April 14, 2003, 11:30 a.m.

PLACE: 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702 (Please call to confirm date, time and location)

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, April 10, 2003, 9:00 a.m.

PLACE: 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702 (Please call to confirm date, time and location)

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, April 28, 2003, 9:30 a.m.

PLACE: 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702 (Please call to confirm date, time and location)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

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 **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: April 17, 2003, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Regional Planning Council.

A copy of the proposed agenda may be obtained by writing: Mr. David Burr, Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

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

All Council Subcommittee meetings will immediately follow the Council meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. David Burr, (239)656-7720, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Burr using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATE AND TIME: Thursday, April 10, 2003, 9:00 a.m. – 4:00 p.m.

PLACE: Marathon Garden Club, 5270 Overseas Highway, Marathon, FL 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Keys Carrying Capacity Study Implementation Work Group to discuss matters related to the study and its implementation.

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

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.

The **District XI Local Emergency Planning Committee** announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, April 16, 2003, 1:00 p.m.

PLACE: Fire Fighters Memorial Hall, Fire Tower Building, 8000 N. W. 21st Street, Miami, Florida 33122-1605

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY 2002/03.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, (954)985-4416 in Broward, SunCom 473-4416 or 1(800)985-4416 toll-free statewide.

The **Treasure Coast Regional Planning Council** announces a meeting of Council's Budget/Personnel Committee to which all persons are invited:

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

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to discuss a budget amendment.

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

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

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

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

DATE AND TIME: April 18, 2003, 9:30 a.m.

PLACE: Ramada Inn, 1200 S. Federal Highway, Stuart, FL 34994

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

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

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

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

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### 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: April 7, 2003, 8:30 a.m.

PLACE: County Center, 601 E Kennedy Boulevard, Planning Commission Board Room, 18th Floor, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Board Meeting

AGENDA: 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).

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### METROPOLITAN PLANNING ORGANIZATIONS

The **Metropolitan Planning Organization** for the Orlando Urban Area, announces the following public meetings of its Governing Board and Executive Committee to which all persons are invited:

DATE AND TIME: Wednesday, April 9, 2003, 9:00 a.m. and 11:00 a.m., respectively

PLACE: Metroplan Orlando, 315 East Robinson Street, Suite 355, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meetings.

AGENDA: 1. Call to Order; 2. Chairman's Announcements; 3. Executive Director's Announcements; 4. Consent Items; 5. Action Items; 6. Other Business; 7. Executive Director's Report; 8. Board Member Comments; 9. Public Comments; 10. Adjournment.

A detailed copy of the agenda may also be obtained by contacting Ms. Virginia L. Whittington, (407)481-5672, Ext. 314, or by written request to Metroplan Orlando, 315 East Robinson Street, Suite 355, Orlando, FL 32801.

Section 286.0105, Florida Statutes, states that if a person decides 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 Metroplan Orlando, (407)481-5672, at least 48 hours before the meeting.

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### WATER MANAGEMENT DISTRICTS

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited:

DATE AND TIME: April 16, 2003, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District Headquarters, B-1 Building, Room 3B, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget and Finance Advisory Commission meeting to discuss SFWMD Budget and finance-related matters.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 6260, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally

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

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information or wishing to submit written or physical evidence may contact: Marcie Daniel, District Headquarters, Budget Department, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6469.

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### **COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

The Florida **Commission for the Transportation Disadvantaged** announces a Full Commission Meeting to which all persons are invited:

DATE AND TIME: Friday, April 24, 2003, 8:00 a.m. – completion

PLACE: Rosen Centre, 9840 International Drive, Orlando, Florida 32819, (407)996-9840.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To interview candidates for the Executive Director position of the Commission for the Transportation Disadvantaged and conduct the quarterly 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.

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The Florida **Commission for the Transportation Disadvantaged** announces a meeting of the ACCESS LYNX Oversight Committee to which all persons are invited to participate:

DATE AND TIME: Thursday, April 24, 2003, 1:00 p.m. – completion

PLACE: MetroPlan Offices, 315 East Robinson Street, Suite 355, Boardroom, Orlando, Florida 32801, (407)481-5672

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular committee business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only).

The meeting is subject to change upon chairperson's request.

### **DEPARTMENT OF ELDER AFFAIRS**

The **Department of Elder Affairs** announces a public meeting to which all persons are invited:

SHINE (Serving Health Insurance Needs of Elders) Program Planning and Steering Committee Meeting.

DATES AND TIMES: Thursday, April 10, 2003, 9:00 a.m. through Friday, April 11, 2003, 2:00 p.m.

PLACE: Embassy Suites Orlando Airport, 5835 T. G. Lee Boulevard, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Elder Insurance Benefits, Counseling, Training, Education and Outreach techniques for the SHINE Program.

A copy of the agenda may be obtained by contacting: Shelia Kilpatrick, (850)414-2060.

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

DATE AND TIME: Wednesday, April 16, 2003, 10:00 a.m. – 3:00 p.m.

PLACE: Doubletree Hotel Tallahassee, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000, Fax (850)224-1168

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Destination Florida Commission will convene for its meeting to discuss implementation of the recommendations made in its Final Report that would make Florida more retiree friendly in the future.

A copy of the agenda may be obtained by writing: Mrs. Eloise Williams, Department of Elder Affairs, 4040 Esplanade Way, Suite 270D, Tallahassee, Florida 32399-7000, (850)414-2080.

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 Mrs. Eloise Williams, (850)414-2080. If you are hearing or speech impaired, please contact the Department by calling (850)414-2001.

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The Florida **Department of Elder Affairs** announces a public hearing to which all persons are invited:

DATE AND TIME: April 23, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Department of Elder Affairs, Room 225F, 4040 Esplanade Way, Tallahassee, FL 32399-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Advisory Council for the Office of Long-Term Care Policy to discuss the state of long-term care in Florida and methods for improvement.

To obtain a copy of the agenda, please contact: Jennifer Sindt, (850)414-2091, email: [Sindtj@elderaffairs.org](mailto:Sindtj@elderaffairs.org) or 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 Jennifer Sindt, (850)414-2091. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

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#### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Ambulatory Surgery Guide Work Group to which all interested parties are invited:

DATE AND TIME: Tuesday, May 6, 2003, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, First Floor Conference Room, Tallahassee, Florida 32308.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study available data on ambulatory surgery services, accreditation, practitioners, or other data and make recommendations for publication and dissemination to consumers.

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

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#### DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a meeting of the FSECC Steering Committee to which all persons are invited:

DATE AND TIME: Thursday, April 10, 2003, 12:30 p.m.

PLACE: 4050 Esplanade Way, Suite 260L, 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.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Interior Design Committee Meeting, Architecture Committee Meeting, Rules Committee Meeting, and Continuing Education Task Force Meeting, followed by General Business Meeting.

DATE AND TIME: May 23, 2003, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting.

PLACE: Hyatt Regency Pier Sixty Six, 2301 S. E. 17th Street Causeway, Ft. Lauderdale, FL 33316, 1(800)327-3796 or (954)525-6666

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St. Tallahassee, Florida 32399.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Department of Business and Professional Regulation, Board of Employee Leasing Companies**, announces an official committee and general business meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 16, 2003, 8:30 a.m. or shortly thereafter

PLACE: Sheraton Suites Tampa, 4400 W. Cypress Street, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee and General Business Meetings of the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)921-6347.

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 board office at (850)921-6347. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such

purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based.

For further information, contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

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The Florida **Board of Funeral Directors and Embalmers** announces the following meetings to which all parties are invited to attend.

DATE AND TIME: April 29, 2003, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee meeting, Rules Committee meeting and Probable Cause Panel meeting, portions which are closed to the public.

DATE AND TIME: April 30, 2003, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

PLACE: Hilton Jacksonville Riverfront, 11201 Riverplace Boulevard, Jacksonville, FL 32207, (904)398-8800

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)487-1395, 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).

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The Florida **Board of Landscape Architecture** announces the following meeting, to which all persons are invited to attend.

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

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-8304

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 Landscape Architecture, 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).

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The **Board of Accountancy** announces the following public meetings to which all person are invited:

DATES AND TIME: Tuesday, April 29, 2003, 9:00 a.m. – Probable Cause Panel; Wednesday, April 30, 2003, 9:00 a.m. – Meeting of the Board

PLACE: Department of Business and Professional Regulation Board Room, 1940 North Monroe Street, Tallahassee FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The probable cause panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public, however, there may be cases where probable cause was previously found which are to be reconsidered. The Board will meet to consider enforcement proceedings including consideration of investigating officer's reports and other general business. This is a public meeting.

A copy of any probable cause materials which are open to the public and a copy of the Board agenda may be obtained by writing: John W. Johnson, Division Director, Division of Certified Public Accounting, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607.

Note: Portions of the Probable Cause Panel meeting may be closed to the public. 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 insure 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.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Florida **Department of Environmental Protection** (Northwest District) announces a meeting of the Small Circle for the Panama City-Bay County International Airport Relocation Ecosystem Team Permitting (ETP) process:

DATE AND TIME: April 17, 2003, 9:00 a.m., C.D.T.

PLACE: Panama City-Bay County Airport and Industrial District, Airport Conference Room, 3173 Airport Road, Panama City, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting will include initiation of the review of Air Resource Management permit application requirements, Threatened and Endangered Species issues, and the continuation of the reviews of wetland, stormwater, water and wastewater facility portions of the permit application, and work plan update.

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."

A copy of the agenda may be obtained by contacting: Larry O'Donnell, Environmental Manager, FDEP Northwest District Offices, 160 Government Center, Pensacola, FL 32501-5794, (850)595-8300, Ext. 1129, e-mail: [larry.odonnell@dep.state.fl.us](mailto:larry.odonnell@dep.state.fl.us). Meeting notices and agendas are also provided on the Panama City-Bay County International Airport web site: [www.pcairport.com](http://www.pcairport.com).

The **Department of Environmental Protection** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, April 24, 2003, 1:00 p.m., Eastern Standard Time

PLACE: Orange County Parks and Recreation Barnett Park Facility, Barnett Park, 4801 W. Colonial Drive, Orlando, Florida 32808

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Potential changes to the Annual Reporting requirements for Individual Phase I Municipal Separate Storm Sewer System (MS4) permittees under Chapter 62-624, F.A.C.

For the full text of this notice, see the Department's website at [www.dep.state.fl.us](http://www.dep.state.fl.us) under the link or button titled "Official Notices"

The **Department of Environmental Protection** announces a public hearing by the Division of Administrative Hearings:

DATES AND TIME: May 28, 2003, 9:00 a.m.; continuing May 29-30, 2003, 9:00 a.m., if necessary

PLACE: Old Courthouse, Board of County Commissioners Chambers, 2120 Main Street, Ft. Myers, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To take testimony and evidence concerning the environmental effects and any other appropriate matters regarding the site

certification of the proposed Lee County Solid Waste Energy Recovery Facility, DOAH Case No. 02-4573EPP, DEP-OGC Case No. 02-1951, Power Plant Siting Application No. 90-30SA1, pursuant to the Florida Electrical Power Plant Siting Act, ss. 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 JUVENILE JUSTICE**

The Florida **Department of Juvenile Justice**, Juvenile Justice and Delinquency Prevention State Advisory Group (JJDP) Disproportionate Minority Confinement Committee announces a meeting:

DATE AND TIME: April 8, 2003, 10:00 a.m. – 3:00 p.m.

PLACE: Department of Juvenile Justice, Office of Prevention and Victim Services, 2737 Centerview Drive, Suite 220, Tallahassee, Florida 32399

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

A copy of the agenda may be obtained by calling Ana Valdes at (850)410-2577.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact The Department of Juvenile Justice, Office of Prevention and Victim Services (850)488-3302, no later than (7) days prior to the meeting at which such special accommodations is required.

**DEPARTMENT OF HEALTH**

The **Office of Public Health Preparedness** will conduct a meeting to which all interested persons are invited.

DATE AND TIME: Thursday, April 17, 2003, 9:30 a.m. – 4:30 p.m.

PLACE: Doubletree Hotel, Tampa Westshore Airport, 4500 West Cypress Street, Tampa, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the meeting is to discuss issues with the Hospital Bioterrorism Preparedness Planning Committee and the CDC Advisory Committee that relate to their specific cooperative agreements managed by the Office of Public Health Preparedness.

This is a public meeting, not a public hearing. Testimony will not be taken at this meeting.

Persons wishing to provide input should send their material to: Office of Public Health Preparedness, Florida Department of Health, 4052 Bald Cypress Way, Bin #A23, Tallahassee, FL 32399-1748.

Persons seeking additional information may call: Laura Holden, (850)245-4128.



The **Board of Chiropractic Medicine** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, April 25, 2003, 8:30 a.m.

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

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 Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**, announces an official Board meeting. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATES AND TIMES: April 24, 2003, 1:00 p.m.; April 25, 2003, 9:00 a.m.

PLACE: Omni Jacksonville Hotel, 245 Water Street, Jacksonville, FL 32202

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 Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling 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, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, by April 11, 2003.

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: April 16, 2003, 4:00 p.m.

PLACE: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

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, 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 meeting date.

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

DATES AND TIMES: Probable Cause Panel, April 23, 2003, 6:00 p.m. or soon thereafter; General Business Meeting, April 24-25, 2003, 9:00 a.m. or shortly thereafter

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

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

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

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Massage Therapy, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact the Board of Massage Therapy

using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Division of Medical Quality Assurance, Florida Board of Medicine** Probationers Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 25, 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 **Department of Health, Board of Pharmacy** hereby gives notice that a public workshop for the purposes of rule development on Rule 64B16-27.833, F.A.C., will be held at the time, date and place listed below:

DATE AND TIME: April 16, 2003, 8:00 a.m. or shortly thereafter

PLACE: The Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954) 527-2700.

A notice of rule development was published in Vol. 29, No. 9, of the February 28, 2003, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP IS: Lucy C. Gee, Acting Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please

contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Athletic Training**, announces an official Board Meeting. All interested parties are invited to attend at the address below, which is open to the public.

DATE AND TIME: April 11, 2003, 10:00 a.m.

PLACE: Hilton Orlando/Altamonte Springs, 350 South North Lake Blvd., Altamonte Springs, FL 32715, (407)830-1985

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Board of Athletic Training, Department of Health, 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 the evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment, can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster by April 7, 2003.

The Florida **Department of Health** announces the Florida Healthy Start Shared Governance Meeting:

DATE AND TIME: April 9, 2003, 12:00 Noon – 2:00 p.m.

PLACE: Florida Department of Health, Room 105E, 4025 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the continued collaboration between Florida's Healthy Start Coalitions and the Department of Health.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The **Department of Children and Families, Mental Health Program** Office announces a public meeting:

DATE AND TIME: April 9, 2003, 3:00 p.m. – 4:30 p.m.

PLACE: Mental Health Assoc. of Okaloosa/Walton County Conference Room, 571 Mooney Road, Fort Walton Beach, FL 32547

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Re-designation of Baker Act Receiving Facilities.

AGENDA: 3:00 p.m. – 3:10 p.m., Chairperson of ADM Planning Coalition; 3:10 p.m. – 3:40 p.m., Representative of Bridgeway Center, Inc.; 3:40 p.m. – 4:10 p.m., Representative of Ft. Walton Beach Medical Center; 4:10 p.m. – 4:30 p.m. Public Comments; 4:30 p.m. – Adjourn

For Further information, contact: Diovelis D. Stone at (850)595-8369 or Suncom 695-8369 Comments may be forwarded earlier to: District One, Alcohol, Drug Abuse and Mental Health Program Office, 160 Governmental Center, Suite 713, Pensacola, Florida 32501 or turned in at the meeting, or brief presentations may be made.

The Big Bend Community Based Care Alliance and the **Department of Children and Families**, Subdistrict 2B, announce a meeting to which all persons are invited:

The Alliance encompasses: Leon, Franklin, Gadsden, Liberty, Madison, Jefferson, Taylor and Wakulla counties.

DATE AND TIME: Thursday, April 10, 2003, 2:30 p.m. – 4:30 p.m., EST

PLACE: Department of Children and Families, Cedars Executive Center, Building A, Second Floor Conference Room 201, 2639 North Monroe Street, Tallahassee, FL 32399-2949

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting to discuss status of procurement of lead agency for child welfare services for Subdistrict 2B.

A copy of the agenda can be obtained by calling: Anissa Pitti, Department of Children and Families, (850)488-0569 or Suncom 278-0569.

Anyone requiring a special accommodation to participate in this meeting is requested to advise District Administration (Anissa Pitti) at least 2 working days prior to the meeting at (850)488-0569 or 1(800)226-6223 (TDD).

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

DATE AND TIME: Wednesday, April 16, 2003, 12:00 Noon

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Chapter 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 **Department of Children and Family Services** announces the following District 8 Community-Based Care Alliance meetings:

Lee County Community Alliance:

DATES AND TIME: April 24, 2003; May 29, 2003; June 26, 2003, 3:30 p.m.

PLACE: Regional Service Center, 2295 Victoria Avenue, Fort Myers, Florida

Hendry/Glades Counties Community Alliance:

DATES AND TIME: May 21, 2003; June 9, 2003; July 15, 2003; August 11, 2003, 9:00 a.m.

PLACE: LaBelle Service Center, 485 Cowboy Way, LaBelle, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board meetings to discuss current community-based care issues.

Persons needing additional information should contact the Community-Based Care Unit, (239)338-1343.

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: April 24, 2003, 9:30 a.m.

PLACE: Community Base Care of Volusia & Flagler Counties, 160 N. Beach Street, Administrative Conference Room, Daytona Beach, Florida

A copy of the agenda for each meeting may be obtained by writing to the Department of Children and Families at 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 **Council on Homelessness** announces a series of conference call meetings of its Barriers & Support Services, Data Collections, Discharge Planning, Financial Resources, Health Care, Housing, and Planning Committees, to which all persons are invited.

COMMITTEE: Application & Rulemaking

DATES AND TIME: April 3, 2003; May 5, 2003; June 6, 2003, 9:00 a.m. – 10:00 a.m.

1st Thursday

PLACE: Call (850)487-9552 or SunCom 277-9552

COMMITTEE: Barriers & Support Services

DATE AND TIME: April 8, 2003, 2:00 – 3:00 p.m.

2nd Tuesday

PLACE: Call (850)487-9552 or SunCom 277-9552

DATES AND TIME: May 13, 2003; June 10, 2003, 2:00 – 3:00 p.m.

PLACE: Call (850)487-8856 or SunCom 277-8856\*

NOTE: Different Call-in number from April

COMMITTEE: Data Collections

DATES AND TIME: April 10, 2003; May 8, 2003; June 12, 2003, 11:00 a.m. – 12:00 Noon

2nd Thurs

PLACE: Call (850)994-1708 or SunCom 414-1708

COMMITTEE: Discharge Planning

DATES AND TIME: April 15, 2003; May 20, 2003; June 17, 2003, 9:00 a.m. – 10:00 a.m.

3rd Tuesday

PLACE: Call (850)487-9552 or SunCom 277-9552

COMMITTEE: Health Care

DATES AND TIME: April 17, 2003; May 15, 2003; June 19, 2003, 9:00 a.m. – 10:30 a.m.

3rd Thursday

PLACE: Call (850)487-9552 or SunCom 277-9552

COMMITTEE: Housing Committee

DATES AND TIME: April 17, 2003; May 15, 2003; June 19, 2003, 2:00 p.m. – 3:00 p.m.

3rd Thursday

PLACE: Call (850)487-9552 or SunCom 277-9552

COMMITTEE: Financial Resources

DATES AND TIME: April 21, 2003; May 19, 2003; June 16, 2003, 2:00 p.m. – 3:00 p.m.

3rd Monday

PLACE: Call (850)487-9552 or SunCom 277-9552

COMMITTEE: Planning

DATES AND TIME: May 12, 2003; June 2, 2003, 3:00 p.m. – 4:00 p.m.

1st Monday

PLACE: Call (850)487-9552 or SunCom 277-9552

**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, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850, Tom\_Pierce@dcf.state.fl.us.

Pursuant to Chapter 286.26, Florida Statutes, any disabled person wishing to access this meeting who may be in need of special assistance should contact the Office on Homelessness, (850)922-4691, at least 48 hours in advance of the meeting.

**FLORIDA HOUSING FINANCE CORPORATION**

Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, April 15, 2003, 10:00 a.m., EST

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Hampton Point Apartments, a 284-unit multifamily residential rental development to be located at 2511 Luther Road, Port Charlotte, Charlotte County, Florida 33983. The prospective owner of the proposed development is Hampton Point Limited Partnership, c/o Picerne Affordable Development LLC, 247 North Westmonte Drive, Altamonte Springs, Florida 32714, or such successor in interest in which Picerne Affordable Development LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$11,020,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, April 14, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

**INDEPENDENT LIVING COUNCIL**

The Florida **Independent Living Council** announces the following meetings:

MEETING: Steering Committee Meeting

DATE AND TIME: Friday, March 28, 2003, 1:00 p.m. (EST)

MEETING: Planning Committee Meeting

DATE AND TIME: Wednesday, April 2, 2003, 2:00 (EST)

MEETING: Evaluation Committee Meeting

DATE AND TIME: Wednesday, April 2, 2003, 3:00 (EST)  
 MEETING: Executive Committee Meeting  
 DATE AND TIME: Wednesday, April 9, 2003, 10:30 a.m. (EST)  
 MEETING: Finance Committee Meeting  
 DATE AND TIME: Wednesday, April 9, 2003, 12:00 Noon (EST)  
 MEETING: Advocacy Committee Meeting  
 DATE AND TIME: Thursday, April 17, 2003, 3:00 p.m. (EST)  
 MEETING: Steering Committee Meeting  
 DATE AND TIME: Friday, April 18, 2003, 1:00 p.m. (EST)  
 MEETING: Development Committee Meeting  
 DATE AND TIME: Tuesday, April 22, 2003, 2:00 p.m. (EST)  
 MEETING: Outreach Committee Meeting  
 DATE AND TIME: Tuesday, April 22, 2003, 4:00 p.m. (EST)  
 MEETING: Planning Committee Meeting  
 DATE AND TIME: Wednesday, May 7, 2003, 2:00 (EST)  
 MEETING: Evaluation Committee Meeting  
 DATE AND TIME: Wednesday, May 7, 2003, 3:00 p.m. (EST)  
 MEETING: Executive Committee Meeting  
 DATE AND TIME: Wednesday, May 14, 2003, 10:30 a.m. (EST)  
 MEETING: Finance Committee Meeting  
 DATE AND TIME: Wednesday, May 14, 2003, 12:00 Noon (EST)  
 MEETING: Steering Committee Meeting  
 DATE AND TIME: Friday, May 16, 2003, 1:00 p.m. (EST)  
 MEETING: Advocacy Committee Meeting  
 DATE AND TIME: Thursday, May 22, 2003, 3:00 p.m. (EST)  
 MEETING: Development Committee Meeting  
 DATE AND TIME: Tuesday, May 27, 2003, 2:00 p.m. (EST)  
 MEETING: Outreach Committee Meeting  
 DATE AND TIME: Tuesday, May 27, 2003, 4:00 p.m. (EST)  
 MEETING: Planning Committee Meeting  
 DATE AND TIME: Wednesday, June 4, 2003, 2:00 p.m. (EST)  
 MEETING: Evaluation Committee Meeting  
 DATE AND TIME: Wednesday, June 4, 2003, 3:00 p.m. (EST)  
 MEETING: Executive Committee Meeting  
 DATE AND TIME: Wednesday, June 11, 2003, 10:30 a.m. (EST)  
 MEETING: Finance Committee Meeting  
 DATE AND TIME: Wednesday, June 11, 2003, 12:00 Noon (EST)  
 PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271  
 MEETING: FILC Quarterly Meeting

DATE AND TIME: Committees: Thursday, June 19, 2003 9:00 a.m. – 5:00 p.m. (EST); Full Council: Friday, June 20, 2003 9:00 a.m. – 5:00 p.m. (EST)

PLACE: Hilton Hotel, 350 South North Lake Boulevard, Altamonte Springs, FL 32715-9004, (407)830-1985

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

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A Tallahassee, Florida 32303-6271, (850)488-5624 or toll free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Beth Schultz at the council address.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

#### VISIT FLORIDA

The **Visit Florida** announces a public meeting to which all interested persons are invited:

CEO Search Committee

DATE AND TIME: Friday, April 4, 2003, 8:30 a.m. – adjournment

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of CEO Candidates.

For further information contact Susan Gale at Visit Florida, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 334.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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### **AUTOMOBILE JOINT UNDERWRITING ASSOCIATION**

The Florida **Automobile Joint Underwriting Association** announces a public meeting to which all persons are invited:

Annual Meeting of Members

DATE AND TIME: April 24, 2003, 8:30 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To approve Annual Meeting minutes of April 25, 2002; receive Association's annual report; election of Board members; and consider any other matters that may come before the Board.

Board of Governors Meeting

DATE AND TIME: April 24, 2003, commencing immediately after the adjournment of the Annual Meeting of Members, but not before 8:45 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports of the general manager, all committees, and counsel; to consider and take actions based on those reports; and consider any other matters that may come before the Board.

Additional information may be obtained from: Lisa Blackwell Stoutamire, FAJUA, 1113 East Tennessee Street, Suite 401, Tallahassee, FL 32308, (850)681-2003, [lstoutamire@fajua.org](mailto:lstoutamire@fajua.org)

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## **Section VII**

### **Notices of Petitions and Dispositions Regarding Declaratory Statements**

#### **DEPARTMENT OF INSURANCE**

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed January 29, 2003, by Ricco Longo, Office of the Fire Code Official of the Collier County Fire Control & Rescue Districts. The Petition is seeking clarification regarding the application of NFPA 101, Subdivision 9.7.1.3 to Section 423.7.7 of the Florida Building Code.

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee,

Florida 32399-0340 or by calling Kimberly Riordan, (850)413-3170 or by faxing the request to (850)922-1235, Attn: Gabriel Mazzeo.

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NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Charles W. Edwards on December 23, 2002.

The following is a summary of the agency's disposition of the petition:

A. Question A: Would a stair configuration for a second floor unit that is open to the interior of the unit on the second floor and descending to an exit at grade be in compliance with NFPA 101, 30.3.5.2 (a), thereby allowing the building to not be sprinklered? (Assumption is that such stair is separated from all other portions of the building by fire barriers having a 1-hour fire resistance rating).

Response to Question A: No. The sub-section cited (a) applies to a one story building, since the same sub-section includes additional exceptions defining both an exterior (b) and an interior (c) stair arrangement. If (a) applied to a two-story building, there would be no need for (b) or (c) in its present context. The limitations of the stair serving only two units in (b) or to a single unit in (c) further clarifies its intent to apply (a) to one story buildings.

B. Question B: If the answer to question A is no, would 30.3.5.2 (c) allow a stair open to the interior of the unit on the second floor and descending to an exit at grade? (Assumption is that such stair is separated from all other portions of the building by fire barriers having a 1-hour fire resistance rating).

Response to Question B: Yes. The Code language permits the stair only if it serves a single unit and is separated from all other portions of the building. This therefore does not require separation from the unit that the stair serves.

C. Question C: In either case, if an Interior stair is provided as an exception to the sprinkler requirement, would that stair need to be within a shaft with a fire rated door in the unit at the second floor or could it be open to the interior of the unit on the second floor?

Response to Question C: Refer to the response of Question B.

D. Question D: Understanding that section 30.2.1 requires compliance with chapters 30 and 7 for egress and section 24.2 for escape, Section 30.2.4 (Florida revised) permits a single exit provided (a) the unit entry door is the exit from the building and (b) the exit door serves only that unit, and (c) the unit is less than 3,500 sq. ft., and (d) the building is max two stories. (Each of the units in question comply with all four requirements).

However, section 24.2.2.4, addressing means of escape, requires every story more than 2,000 sq. ft. to be provided with two primary means of escape. If each apartment on the second floor is specifically permitted to have a single exit by 30.2.4, does the requirement in section 24.2.2.4 for a second primary

means of escape apply if the floor area exceeds 2,000 sq. ft., thereby requiring the unit to have two primary means of escape while the unit is permitted to have a single exit?

Response to Question D: Yes Sub-section 30.2.1 of NFPA 101 specifically requires two conditions to be met. First, that the "means of egress" be in accordance with Chapter 7. Means of egress is defined in sub-section 3.3.121 as comprised of three distinct components, (a) exit, (b) exit access and (c) exit discharge. The second condition is for compliance with the requirement for two primary "means of escape." A means of escape is defined in sub-section 3.3.122 as one that does not comply with the strict definition of means of egress but does provide an alternative way out. A means of egress and a means of escape are two separate egress components. The means of egress will meet or exceed the requirements of a means of escape. A means of escape however, cannot be used in place of a required means of egress.

Therefore, the requirement is that the unit meet the requirements of the Code as revised by the Florida Fire Prevention Code to include a single exit for units of less than 3500 square feet and the more restrictive requirement of sub-section 24.2 which requires two primary means of escape. The single means of egress will qualify as one of the primary means of escape and therefore a second means of escape must be provided for.

E. Question E: If the answer to Question D is no, would the second portion of Section 24.2.2.4 that requires a second primary means of escape if the travel distance exceeds 75' apply?

Response to Question E: Not applicable.

F. Question F: If a second primary means of escape is required, would an unenclosed spiral stair placed on an outside wall of the unit, outside of the usable floor space of the second and first floor units, usable solely for the second floor unit, qualify as a second primary means of escape?

Response to Question F: The Code only specifies what is required to comply with the provision. In this case, a means of escape must comply with sub-section 24.2.2.3. The approval of the actual design component rests with the local fire official.

A copy of the declaratory statement may be obtained in any of the following ways: 1. Write to, call or send a fax to Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (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), or

2. E-mail your request to mazzoeg@doi.state.fl.us (please be sure to specify if you want an unofficial, unsigned but exact duplicate copy e-mailed back to you, or if you want a copy of the official, signed declaratory statement mailed or faxed to you), or

3. Obtain an unofficial, unsigned but exact duplicate copy by visiting the State Fire Marshal's website at <http://www.doi.state.fl.us/sfm/sfmdeclaratorystatement.htm>.

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#### DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on March 4, 2003, from DASMA requesting that the Commission expand upon its response regarding in-house testing of products pursuant to Rule 9B-72, Fla. Admin. Code, issued in the Order entered in Case No. DCA02-DEC-142.

It has been assigned the number DCA03-DEC-083.

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

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Lennar Homes, Inc., Petitioner, on March 5, 2003.

The Petitioner request a declaratory statement as to whether the division may disapprove a public offering statement and a purchase and sale agreement, which is filed for review under Section 718.502, F.S., on the grounds that a provision requiring mandatory and binding mediation and arbitration for all disputes with the developer is inconsistent with Sections 718.111(3), 718.303 and 718.506, F.S., and, therefore, prohibited by Section 718.104(4)(m), F.S.

A copy of the Petition for Declaratory Statement, Docket Number 2003045065, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

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

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NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Charles Pukit, Unit Owner, Bay Colony Club Condominium, Petitioner, on March 11, 2003.

The Petitioner request a declaratory statement as to whether a proposed roof for an outdoor bar and the bar, which are located in Bay Colony Club Special Recreation District, constitute a "common element," as defined by section 718.108(1), Florida Statutes, of Bay Colony Club Condominium, Inc.

A copy of the Petition for Declaratory Statement, Docket Number 2003047630, may be obtained by writing to the Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Please refer all comments to Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Jerry A. Cooke, Unit Owner, Palm Greens at Villa Del Ray, Petitioner, on March 17, 2003.

The Petitioner request a declaratory statement as to whether unit owner votes cast in a straw poll are official records of the association that are open to inspection and copying on unit owner request under section 718.111(12), Florida Statutes.

A copy of the Petition for Declaratory Statement, Docket Number 2003047827, may be obtained by writing to the Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Please refer all comments to Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

NOTICE IS HEREBY GIVEN that the Fish and Wildlife Conservation Commission has received a Petition for Declaratory Statement from Thomas R. McCoy (Petitioner) on March 17, 2003. Petitioner seeks the agency's opinion as to how subparagraph 68C-22.015(2)(c)2., Fla. Admin. Code, relating to 25 M.P.H. zones for Placida Harbor Area applies given the existing "established routes" to Little Gasparilla Island.

A copy of the petition may be obtained by making a written request to: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

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

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

**NONE**

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

United Mail Pharmacy Services, L.C. and RX Network of South Florida, LLC., Pharmanet, Inc. and Clinical Solutions of South Florida, Inc. vs. Department of Health, Board of Pharmacy; Case No.: 02-2961RP; Rule No.: 28-106.201; Dismissed

United Mail Pharmacy Services, L.C. and Pharmanet, Inc. and Clinical Solutions of South Florida, Inc. vs. Department of Health, Board of Pharmacy; Case No.: 02-4359RX; Rule No.: 64B16-27.832; Dismissed

Anne Z. Benson and Rose Marie Gibson vs. Department of Children and Family Services; Case No.: 02-2533RX; Rule No.: 65A-1.714; Invalid

Lifepath Hospice and Palliative Care, Inc. vs. Agency for Health Care Administration; Case No.: 02-2703RU; Dismissed

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

**NONE**

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

**NONE**



## Section XI Notices Regarding Bids, Proposals and Purchasing

### DEPARTMENT OF EDUCATION

#### NOTICE OF PROJECT CANCELLATION TO PROFESSIONAL CONSULTANTS

Florida A&M University (FAMU), a unit of the Florida Board of Education (Division of Colleges and Universities), hereby notify all Professional Consultants that the request for Professional Architectural/Engineering services IS OFFICIALLY WITHDRAWN and WILL NOT be required for Project No.: FM-310, Building Envelope/Systems Improvements – Phases I and II, Florida A&M University, Tallahassee, Florida (published in the Florida Administrative Weekly, Vol. 29, No. 12, March 21, 2003, Pages 1298-1299 Section XI – Notices Regarding Bids, Proposals and Purchasing). THIS PROJECT HAS BEEN CANCELED until further notice.

#### NOTICE TO CONSTRUCTION MANAGERS

The University of South Florida announces that Construction Management Services will be required for the project listed below:

Project Number: USF-501

Project and Location: Nanotech 1 Facility, University of South Florida, Tampa Campus, Tampa, Florida.

**PROJECT DESCRIPTION:** This project is to provide an interdisciplinary Nanotechnology research facility for the University of South Florida. This facility is proposed to consist of clean room space, wet laboratories, and offices. The currently proposed site is in the proximity of the Engineering Teaching Auditorium, although other locations may be considered during the Programming phase.

The estimated construction budget for the project is anticipated to be approximately \$3,000,000 including site related work. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract. The project may be broken down into phases.

Pre-construction services will include the development of a Guaranteed Maximum Price (GMP) anticipated to be at the 50% Construction Documents phase. If the GMP is accepted, the construction phase, will be implemented. 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). Failure to negotiate an acceptable fixed fee 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, conceptual cost estimating and cost control ability, quality control capability, qualification of the firm's personnel, staff and consultants, and ability to meet the Owner's Minority Business Enterprise participation goal of 21%. Finalists will be provided with the latest documentation prepared by the project Architect/Engineer, a description of the final interview requirements, and a copy of the standard University of South Florida Construction Management Agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The Construction Manager shall have no ownership, entrepreneurial, or financial affiliation with the selected Architect/Engineer involved with this project.

Firms desiring to provide Construction Management Services for the project shall submit a letter of application and a completed University of South Florida "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals 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 \$25,000.00 in connection with this project for a period of 36 months from the date of placement on the Convicted Vendor List.

The University of South Florida Construction Manager Qualifications Supplement form and the Project Fact Sheet may be obtained by contacting: Ms. Kathy Bennett, Contracts Coordinator, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, (813)974-3098, (813)974-2625 or Fax: (813)974-3542.

Interested firms are invited to attend a Pre-Submittal Meeting at the University of South Florida, Tampa Campus, to be held at 9:30 a.m. (Eastern Time), Friday, April 18, 2003 in the Marshall Center Room 270, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. All interested firms are encouraged to attend. Requests for meeting by individual firms will not be granted.

It shall be noted that no verbal communication shall take place between the applicants and the employees of the University of South Florida, except as provided at the pre-submittal meeting, the pre-interview meeting and the request for the CMQS and Fact Sheet. Requests for any project information must be in writing to the University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550 address.

Five (5) bound copies of the above required proposal data shall be submitted to: Mr. Steven Warren, Project Manager, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550.

Submittals must be received at the above campus address (FPC110) by 2:00 p.m. (Eastern Time), Friday, May 2, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

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#### CALL FOR BIDS

The University of West Florida Board of Trustees is soliciting sealed bids for the following:

Construction of International House and Classroom Facility, BR 716

A Mandatory Pre-Solicitation Conference will be held on April 22, 2003 at 2:00 p.m. CST in Bldg. 92 Meeting Room, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514

All bidders are required to attend the pre-solicitation conference. Certified minority and women-owned businesses are invited to attend to become familiar with the project specifications and to become acquainted with contractors who may bid the project.

Sealed bids will be received until May 6, 2003 at 2:00 p.m. CST at the Purchasing Office, Bldg. 20W, Room 158, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

Bid number 02/ITB-24/ES must be marked on outside of bid package. The University will not be responsible for unopened bid packages at the bid opening when the package is not properly identified. Bids must be submitted in full and in accordance with the requirements of all terms and conditions of the Invitation to Bid.

Bids must be accompanied by a completed and signed qualification questionnaire and related documents. Contract award will be made to the lowest responsive, qualified bidder. The University will review qualification package to verify contractor meets qualification criteria before awarding contract.

Plans and specifications may be examined at the Architect/Engineer's office and local plan rooms. Full sets may be purchased for \$100.00 per set for printing and handling cost. Partial sets may be purchased at \$2.50 per sheet of the Drawings and \$.25 per sheet of the Project Manual, and are sold subject to familiarity with the full set of Bidding Documents.

Buyers of partial sets accept the full responsibility for determining that the purchased partial set provides the information necessary to convey the full requirements as revealed by the complete set. Neither the University nor the Architect/Engineer shall be liable for the information revealed on less than complete sets of Bidding Documents.

ARCHITECT/ENGINEER:

Mr. Mike Marshall  
Sam Marshall Architects  
325 S. Palafox Street  
Pensacola, FL 32501  
(850)433-7842

View this solicitation and related information on the Purchasing Department website at <http://uwf.edu/purchasing>.

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#### NOTICE REGARDING ELECTRONIC POSTING

Pursuant to Section 287.042(3)(b)2. of the Florida Statutes, the DeSoto County School District 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://desotoschools.com/purchasing.htm>

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#### 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 2:30 p.m., local time, on April 15, 2003 for the purpose of selecting a bidder that can provide four (4) Commercial Refrigerated Trucks and four (4) Class B Certified and Licensed Drivers per Invitation to Bid entitled:

Delivery Services, Food  
Bid #03-962-659

Scope of Project: The purpose and intent of this Invitation to Bid is to select a bidder that can provide four (4) 2-1/2 ton Refrigerated Trucks capable of holding 38° for 24 hours/day, 7 days a week and four (4) Class B Certified and Licensed Drivers working 7-8 hours per day from 6:00 a.m. to 2:00 p.m. Monday thru Friday to deliver cold lunch meals to twenty (20) different Pinellas County School (district) sites daily. The estimated contract period for: Truck Rental and Drivers will be: June 2, 2003 to July 23, 2003. (July 4, 2003 is a no work day). Firm, net pricing will be established for the contract period as specified therein

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.

Bid documents and specifications are available at the office of:

Purchasing Department  
Walter Pownall Service Center  
11111 So. Belcher Road  
Largo, FL 33773

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA – J. HOWARD HINESLEY, SUPERINTENDENT OF SCHOOLS AND EX-OFFICIO SECRETARY TO THE SCHOOL BOARD; LINDA S. LERNER, CHAIRMAN; MARK C. LINDEMANN, DIRECTOR, PURCHASING

**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 So. Belcher Road, Largo, Florida until 2:00 p.m. local time, on April 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:

**COVERED WALKWAY & ROOF REPLACEMENT**

Bid #03-968-662

Mount Vernon Elementary School  
4629 13th Avenue, N.  
St. Petersburg, FL 33713

Provide labor, materials and all necessary equipment to re-roof covered walkways and Buildings 2, 5, and 9 and perform associated electrical modifications per plans and specifications. This project requires bonding.

A Pre-Bid Conference will be held at the project site on April 8, 2003 at 10:00 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 S. Belcher Road  
Largo, FL 33773

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, SUPERINTENDENT OF SCHOOLS AND EX-OFFICIO SECRETARY TO THE SCHOOL BOARD; LINDA S. LERNER, CHAIRMAN; MARK C. LINDEMANN, DIRECTOR, PURCHASING

**DEPARTMENT OF COMMUNITY AFFAIRS**

**STATE ENERGY PROGRAM (SEP)  
NOTICE OF FUNDING AVAILABILITY**

The Department of Energy announced funding availability for Federal Fiscal year 2003 under the State Energy Program Special Projects on February 13, 2003 to eligible Applicants. All proposals are required to be submitted by the State Energy Office.

The proposals for The Clean Cities, Industries of the Future and Building Codes and Standard are due to DCA April 18, 2003. Up to 16,600,00 nationwide is available for award to eligible applicants to carry eligible activities.

The proposals for Rebuild America, Building America, Federal Energy Management Program, Solar Technology Program, State Wind Energy Support and Distributed Energy and Electric Reliability (DEER) – Transmission Reliability, Energy Storage, and Interconnection are due to DCA April 22, 2003.

The proposals for Distributed Energy and Electric Reliability (DEER) – Regional Combined Cooling, Heating and Power (CHP) Applications Center, Distributed Energy and Electric Reliability (DEER) – High Temperature Superconductivity, State Outreach Centers, Geothermal Outreach, Biomass, Residential Deployment, Fuel Cell Demonstration and Coordinated Public Education Activities are due to DCA April 24, 2003.

Proposals may be either hand delivered or sent by U.S. Mail or other licensed carrier and must be received on or before the deadline by the State Energy Program, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

For further information, prospective applicants should contact: Essie Turner, Administrative Assistant, (850)488-2475. Interested parties may also address inquiries to the State Energy Program, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

**METROPOLITAN PLANNING ORGANIZATIONS**

Volusia County Metropolitan Planning Organization  
Request for Letters of Interest for the Volusia County MPO  
2025 Long Range Transportation Plan

Notice is hereby given that the Volusia County MPO is soliciting Letters of Interest (LOI) from those qualified consultant(s) interested in submitting a proposal for the 2025 Long Range Transportation Plan. Consultant(s) must possess technical proficiency in all aspects of long range transportation planning, public involvement/participation, data collection and analysis, database development, report preparation, GIS coverage development, general transportation planning, as well as financial cost estimating and planning. This is a two-year project that is being undertaken to develop the 20 year transportation vision for the Volusia County MPO Urbanized Area.

All Letters of Interest (LOI) are to be submitted to the attention of Karl D. Welzenbach, Executive Director, VCMPO, 1190 Pelican Bay Drive, Daytona Beach, 32119-1381 by no later than 12:00 p.m. (noon) Thursday, April 10, 2003. All Letters of Interest should be no more than two (2) pages in length and MUST include the following information:

Name of the primary consultant, address and phone number;  
 Names and qualifications of sub-contractors (if any);  
 Names and qualifications of key staff members;  
 Listing of previous work products in this field;  
 Listing of professional references; and  
 E-mail address.

Any Letter of Interest (LOI) that does not contain ALL of the above information WILL NOT BE CONSIDERED. A copy of the preliminary scope of work will be sent by e-mail to each firm submitting an LOI.

Within 5 working days of the deadline for submittal of the Letter of Interest (LOI), the MPO will hold a Request for Proposal (RFP) Briefing Meeting. All parties submitting an LOI will be notified by e-mail as to the date, time, and location of this meeting. Only those parties who submitted an LOI will be notified and invited to the RFP Briefing Meeting. This meeting will be open only to those parties that submitted an LOI by the aforementioned deadline. All parties wishing to submit a proposal MUST attend the RFP Briefing Meeting.

**DEPARTMENT OF MANAGEMENT SERVICES**

**NOTICE REGARDING ELECTRONIC POSTING**

Pursuant to section 287.042(3)(b)2. of the Florida Statutes, the Department of Management Services hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement:

[http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu).

Viewers may navigate to this URL via the State portal, [www.myflorida.com](http://www.myflorida.com); from the main page, drill down as follows: Business; Doing Business with the State; Vendor Bid System (VBS).

**Section XII  
 Miscellaneous**

**DEPARTMENT OF BANKING AND FINANCE**

**NOTICE OF FILINGS**

Office of Financial Institutions and Securities Regulation

Notice is hereby given that the Office of Financial Institutions and Securities Regulation has received the following applications.

Comments may be submitted to the Deputy Director, Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Institutions and Securities Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in Section

3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., April 25, 2003):

**APPLICATION TO MERGE**

Constituent Institutions: Marine National Bank, Naples, Florida 34109 and Old Florida Bank, Fort Myers, Florida 33912

Resulting Institution: Old Florida Bank, Fort Myers, Florida  
 With Title of: Old Florida Bank

Received: March 24, 2003

**APPLICATION TO ACQUIRE CONTROL**

Financial Institution to be Acquired: First Western Bank, Cooper City, Florida 33330

Proposed Purchaser: DE Group, Inc. (Alvaro Saieh, Alberto Muchnick, Fernando Aguad and Jorge Selume), Wilmington, Delaware 19801

Received: March 21, 2003

**DEPARTMENT OF COMMUNITY AFFAIRS**

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.: BLIVR-1103-007

DATE RECEIVED: March 21, 2003

DEVELOPMENT NAME: DORAL CENTER

DEVELOPER/AGENT: Koala Miami Realty Holding Co.

DEVELOPMENT TYPE: 28-24.020, F.A.C.

LOCAL GOVERNMENT: Miami-Dade County

**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS  
 INTERLOCAL AGREEMENT CONSISTENT WITH  
 SECTION 163.3177(2), FLORIDA STATUTES DCA  
 DOCKET NO. 25-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Hardee County, Bowling Green, Wauchula, Zolfo Springs and the Hardee County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Hardee County School Board; Administrative Offices, 1009 North 6th Avenue, Wauchula, Florida 33873.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within

twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Hardee County, Bowling Green, Wauchula, Zolfo Springs and the Hardee County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s- Charles Gauthier, AICP  
 Chief, Bureau of Local Planning  
 Department of Community Affairs  
 Division of Community Planning  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

**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, Classic Motorworks, intends to allow the establishment of Euro Cycles, as a dealership for the sale of Royal Enfield motorcycles, at 6508 Gunn Highway, Odessa (Hillsborough County), Florida 33556, on or after March 11, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Euro Cycles, are dealer operator(s) and principal investor(s): Reinhold Probst, 39042 U.S. Highway 19 North, Tarpon Springs, FL 34689.

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: Larry Sahagian, General Manager, Classic Motorworks, 1220 (B) 4th St., N. W., Fairbault, MN 55021.

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.

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Amended Notice Regarding Establishment of Dealership Amendment to the Notice of Intent published on March 21, 2003 to establish City Automotive-Avenues, Inc. as a dealership for Mitsubishi automobiles and light trucks at 10857 Phillips Highway, Jacksonville, Duval County, Florida 32244. The correct address to mail a petitions or complaints to Mitsubishi Motors North America is: Robert N. Ozburn, Regional Franchise Development Manager, Mitsubishi Motors North America, Inc. 6488 Currin Drive, Orlando, Florida 32835.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

NOTICE OF AVAILABILITY

Florida Categorical Exclusion Notification

The Florida Department of Environmental Protection has determined, under the State Revolving Fund program, that the Town of Manalapan's water system improvement project will not adversely affect the environment.

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, e-mail: [venkata.panchakarla@dep.state.fl.us](mailto:venkata.panchakarla@dep.state.fl.us).

NOTICE OF PUBLIC OPPORTUNITY TO  
COMMENT ON DRAFT NPDES PERMITS IN  
THE EASTERN GULF OF MEXICO

On March 18, 2003, the DEP Office of Intergovernmental Programs received Draft NPDES Permits for Desoto Canyon Blocks 445 and 489, Marathon Oil Co., pursuant to the Coastal Zone Management Act consistency requirements of 15 CFR 930.

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".

NOTICE OF INTENT TO ISSUE MODIFICATION  
OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection ("Department") hereby provides notice of an intent to modify power plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501, et seq., Florida Statutes ("F.S.") and Rule 62-17.211, Florida Administrative Code. A proposed Order Modifying Conditions of Certification has been prepared concerning the Cedar Bay Cogeneration Facility in Duval County, Florida, Power Plant Siting Application No. PA 88-24E, DEP Office of General Counsel Case No. 03-0401.

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

**DEPARTMENT OF JUVENILE JUSTICE**

The Florida Department of Juvenile Justice has posted the following policies for review and comment on MyFlorida.com at: <http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>.

The department-wide policy (type B) addresses the following issue: Needs Assessment and Performance Planning in Residential and Correctional Facilities – sets forth guidelines relative the creation and promulgation of the needs assessment; performance plan and performance summary reporting for offender's committed to the Department's Residential and Correctional Facilities commitment programs. This is the second of two – 20 working day review and comment periods.

The second department-wide policy (type A) addresses the following issue: Attendance and Leave, requiring managers and supervisors to monitor hours worked by employees; monitor overtime to ensure compliance with the FLSA; maintain accurate records of attendance, leave, and overtime worked; and ensure all leave transactions are in accordance with all applicable state and federal laws and regulations,

Department directives and procedures, and appropriate collective bargaining agreements. This policy is posted for a single – 20 working day review and comment period.

Please submit comments to the contact persons identified on the above Website. The closure date for submission of comments on both policies is April 18, 2003. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

**DEPARTMENT OF HEALTH**

NOTICE OF THE POSTING OF INTENDED AWARDS FOR EMERGENCY MEDICAL SERVICES RURAL MATCHING GRANTS (90% GRANTS) AND GENERAL MATCHING GRANTS (75% GRANTS)

AGENCY: Florida Department of Health, Bureau of Emergency Medical Services

GRANT TITLE: Florida Emergency Medical Services Matching Grant Program

The list of agencies with intended awards and those not intended to receive awards is posted: (1) in the first floor lobby of the state office building at 4025 Esplanade Way, Tallahassee, Florida 32311-7829 and (2) on the Internet at <http://www.doh.state.fl.us/ems/>. The list also will be provided by request directed to: Ed Wilson, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, BIN #C18, Tallahassee, Florida 32399-1738, telephone (850)245-4440, Extension 2737, e-mail: [Ed\\_Wilson@doh.state.fl.us](mailto:Ed_Wilson@doh.state.fl.us).

Any party whose substantial interests have been affected by this decision can file a petition for an administrative hearing as provided in Sections 120.569 and 120.57, F.S. If a petition is filed it must meet the statutory requirements of the Florida Administrative Code, Rule 28-106.201 or 28-106.301. Mediation pursuant to Section 120.573, F.S., is not available for this action. Both formal and informal hearings may be initiated only by filing a written petition within twenty-one (21) days from publication of this notice. Failure to timely file a petition is cause of forfeiture of your rights to a hearing. Original petitions must be filed with the Agency Clerk, Department of Health, 4052 Bald Cypress Way, BIN #A-02, Tallahassee, FL 32399-1703. If you have any questions regarding the procedure, contact an attorney.

P. O. #G10454

Opportunity for Public Input

The Department of Health will be submitting a new application to receive federal funds under the Title V Maternal Child Health Block Grant. If you wish to make any suggestions or provide input for the Federal Fiscal Year 2004 application and report, please call Bob Peck, (850)245-4444, Ext. 2965, by April 30, 2003.

**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN March 17, 2003  
 and March 21, 2003**

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

**DEPARTMENT OF BANKING AND FINANCE**  
**Board of Funeral and Cemetery Services**

|          |         |        |       |  |
|----------|---------|--------|-------|--|
| 3F-7.007 | 3/17/03 | 4/6/03 | 28/44 |  |
| 3F-7.015 | 3/17/03 | 4/6/03 | 28/44 |  |

**DEPARTMENT OF TRANSPORTATION**

|            |         |         |       |       |
|------------|---------|---------|-------|-------|
| 14-15.0081 | 3/21/03 | 4/10/03 | 28/34 | 28/45 |
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**PUBLIC SERVICE COMMISSION**

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| 25-4.119  | 3/18/03 | 4/7/03 | 29/6 |  |
| 25-24.830 | 3/18/03 | 4/7/03 | 29/6 |  |
| 25-24.840 | 3/18/03 | 4/7/03 | 29/6 |  |

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

|           |         |        |       |  |
|-----------|---------|--------|-------|--|
| 40E-4.091 | 3/17/03 | 4/6/03 | 28/52 |  |
|-----------|---------|--------|-------|--|

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
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**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Office of Licensure and Certification**

|             |         |         |       |      |
|-------------|---------|---------|-------|------|
| 59A-12.002  | 3/21/03 | 4/10/03 | 28/43 | 29/8 |
| 59A-12.003  | 3/21/03 | 4/10/03 | 28/43 |      |
| 59A-12.004  | 3/21/03 | 4/10/03 | 28/43 |      |
| 59A-12.006  | 3/21/03 | 4/10/03 | 28/43 | 29/8 |
| 59A-12.007  | 3/21/03 | 4/10/03 | 28/43 |      |
| 59A-12.0071 | 3/21/03 | 4/10/03 | 28/43 | 29/8 |
| 59A-12.0072 | 3/21/03 | 4/10/03 | 28/43 |      |
| 59A-12.010  | 3/21/03 | 4/10/03 | 28/43 |      |

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Code Administrators and Inspector**

|             |         |        |      |  |
|-------------|---------|--------|------|--|
| 61G19-6.016 | 3/18/03 | 4/7/03 | 29/6 |  |
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

|            |         |         |      |      |
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| 62-550.824 | 3/21/03 | 4/10/03 | 29/3 | 29/9 |
| 62-555.900 | 3/21/03 | 4/10/03 | 29/3 |      |

**DEPARTMENT OF HEALTH**

**Board of Nursing**

|             |         |        |      |  |
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| 64B9-15.006 | 3/19/03 | 4/8/03 | 29/1 |  |
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| <b>Biomedical Research Advisory Council</b> |           |                |                   |                  | 67-48.005  | 3/17/03   | 4/6/03         | 28/51             | 29/5             |
| 64H-1.001                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.007  | 3/17/03   | 4/6/03         | 28/51             |                  |
| <b>FLORIDA HOUSING FINANCE CORPORATION</b>  |           |                |                   |                  | 67-48.009  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.002                                   | 3/17/03   | 4/6/03         | 28/51             | 29/5             | 67-48.0095 | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.003                                   | 3/17/03   | 4/6/03         | 28/51             | 29/5             | 67-48.010  | 3/17/03   | 4/6/03         | 28/51             | 29/5             |
| 67-21.0035                                  | 3/17/03   | 4/6/03         | 28/51             | 29/5             | 67-48.0105 | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.004                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.012  | 3/17/03   | 4/6/03         | 28/51             | 29/5             |
| 67-21.0041                                  | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.013  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.0045                                  | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.014  | 3/17/03   | 4/6/03         | 28/51             | 29/5             |
| 67-21.005                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.015  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.006                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.017  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.007                                   | 3/17/03   | 4/6/03         | 28/51             | 29/5             | 67-48.018  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.008                                   | 3/17/03   | 4/6/03         | 28/51             | 29/5             | 67-48.019  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.009                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.020  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.010                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.0205 | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.011                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.021  | 3/17/03   | 4/6/03         | 28/51             | 29/5             |
| 67-21.012                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.022  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.013                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.023  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.014                                   | 3/17/03   | 4/6/03         | 28/51             | 29/5             | 67-48.025  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.015                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.026  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.016                                   | 3/17/03   | 4/6/03         | 28/51             | 29/5             | 67-48.027  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.017                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.028  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-21.018                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.029  | 3/17/03   | 4/6/03         | 28/51             |                  |
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| 67-48.001                                   | 3/17/03   | 4/6/03         | 28/51             |                  | 67-48.031  | 3/17/03   | 4/6/03         | 28/51             |                  |
| 67-48.002                                   | 3/17/03   | 4/6/03         | 28/51             | 29/5             |            |           |                |                   |                  |
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Section XIV  
List of Rules Affected

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This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w - Signifies Withdrawal of Proposed Rule(s)
- c - Rule Challenge Filed
- v - Rule Declared Valid
- x - Rule Declared Invalid
- d - Rule Challenge Dismissed
- dw - Dismissed Upon Withdrawal

INSURANCE

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STATE

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BANKING AND FINANCE

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| 4-149.128  | 24/3c             |                  |                  | 4A-58.001                         | 28/35             | 28/51            | 29/7             |
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| 4-149.130  | 24/3c             |                  |                  | 4A-58.003                         | 28/35             | 28/51            | 29/7             |
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