

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
General Eligibility Requirements	4-202.008
Annual Statement	4-202.012
Forms Incorporated by Reference	4-202.015

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The amendments update the forms used for donor annuity agreements. The changes are being made to reflect that the forms are now Office of Insurance Regulation forms rather than Department of Insurance forms. The amendment also provides a website address where the forms can be obtained.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 627.481 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., September 2, 2003

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bruce Lulofs, Bureau of Specialty Insurers, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0331, (850)413-2490

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-202.008 General Eligibility Requirements.

(1) Any person engaging in the business of issuing donor annuity agreements ~~must shall~~ notify the ~~Office Department~~ in writing in a form prescribed by the ~~Office Department~~ in Form ~~OIR-C1~~ OIR-A3 ~~DI4-1208 (rev. 6/96)~~, Notification to the Florida ~~Office of Insurance Regulation Department of Insurance~~ as a Qualifying Issuer of Donor Annuity Agreements Pursuant to Section 627.481, Florida Statutes, adopted in paragraph 4-202.015(1)(a), F.A.C. The notice ~~must shall~~ be made ~~on by~~ on ~~August 13, 1996, or~~ the date on which the person first enters into a donor annuity agreement.

(2) Any person subject to Section 627.481, Florida Statutes, that fails to submit the required notification form is subject to penalty as provided in Section 626.9521, Florida Statutes.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.481 FS. History—New 6-23-92, Amended 1-7-97, _____.

4-202.012 Annual Statement.

(1) Within 60 days of the end of each fiscal year, each qualifying issuer of donor annuity agreements in this state must submit a sworn statement on the form prescribed by the ~~Office Department~~ in Form ~~OIR-A3~~ OIR-A3 ~~DI4-1209 (rev. 6/96)~~, Sworn Statement in Lieu of Annual Statements for Issuers of Donor Annuity Agreements, adopted in ~~paragraph Rule~~ paragraph ~~4-202.015(1)(c), F.A.C.,~~ attesting that the issuer has met all requirements of law.

(2) ~~Issuers that fail to submit the sworn statement in subsection (1) shall submit Failure to submit the statement referenced in (1) shall result in the Department requiring the issuer to submit an annual report in a form prescribed by the Department in Form DI4-485 (rev. 6/96), Annual Report, adopted in Rule 4-202.015(1)(b), F.A.C., including~~ audited financial statements, and any information relating to the operations of the issuer necessary to determine compliance.

Specific Authority 624.308 FS. Law Implemented 624.307, 624.307(1), 627.481 FS. History—New 6-23-92, Amended 1-7-97, _____.

4-202.015 Forms Incorporated by Reference.

(1) The following forms are incorporated ~~into this rule chapter~~ by reference to implement the provisions of Section 627.481, Florida Statutes:

Title	Form Number
(a) Notification to the Florida Office of Insurance Regulation Department of Insurance as a Qualifying Issuer of Donor Annuity Agreements Pursuant to Section 627.481, Florida Statutes	<u>OIR-C1</u> DI4-1208 (rev. 07/03 6/96)
(b) Annual Report	<u>DI4-485 (rev. 6/96)</u>
(b)(e) Sworn Statement in Lieu of Donor Annuity Agreements	<u>OIR-A3</u> DI41209 (rev. 07/03 6/96)

(2) ~~These forms shall become effective on the date this rule becomes effective.~~ Copies of the forms may be obtained from the ~~Office of Insurance Regulation Department of Insurance,~~ Bureau of Specialty Insurers, Larson Building, Tallahassee, FL 32399-0331 ~~0300,~~ or on the Department of Financial Services website at www.fldfs.com.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.481 FS. History—New 7-15-90, Formerly 4-117.015, Amended 6-23-92, 1-7-97, _____.

DEPARTMENT OF INSURANCE

Division of Treasury

RULE TITLE: The Plan; Prescribed Forms
 RULE NO.: 4C-6.003

PURPOSE AND EFFECT: The purpose and effect of the rule is to adopt an amended State of Florida Employees Deferred Compensation Plan with Investment Manager Guidelines and Retention Policy and Related Forms. Changes to the plan include:

- Changing “Treasurer” to “Chief Financial Officer”
- Referencing the new Investment Manager Guidelines and Retention Policy
- Clarifying language regarding funding the administration of the plan
- Allowing internet enrollment and changes in account information expanding the period to participate in the catch-up provisions to the 3 years prior to normal retirement age as allowed by 26 USC 457(b)(3)
- Simplifying provisions relating to beneficiary designations
- Making various minor corrections

SUBJECT AREA TO BE ADDRESSED: Changes to the Plan, Investment Manager Guidelines, Retention Policy and Forms.

SPECIFIC AUTHORITY: 112.215(11) FS.

LAW IMPLEMENTED: 18.125(4)(c), 112.215 FS.

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

TIME AND DATE: 9:30 a.m., Thursday, September 4, 2003

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kandi Winters, Financial Administrator, Division of Treasury, Deferred Compensation Section, Department of Financial Services, 408 Hermitage, Tallahassee, Florida 32399, (850)413-3162

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4C-6.003 The Plan; Prescribed Forms.

(1) Form DI4-1176 (rev. 7/03 ~~4/02~~), State of Florida Employees Deferred Compensation Plan, is hereby established and incorporated into this rule by reference as the plan contemplated in Section 112.215, F.S.

(2) The forms listed below are incorporated into and made a part of this rule chapter by reference and shall take effect on the effective date of these rules. The forms can be obtained from investment providers servicing the plan. A listing of authorized investment providers can be obtained from the Deferred Compensation Section, Division of State Treasury, 200 East Gaines Street, Tallahassee, Florida 32399-0346.

(a) Form DI4-1163 (rev. 3/03 ~~4/02~~) Participant Action Form

(b) Form DI4-1164 (rev. 3/03 ~~4/02~~) Enrollment Information Form

(c) through (l) No change.

(m) Form DI4-1541 (rev. 7/03) Investment Manager Guidelines and Retention Policy

(3) through (4) No change.

Specific Authority 112.215(11) FS. Law Implemented 18.125(4)(c), 112.215 FS. History—New 1-1-87, Amended 10-7-87, 2-14-88, 2-19-89, 6-21-89, 8-7-95, 9-21-98, 6-3-02, _____.

DEPARTMENT OF INSURANCE

Division of Workers’ Compensation

RULE TITLE: Benefits and Administration Trust Fund
 RULE NO.: 4L-24.0231

PURPOSE AND EFFECT: The purpose and effect of the proposed language is to state that late filing penalties apply to late filed electronic and paper submissions, and establishes criteria regarding the determination of whether a first report of injury or illness electronic filing submitted to the Division is timely.

SUBJECT AREA TO BE ADDRESSED: Penalties for late-filed submissions regarding workers’ compensation claims.

SPECIFIC AUTHORITY: 440.13(11)(b), 440.185, 440.591, 440.593(5) FS.

LAW IMPLEMENTED: 440.13(11)(b), 440.185(9), 440.20(8)(a) 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., September 2, 2003

PLACE: Room 104J, Hartman Building, 2012 Capital Circle, Southeast, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Gregory Jenkins, Chief, Bureau of Monitoring and Audit, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-4224, (850)488-2031, ex. 153.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4L-24.0231 Benefits and Administration Trust Fund Penalties Improper Filing Practices.

(1)(a) Failure to timely file, by electronic or paper submission, legible and complete forms, reports, or documents as required by Chapter 440, Florida Statutes, Chapter 4L-3, F.A.C., or other Division rules implementing Chapter 440, Florida Statutes, shall subject the party required to file such form, report or document to assessment by the Division of a civil penalty. For purposes of this rule, a paper form, report or document is timely filed when it is postmarked and mailed prepaid prior to the expiration of the time periods prescribed in this rule, and Chapter 4L-3, F.A.C. For purposes of this rule, an electronically submitted First Report of Injury or Illness is timely filed if the carrier receives a Transaction Accepted (TA) Acknowledgement Code from the Division within 21 days after the carrier's knowledge of the injury. Penalties shall be assessed as follows:

(b) No change.

Specific Authority 440.13(11)(b), 440.185, 440.591, 440.593(5) FS. Law Implemented 440.13(11)(b), 440.185(9), 440.20(8)(a) FS. History—New 8-29-94, Amended 5-14-95, 6-4-97, 11-28-01, Formerly 38F-24.0231, Amended.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Pesticides 5E-2

RULE TITLE: RULE NO.:

Performance Standards and Acceptable Test

Conditions for Preventive Termite

Treatments for New Construction 5E-2.0311

PURPOSE AND EFFECT: This rule amendment would provide that any soil applied treatment for preventative treatment for new construction that allowed perimeter and limited area treatments would have to conduct building tests and meet a performance standard of no termite infestation in 90% of test buildings for five years. This rule would apply to registered pesticide products labeled for preventative treatment for new construction.

SUBJECT AREA TO BE ADDRESSED: This amendment addresses soil applied residual treatments meeting performance standards based on field tests that simulate a full coverage treatment under the foundation of a structure.

SPECIFIC AUTHORITY: 487.041(4)(e) FS.

LAW IMPLEMENTED: 487.041(4)(e) FS.

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

TIME AND DATE: 10:00 a.m., September 30, 2003

PLACE: George Eyster Auditorium, 3125 Conner Blvd., Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Steven Dwinell, Division of Agricultural Environmental Services, Department of Agriculture and Consumer Services, 3125 Conner Blvd., Tallahassee, FL 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-2.0311 Performance Standards and Acceptable Test conditions for Preventive Termite Treatments for New Construction.

(1) Performance Standards for Preventive Termite Treatments for New Construction.

The registrant of any pesticide product containing a label statement that includes directions for use as a preventive treatment for subterranean termites for new construction shall provide data to the Department demonstrating that the product meets the performance standard specified for the type of pesticide product listed below. For products registered prior to the effective date of the rule, the registrant shall have one year from the effective date of the rule to provide the data required to meet the performance standards or the period of time specified to meet the test conditions herein, whichever is greater. When data generation requires more than one (1) year, the registrant shall provide annual reports to the Department. In the event that a performance standard is not met during the test period, the provisions of Section 487.041(4)(e), F.S., shall apply.

(a) For soil applied residual treatments:

1. through 2. No change.

3. For products with label directions that allow preventative treatments for new construction other than complete coverage under a foundation, the product shall meet the performance standard specified in subparagraph (1)(d)2., of this rule and data provided to demonstrate that the performance standard was met shall be developed in accordance with paragraph (2)(c) of this rule.

(b) through (3) No change.

Specific Authority 487.041(4)(e) FS. Law Implemented 487.041(4)(e) FS. History—New 3-23-03, Amended.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Forestry	5I-4
RULE TITLES:	RULE NOS.:
Purpose and Definitions	5I-4.002
Vehicular, Animal and Pedestrian Control	5I-4.003
Protection of Managed Lands	5I-4.005
Recreational Activities and Facilities	5I-4.006
Garbage, Water Pollution and Glass Containers	5I-4.007
Vendors; Authorization; Fees	5I-4.008
Penalties for Violations	5I-4.011

PURPOSE AND EFFECT: This purpose is to provide guidance to Department staff and information to the public regarding use of lands managed by the Department for specific activities, and to comply with similar existing laws and rules. The effect will improve administration and provide guidance for public use.

SUBJECT AREA TO BE ADDRESSED: Revisions to the existing Administrative Rule Chapter No.: 5I-4, F.A.C., regarding the management and use of lands managed by the Florida Department of Agricultural and Consumer Services, Division of Forestry.

SPECIFIC AUTHORITY: 589.011(4), 589.071, 589.12 FS.

LAW IMPLEMENTED: 589.011(1),(3),(4), 589.071 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: John Waldron, Forest Recreation Coordinator, Department of Agriculture and Consumer Services, Division of Forestry, 3125 Conner Blvd., C-25, Tallahassee, Florida 32399-1650, (850)414-9852

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

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLE:	RULE NO.:
Assessment of Mobile Homes	12D-6.002

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-6.002, F.A.C., is to implement the provisions of chapter 2003-282, L.O.F., which provides that titles to mobile homes that are permanently affixed to real property may be retired and to further delineate the facts to be considered in determining when a mobile home is tangible personal property.

SUBJECT AREA TO BE ADDRESSED: Assessment of mobile homes permanently affixed to property. Circumstances under which a mobile home is presumed to be tangible personal property.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 192.001, 192.011, 193.075, 213.05, 319.261, 320.015, 320.055, 320.08(11), 320.0815 FS.

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

TIME AND DATE: 10:30 a.m., Friday, August 29, 2003

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

Copies of the agenda for the rule development workshop may be obtained from Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this workshop is asked to advise the Department at least 48 hours before the workshop by contacting Sharon Gallops at (850)414-6108. A person who is hearing-impaired or speech-impaired should contact the Department by using the Florida Relay Service, which can be reached at (800)955-8700 (voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-6.002 Assessment of Mobile Homes.

(1) This rule subsection shall apply if the owner of the mobile home is also the owner of the land on which the mobile home is permanently affixed and the mobile home has a current sticker affixed, regardless of the series. This rule subsection shall also apply if the mobile home title is retired in accordance with Section 319.261, Florida Statutes.

(a) through (6) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 192.001, 192.011, 193.075, 213.05, 319.261, 320.015, 320.055, 320.08(11), 320.0815 FS. History—New 10-12-76, Formerly 12D-6.02, Amended 2-17-93, 1-11-94, 12-27-94, 12-28-95, 1-2-01,_____.

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLE:	RULE NO.:
Exemption of Property of Widows, Widowers, Blind Persons, and Persons Totally and Permanently Disabled; Disabled Veterans	12D-7.003

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-7.003, F.A.C., is to clarify the value of the aggregate exemptions under Sections 196.202 and 196.24, F.S., for property of widows/widowers, blind persons, totally and permanently disabled persons and veterans.

SUBJECT AREA TO BE ADDRESSED: The amount of the combined exemptions under Sections 196.202 and 196.24, F.S.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 196.202, 196.24, 213.05 FS.

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

TIME AND DATE: 10:30 a.m., Friday, August 29, 2003

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

Copies of the agenda for the rule development workshop may be obtained from Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this workshop is asked to advise the Department at least 48 hours before the workshop by contacting Sharon Gallops at (850)414-6108. A person who is hearing-impaired or speech-impaired should contact the Department by using the Florida Relay Service, which can be reached at (800)955-8700 (voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-7.003 Exemption of Property of Widows, Widowers, Blind Persons, and Persons Totally and Permanently Disabled; Disabled Veterans.

(1) For the purposes of the exemption provided in Section 196.202, Florida Statutes:

(a) through (c) No change.

(d) The exemptions provided under Section 196.202, Florida Statutes, shall be cumulative. An individual who properly qualifies under more than one classification shall be granted more than one five hundred dollar exemption. However, in no event shall the ~~combined~~ exemption under Section 196.202, Florida Statutes, ~~and Section 196.031, Florida Statutes,~~ exceed one thousand five hundred dollars (\$1,500) for an individual ~~twenty six thousand five hundred dollars (\$26,500).~~

(e) No change.

(2) The \$5,000 exemption granted by Section 196.24, Florida Statutes, shall be considered to be the same constitutional disability exemption provided for by Section 196.202, Florida Statutes. The exemptions under Sections ~~196.202 and 196.24, 196.031, and 196.202,~~ Florida Statutes, shall be cumulative, but in no event shall the aggregate exemption exceed \$6,000 for an individual ~~\$31,000.~~

(3) The exemptions granted by Sections 196.202 and 196.24, Florida Statutes, apply to any property owned by a bona fide resident of this state.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented ~~196.031, 196.202, 196.24, 213.05 FS.~~ History—New 10-12-76, Formerly 12D-7.03, Amended 11-21-91, 12-31-98, 12-30-02, _____.

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLES: **RULE NOS.:**

Reduction in Assessment for Living 12D-8.0068

Quarters of Parents or Grandparents 12D-8.0068

Uniform Standards for Computer Operations:

Minimum Data Requirements 12D-8.011

PURPOSE AND EFFECT: The purpose of the creation of Rule 12D-8.0068, F.A.C., is to implement the provisions of chapter 2002-226, Laws of Florida, which provides for a reduction in assessment of living quarters constructed or reconstructed for parents and grandparents.

The purpose of the proposed amendment to Rule 12D-8.011, F.A.C., is to provide exemption type codes for the property appraiser's use in maintaining uniform data processing files.

SUBJECT AREA TO BE ADDRESSED: 12D-8.0068 – requirements for reducing assessments of living quarters constructed for parents or grandparents. 12D-8.011 – exemption codes for data processing files.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 193.703, 195.027, 196.011, 196.031, 196.075, 196.081, 196.091, 196.101, 196.175, 196.195, 196.196, 196.197, 196.1975, 196.198, 196.1985, 196.1986, 196.199, 196.1995, 196.1997, 196.1998, 196.2001, 196.202, 196.24, 213.05 FS.

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

TIME AND DATE: 10:30 a.m., Friday, August 29, 2003

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

Copies of the agenda for the rule development workshop may be obtained from Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this workshop is asked to advise the Department at least 48 hours before the workshop by contacting Sharon

Gallops at (850)414-6108. A person who is hearing-impaired or speech-impaired should contact the Department by using the Florida Relay Service, which can be reached at (800)955-8700 (voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-8.0068 Reduction in Assessment for Living Quarters of Parents or Grandparents.

(1)(a) In accordance with s. 193.703, F.S. and s. 4(e), Art. VII of the State Constitution, the board of county commissioners of any county may adopt an ordinance to provide for a reduction in the assessed value of homestead property equal to any increase in assessed value of the property which results from the construction or reconstruction of the property for the purpose of providing living quarters for one or more natural or adoptive parents or grandparents of the owner of the property or of the owner's spouse if at least one of the parents or grandparents for whom the living quarters are provided is at least 62 years of age. The board of county commissioners shall deliver a copy of any ordinance adopted under Section 193.703, F.S. to the property appraiser.

(b) The reduction in assessed value resulting from an ordinance adopted pursuant to Section 193.703, F.S. shall be applicable to the property tax levies of all taxing authorities levying tax within the county.

(2) A reduction may be granted under subsection (1) only to the owner of homestead property where the construction or reconstruction is consistent with local land development regulations, including, where applicable, proper application for a building permit.

(3) In order to qualify for the assessment reduction pursuant to this section, property must meet the following requirements:

(a) The construction or reconstruction for which the assessment reduction is granted must have been substantially completed on or before the January 1 on which the assessment reduction for that property will first be applied.

(b) The property to which the assessment reduction applies must qualify for a homestead exemption at the time the construction or reconstruction is substantially complete and each year thereafter.

(c) The qualified parent or grandparent must permanently reside on the property on January 1 of the year the assessment reduction first applies and each year thereafter.

(d) The construction or reconstruction must have been substantially completed after January 7, 2003, the effective date of Section 193.703, F.S.

(4) The term "qualified parent or grandparent" means the parent or grandparent residing in the living quarters, as their primary residence, constructed or reconstructed on property qualifying for assessment reduction pursuant to Section 193.703, F.S. on January 1 of the year the assessment reduction first applies and each year thereafter. Such parent or grandparent must be the natural or adoptive parent or grandparent of the owner, or the owner's spouse, of the homestead property on which the construction or reconstruction occurred. Primary residence shall mean that the parent or grandparent does not claim a homestead exemption elsewhere in Florida. Such parent or grandparent cannot qualify as a permanent resident for purposes of being granted a homestead exemption or tax credit on any other property, whether in Florida or in another state. If such parent or grandparent receives or claims the benefit of an ad valorem tax exemption or a tax credit elsewhere in Florida or in another state where permanent residency is required as a basis for the granting of that ad valorem tax exemption or tax credit, such parent or grandparent is not a qualified parent or grandparent under this subsection, the owner is not entitled to the reduction for living quarters provided by this section. At least one qualifying parent or grandparent must be at least 62 years of age. In determining that the parent or grandparent is the natural or adoptive parent or grandparent of the owner or the owner's spouse and that the age requirements are met, the property appraiser shall rely on an application by the property owner and such other information as the property appraiser determines is relevant.

(5) Construction or reconstruction qualifying as providing living quarters pursuant to this section is limited to additions and renovations made for the purpose of allowing qualified parents or grandparents to permanently reside on the property. Such additions or renovations may include the construction of a separate building on the same parcel or may be an addition to or renovation of the existing structure. Construction or reconstruction shall be considered as being for the purpose of providing living quarters for parents or grandparents if it is directly related to providing the amenities necessary for the parent or grandparent to reside on the same property with their child or grandchild. In making this determination, the property appraiser shall rely on an application by the property owner and such other information as the property appraiser determines is relevant.

(6)(a) On the first January 1 on which the construction or reconstruction qualifying as providing living quarters pursuant to this section is substantially complete, the property appraiser shall determine the increase in the just value of the property due to such construction or reconstruction. For that year and each year thereafter in which the property qualifies for the assessment reduction pursuant to this section, assessed value calculated pursuant to Section 193.155, F.S. shall be reduced by the amount so determined. In no year may the assessment reduction, inclusive and aggregate of all qualifying parents or

grandparents, exceed twenty percent of the assessed value of the property prior to the assessment reduction being taken. If in any year the reduction as calculated pursuant to this subsection exceeds twenty percent of assessed value, the reduction shall be reduced to equal twenty percent.

(b) For those joint tenants that reside on the property and receive the homestead exemption, the exempt amount under (6)(a) shall not exceed the total of the assessed value of their interests.

(7) Further construction or reconstruction to the same property meeting the requirements of subsection (5) for the qualified parent or grandparent residing primarily on the property may also receive an assessment reduction pursuant to this section. Construction or reconstruction meeting the requirements of this section for another qualified parent or grandparent of the owner or the owner's spouse may also receive an assessment reduction. The assessment reduction for such construction or reconstruction shall be calculated pursuant to this section for the first January 1 after such construction or reconstruction is substantially complete. However, in no year may the total of all applicable assessment reductions pursuant to this section exceed twenty percent of the assessed value of the property. However, in no year may the total of all applicable assessment reductions pursuant to this section exceed twenty percent of the assessed value of the property.

(8) The assessment reduction pursuant to this section shall apply only while the qualified parent or grandparent for whom living quarters were constructed or reconstructed continue to reside primarily on the property and all other requirements of this section are met. The provisions of subsections (1), (5), (6), (7), and (8) of s. 196.011 governing applications for exemption are applicable to the granting of an assessment reduction pursuant to this section. The property owner must renew the assessment reduction annually.

(9) The amount of the assessment reduction under Section 193.703, F.S. for living quarters constructed for parents or grand parents, shall be placed on the roll after a change in ownership, when the property is no longer homestead, or when the parent or grand parent discontinues residing on the property.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 193.703, 196.011, 213.05 FS. History--New _____.

12D-8.011 Uniform Standards for Computer Operations: Minimum Data Requirements.

(1) Each property appraiser shall maintain the following data in one or more of his or her data processing files regarding each parcel of real estate in his or her county.

(a) through (n) No change.

(o)1. Exemption type. A code indicating the type of exemption granted to the parcel and the value(s) thereof. The property appraiser may continue to use any existing codes provided they are translated to the codes prescribed when submitted to the Department. The code is as follows:

A – Senior Homestead Exemption (Section 196.075, Florida Statutes)

B – Blind (Section 196.202, Florida Statutes)

C – Charitable, Religious, Scientific or Literary (Section 196.196, Florida Statutes)

D – Disabled (Sections 196.081, 196.091, 196.101, Florida Statutes)

E – Economic Development (Section 196.1995, Florida Statutes)

G – Federal Government Property (Section 196.199(1)(a), Florida Statutes); State Government Property (Section 196.99(1)(b), Florida Statutes); Local Government Property (Section 196.199(1)(c), Florida Statutes); Leasehold Interests in Government Property (Section 196.199(2), Florida)

H – Historic Property (Section 196.1997, Florida Statutes)

I – Historic Property Open to the Public (Section 196.1998, Florida Statutes)

L – Labor Organization (Section 196.1985, Florida Statutes)

M – Homes for the Aged (Section 196.1975, Florida Statutes)

N – Nursing Homes, Hospitals, Homes for Special Services (Section 196.197, Florida Statutes)

O – Widowers (Section 196.202, Florida Statutes)

P – Totally and Permanently Disabled (Section 196.202, Florida Statutes)

Q – Combination (Homestead, Disabled, Widow, Widower, Totally and Permanently Disabled, Disabled Veteran, Senior Homestead Exemption – Sections 196.031, 196.075, 196.202, 196.24, Florida Statutes)

R – Renewable Energy Source (Section 196.175, Florida Statutes)

S – Sewer and Water Not-for-Profit (Section 196.2001, Florida Statutes)

T – Community Centers (Section 196.1986, Florida Statutes)

U – Educational Property (Section 196.198, Florida Statutes)

V – Disabled Veteran (Section 196.24, Florida Statutes)

W – Widows (Section 196.202, Florida Statutes)

X – Homestead Exemption (Section 196.031, Florida Statutes)

Z – Combination (Renewable Energy Source, Economic Development – Sections 196.175, 196.1995, Florida Statutes)

2. A code or codes indicating each exemption granted to the parcel and the value(s) thereof. The property appraiser may continue to use any existing codes provided they are translated to the codes prescribed when submitted to the Department: Personal exemption codes shall be "0" indicating the exemption does not apply or the applicable code provided in this rule paragraph an alphabetic character indicating an the exemption does apply. Five of six personal exemptions may apply for each parcel, in the following order.

Exemption Type	Maximum Value	Code
Homestead	\$25,000	X
Widowed	500	W/O
Blind	500	B
Disabled	500	P
Veteran Disabled	5000	V
Disabled (100 percent Exempt) –		D

An individual who qualified for the \$25,000 exemption may also be entitled to the \$500 exemption of Section 3(b), Art. VII, State Const. (for widows, widowers, blind or totally and permanently disabled persons) and Section 196.202, Florida Statutes, and/or the \$5000 exemption under Section 196.24, Florida Statutes (disabled veterans). In no event shall the aggregate exemption exceed \$26,500, for individuals exempt under Section 196.202, Florida Statutes, or \$31,000 for individuals exempt under Section 196.24, Florida Statutes, except for total exemptions under Sections 196.081, 196.091, or 196.101, Florida Statutes.

(p) through (q) No change.

(2) Each property appraiser shall maintain the following data in one or more of his/her data processing files regarding each personal property account in his/her county.

(a) through (l) No change.

(m) Exemption type. A code indicating the type of exemption granted the account. The code is as follows:

A – Institutional (Sections 196.195, 196.196, 196.197, Florida Statutes)

B – Non-Governmental Educational Property other than under Section 196.1985, Florida Statutes. (Section 196.198, Florida Statutes)

C – Federal Government Property (Section 196.199(1)(a), Florida Statutes)

D – State Government Property (Section 196.99(1)(b), Florida Statutes)

E – Local Government Property (Section 196.199(1)(c), Florida Statutes)

F – Leasehold Interests in Government Property (Section 196.199(2), Florida Statutes)

G – Economic Development (Section 196.1995, Florida Statutes)

H – Not-for-profit Sewer and Water Companies (Section 196.2001, Florida Statutes)

I – Blind Exemption (Section 196.202, Florida Statutes)

J – Total and Permanent Disability Exemption (Section 196.202, Florida Statutes)

K – Widow’s Exemption (Section 196.202, Florida Statutes)

L – Disabled Veteran’s Exemption (Section 196.24, Florida Statutes)

(n) through (4) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 195.027, 196.031, 196.075, 196.081, 196.091, 196.101, 196.175, 196.195, 196.196, 196.197, 196.1975, 196.198, 196.1985, 196.1986, 196.199, 196.1995, 196.1997, 196.1998, 196.2001, 196.202, 196.24, 213.05 FS. History—New 12-7-76, Formerly 12D-8.11, Amended 9-30-82, 12-31-98, 12-30-02, _____.

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLES:	RULE NOS.:
Sale of Tax Certificates for Unpaid Taxes	12D-13.045
Application for Obtaining Tax Deed by Holder of Tax Certificate; Fees	12D-13.060
Notices; Advertising, Mailing, Delivering and Posting of Notice of Tax Deed Sale	12D-13.062
Lands Available for Taxes	12D-13.064
Disbursement of Proceeds of Sale	12D-13.065

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-13.045, F.A.C., is to implement the provisions of chapter 2003-22, L.O.F., allowing tax certificate sales to be conducted by electronic means.

The purpose of the proposed amendments to Rules 12D-13.060, 12D-13.062, 12D-13.064 and 12D-13.065, F.A.C., are to implement the provisions of chapter 2003-284, L.O.F., which increases the tax deed application fee; provides that owners of property contiguous to property on which a tax deed application has been made be notified of the pending tax deed sale; provides that the tax collector include owners of certain property that is contiguous to property on which a tax deed application has been made in the list provided to the clerk of circuit court of persons to be notified of a tax deed application and provides an exception if that owner is the current owner of the property on which a tax deed application has been made; provides that an owner of property contiguous to property which is on the list of lands available for sale be notified if the county does not elect to purchase the land from the list; provides that owners of property contiguous to property sold at a tax deed sale are not to be included in disbursement of proceeds.

SUBJECT AREA TO BE ADDRESSED: 12D-13.045 – electronic sales of tax certificates. 12D-13.060 – tax deed application fee and notification requirements and statements connected with tax deed applications. 12D-13.062 – persons required to receive notification of pending tax deed sale. 12D-13.064 – notification to persons of lands placed on the list of lands available for taxes. 12D-13.065 – exception to distribution of proceeds from tax deed sale.

SPECIFIC AUTHORITY: 195.022, 195.027(1), 213.06(1) FS.
LAW IMPLEMENTED: 125.411, 193.092, 193.102, 195.022, 194.171, 197.122, 197.3632, 197.402, 197.403, 197.432, 197.473, 197.482, 197.502, 197.512, 197.522, 197.532, 197.542, 197.552, 197.562, 197.573, 197.582, 197.593, 197.602, 213.05, 298.36, 298.366, 298.465, 298.54, 298.365 FS.

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

TIME AND DATE: 10:30 a.m., Friday, August 29, 2003

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

Copies of the agenda for the rule development workshop may be obtained from Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this workshop is asked to advise the Department at least 48 hours before the workshop by contacting Sharon Gallops at (850)414-6108. A person who is hearing-impaired or speech-impaired should contact the Department by using the Florida Relay Service, which can be reached at (800)955-8700 (voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-13.045 Sale of Tax Certificates for Unpaid Taxes.

(1) Except as provided in Rule 12D-13.047, F.A.C., the tax collector shall sell tax certificates on all lands on which the taxes are delinquent. The tax collector may conduct the public sale by electronic means as provided in Section 197.432(16), Florida Statutes. The sale shall begin on the day and at approximately the time advertised, which shall be on or before June 1 or the sixtieth day after the date of delinquency, whichever is later. The sale shall continue from day to day or until all tax certificates are sold or struck off to the county.

Specific Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 193.092, 193.102, 194.171, 197.122, 197.402, 197.403, 197.432, 213.05 FS. History—New 6-18-85, Formerly 12D-13.45, Amended 5-23-91, 12-13-92, 12-28-95, _____.

12D-13.060 Application for Obtaining Tax Deed by Holder of Tax Certificate; Fees.

(1) through (2) No change.

(3) PROCEDURE: APPLICATION FOR TAX DEED BY PRIVATE HOLDER.

(a) The procedure for tax deed applications by anyone other than the county shall be as follows:

1. No change.

2. The tax deed applicant shall immediately pay to the tax collector the costs and fees required for making application and all amounts required for redemption or purchase of all other outstanding certificates covering the land. A tax deed application is not considered completed until all application costs and fees, including redemption fees, have been paid. It is recommended that the collector accept only cash, cashiers checks, bank drafts or money orders. The applicant shall pay a tax deed application fee of seventy five ~~fifteen~~ dollars (\$75.00).

3. No change.

(4) PROCEDURE AFTER APPLICATION IS MADE – ALL CERTIFICATES.

(a) through (b) No change.

(c) The tax collector shall also attach to the certification Form DR-513 a statement certifying the names and addresses of all persons the clerk is required by law to notify prior to the tax deed sale. (See Section 197.522, Florida Statutes.) The statement shall contain at a minimum the following names and addresses:

1. Legal titleholders of record and the owner's address as it appears on the record of conveyance; if no address is shown on the record of conveyance, the collector shall so state.

2. Lienholders who have recorded liens against the property if an address appears on the recorded lien.

3. Mortgagees of record if an address appears on the recorded mortgage.

4. Vendees of recorded contracts for deed if an address appears on the recorded contract.

5. Vendees of recorded contracts for deed if an application to receive notice has been made pursuant to Section 197.344, Florida Statutes; and their addresses.

6. Lienholders who have applied to the tax collector to receive notice if an address has been furnished to the tax collector, and their addresses.

7. Persons to whom the property was last assessed on the tax roll, and their addresses.

8. In the case of county tax deed applications, owners of tax certificates that have not been redeemed in connection with the tax deed application.

9. Any lienholder of a lien recorded with the clerk of the circuit court against a mobile home located on property described in the tax certificate and taxed as real property if an address appears on the recorded lien.

10. Any legal titleholder of record of property that is contiguous to the property described in the tax certificate, when the property described is either submerged land or common elements of a subdivision, if the address of the titleholder of contiguous property appears on the record of

conveyance of the land to that legal titleholder. However, if the legal titleholder of property contiguous to the property described in the tax certificate is the same as the person to whom the property described in the tax certificate was assessed on the tax roll for the year in which the property was last assessed, the notice may be mailed only to the address of the legal titleholder as it appears on the latest assessment roll.

(d) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 197.3632, 197.482, 197.502, 197.512, 197.522, 197.532, 197.542, 197.552, 197.562, 197.573, 197.582, 197.593, 197.602, 213.05 FS. History—New 6-18-85, Formerly 12D-13.60, Amended 5-23-91, 12-13-92, 1-11-94, 12-25-96, 12-31-98, _____.

12D-13.062 Notices; Advertising, Mailing, Delivering and Posting of Notice of Tax Deed Sale.

(1) No change.

(2) Delivering and Posting.

(a) At least 30 days prior to the date of sale, the clerk shall prepare a notice containing the warnings warning required by Section 197.522(2)(a), Florida Statutes, for owners of the property to be sold and by Section 197.522(2)(b), Florida Statutes, for owners of contiguous property listed in the tax collector’s statement pursuant to Section 197.502(4)(h), Florida Statutes; and:

1. If the owner of the property to be sold resides in the same county in which the property is located, deliver an original and sufficient copies of the notice to the sheriff of that county and

2. If the owner resides in Florida outside the county where the land is located, deliver an original and sufficient copies of the notice to the sheriff of the county in which the property is located, unless the property is assessed as non-agricultural acreage or vacant land.

3. If the owner resides outside the State of Florida, the clerk shall send notice to the sheriff of the county where the property is located, unless the property is assessed as non-agricultural acreage or vacant land.

4. For the owners of the property contiguous to the property to be sold, deliver an original and sufficient copy of the notice described in Section 197.522(2)(b), Florida Statutes to the sheriff of the county in which the contiguous property lies.

(b) through (5) No change.

Specific Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 197.502, 197.512, 197.522, 197.542, 197.562, 197.582, 213.05 FS. History—New 6-18-85, Formerly 12D-13.62, Amended 12-3-01, _____.

12D-13.064 Lands Available for Taxes.

(1) If the tax deed application was made by the county and there are no other bidders, the clerk shall enter the land on a “List of Lands Available for Taxes”. If all outstanding tax sale certificates from the land were issued after July 1, 1999, the county shall then have 90 days after the land is placed on the

list to purchase the land for the opening bid. If any tax sale certificates were sold on or before July 1, 1999, the 90 days shall run from the sale date. After 90 days, any person or governmental unit may purchase the land for the opening bid. If the county does not elect to purchase the land, the county must notify each legal titleholder of property contiguous to the land available for taxes, as provided in Section 197.502(4)(h), Florida Statutes before expiration of the 90-day period. Interest on the opening bid continues to accrue through the month of sale as prescribed by Section 197.542, Florida Statutes. Where property is purchased from the list by the county or other governmental unit for its own use, omitted years’ taxes may be canceled in the manner prescribed under the provisions of Section 197.447, Florida Statutes.

(2) through (3) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 125.411, 197.502, 213.05 FS. History—New 6-18-85, Formerly 12D-13.64, Amended 12-30-99, _____.

12D-13.065 Disbursement of Proceeds of Sale.

(1) through (2) No change.

(3) Any remaining funds held by the clerk shall be distributed to those persons described in Section 197.502(4), Florida Statutes, except persons listed in Section 197.502(4)(h), Florida Statutes, as their interests may appear. Therefore, the distribution scheme must observe the priorities of recordation of the liens or interests in the public records of the County. The excess funds must be used to satisfy in full to the extent possible each senior mortgage or lien in the property before distribution of any funds to any junior mortgage or lien. Any valid lien in the property is entitled to payment before any payment is made to the titleholder or record. If a judgment lien or mortgage lien is terminated by court decree or by operation of law (i.e., Ch. 95, Florida Statutes), such lien is not a valid lien and is therefore not entitled to be satisfied.

(4) The clerk shall send notices to those persons listed in Section 197.502(4), Florida Statutes, except persons listed in Section 197.502(4)(h), Florida Statutes, advising them of the funds held for their benefit. The form of the notice shall be as follows:

NOTICE

CTF NO. Description _____

Pursuant to Chapter 197, Florida Statutes, the above property was sold at public sale on _____. After payment of all funds due to government units has been made, a surplus of \$_____ will remain and be held by this office for a period of 90 days from the date of this notice for the benefit of persons having interest in and to this property as described in Section 197.502(4), Florida Statutes, as their interests may appear.

Attached hereto is a copy of the abstract of this property received from the office of the tax collector reflecting all such persons as described in Section 197.502(4), Florida Statutes, having an interest in the subject property. These funds will be used to satisfy in full, to the extent possible, each senior mortgage or lien in the property before distribution of any funds to any junior mortgage or lien. In order to be considered for distribution of these funds, you must submit a notarized statement of claim to this office, detailing the particulars of your lien, and the amounts currently due, within 90 days of the date of this notice. A copy of this notice must be attached to your statement of claim. After examination of the statements of claim filed, this office will notify you if you are entitled to any payment. Dated this ___ day of _____, _____.

Clerk

County

(5) through (10) No change.

Specific Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 195.022, 197.473, 197.502, 197.522, 197.532, 197.542, 197.582, 213.05, 298.36, 298.366, 298.465, 298.54, 298.365 FS. History—New 6-18-85, Formerly 12D-13.65, Amended _____.

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLE: Index to Forms
RULE NO.: 12D-16.002

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-16.002, F.A.C., is to implement forms revisions created in chapters 2002-226, 2003-162 and 2003-284, L.O.F., and incorporate other technical changes made to forms.

SUBJECT AREA TO BE ADDRESSED: Forms revisions.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.461, 193.625, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1983, 196.1995, 196.24, 197.182, 197.222, 197.253, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.512, 197.552, 200.065, 200.069, 213.05, 218.66 FS.

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

TIME AND DATE: 10:30 a.m., Friday, August 29, 2003

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-16.002 Index to Forms.

(1) The following paragraphs list the forms utilized by the Department of Revenue. A copy of these forms may be obtained by writing to: Director, Property Tax Administration Program, Department of Revenue, Post Office Box 3000, Tallahassee, Florida 32315-3000. The Department of Revenue adopts, and hereby incorporates by reference in this rule, the following forms and instructions:

Form Number	Form Title	Effective Date
(2) No change.		
(3)(a) No change.		
(b) DR-403AC	Revised Recapitulation of the Ad Valorem Assessment Rolls (County Values) (r. 1/03 4/00)	____ 1/01
(4)(a) DR-403AM	Revised Recapitulation of the Ad Valorem Assessment Rolls (Municipality Values) (r. 1/03 4/00)	____ 1/01
(b) through (5)(a) No change.		
(b) DR-403EB	Assessment Roll Exemption Breakdown (r. 1/03 4/00)	____ 1/01
(6) through (7)(b) No change.		
(c) DR-405	Tangible Personal Property Tax Return (r. 12/03 12/00)	____ 12/01
(8) No change.		
(9)(a) DR-409	Certificate of Correction of Tax Roll (r. 12/03 12/02)	____ 1/03

- (b) through (16)(a) No change.
- (b) DR-453B Notice of Tax Lien for Assessment of Escaped Taxes (r. ~~12/03~~ ~~n. 12/02~~) _____ ~~1/03~~
- (c) through (21)(a) No change.
- (b) DR-474 Notice of Proposed Property Taxes (r. ~~12/03~~ ~~1/02~~) _____ ~~12/01~~
- (c) No change.
- (d) DR-474N Notice of Proposed Property Taxes and Proposed or Adopted Non-Ad Valorem Assessments (r. ~~12/03~~ ~~01/02~~) _____ ~~12/01~~
- (22) through (24) No change.
- (25)(a) DR-486 Petition to Value Adjustment Board (r. ~~12/03~~ ~~12/96~~) _____ ~~12/96~~
- (b) DR-486T Petition to Value Adjustment Board – Tangible Personal Property (r. ~~12/03~~ ~~2/92~~) _____ ~~12/94~~
- (c) through (27) No change.
- (28)(a) DR-489AC Preliminary Recapitulation of Ad Valorem Assessment Rolls – County (r. ~~1/03~~ ~~4/00~~) _____ ~~1/01~~
- (b) DR-489AM Preliminary Recapitulation of Ad Valorem Assessment Rolls – Municipality (r. ~~1/03~~ ~~4/00~~) _____ ~~1/01~~
- (c) DR-489EB Assessment Roll Exemption Breakdown (r. ~~1/03~~ ~~4/00~~) _____ ~~1/01~~
- (d) through (33)(c) No change.
- (d) DR-499C Renewal and Certification of Agricultural Classification of Lands (r. ~~12/03~~ ~~n. 12/02~~) _____ ~~1/03~~
- (34) through (38)(c) No change.
- (d) DR-501SC Sworn Statement of Adjusted Gross Income of Household and Return (r. ~~12/03~~ ~~12/02~~) _____ ~~1/03~~
- (e) DR-501PGP Original Application for Assessment Reduction for Living Quarters of Parents or Grandparents (n. 12/03) _____
- (39)(a) DR-501S Eligibility Criteria to Qualify for Property Tax Exemption (r. ~~12/03~~ ~~12/02~~) _____ ~~1/03~~
- (b) through (46)(a) No change.
- (b) DR-513 Tax Collectors Certification (r. ~~12/03~~ ~~12/02~~) _____ ~~1/03~~

(c) through (61) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.461, 193.625, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1983, 196.1995, 196.24, 197.182, 197.222, 197.253, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.512, 197.552, 200.065, 200.069, 213.05, 218.66 FS. History–New 10-12-76, Amended 4-11-80, 9-17-80, 5-17-81, 1-18-82, 4-29-82, Formerly 12D-16.02, Amended 12-26-88, 1-9-92, 12-10-92, 1-11-94, 12-27-94, 12-28-95, 12-25-96, 12-30-97, 12-31-98, 2-3-00, 1-9-01, 12-27-01, 1-20-03,

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLE: _____ RULE NO.:

Adoption of Non-Ad Valorem Assessment Roll 12D-18.005

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-18.005, F.A.C., is to implement the provisions of Chapter 2003-70, L.O.F., which revises the date of public hearings held for purposes of adoption of a new non-ad valorem assessment.

SUBJECT AREA TO BE ADDRESSED: Non-ad valorem assessment adoption.

SPECIFIC AUTHORITY: 195.027(1), 197.3632(11), 197.3635, 213.06(1) FS.

LAW IMPLEMENTED: 197.322, 197.363, 197.3631, 197.3632, 197.3635, 213.05 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-18.005 Adoption of Non-Ad Valorem Assessment Roll.

(1) The provisions of this rule section are applicable to non-ad valorem assessments levied for the first time.

(a) No change.

(b) For a new non-ad valorem assessment, a local government shall adopt a non-ad valorem assessment roll at a public hearing held between ~~January 1 June 1~~ and September 15 if one or more of the following circumstances exist regarding the assessment:

- 1. It is levied for the first time;
- 2. It is increased beyond the maximum rate authorized by law or judicial decree at the time of its initial imposition;

3. It is related to a change in boundaries of (name of local government), unless all newly affected property owners have provided written consent for such assessment to the local governing board; or,

4. It is related to a change in purpose for an existing assessment or in the use of the revenue from such assessment.

(c) A local government may hold its public hearing and adopt or reaffirm a capital project assessment roll at any time prior to certification of the roll to the tax collector, and is not required to hold the public hearing between ~~January 1 June 1~~ and September 15. For capital project assessments, any notice or hearing required by this rule chapter may be combined with any other notice required by this rule chapter, by the general or special law, or by municipal or county ordinance, pursuant to which the capital project assessment is levied.

(2) through (4) No change.

Specific Authority 195.027(1), 197.3632(11), 197.3635, 213.06(1) FS. Law Implemented 197.322, 197.363, 197.3631, 197.3632, 197.3635, 213.05 FS. History—New 2-21-91, Amended 4-18-94,_____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Routine Mail
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to specify circumstances under which free postage is provided for routine mail, to clarify possession limits for postage stamps and delivery of routine mail consistent with other department rules, and to prohibit the use of padded envelopes.

RULE NO.: 33-210.101

SUBJECT AREA TO BE ADDRESSED: Routine Mail.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 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:

33-210.101 Routine Mail.

(1) through (15) No change.

(16) No postage or writing materials shall be provided to inmates for routine mail except as provided in this subsection ~~that~~ Postage and writing materials shall be provided to any inmate with insufficient funds for mailing one first class letter weighing one ounce or less each month to be used for mailing one first class letter weighing one ounce or less each month. Local procedures may be established to require the inmate to request the free postage and writing materials or to establish a specific day of the month for the free letters to be processed. Postage shall also be provided to any inmate with insufficient funds for the purpose of mailing a complaint to the Florida Bar concerning ineffective assistance of counsel in the inmate’s criminal case. Inmates shall be permitted to receive U.S. postage stamps in their routine mail so long as the value of the stamps does not exceed the equivalent of 20 (1 oz.) first class stamps. Inmates may not possess more than the maximum number of stamps permitted by Rule 33-602.201, F.A.C ~~equivalent of 25 (1 oz.) first class stamps.~~ Due care shall be exercised in processing mail, however, the department shall not be responsible for any postage stamps sent through the mail.

(17) through (18) No change.

(19) Inmates shall not be permitted to receive routine mail in padded envelopes.

(20) Routine mail shall be delivered to the institution or facility by the U.S. Postal Service only.

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, 8-5-03,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Inpatient Hospital Services
 RULE NO.: 59G-6.020

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Inpatient Hospital Reimbursement Plan payment methodology, effective July 1, 2003, to provide the following changes:

1. \$46,499,136 is provided for special Medicaid payments to statutory teaching hospitals, family practice teaching hospitals as defined in s. 395.805, Florida Statutes, hospitals providing primary care to low-income individuals, hospitals operating as designated or provisional trauma centers, and rural hospitals. Statutory teaching hospitals that qualify for the Graduate Medical Education Disproportionate Share (DSH) Hospital Program shall be paid \$12,203,921 distributed in the same proportion as Graduate Medical Education DSH payments. Family practice teaching hospitals shall be paid \$2,097,794 distributed equally between the hospitals. Hospitals providing primary care to low-income individuals and participating in the Primary Care DSH program shall be paid \$12,203,921 distributed in the same proportion as the Primary Care DSH payments. Hospitals, which are designated or provisional trauma centers, shall be paid \$11,610,000. Of this amount, \$4,590,000 shall be distributed equally between hospitals which are a Level I trauma center; \$4,500,000 shall be distributed equally between hospitals which are either a Level II or Pediatric trauma center; and \$2,520,000 shall be distributed equally between hospitals which are both a Level II and Pediatric trauma center. Rural hospitals participating in the Rural Hospital DSH program shall be paid \$8,383,500 distributed in the same proportion as the DSH payments.
2. \$15,498,938 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total adjusted hospital days, equals or exceeds 11 percent. The Agency shall use the average of the 1997, 1998 and 1999 audited DSH data available as of March 1, 2003. In the event the Agency does not have the prescribed three years of audited DSH data for a hospital, the Agency will use the average of the audited DSH data for 1997, 1998 and 1999 that is available. For those hospitals with only one year of audited DSH data, the Agency shall eliminate the inpatient reimbursement ceilings for only those hospitals with 1999 audited DSH data.
3. \$20,111,332 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose Medicaid days as a percentage of total hospital days exceeds 9.6 percent, and are trauma centers. The Agency shall use the average of the 1997, 1998 and 1999 audited DSH data available as of March 1, 2003. In the event the Agency does not have the prescribed three years of audited DSH data for a hospital, the Agency will use the average of the audited DSH data for 1997, 1998 and 1999 that is available.

4. \$85,306,178 is provided to make special Medicaid payments to hospitals that serve as a safety net in providing emergency and inpatient care to low-income and indigent individuals. These amounts shall be paid to the following:

Hospital	2003-04 SMP
Jackson Memorial Hospital	\$3,322,365
University Medical Center – Shands	\$43,920,631
All Children’s Hospital	\$6,154,745
Shands Teaching Hospital	\$684,224
St. Mary’s Hospital	\$51,222
Miami Children’s Hospital	\$5,400,230
Tampa General Hospital	\$13,414,213
Orlando Regional Medical Center	\$3,291,219
Lee Memorial Hospital/CMS	\$950,000
Broward General Medical Center	\$330,366
Tallahassee Memorial Healthcare	\$54,402
St. Joseph’s Hospital	\$52,835
Florida Hospital	\$55,072
Baptist Hospital of Pensacola	\$450,000
Mt. Sinai Medical Center	\$7,174,654

5. \$14,884,011 is provided to make special Medicaid payments to the statutory teaching hospitals. These payments shall be used by the teaching hospitals in collaboration with the Department of Health and the Area Health Education Centers to enhance medical education programs.
6. \$138,120,624 is provided to eliminate the inpatient reimbursement ceilings for teaching, specialty and Community Hospital Education Program hospitals.
7. \$5,430,912 is provided to make special Medicaid payments to hospitals. These payments shall be used to reimburse approved liver transplant facilities a global fee for providing transplant services to Medicaid recipients.
8. \$4,868,549 is provided to make special Medicaid payments to hospitals. These payments shall be used by the hospitals in collaboration with the Department of Health and Federally Qualified Health Centers to provide primary care services to indigent residents. The special Medicaid payments are contingent upon state funds being provided in 2003-04 General Appropriations Act, Specific Appropriation 586B.
9. \$354,468,508 is provided for special Medicaid payments to hospitals providing enhanced services to low-income individuals.
10. A delay in the July 1, 2003 price level increase until October 1, 2003.
11. For Disproportionate Share (DSH) hospital programs, a revision to the formula used to pay disproportionate share dollars to state mental health hospitals and public hospitals (non-state government owned or operated

hospitals with less than 3,300 Medicaid days and for non-state government owned or operated hospitals with more than 3,300 Medicaid days).

12. A provision limiting the period of time an audited cost report may be reopened.
13. Disproportionate Share (DSH) appropriations for 2003-04 will replace DSH appropriations for 2002-03.
14. Revisions to the disproportionate share (DSH) formulas to reflect the recommendations of the DSH Task Force. Senate Bill 22-A adopts the 2002-03 DSH formulas for future use and deletes prior formula language from statute.
15. The agency shall provide a preliminary estimate of the payments under the rural disproportionate share and financial assistance programs to the rural hospitals by August 31 of each state fiscal year for review. Each rural hospital shall have 30 days to review the preliminary estimates of payments and report any errors to the agency. The agency shall make any corrections deemed necessary and compute the rural disproportionate share and financial assistance program payments.
16. The distribution of regional perinatal intensive care centers (RPICC) DSH will be based on prior state fiscal year payments and not disproportionate share data.
17. The distribution of primary care DSH will be based on prior state fiscal year payments and not disproportionate share data.

The effect of the proposed amendment will be modifications to DSH formulas, special Medicaid payments to specific hospitals, and a limitation placed to reopening a cost report.

SUBJECT AREA TO BE ADDRESSED: Florida Medicaid upper payment limit (UPL), DSH formulas, and cost report limitations.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

TIME AND DATE: 2:00 p.m., September 11, 2003

PLACE: 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robert Butler, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120-B, Tallahassee, Florida 32308, (850)414-2759

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement – Social Security

RULE TITLE: 401(a) Special Pay Plan
 RULE NO.: 60X-3.001

PURPOSE AND EFFECT: To determine the design of the 401(a) special pay tax shelter plan and the eligibility of participants.

SUBJECT AREA TO BE ADDRESSED: 401(a) special pay tax shelter plan for state employees.

SPECIFIC AUTHORITY: 110.2037(5) FS.

LAW IMPLEMENTED: 110.2037 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Robert L. Henning, Division of Retirement, Cedars Executive Center, Bldg. C, 2639 N. Monroe Street, Tallahassee, FL 32399-1560, (850)413-9381

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES: Definitions
 RULE NOS.: 67-25.002

Notice of Program and Invitation and Application to Participate 67-25.005

Program Documents 67-25.006

Allocation Proceeds 67-25.007

Commitment and Origination Periods 67-25.009

Interest Rate on Program Loans and Financing Programs 67-25.015

Private Mortgage Insurance 67-25.016

Rating of Bonds 67-25.018

Appeals 67-25.019

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-25, Florida Administrative Code (F.A.C.), is to establish the procedures by which the Florida Housing Finance Corporation shall: administer and implement the Single Family Mortgage Revenue Bond Program provisions authorized by Florida Statutes, Section 420.507(12) and identify the definitions for terms.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to the (1) development of General Program Requirements that prescribe the procedures used for allocating Single Family Mortgage Revenue Bond funds (2) ratification of universal terms, as well as, terms defined by the Florida Housing Finance Corporation and (3) to consolidate, conform and compile all of the information prescribing the policies and procedures implemented for the Single Family Mortgage Revenue Bond program outlined in Rule Chapters 67-8, 67-14 and 67-19, F.A.C., into Rule Chapter 67-25, F.A.C.

SPECIFIC AUTHORITY: 420.507(12), (23) FS.

LAW IMPLEMENTED: 420.502, 420.503, 420.507, 420.508, 420.509, 420.51, 215.68, 215.84 FS.

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

TIME AND DATE: 9:00 a.m., August 29, 2003

PLACE: Florida Housing Finance Corporation, Fifth Floor, Formal Conference Room, 227 North Bronough Street, Tallahassee, FL 32301

Please note that if no interest is indicated, the workshop will not be held.

Any person requiring special accommodations at the Workshop because of a disability or physical impairment should contact Linda Hawthorne, Florida Housing Finance Corporation, (850)488-4197, at least five days prior to the Workshop. If you are hearing or speech impaired, please contact the Florida Housing Finance Corporation using the Florida Dual Party Relay System, 1(800)955-9770 (Voice) or 1(800)988-8711 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Keantha Belton, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

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

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLE: Terms and Conditions of Loans **RULE NO.:** 67-43.008

PURPOSE AND EFFECT: This Rule establishes the procedures by which the Florida Housing Finance Corporation shall administer the State Apartment Incentive Loan Hurricane Andrew Recovery and Rehabilitation Program which provides funds to public entities, private not-for-profit, or for-profit or developer proposing to build or substantially rehabilitate affordable housing. Revisions to the Rule are required to implement technical and clarifying changes. The adoption of these revisions will increase the efficiency and effectiveness of local program service delivery and will provide greater clarification of the program.

SUBJECT AREA TO BE ADDRESSED: Changes to the terms and conditions of loans.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087 FS.; Chapter 93-186, Laws of Florida.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Gayle White, Housing Development Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

67-43.008 Terms and Conditions of Loans.

(1) through (3) No change.

(4) All loans shall be repaid from all Project income and each year, project cash flow shall be applied to pay the following items in order of priority:

(a) through (d) No change.

(e) ~~Twelve~~ ~~nine~~ percent Return on Equity to Sponsor.

Specific Authority 420.507 FS. Law Implemented 420.5087 FS., Chapter 93-186, Laws of Florida. History--New 1-25-94, Formerly 91-43.008, Amended _____.

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-45.001
General Program Restrictions	67-45.003
Application Procedures	67-45.004
Terms and Conditions of Loans	67-45.005
Loan Processing	67-45.006
Fees	67-45.007

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-45, Florida Administrative Code (F.A.C.), is to establish the procedures by which the Florida Housing Finance Corporation shall: administer and implement Home Ownership Assistance Program provisions authorized by Florida Statutes, Section 420.5088(4), F.S., and identify the definitions for terms when used in conjunction with the Single Family Revenue Bond Program.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to the (1) development of General Program Requirements that prescribe the procedures used for allocating Home Ownership Assistance Program funds and (2) ratification of universal

terms, as well as, terms defined by the Florida Housing Finance Corporation when used in conjunction with the Single Family Mortgage Revenue Bond Program.

SPECIFIC AUTHORITY: 420.507(12), (23) FS.

LAW IMPLEMENTED: 420.507(23), 420.5088 FS.

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

TIME AND DATE: 9:00 a.m., August 29, 2003

PLACE: Florida Housing Finance Corporation, Fifth Floor, Formal Conference Room, 227 North Bronough Street, Tallahassee, FL 32301

Please note that if no interest is indicated, the workshop will not be held.

Any person requiring special accommodations at the Workshop because of a disability or physical impairment should contact Linda Hawthorne, Florida Housing Finance Corporation, (850)488-4197, at least five days prior to the Workshop. If you are hearing or speech impaired, please contact the Florida Housing Finance Corporation using the Florida Dual Party Relay System, 1(800)955-9770 (Voice) or 1(800)988-8711 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Keantha Belton, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

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

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-51.001
Notice of Funding Availability	67-51.002
General Program Restrictions	67-51.003
Application Procedures	67-51.004
Terms and Conditions of Loans	67-51.005
Loan Processing	67-51.006
Fees	67-51.007

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-51, Florida Administrative Code (F.A.C.), is to establish the procedures by which the Florida Housing Finance Corporation shall: administer and implement GAP Assistance Program provisions authorized by Florida Statutes, Section 420.507(41), F.S., and identify the definitions for terms when used in conjunction with the Single Family Revenue Bond Program.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to the (1) development of General Program Requirements that prescribe the procedures used for allocating Home Ownership Assistance Program funds and (2) ratification of universal

terms, as well as, terms defined by the Florida Housing Finance Corporation when used in conjunction with the Single Family Mortgage Revenue Bond Program.

SPECIFIC AUTHORITY: 420.507(12),(23) FS.

LAW IMPLEMENTED: 420.507(51) FS.

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

TIME AND DATE: 2:00 p.m., August 29, 2003

PLACE: Florida Housing Finance Corporation, Formal Conference Room, 5th Floor, 227 North Bronough Street, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Wallisa Cobb, Single Family Bonds Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Please note that if no interest is indicated, the workshop will not be held. Any person requiring special accommodations at the Workshop because of a disability or physical impairment should contact Edny Sanchez-Gammons, Florida Housing Finance Corporation, (850)488-4197, at least five days prior to the Workshop. If you are hearing or speech impaired, please contact the Florida Housing Finance Corporation using the Florida Dual Party Relay System, 1(800)955-9770 (Voice) or 1(800)988-8711 (TDD).

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

**Section II
Proposed Rules**

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLE:	RULE NO.:
Definitions	3E-200.001

PURPOSE AND EFFECT: The purpose and effect of this proposed rule amendment is to update, to July 1, 2003, dates within each rule referencing federal statutes and rules or independent self-regulatory entity rules.

SUMMARY: The proposed rule amendment will update the reference in Rule 3E-200.001, F.A.C., to 17 CFR 275.206(4)-(3) from March 1, 1999 to July 1, 2003.

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

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

SPECIFIC AUTHORITY: 517.03 FS.

LAW IMPLEMENTED: 517.07, 517.12, 517.021, 517.051, 517.061, 517.081, 517.121, 517.161, 517.301 FS.

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

TIME AND DATE: 3:00 p.m., Monday, September 8, 2003
 PLACE: Room 547, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Reilly, Financial Administrator, Division of Securities, 200 East Gaines Street, Fletcher #604, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULE IS:

3E-200.001 Definitions.

As used in the Rules and Regulations of the Division of Securities and Investor Protection, pursuant to Chapter 517, F.S., unless the context otherwise specifically requires:

(1) through (6) No change.

(7)(a) "Associated person" as defined in Section 517.021(2), F.S., shall include any person who for compensation refers, solicits, offers, or negotiates for the purchase or sale of securities and/or of investment advisory services. A person whose activities fall within this definition is required to register with the Department as an associated person pursuant to Sections 517.12(1) or (4), F.S.

(b) Notwithstanding the provisions of paragraph (a), an associated person registered with the Department and operating in compliance with subsection 3E-600.003(2), F.A.C., shall not be deemed an associated person of any investment adviser other than the investment adviser or dually registered dealer/investment adviser with which such associated person is registered.

(c) Any person acting in compliance with SEC Rule 206(4)-3 (17 CFR 275.206(4) - 3), as it existed on July 1, 2003 ~~March 1, 1999~~, shall not be deemed an associated person of an investment adviser.

(8) through (33) No change.

Specific Authority 517.03(1) FS. Law Implemented 517.07, 517.12, 517.021(11), 517.051, 517.061, 517.081 FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-200.01, Amended 12-8-87, 10-14-90, 7-31-91, 6-16-92, 1-11-93, 5-5-94, 10-20-97, 8-9-98, 8-19-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Reilly, Financial Administrator, Division of Securities, Office of Financial Regulation, 200 East Gaines Street, Fletcher #604, Tallahassee, Florida 32399-0350, (850)410-9805

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don Saxon, Director, Office of Financial Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 11, 2003

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLE: Financial Statements and Reports

RULE NO.: 3E-300.002

PURPOSE AND EFFECT: The purpose and effect of this proposed rule amendment is to update, to July 1, 2003, dates within each rule referencing federal statutes and rules or independent self-regulatory entity rules.

SUMMARY: The proposed rule amendment will update the reference in Rule 3E-300.002, F.A.C., to 17 CFR 240.17a-5 and 17 CFR 240.17a-10 from March 1, 1999 to July 1, 2003.

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

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

SPECIFIC AUTHORITY: 517.03 FS.

LAW IMPLEMENTED: 517.07, 517.12, 517.021, 517.051, 517.061, 517.081, 517.121, 517.161, 517.301 FS.

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

TIME AND DATE: 3:00 p.m., Monday, September 8, 2003
 PLACE: Room 547, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Reilly, Financial Administrator, Division of Securities, 200 East Gaines Street, Fletcher #604, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULE IS:

3E-300.002 Financial Statements and Reports.

(1) through (3)(c) No change.

(d) The Department shall deem those financial statements and reports, prepared and filed in accordance with the provisions of SEC Rule 17a-5 (17 CFR 240.17a-5) and SEC

Rule 17a-10 (17 CFR 240.17a-10) (as such provisions existed on ~~July 1, 2003~~ ~~March 1, 1999~~), to be in compliance with, and fulfill the requirements of, this Rule as applicable to a dealer.

- (e) No change.
- (4) through (7) No change.

Specific Authority 517.03 FS. Law Implemented 517.081, 517.12 FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-300.02, Amended 6-28-93, 11-22-93, 12-24-95, 9-19-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bill Reilly, Financial Administrator, Division of Securities, Office of Financial Regulation, 200 East Gaines Street, Fletcher #604, Tallahassee, Florida 32399-0350, (850)410-9805

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don Saxon, Director, Office of Financial Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 11, 2003

DEPARTMENT OF BANKING AND FINANCE
Division of Securities and Finance

RULE TITLE: Examinations/Qualifications
PURPOSE AND EFFECT: The purpose and effect of this proposed rule amendment is to change the reference to Certified Financial Planner and the initials CFP to denote their special status as trademarks.

RULE NO.: 3E-600.005

SUMMARY: The proposed rule amendment will modify the reference in Rule 3E-600.005, Florida Administrative Code, to Certified Financial Planner and the initials CFP to denote their special status as trademarks.

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

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

SPECIFIC AUTHORITY: 517.03 FS.
LAW IMPLEMENTED: 517.12(8) 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: 3:00 p.m., Monday, September 8, 2003
PLACE: Room 547, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Reilly, Financial Administrator, Division of Securities, 200 East Gaines Street, Fletcher #604, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULES IS:

- 3E-600.005 Examinations/Qualifications.
- (1) through (4) No change.

(5) The examination requirement for investment adviser principals, investment adviser representatives, and associated persons of issuer dealers shall not apply to an individual who currently holds one of the following professional designations: 1. ~~CERTIFIED FINANCIAL PLANNER(TM) or CFP®~~ ~~Certified Financial Planner (CFP)~~ awarded by the Certified Financial Planner Board of Standards, Inc.; 2. Chartered Financial Consultant (ChFC) awarded by the American College, Bryn Mawr, PA; 3. Personal Financial Specialist (PFS) awarded by the American Institute of Certified Public Accountants; 4. Chartered Financial Analyst (CFA) awarded by the Institute of Chartered Financial Analysts; 5. Chartered Investment Counselor (CIC) awarded by the Investment Counsel Association of America, Inc.

Specific Authority 517.03(1) FS. Law Implemented 517.12(8) FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-600.05, Amended 8-1-91, 1-11-93, 4-18-96, 4-2-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bill Reilly, Financial Administrator, Division of Securities, Office of Financial Regulation, 200 East Gaines Street, Fletcher #604, Tallahassee, Florida 32399-0350, (850)410-9805

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don Saxon, Director, Office of Financial Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 11, 2003

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLES:	RULE NOS.:
Rules of Conduct	3E-600.012
Prohibited Business Practices for Dealers and Their Associated Persons	3E-600.013
Prohibited Business Practices for Investment Advisors and Their Associated Persons	3E-600.0131
Books and Records Requirements	3E-600.014
Financial Reporting Requirements – Statement of Financial Condition – Dealers and Investment Advisors	3E-600.015
Continuing Education Requirements	3E-600.020

PURPOSE AND EFFECT: The purpose and effect of this proposed rule amendment is to update, to July 1, 2003, dates within each rule referencing federal statutes and rules or independent self-regulatory entity rules.

SUMMARY: The proposed rule amendment will update various references in Rule 3E-600.012, F.A.C., to various provisions of the Code of Federal Regulations and the rules of the Municipal Securities Rulemaking Board related to dealer Rules of Conduct; update various references in Rule 3E-600.013, F.A.C., to various provisions of the Code of Federal Regulations and the rules of the National Association of Securities Dealers, New York Stock Exchange and Municipal Securities Rulemaking Board related to prohibited business practices for dealers and their associated persons; update the reference in Rule 3E-600.0131, F.A.C., to various provisions of the Code of Federal Regulations related to prohibited business practices for investment advisors and their associated persons; update the reference in Rule 3E-600.014, F.A.C., to various provisions of the Code of Federal Regulations and the rules of the National Association of Securities Dealers and Municipal Securities Rulemaking Board related to books and records requirements; update the reference in Rule 3E-600.015, F.A.C., to 17 CFR 240.17a-5 and 17 CFR 240.17a-10 from February 28, 1992 to July 1, 2003, and update various references in Rule 3E-600.020, F.A.C., to various provisions of the Code of Federal Regulations and the rules of the National Association of Securities Dealers, New York Stock Exchange, Municipal Securities Rulemaking Board, American Stock Exchange, Chicago Board of Options Exchange, Chicago Stock Exchange, Pacific Stock Exchange, and the Philadelphia Stock Exchange related to continuing education requirements.

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

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

SPECIFIC AUTHORITY: 517.03 FS.

LAW IMPLEMENTED: 517.07, 517.12, 517.021, 517.051, 517.061, 517.081, 517.121, 517.161, 517.301 FS.

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

TIME AND DATE: 3:00 p.m., Monday, September 8, 2003

PLACE: Room 547, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bill Reilly, Financial Administrator, Division of Securities, 200 East Gaines Street, Fletcher Building, Room 604, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULES IS:

3E-600.012 Rules of Conduct.

(1) Confirmation of Transactions: Every dealer registered in this state, including those defined as issuer/dealers under Rule 3E-200.001, F.A.C., shall give or send to the customer a written confirmation at or before completion of each transaction. Such confirmation shall set forth at least the following:

(a) through (c) No change.

(d) Compliance with Rule 10b-10 (17 CFR 240.10b-10) and the confirmation, preparation and disclosure requirements of SEC Rule 17a-3 (17 CFR 240.17a-3) or MSRB Rules G-8 and G-15, as those rules existed on July 1, 2003 ~~March 1, 1999~~, shall be deemed compliance with this Rule.

(2) through (4) No change.

(5) It shall be unlawful and a violation of Section 517.301(1), F.S., for any dealer or associated person to engage in any “device, scheme, or artifice to defraud” which shall include selling or effecting the purchase of any security into, in, or from offices in this state in violation of Sections 9, 10, 11A, or 15(c) of the Securities Exchange Act of 1934 or of S.E.C. Rules 9b-1, 10b-1 et seq., 11Aa3-1, 15c1-1 et seq., or 15c2-1 et seq. (17 CFR 240.9b-1; 17 CFR 240.10b-1 et seq.; 17 CFR 240.11Aa3-1; 17 CFR 240.15c1-1 et seq.; or 17 CFR 240.15c2-1 et seq., respectively), as such provisions existed on July 1, 2003 ~~March 1, 1999~~; or Section 15(g) of the Securities Exchange Act of 1934 or of SEC Rules 15g-1, et seq. (17 CFR 240.15g-1 et seq.) as such provisions existed on July 1, 2003 ~~August 11, 1993~~; or Regulation M (17 CFR 242.100 - .105) as such provisions existed on July 1, 2003 ~~March 4, 1997~~.

Specific Authority 517.03(1) FS. Law Implemented 517.121, 517.301(1) FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-600.12, Amended 12-25-89, 10-14-90, 8-1-91, 6-16-92, 1-11-93, 4-11-94, 1-3-99, _____.

3E-600.013 Prohibited Business Practices for Dealers and Their Associated Persons.

(1) The following are deemed demonstrations of unworthiness by a dealer under Section 517.161(1)(h), F.S., without limiting that term to the practices specified herein:

(a) through (e) No change.

(f) Extending, arranging for, or participating in arranging for credit to a customer in violation of the provisions of Regulation T (12 CFR 220.1 - 220.131, inclusive) promulgated by the Federal Reserve Board, as such provisions existed on July 1, 2003 ~~March 1, 1999~~;

(g) through (h) No change.

(i) Hypothecating a customer's securities in violation of SEC Rule 8c-1 (17 CFR 240.8c-1), as such rule existed on July 1, 2003 ~~March 1, 1999~~;

(j) through (o) No change.

(p) With respect to any customer, transaction or business in this state, violating:

1. Any by-law, schedule thereto, rule or appendix thereto, of the National Association of Securities Dealers ("NASD"), interpreted in accordance with the guidelines, policies, and interpretations of the NASD or SEC, including: the Conduct Rules; the Marketplace Rules; and the Uniform Practice Code, as published in the NASD Manual as of July 1998 and any amendments as existed on July 1, 2003 ~~March 1, 1999~~;

2. For members of the New York Stock Exchange, Rules 405, 412 or 435 of the New York Stock Exchange, as such rules existed on July 1, 2003 ~~March 1, 1999~~, interpreted in accordance with the guidelines, policies, and interpretations of the NYSE or SEC;

3. Sections 2, 4, 5, or 6 of the Securities Act of 1933 or SEC Rules 134 (17 CFR 230.134); 134a (17 CFR 230.134a); 135a (17 CFR 230.135a); 144 (17 CFR 230.144); 144A (17 CFR 230.144A); 156 (17 CFR 230.156); 419 (17CFR 230.419); 481 (17 CFR 230.481); or 482 (17 CFR 230.482) promulgated pursuant thereto, as such provisions existed on July 1, 2003 ~~March 1, 1999~~, interpreted in accordance with the guidelines, policies, and interpretations of the NASD or SEC;

4. Section 15(b)(4)(E) of the Securities Exchange Act of 1934 as it existed on July 1, 2003 ~~March 1, 1999~~; or

5. Any rule of the Municipal Securities Rulemaking Board ("MSRB") including the Definitional Rules (Rules D-1 through D-11, inclusive), and the General Rules with the exception of Rule G-35 (Rules G-1 through G-34, inclusive), promulgated pursuant to Section 15B of the Securities Exchange Act of 1934, as such rules existed on July 1, 2003 ~~March 1, 1999~~, interpreted in accordance with the guidelines, policies, and interpretations of the MSRB, NASD, or SEC.

6. To the extent that any of the rules described in subparagraphs 1. through 5. of this section or their interpretation by the NASD, NYSE, MSRB, or SEC, as appropriate, conflict or are inconsistent with other provisions

of the Florida Securities and Investor Protection Act or rules promulgated pursuant thereto, this paragraph of this rule shall not be deemed controlling.

(q) through (t) No change.

(u) selling or offering for sale any security in a transaction exempt from registration pursuant to Section 517.061(17)(a)1., F.S., where the issuer of such securities has not filed with the SEC within the specified period of time all reports required by Sections 13 or 15(d) of the Securities Exchange Act of 1934, as such sections existed on July 1, 2003 ~~March 1, 1999~~.

(v) No change.

(2) The following are deemed demonstrations of unworthiness by an associated person of a dealer under Section 517.161(1)(h), F.S., without limiting that term to the practices specified herein:

(a) through (g) No change.

(h) Engaging in any of the practices specified in paragraphs (1)(b), (c), (d), (e), (f), (g), (m), (n), (o), (p), (q), (s), (t), (u), or (v).

Specific Authority 517.03(1) FS. Law Implemented 517.161(1), 517.081 FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-600.13, Amended 8-1-91, 6-16-92, 1-11-93, 11-7-93, 5-5-94, 9-9-96, 10-20-97, 1-25-00,

3E-600.0131 Prohibited Business Practices for Investment Advisers and Their Associated Persons.

(1) The following are deemed demonstrations of unworthiness by an investment adviser or an associated person of an investment adviser under Section 517.161(1)(h), F.S., without limiting that term to the practices specified herein:

(a) With respect to any customer, transaction or business in, to or from this state, engaging in any conduct prohibited by, or failing to comply with the requirements of, the following:

1. Sections 204, 204A, 205, 206, 207, 208 of the Investment Advisers Act of 1940 or SEC Rules 204-3 (17 CFR 275.204-3); 205-1 (17 CFR 275.205-1); 205-2 (17 CFR 275.205-2); 205-3 (17 CFR 275.205-3), 206(3)-1 (17 CFR 275.206(3)-1); 206(3)-2 (17 CFR 275.206(3)-2); 206(4)-1 (17 CFR 275.206(4)-1); 206(4)-2 (17 CFR 275.206(4)-2); 206(4)-3 (17 CFR 275.206(4)-3); and 206(4)-4 (17 CFR 275.206(4)-4) promulgated pursuant thereto, as such provisions existed on July 1, 2003 ~~March 1, 1999~~, interpreted with the guidelines, policies, no-action letters, and interpretations of the SEC;

(b) through (r) No change.

(2) The federal statutory and regulatory provisions referenced herein shall apply to investment advisers and federal covered advisers, to the extent permitted by the National Securities Markets Improvement Act of 1996.

Specific Authority 517.03(1) FS. Law Implemented 517.12, 517.161(1) FS. History—New 1-25-00, Amended _____.

3E-600.014 Books and Records Requirements.

Except as otherwise provided herein, every dealer, investment adviser, branch office, and associated person conducting business in this state shall prepare and maintain on a current basis, and preserve for the periods of time specified, such records, prescribed hereinafter, as are appropriate for said dealer's, investment adviser's, branch office's, or associated person's course of business, and are sufficient to provide an audit trail of all business transactions by said dealer, investment adviser, associated person, or branch office. Associated persons who conduct business from a registered branch office in this state shall be exempt from the provisions of this rule.

(1) All dealers are required to prepare and maintain appropriate books and records relating to their business as described in either SEC Rules 17a-3 (17 CFR 240.17a-3) and 17a-4 (17 CFR 240.17a-4) or MSRB Rules G-7 and G-8, as such rules existed on May 2, 2003 ~~March 1, 1999~~; and records evidencing compliance with NASD Conduct Rule 3000, as published in the NASD Manual as of July 2002 ~~1998~~, and any amendments as existed on May 2, 2003.

(2) All issuer/dealers are required to maintain at least the following records:

(a) Ledgers, journals (or other records) reflecting all assets, liabilities, income and expenses, and capital accounts properly maintained in accordance with generally accepted accounting principles;

(b) Copies of all promotional sales materials and correspondence used in connection with the sales of all securities as distributed;

(c) A record of all sales of securities made by, or on behalf of, said issuer, including but not necessarily limited to name and address of purchaser, date of transaction, money amount involved, and name of agent or principal executing such transaction;

(d) Securities certificate and securities holder records reflecting names and addresses of all holders of record, certificates issued to such holders, number of shares or bonds issued, and full details as to transfers or cancellations;

(e) In lieu of the issuer/dealer preparing and maintaining such records as detailed in paragraph (d) above, a qualified transfer agent/registrar may be appointed, provided such information is accessible to the issuer/dealer.

(3) All investment advisers, notwithstanding the fact that the investment adviser is not registered or required to be registered under the Investment Advisers Act of 1940, shall prepare and maintain true, accurate and current records relating to their business as described in SEC Rule 204-2 (17 CFR 275.204-2) as it existed on July 1, 2003 ~~March 1, 1999~~, and general rules and regulations promulgated by the Securities and Exchange Commission; and have available for the Department at least the following records:

(a) All trial balances, financial statements prepared in accordance with generally accepted accounting principles, and internal audit working papers relating to the investment adviser's business as an investment adviser. For purposes of this paragraph, "financial statements" means balance sheets, income statements, cash flow statements and net worth computations as required by Rule 3E-300.002, F.A.C.

(b) A list or other record of all accounts with respect to the funds, securities, or transactions of any client.

(c) A copy in writing of each agreement entered into by the investment adviser with any client.

(d) A file containing a copy of each record required by SEC Rule 204-2(11) (17 CFR 275.204-2(11)) as it existed on July 1, 2003 ~~March 1, 1999~~ including any communication by electronic media that the investment adviser circulates or distributes, directly or indirectly, to two or more persons, other than persons connected with the investment adviser.

(e) A copy of each written statement and each amendment or revision given or sent to any client or prospective client of the investment adviser in accordance with the provisions of SEC Rule 204-3 (17 CFR 275.204-3) as it existed July 1, 2003 ~~March 1, 1999~~ and a record of the dates that each written statement, and each amendment or revision was given or offered to be given to any client or prospective client who subsequently becomes a client.

(f) For each client that was obtained by the adviser by means of a solicitor to whom a cash fee was paid by the adviser, records required by SEC Rule 206(4)-3 (17 CFR 275.206(4) - 3) as it existed on July 1, 2003 ~~March 1, 1999~~.

(g) All records required by SEC Rule 204-2(16) (17 CFR 275.204-2(16)) as it existed on July 1, 2003 ~~March 1, 1999~~, including but not limited to electronic media that the investment adviser circulates or distributes, directly or indirectly, to two or more persons, other than persons connected with the investment adviser.

(h) A file containing a copy of all communications received or sent regarding any litigation involving the investment adviser or any investment adviser representative or employee, and regarding any customer or client complaint.

(i) Written information about each investment advisory client that is the basis for making any recommendation or providing any investment advice to such client.

(j) Written procedures to supervise the activities of employees and investment adviser representatives that are reasonably designed to achieve compliance with applicable securities laws and regulations.

(k) A file containing a copy of each document, other than any notices of general dissemination, that was filed with or received from any state or federal agency or self regulatory organization and that pertains to the registrant or its investment adviser representatives. Such file should contain, but is not limited to, all applications, amendments, renewal filings, and correspondence.

(4) No provisions of this Rule, unless specifically designated as a required form, shall be deemed to require the preparation, maintenance, or preservation of a dealer's or investment adviser's books and records in a particular form or system, provided that whatever form or system utilized by such dealer's or investment adviser's course of business is sufficient to provide an audit trail of all business transactions.

(5) Every investment adviser that has its principal place of business in a state other than this state shall be exempt from the requirements of this rule, provided the investment adviser is licensed in such state and is in compliance with that state's record keeping requirements.

(6) All books and records described in this Rule shall be preserved in accordance with the following:

(a) Those records required under subsection (1) of this Rule shall be preserved for such periods of time as specified in either SEC Rule 17a-4 (17 CFR 240.17a-4), or MSRB Rule G-9, as such rules existed on July 1, 2003 ~~March 1, 1999~~.

(b) Those records required under subsection (2) of this rule shall be preserved for a period of not less than five (5) years while effectively registered with the Department, nor for less than five (5) years after withdrawal or expiration of registration in this State.

(c) Books and records required to be prepared under the provisions of subsection (3) shall be maintained and preserved in an easily accessible place for a period of not less than five years from the end of the fiscal year during which the last entry was made on such record, the first two years in the principal office of the investment adviser.

(d) Books and records required to be made under the provisions of subsection (3), shall be maintained and preserved for a period of not less than five years from the end of the fiscal year during which the last entry was made on such record or for the time period during which the investment adviser was registered or required to be registered in the state, if registered less than five years.

(e) Each investment adviser registered or required to be registered in this state and which has a business location in this state shall maintain at such business location:

1. The records or copies required under the provisions of paragraphs (a)(3), (a)(7)-(10), (a)(14)-(15), (b) and (c) of SEC Rule 204-2 (17 CFR 275.204-2); and

2. The records or copies required under the provisions of paragraphs (3)(a)-(j) above related to customers or clients for whom the investment adviser representative provides or has provided investment advisory services; and

3. The records or copies required under the provisions of paragraphs (a)(11) and (a)(16) of SEC Rule 204-2 (17 CFR 275.204-2) which records or related records identify the name of the investment adviser representative or which identify the business locations' physical address, mailing address, electronic mailing address, or telephone number. The records will be maintained for the period described in subsections (d)

and (e) of SEC Rule 204-2 (17 CFR 275.204-2). The investment adviser shall be responsible for ensuring compliance with the provisions of this subsection.

(7) To the extent that the U.S. Securities and Exchange Commission promulgates changes to the above-referenced rules of the Investment Advisers Act of 1940, investment advisers in compliance with such rules as amended shall not be subject to enforcement action by the Department for violation of this rule to the extent that the violation results solely from the investment adviser's compliance with the amended rule.

Specific Authority 517.03(1), 517.121(1) FS. Law Implemented 517.121(1) FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-600.14, Amended 10-14-90, 8-1-91, 6-16-92, 1-11-93, 9-9-96, 6-22-98, 1-25-00, _____.

3E-600.015 Financial Reporting Requirements – Statement of Financial Condition – Dealers and Investment Advisers.

(1) Except as otherwise specifically noted in this rule, an applicant filing an application for registration as a dealer or investment adviser shall file a balance sheet in accordance with Rule 3E-300.002, F.A.C.

(2) Every dealer registered pursuant to Section 517.12, F.S., and Rules thereunder shall file annually with the Department, within ninety (90) days after the conclusion of said registrant's fiscal year, audited financial statements as prepared by an independent outside auditor, unless exempted under Rule 3E-300.002, F.A.C.

(a) The Department may allow up to a thirty (30) day extension of the filing requirement as set forth in this subparagraph provided written request is made prior to the date such audited report is due to be filed, and provided further that good cause for such delay is shown.

(b) Every dealer defined as a broker/dealer under Rule 3E-300.002, F.A.C., shall be required to include in such audited financial statements filed verification of said broker/dealer's compliance with the provisions of Rules 3E-600.016 and 3E-600.017, F.A.C.

(c) In lieu of the provisions of paragraph (b) above, the Department will accept those statements prepared and filed by a dealer in accordance with the provisions of S.E.C. Rule 17a-5 (17 CFR 240.17a-5) and S.E.C. Rule 17a-10 (17 CFR 240.17a-10), as such rules existed on July 1, 2003 ~~February 28, 1992~~.

(3) Every investment adviser registered pursuant to Section 517.12, F.S., and Rules thereunder shall file annually with the Department, within ninety (90) days after the conclusion of said registrant's fiscal year, financial statements as of fiscal year end, such statements prepared in accordance with the provisions of Rule 3E-300.002, F.A.C.

(4) The provisions of paragraph (2)(a) of this Rule apply to the filing requirements set forth in subsection (3).

Specific Authority 517.03(1), 517.12(9), 517.121(2) FS. Law Implemented 517.12(9), 517.121(2) FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-600.15, Amended 6-16-92, _____.

3E-600.020 Continuing Education Requirements.

Failure to comply with any of the applicable continuing education requirements set forth in any one of the following shall be deemed a demonstration of unworthiness by a dealer or associated person under Section 517.161(1)(h), F.S.:

(1) Membership and Registration Rule 1120 of the National Association of Securities Dealers, as such provisions existed on July 1, 2003 ~~March 1, 1999~~;

(2) Rule 345 A of the New York Stock Exchange, as such provisions existed on July 1, 2003 ~~March 1, 1999~~;

(3) Rule G-3(h) of the Municipal Securities Rulemaking Board, as such provisions existed on July 1, 2003 ~~March 1, 1999~~;

(4) Rule 341 A of the American Stock Exchange, as such provisions existed on July 1, 2003 ~~March 1, 1999~~;

(5) Rule 9.3A of the Chicago Board of Options Exchange, as such provisions existed on July 1, 2003 ~~March 1, 1999~~;

(6) Article VI, Rule 9 of the Chicago Stock Exchange, as such provisions existed on July 1, 2003 ~~March 1, 1999~~;

(7) Rule 9.27(c) of the Pacific Stock Exchange, as such provisions existed on July 1, 2003 ~~March 1, 1999~~; or

(8) Rule 640 of the Philadelphia Stock Exchange, as such provisions existed on July 1, 2003 ~~March 1, 1999~~.

Specific Authority 517.03(1) FS. Law Implemented 517.12(18), 517.161(1) FS. History—New 12-21-95, Amended 8-19-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Reilly, Financial Administrator, Division of Securities, Office of Financial Regulation, 200 East Gaines Street, Fletcher #604, Tallahassee, Florida 32399-0350, (850)410-9805

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don Saxon, Director, Office of Financial Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 11, 2003

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
General Eligibility Requirements	4-202.008
Annual Statement	4-202.012
Forms Incorporated by Reference	4-202.015

PURPOSE, EFFECT AND SUMMARY: The amendments update the forms used for donor annuity agreements. The changes are being made to reflect that the forms are now Office of Insurance Regulation forms rather than Department of Insurance forms. The amendment also provides a website address where the forms can be obtained.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 627.481 FS.

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

TIME AND DATE: 9:00 a.m., September 9, 2003

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bruce Lulofs, Bureau of Specialty Insurers, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0331, (850)413-2490

THE FULL TEXT OF THE PROPOSED RULES IS:

4-202.008 General Eligibility Requirements.

(1) Any person engaging in the business of issuing donor annuity agreements ~~must shall~~ notify the ~~Office Department~~ in writing in a form prescribed by the ~~Office Department~~ in Form ~~OIR-C1D14-1208 (rev. 6/96)~~, Notification to the Florida ~~Office of Insurance Regulation Department of Insurance~~ as a Qualifying Issuer of Donor Annuity Agreements Pursuant to Section 627.481, Florida Statutes, adopted in paragraph 4-202.015(1)(a), F.A.C. The notice ~~must shall~~ be made ~~on by~~ ~~August 13, 1996~~, or the date on which the person first enters into a donor annuity agreement.

(2) Any person subject to Section 627.481, Florida Statutes, that fails to submit the required notification form is subject to penalty as provided in Section 626.9521, Florida Statutes.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.481 FS. History—New 6-23-92, Amended 1-7-97, _____.

4-202.012 Annual Statement.

(1) Within 60 days of the end of each fiscal year, each qualifying issuer of donor annuity agreements in this state must submit a sworn statement on the form prescribed by the ~~Office Department~~ in Form ~~OIR-A3D14-1209 (rev. 6/96)~~, Sworn Statement in Lieu of Annual Statements for Issuers of Donor Annuity Agreements, adopted in paragraph 4-202.015(1)(c), F.A.C., attesting that the issuer has met all requirements of law.

(2) Issuers that fail to submit the sworn statement in subsection (1) shall submit Failure to submit the statement refereneed in (1) shall result in the Department requiring the issuer to submit an annual report in a form prescribed by the Department in Form ~~DI4-485 (rev. 6/96), Annual Report, adopted in Rule 4-202.015(1)(b), F.A.C., including~~ audited financial statements, and any information relating to the operations of the issuer necessary to determine compliance.

Specific Authority 624.308 FS. Law Implemented 624.307, 624.307(1), 627.481 FS. History--New 6-23-92, Amended 1-7-97, _____.

4-202.015 Forms Incorporated by Reference.

(1) The following forms are incorporated ~~into this rule chapter~~ by reference to implement the provisions of Section 627.481, Florida Statutes:

Title	Form Number
(a) Notification to the Florida <u>Office of Insurance Regulation Department of Insurance</u> as a Qualifying Issuer of Donor Annuity Agreements Pursuant to Section 627.481, Florida Statutes	<u>OIR-C1 DI4-1208 (rev. 07/03 6/96)</u>
(b) Annual Report	DI4-485 (rev. 6/96)
(b)(e) Sworn Statement in Lieu of Annual Statements For Issuers of Donor Annuity Agreements	<u>OIR-A3 DI41209 (rev. 07/03 6/96)</u>

(2) ~~These forms shall become effective on the date this rule becomes effective.~~ Copies of the forms may be obtained from the Office of Insurance Regulation Department of Insurance, Bureau of Specialty Insurers, Larson Building, Tallahassee, FL 32399-03310300, or on the Department of Financial Services website at www.fldfs.com.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.481 FS. History--New 7-15-90, Formerly 4-117.015, Amended 6-23-92, 1-7-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bruce Lulofs, Bureau of Specialty Insurers, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Al Willis, Bureau Chief, Bureau of Specialty Insurers, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 15, 2003

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Certification For "Tree Run" Grade	20-36
RULE TITLES:	RULE NOS.:
Inspection Required	20-36.002
Determination of Quantity	20-36.006

PURPOSE AND EFFECT: Would provide for allowing tree run grade fruit to be taken out of state by producer without maturity inspection if shipped after prescribed dates, as determined by variety.

SUMMARY: Prescribing dates certain by variety for maturity of tree run fruit.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been prepared.

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

SPECIFIC AUTHORITY: 601.10(1),(7) FS.

LAW IMPLEMENTED: 601.03(8), 601.40, 601.9911, 601.15(3)(b),(c),(d), 601.9911 FS.

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

TIME AND DATE: 10:30 a.m., September 17, 2003

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULES IS:

20-36.002 Inspection Required.

Inspection for maturity and certification for such fruit shall be performed by state inspectors at such place or places as may be designated by the Division of Fruit and Vegetable Inspection. Any applicant for such inspection, other than either a producer transporting his own fruit or a hauler who is hauling Tree-Run grade fruit received direct from the producer of such fruit who shall have in their possession a valid Grower Tree-Run Certificate issued by the Citrus Administrative Committee pursuant to Federal Marketing Order No. 905, shall secure a license as a citrus fruit dealer as a prerequisite for such

inspection service. Except that prior to August 1, 2004, such tree run grade citrus fruit shall be considered to be mature without actual inspection and maturity testing if the so designated variety is shipped within these inclusive dates:

November 1, 2003 – December 31, 2003	Navel Oranges
November 15, 2003 – April 30, 2004	Red Grapefruit
November 15, 2003 – December 31, 2003	Sunburst Tangerines
November 15, 2003 – February 15, 2004	Early Oranges
December 1, 2003 – January 31, 2004	Tangelos
December 1, 2003 – April 30, 2004	White Grapefruit
February 1, 2004 – April 15, 2004	Honey Tangerines
February 1, 2004 – March 15, 2004	Temple Oranges Mid Season Oranges
March 15, 2004 – May 31, 2004	Valencia Oranges

Specific Authority 601.10(1),(7) FS. Law Implemented 601.03(8), 601.40, 601.9911 FS. History—Formerly 105-1.17(2),(3), Revised 1-1-75, Formerly 20-36.02, Amended _____.

20-36.006 Determination of Quantity.

Total quantity of fruit in each load offered for inspection shall be made on a recognized container or weight basis. Prior to August 1, 2004, officials at road guard stations shall collect a carbon copy of the certificate issued by the Citrus Administrative Committee and carried by the trucker which specifies varieties, date and volume and submit such document to the Florida Department of Citrus for their information purposes.

Specific Authority 601.10(1),(7) FS. Law Implemented 601.15(3)(b),(c),(d),(f), 601.9911 FS. History—Formerly 105-1.17(7), Revised 1-1-75, Formerly 20-36.06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ken Keck, General Counsel
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Keck, General Counsel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 16, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2003

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Containers, Packs, Stamping and Labeling of Fresh Fruit
RULE CHAPTER NO.: 20-39
RULE TITLE: Approved Boxes
RULE NO.: 20-39.003
PURPOSE AND EFFECT: Would provide for two new containers to be added to the list of containers approved for use in shipping fresh Florida citrus.
SUMMARY: Approved containers for use in shipping fresh Florida citrus.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been prepared.

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

SPECIFIC AUTHORITY: 601.11 FS.

LAW IMPLEMENTED: 601.11 FS.

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

TIME AND DATE: 10:30 a.m., September 17, 2003

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF PROPOSED RULE IS:

20-39.003 Approved Boxes.

(1) Unless otherwise noted, all approved boxes are 4/5 bushel capacity.

(2) The name of the manufacturer, and the official container number as designated in subsection (3) below, shall be printed on the bottom outside flap of each approved box body in plainly legible characters.

(3) The following containers are hereby designated as approved boxes and, unless otherwise noted, may be used for shipment of all varieties of citrus fruit:

Approved Container Number	Construction Styles	Inside Body Dimension in inches (LxWxD)	Minimum Board Weights (actual weight may be heavier)***	Minimum Board Weights (actual weight may be heavier)***
			Body	Cover
DOC-01-P	Singlewall	17 x 10 5/8 x 9 5/8**	42-33-69	42-33-42
DOC-02-V	Singlewall	17 x 11 1/2 x 9 3/4	42-33-69	42-33-42
		Oversized		
DOC-03-V	Singlewall	17 x 12 x 9 3/4	42-33-69	42-33-42
		Oversized		
DOC-04-PT	Tray Style	17 x 10 5/8 x 9 5/8**	42-33-42	42-33-42
DOC-05-PB	Bliss Style	17 x 10 5/8 x 9 5/8**	42-33-42	33-33-33
DOC-06-VT	Tray Style	17 x 11 1/2 x 9 3/4	42-33-42	42-33-42
		Oversized		
DOC-07-VT	Tray Style	17 x 12 x 9 3/4	42-33-42	42-33-42
		Oversized		
DOC-08-VB	Bliss Style	17 x 11 1/2 x 9 3/4	42-33-42	33-33-33
		Oversized		
DOC-09-VB	Bliss Style	17 x 12 x 9 3/4	42-33-42	33-33-33
		Oversized		
DOC-10-P	Doublewall	17 x 10 5/8 x 9 5/8	42-33-42-33-42	42-26-42
		Partial telescope self-locking lid Tangerines & citrus hybrids only. **		
DOC-11-XP	Singlewall	17 x 10 5/8 x 10 1/8**	90-33-90	42-33-42
DOC-12-XPT	Tray Style	17 x 10 5/8 x 10 1/8**	69-33-69	42-33-42
DOC-13-XPS	Super X Style	17 x 10 5/8 x 10 1/8**	42-40-69	42-33-42
DOC-14-P **	Singlewall	15 7/8 x 10 5/8 x 6	42-33-42	42-33-42
		Full Telescope **		

DOC-15-PT ‡‡	Tray Style	17 5/8 x 10 5/8 x 6 Full Telescope **	42-33-42	42-33-42	DOC-38-P	Singlewall	16 3/4 x 11 1/2 x 10 3/8	99-33-90	42-33-69
DOC-16-WP	Wood Slat	16 1/8 x 10 5/8 x 10 5/8 End panels may be of material other than wood.**	Wood Slat	Wirebound			Telescoping, half-slotted, optional molded fiber spring cushion trays**		
DOC-17-WP	Wood Slat	19 7/8 x 7 1/2 x 11 1/2 End panels may be of material other than wood. Tangerines and citrus hybrids only.**	Wood Slat	Wirebound	DOC-39-P	Doublewall	17 x 10 _ x 9 _	42-33-33-42	42-33-42
DOC-18-P	Singlewall	17 x 10 5/8 x 9 5/8**	42-40-42	42-33-42	DOC-40-P	Doublewall	18 15/16 x 14 3/16 x 11 13/16	42-33-42-33-42	n/a
DOC-19-P	Singlewall	17 x 10 5/8 x 9 5/8**	45-33-45	42-33-42	DOC-41-P	Plastic	22 1/2 x 14 9/16 x 7 _	n/a	n/a
DOC-20-XP‡‡	Singlewall	17 x 10 5/8 x 10 1/8**	69-40-69	42-33-42	DOC-42-P‡‡	Singlewall	17 1/2 x 11 _ x 8 3/4	90-40-90	42-33-42
DOC-21-PT	Tray Style	17 x 10 9/16 x 9 5/8 4" partial telescope tray cover. Tangerines and citrus hybrids only.**	42-40-69	42-33-42			Holding _ of a standard 4/5 bu. container, two-layer, full telescoping		
DOC-22-P II	Singlewall	13 1/4 x 10 5/8 x 7 Full telescope**	42-33-42	42-33-42	DOC-43-OV‡‡	Triplewall 2 bulk bin	38 1/4 x 23 3/4 x 25 1/4	69-26-38-26-38-26-65	38-26-38
DOC-23-VT	Tray Style	17 x 12 x 9 5/8 End slotted with short end flaps. Oversized	69-33-42	42-33-42			Space-saver, octagon 1/2 bin holding appx. 10 1/2 4/5 bu. equiv. loose or 7-8 4/5 bu. equiv. bagged		
DOC-24-P	Singlewall	17 x 10 5/8 x 9 5/8 4" partial telescoping tray cover. Tangerines and citrus hybrids only.**	69-40-90	42-33-42	DOC-44-PT	Doublewall	22 _ x 14 11/16 x 6 _	42-40-41-40-56	42-33-42
DOC-25-PT ‡‡	Tray Style	16 1/8 x 10 5/8 x 6 Full Telescope**	42-33-42	42-33-42	DOC-45-P	Singlewall	17 _ x 10 _ x 10 _	42-33-57	42-26-35
DOC-26-P	Singlewall	18 1/4 x 12 1/2 x 11 3/4 Having three plastic trays per carton*	90-40-90	42-33-42	DOC-46-PT	Doublewall	23 _ x 15 _ x 7 4/5 40 x 60 Euro Wave Tray	42-40-42-40-42	n/a
DOC-27-WV ‡‡	Collapsible wooden bin	46 x 38 x 21 Holds appx 20 4/5 bu. equiv. units	Wooden bin	None	DOC-47-PT	Doublewall	14 1/2 x 11 _ x 6 5/16	33-69-33-69	n/a
DOC-28-P‡‡	Singlewall	17 x 10 5/8 x 6** Full Telescope	42-33-42	42-33-42	DOC-48-PT	Doublewall	22 1/4 x 14 1/2 x 5 3/4	42-33-42-34-42	n/a
DOC-29-P	Singlewall	16 3/4 x 11 1/2 x 11 3/8 Having fiberboard honeycomb cells**	42-40-69	42-33-42	DOC-49-RP	Plastic	22 1/4 x 14 1/2 x 10 3/4	n/a	n/a
DOC-30-P ‡‡	Singlewall	17 x 10 x 6 15/16 Corrugated, full telescope**	90-40-90	42-33-42	DOC-50-RP	Plastic	22 1/4 x 14 1/2 x 8	n/a	n/a
DOC-31-P	Singlewall	16 11/16 x 11 8/16 x 11 14/16 Corrugated with honeycomb dividers**	69-40-42	42-33-42			Recyclable plastic container model RPC3		
DOC-32-OV ‡‡	Triplewall-Bulk bin	46 1/2 x 38 x 36 Octagonal watermelon bin with self-locking lid. Holds appx. 28 4/5 bu. equiv.	69-33-69-33-69-33-90	69-26-69			Recyclable plastic container model RPC2		
DOC-33-P	Singlewall	20 15/16 x 11 13/16 x 7 Telescoping with two trays per carton **	42-33-69	42-33-42					
DOC-34-OV ‡‡	Triplewall-Bulk bin	46 x 37 1/2 x 36 Octagonal with interlocking flaps. Holds appx. 28 4/5 bu. equiv.	42-40-90-42-40-90-40-90	42-26-69					
DOC-35-OV ‡‡	Triplewall-Bulk bin	46 x 38 x 26 1/2 Tuff octagonal tube, holding appx. 24 4/5 bu. equiv.	90-33-42-33-42-33-90	69-26-69					
DOC-36-P	Doublewall	23 5/8 x 15 5/8 x 7 Die cut platform tray, open top	42-36-33-26-42						
DOC-37-RV ‡‡	Triplewall-Bulk bin	46 1/2 x 38 1/2 x 26 1/2 Corrugated rectagon with diagonal corners and interlocking bottom (holds appx. 20 to 24 4/5 bu. equiv.)	64-33-35-64-33-96	35-26-35					

** Container may be volume filled provided the sizes designated for each variety of fruit meet the requirements of subsections 20-39.007(1), 20-39.008(1) and 20-39.009(1).

II Container does not conform to 4/5 bushel requirement of subsection 20-39.003(1), F.A.C.

*** Minimum board weight requirements shall be waived when a compression strength test by an independent testing laboratory shows that the container made with a new material is equal to, or better than, compression strength of the container with minimum approved board weight. It shall be the responsibility of the packinghouse to acquire and provide records of such compression strength testing upon request.

(4) Each container must be ventilated.

Specific Authority 601.11 FS. Law Implemented 601.11 FS. History—Formerly 105-1.03(1)(a), Revised 1-1-75, Amended 8-16-75, 8-11-77, 8-1-78, 8-21-79, 1-15-80, 10-20-80, 5-1-81, 9-1-82, 11-6-83, 10-21-84, 1-1-85, Formerly 20-39.03, Amended 9-11-86, 12-20-87, 10-14-90, 8-23-92, 10-18-92, 1-19-93, 5-23-93, 10-10-93, 1-9-94, 10-16-94, 8-29-95, 10-13-96, 10-26-97, 12-6-98, 2-20-01, 12-26-01, 4-27-03_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ken Keck, General Counsel
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Keck, General Counsel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 18, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 3, 2003

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Promotional and Advertising Services Contracts
RULE CHAPTER NO.: 20-104
RULE TITLE: Competition Announcement
RULE NO.: 20-104.003

PURPOSE AND EFFECT: Would exempt Department of Citrus' promotional and advertising service vendors from the fee imposed by the Department of Management Services (DMS) on all state contracted vendors.

SUMMARY: Exemption of advertising and promotional contracts from required fee imposed by DMS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been prepared.

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

SPECIFIC AUTHORITY: 601.10(1),(12), 601.15(2) FS.

LAW IMPLEMENTED: 601.10(12) FS.

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

TIME AND DATE: 10:30 a.m., September 17, 2003

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-104.003 Competition Announcement.

(1) Requests for proposals and invitations to bid for contractual services shall be provided by mail, facsimile or electronic mail, using source lists obtained from associations, professional organizations, yellow pages or other available sources. Such announcement shall:

(a) Solicit bids where the Department is capable of specifically defining the scope of the work required, or

(b) Solicit proposals when it is impractical or the Department is incapable of specifically defining the scope of the work required, and

(c) Solicit from the provider information relating to the professional responsibility and capabilities of the provider as relevant. Such information may include gross billing and account mix, capability in art production, copy production and media purchasing, backgrounds of key creative people, marketing and research capabilities, previous government accounts, conflict of interest accounts and credit sufficiency.

(2) No fee shall be imposed upon vendors responding to bids or proposals solicited under this rule.

(3)(2) Contractual services may be awarded without competition if it is determined in writing and certified by the Executive Director or his designee that such services are available from only one source, or if the services or promotion are offered to all interested on a nondiscriminatory basis.

(4)(3) When the price of contractual services is less than CATEGORY 3 as defined in Section 287.017, F.S. the Department is not required to use competitive procedures.

Specific Authority 601.10(1),(12), 601.15(2) FS. Law Implemented 601.10(12) FS. History--New 10-19-82, Formerly 20-104.03, Amended 7-11-93, 10-15-95, 1-27-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ken Keck, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Keck, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2003

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

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Ownership and Use of "Florida Xtra Sweet" Certification Mark
RULE CHAPTER NO.: 20-114
RULE TITLES: Ownership
RULE NOS.: 20-114.001

Permission Required for Use 20-114.002
General Restrictions and Standards on the Use of "Florida Xtra Sweet" Mark 20-114.003
Use on Fruit, Containers and Merchandise 20-114.004
Withdrawal of License or Permission 20-114.005

PURPOSE AND EFFECT: New rule chapter providing standards and requirements for the "Florida Xtra Sweet" certification mark for use on fresh Florida grapefruit.

SUMMARY: Requirements for use of “Florida Xtra Sweet” certification mark.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been prepared.

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

SPECIFIC AUTHORITY: 601.10(1), 601.11, 601.15 FS.

LAW IMPLEMENTED: 601.101 FS.

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

TIME AND DATE: 10:30 a.m., September 17, 2003

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULES IS:

20-114.001 Ownership.

The “Florida Xtra Sweet” certification mark, as shown below, is a certification mark



TM

of the State of Florida, Department of Citrus. All right, title and interest in and to said mark, granted to and vested in the State of Florida, Department of Citrus, via State and Federal laws, is hereby noticed to all interested persons.

Specific Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History–New _____.

20-114.002 Permission Required for Use.

Use of said mark by any Florida licensed citrus fruit dealer registered as a fresh fruit shipper, in any manner will not be permitted without a license or other express written permission from the Department of Citrus and unless such use is in conformity with the requirements of this rule. However, such permission shall not be denied to any person, firm or corporation who complies with the requirements of this rule, it

being the express purpose of the Department of Citrus to encourage widespread use and, at the same time, to protect the integrity of the mark.

Specific Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History–New _____.

20-114.003 General Restrictions and Standards on the Use of “Florida Xtra Sweet” Mark.

(1) Use of this mark shall be restricted to use in conjunction with the advertising, promotion, merchandising, and packaging of fresh grapefruit which is grown in the state of Florida, and which meet the applicable grade and quality standards for grapefruit as set forth in Sections 601.16, 601.17, 601.18, Florida Statutes, Rule 20-35.005, F.A.C., Department of Citrus rules, and 7 CFR Part 51, “United States Standards for Grades of Florida Grapefruit” as amended August 1, 1996.

(2) In addition, to be eligible to carry the mark, fruit must meet the following maturity standards:

(a) Total soluble solids (Brix) of the juice shall be not less than 9.

(b) Ratio shall be not less than 8.5:1.

(3) Each licensee or other authorized user of said mark shall be required, as a condition for such authorization, to allow reasonable and periodic inspections by a Department of Citrus representative or agent, of the pertinent USDA inspection records and packing and shipping premises of said users at all stages in the channel of trade of such citrus products in order to determine whether or not said citrus products meet the requirements set forth herein and otherwise to protect the integrity of said mark.

(4) The mark shall not be used in any advertising, promotion, merchandising or packaging in lieu of a brand name. The mark may be used in such a way as to dominate the packaging, however, it must not be used in conjunction with a brand name in such a manner as to appear to be a part of or dominate said brand name. Further, the mark must be used in a prominent and conspicuous manner when used on packaging.

(5) The mark, as shown in Rule 20-114.001, F.A.C., must be used in its entirety. This does not prohibit use of the words “Florida Xtra Sweet” in the absence of graphics.

(6) Use of said mark shall be limited to product placed in commercial channels from December 1 through July 31.

(7) Each licensee or other authorized user of the mark shall deliver to the Department of Citrus for its records, a finished sample of any material bearing the mark.

(8) The licensee shall indemnify the Department and save it harmless with respect to any claims arising out of the use of its products bearing the mark by any person, or any claims arising out of misbranding or false or misleading advertising by the licensee.

Specific Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History–New _____.

20-114.004 Use on Fruit, Containers and Merchandise.

(1) The mark may, at the option of the shipper, be applied directly to the skin of the fruit, or may be used on any approved shipping container or retail package, containing qualifying Florida grapefruit. The mark may be used in such a way as to dominate the packaging, however, it must not be used in conjunction with a brand name in such a manner as to appear to be a part of or dominate said brand name.

(2) No licensee shall use the mark on any premiums, gift, novelty items or other non-citrus merchandise without the express permission of the Department of Citrus. In no case shall such items be used for resale.

Specific Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New _____.

20-114.005 Withdrawal of License or Permission.

The Department of Citrus reserves the right to withdraw any given license or permission to use the mark upon the failure of the authorized user to comply with the provisions set forth herein. In determining whether the product complies with the quality standards prescribed, the test methods approved by the Department and incorporated by reference in “Methods to Determine Compliance,” Chapter 20-14, F.A.C., Department of Citrus rules, shall be employed. The Department shall have the right to terminate the license with immediate effect in the event the licensee has not made any bona fide commercial use of the mark for more than one year.

Specific Authority 601.10(1), 601.11, 601.15 FS. Law Implemented 601.101 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ken Keck, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Keck, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 16, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2003

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
Definitions	33-209.101
Training Development and Delivery	33-209.1015
Minimum Training Requirements	33-209.102
Firearms Training and Other	
Certification Requirements	33-209.103
Training Requests and Assignments	33-209.104
Training Attendance, Performance and Conduct	33-209.105
Contracting for Training Services	33-209.106

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify responsibilities and requirements for staff training.

SUMMARY: The proposed rules provide definitions of terms used in conjunction with the department’s staff training requirements, set forth guidelines for training development and

delivery, clarify minimum training requirements for designated employees, clarify requirements for and provision of firearms training, correct titles of staff responsible for staff training, clarify requirements for employees attending staff training, and revise forms to used in conjunction with staff training.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 20.315, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09, 944.105 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 33-209.101 follows. See Florida Administrative Code for present text.)

33-209.101 Staff Development – Definitions.

For the purposes of this chapter:

(1) “Academy”, where used herein, means the Florida Corrections Academy, within the Department of Corrections, which is a certified criminal justice training school.

(2) “Alternate Firearms”, where used herein, refers to the 9mm pistol, shotgun, or rifle issued or authorized by the Department of Corrections for use by correctional officers while on duty.

(3) “Automated Training Management System (ATMS II)”, where used herein, means the statewide training and certification database maintained by the Florida Department of Law Enforcement (FDLE) for all certified officers.

(4) “Certified Firearms Instructor”, where used herein, refers to an individual certified by the CJSTC and designated by the department to teach commission-approved basic, advanced, and specialized firearm training courses.

(5) “Circuit Administrator”, where used herein, means a Department of Corrections employee who is the administrator in charge of a circuit’s community facilities.

(6) “Commission Approved Firing Range”, where used herein, refers to a firing range that is approved for use in teaching CJSTC basic, advanced, and specialized firearm courses as outlined in paragraph 11B-21.005(1)(d), F.A.C.

(7) “Correctional Officer”, where used herein, means a Department of Corrections employee in the Correctional Officer occupational class series.

(8) “Correctional Officer Basic Recruit Firearms Training Course”, where used herein, refers to the 60 hour training program approved by the CJSTC to teach officers how to handle firearms safely and how to fire them accurately.

(9) “Correctional Probation Officer”, where used herein, means a Department of Corrections employee in the Correctional Probation Officer occupational class series assigned to community supervision.

(10) “Correctional Probation Officer Basic Firearms Training Course”, where used herein, refers to the 44 hour training program approved by the CJSTC to teach correctional probation officers how to handle firearms safely and how to fire them accurately.

(11) “Course of Fire”, where used herein, refers to the specific directions given by firearm instructors to an officer to fire a firearm such as number of rounds to be fired, from what position, and at what type of target.

(12) “Criminal Justice Standards and Training Commission (CJSTC)”, where used herein, refers to the Governor-appointed commission that oversees minimum employment and training standards for all law enforcement officers, correctional officers and correctional probation officers in Florida.

(13) “Department” means the Department of Corrections.

(14) “Electronic Firearms System”, where used herein, refers to a computer-assisted firearms simulator utilizing a laser marking system to track and identify target hits. The system is used indoors in controlled settings and designed to improve basic marksmanship skills and reduce live fire training cost. These machines are used to conduct specialized and advanced courses approved by the Criminal Justice Standards and Training Commission.

(15) “Firearms Initial Qualification”, where used herein, refers to the academic and performance test approved by the CJSTC to measure firearms proficiency.

(16) “Firearms Pre-Qualification Training”, where used herein, refers to the training provided by the department to prepare for annual firearms re-qualification.

(17) Firearms Qualification and Authorization Card, where used herein, means the document issued to correctional probation officers who have been authorized by the department to carry a firearm. The card will expire the following year, on the last day of the month the card was issued, unless written documentation of re-qualification is submitted to authorizing entity prior to the expiration date. Form DC3-223 is used for this purpose. Form DC3-223 is incorporated by reference in Rule 33-302.104, F.A.C.

(18) “Firearms Re-qualification”, where used herein, refers to the academic, performance test, and course of fire approved by the department to annually measure proficiency with firearms.

(19) “Florida Department of Corrections Training Database (DTD)”, where used herein, refers to the single, official, filing system for all training attendance for employees of the department.

(20) “In-service Training”, where used herein, means all training approved by the office of staff development in the Bureau of Human Resources or the CJSTC for all Department of Corrections employees and other specified personnel to enhance their knowledge, skills and abilities for the jobs they perform. All approved training except orientation training and pre-employment firearms training shall be recorded toward the department’s annual in-service training requirement.

(21) “Mandatory Retraining”, where used herein, means the training or education required to maintain active certification by the CJSTC as a Correctional Officer or Correctional Probation Officer. This requirement must be met from successfully completed advanced courses, career development courses, specialized courses, agency in-service courses, or courses at colleges, community colleges and vocational-technical centers, all of which must be approved by the Commission for mandatory retraining. Advanced and career development courses taken for salary incentive pay cannot be counted for mandatory retraining.

(22) “Mission Essential Skills, Knowledge and Abilities”, where used herein, refers to those skills, knowledge and abilities required to execute the organization’s core process.

(23) “Orientation Training”, where used herein, means the training approved by Staff Development for all new Department of Corrections employees and other specified personnel to orient them to the department’s operations.

(24) “Primary Firearm”, where used herein, refers to the revolver issued or authorized by the department for use by a correctional officer or correctional probation officer in the course of their duties.

(a) Wardens may designate any or all weapons in the arsenal as the primary firearm for a correctional officer based upon the duties to be performed.

(b) The primary firearm for senior inspectors is the approved weapon designated by the Office of the Inspector General.

(c) The primary firearm for a correctional probation officer is the approved weapon as defined in paragraph 33-209.104(4)(b), F.A.C.

(25) “Range Master”, where used herein, refers to the CJSTC firearms certified instructor who meets the eligibility requirements and is responsible for all facets of firearm training on the firing range. Staff development, institutions, or circuits may designate more than one range master at each facility.

(26) “Regional Training Coordinator”, where used herein, refers to the staff development employee who has overall responsibility for managing training programs in a particular geographic location.

(27) “Remedial Firearms Training”, where used herein, refers to training provided by the department for an officer to increase proficiency or accuracy with firearms after individual deficiencies have been demonstrated.

(28) “Staff Development”, where used herein, means the office, located within the Bureau of Human Resources of the Department of Corrections, responsible for development and management of training, within the Department of Corrections.

(29) “Training”, where used herein, means an organized, planned, and evaluated activity designed to achieve specific learning objectives and enhance the job performance of personnel. Training may occur on site, at an academy or training center, an institution of higher learning, during professional meetings, or through contract service or closely supervised on-the-job training. It includes a formal agenda and instruction by a teacher, manager, or official; physical training; or other instruction programs that include a trainer/trainee relationship. Training programs usually include requirements for completion, attendance recording, and a system for recognition of completion.

(30) “Training Year”, where used herein, is defined as the period from July 1 of one year through June 30 of the following calendar year.

(31) “Warden”, where used herein, means the Department of Corrections employee who is the administrator in charge of a correctional institution.

(32) “Weapons Qualification Card”, where used herein, means the document issued to correctional officers who have been authorized by the department to carry a firearm. The card will expire the following year, on the last day of the month the card was issued, unless written documentation of re-qualification is submitted to authorizing entity prior to the expiration date. Form DC6-277 is used for this purpose. Form DC6-277 is incorporated by reference in Rule 33-209.103, F.A.C.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 440.109, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History—New 8-26-87, Formerly 33-25.001, Amended _____.

33-209.1015 Training Development and Delivery.

(1) Training shall be developed and provided based on continuous review of regulatory guidelines, laws, organizational mandates including American Correctional Association (ACA) standards, Criminal Justice Standards and Training Commission (CJSTC) policy and procedure directives, Department of Corrections rules and procedures, and on-going needs assessments which will identify current job-related training needs.

(2) The Office of Staff Development in the Bureau of Human Resources will develop the department’s master training plan. The master training plan will be reviewed and updated annually based on an annual needs assessment which identifies current job related training needs. In addition, the plan will provide for on-going written evaluations of all

departmental training courses including orientation, pre-service, in-service, mandatory, and specialized training. The plan will also identify resources to facilitate career development and provide a formal evaluation of the training program.

(3) Training curriculums will be developed based on clear, concise, and measurable written statements of intended learning outcomes. The content and instructional methods selected for a training program will be consistent with the stated learning objectives, sequenced to facilitate learning and incorporate strategies to evaluate the learning. All training will be delivered from standardized lesson plans with specific course outlines, learning objectives, materials, and evaluation instruments.

(4) Each regional area and central office will be assigned a qualified individual to facilitate and coordinate training for employees assigned within that location. Full-time training personnel shall complete the CJSTC instructor techniques course and meet the minimum requirements for general instructors as established by CJSTC. Space and equipment for training will be designated within each regional area and central office. Library and reference services will also be available to compliment the training and staff development program.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History—New _____.

33-209.102 Minimum Training Requirements.

The following minimum training requirements are for the effective operation of the Department:

(1) All full-time Department employees involved in the American Correctional Association (ACA) accreditation, excluding designated clerical and support employees, shall successfully complete 40 hours of in-service training each calendar year, with the first year prorated by the number of training year ~~calendar~~ quarters worked. Clerical and support employees who are assigned to community corrections and institutional work locations involved in the American Correctional Association (ACA) accreditation and have minimum contact with inmates or probationers ~~designated by the Bureau of Personnel~~ shall successfully complete 16 ~~20~~ hours of in-service training each training year ~~calendar~~ year, with the first year prorated by the number of training year ~~calendar~~ quarters worked. All part-time employees, volunteers and contract personnel shall receive formal orientation as appropriate to their assignments and additional training as needed shall have a training requirement equal to the number of hours in their normal workweek, with the first year prorated by the number of calendar quarters worked.

(2) All new Department employees assigned to community corrections and institutional facilities shall successfully complete a minimum of 40 hours of orientation training prior to their first job assignment. This training shall

include pre-employment or basic recruit firearms training and qualification for untrained Correctional Officer recruits as specified in subsection 33-209.103(1), F.A.C.

(3) All new department employees who are not employed in the correctional officer or correctional probation officer occupational series are assigned to areas within central office, and offices that do not have contact with offenders shall successfully complete orientation training as appropriate to their duties and responsibilities. Orientation training shall be completed within thirty days of the employee's initial employment. In addition, these employees shall be required to complete in-service training each year thereafter as determined by the department and identified within the department's master training plan.

(4) Supervisors at all levels shall be responsible for ensuring that assigned employees obtain and maintain mission essential skills, knowledge and abilities. Training shall be included and addressed through the employee's performance standards. Supervisors at all levels shall cooperate with staff development personnel in designing measurable learning objectives for all new training requested.

(5)(3) All Correctional Officer recruits who have not successfully completed the Correctional Officer basic recruit training course prior to their employment shall do so subject to the following requirements:

(a) No change.

(b) Recruits shall be enrolled in the course during the first 180 days of employment and shall fulfill the requirements of Section 943.13(2), F.S., within 1 year after employment and shall fulfill the requirements of Section 943.13(10), F.S., within 180 consecutive days after completing basic recruit training successfully complete the course during the first 240 days of employment.

(c) Recruits who are not enrolled in the course during the specified enrollment period or do not fulfill the requirements of Section 943.13(2), F.S., within 1 year after employment and fulfill the requirements of subsection 943.13(10), F.S., within 180 consecutive days after completing basic recruit training successfully complete the course during the specified training period shall be removed from the Correctional Officer occupational class series.

(6)(4) All Correctional Probation Officer recruits who have not successfully completed the Correctional Probation Officer basic recruit training course prior to their employment shall do so subject to the following requirements:

(a) No change.

(b) Recruits shall be enrolled in the course during the first 180 days of employment and shall fulfill the requirements of Section 943.13(2), F.S., within 1 year after employment and shall fulfill the requirements of Section 943.13(10), F.S., within 180 consecutive days after completing basic recruit training successfully complete the course during the first 240 days of employment.

(c) Recruits who are not enrolled in the course during the specified enrollment period or do not fulfill the requirements of Section 943.13(2), F.S., within 1 year after employment and fulfill the requirements of Section 943.13(10), F.S., within 180 consecutive days after completing basic recruit training successfully complete the course during the specified training period shall be removed from the Correctional Probation Officer occupational class series.

(7)(5) All members of Rapid Response Teams Confrontation Control Force Squads and Corrections Emergency Response Teams shall successfully complete, respectively, 8 and 16 hours per month of training unique to their missions. This training is separate from annually as part of the Department's in-service training requirement of 40 hours each calendar year.

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

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09, 944.105 FS. History—New 8-26-87, Amended 7-4-88, Formerly 33-25.002, Amended _____.

(Substantial rewording of Rule 33-209.103 follows. See Florida Administrative Code for present text.)

33-209.103 Firearms Training and Other Certification Requirements.

(1) All firearms training will be conducted in compliance with department rules and guidelines. All pre-qualification, re-qualification, remedial, basic recruit and other Criminal Justice Standards and Training Commission (CJSTC) approved firearms training will be conducted under the supervision of certified range masters; only CJSTC certified firearms instructors will be permitted to deliver firearms training. Instructors and students shall adhere strictly to all safety requirements when involved in firearms training whether in the classroom or on the firing range. Documentation of firearms training courses attended by department employees will be maintained in the Florida Department of Corrections Training Database (DTD). The following firearms training requirements are for the effective operation of the Department:

(2) Initial Firearms Qualification.

(a) All employees authorized to use a firearm shall successfully complete basic recruit firearms training and qualification on their primary (approved) firearm, and if required by their potential duties, with approved alternate firearms before being assigned duties requiring them to carry or use a firearm. Students in firearms training courses will successfully complete all Criminal Justice Standards and Training Commission or department-standards required for passing the firearm qualification course.

(b) Correctional officers must attend and successfully complete the 24 hour auto-transition course prior to being issued or qualifying with the 9 MM pistol. Correctional officers will also attend the Department's standardized 12 hour AR-15 training prior to being issued or qualifying with the AR-15.

(c) In order to be authorized to carry a firearm, a correctional probation officer will satisfy all requirements outlined in Rule 33-302.104, F.A.C. and annually complete one hour of department-approved firearm safety training as part of the annual re-qualification process.

(d) All correctional probation officers authorized to use a firearm will successfully complete the CJSTC approved 44 hour correctional probation basic firearms training course and the department-approved 16 hour correctional probation basic firearms training phase II course prior to being authorized to carry a firearm. Any correctional probation officer who has already completed the CJST approved 44 hour correctional probation basic firearms training course must complete the department approved 16 hour phase II course within 24 months from the effective date of this rule revision.

(e) Prior to being allowed to possess a firearm, except during firearms training, a correctional probation officer's certification must be verified through ATMSII by the regional training coordinator or designee.

(f) The circuit administrator shall ensure that a FCIC/NCIC records check is conducted on the firearm serial number during the initial re-qualification process or with a new firearm for correctional probation officers in accordance with Rule 33-302.104, F.A.C.

(2) Firearms Re-qualification.

(a) All staff authorized to carry a firearm must be provided the opportunity to prepare for annual firearm re-qualification by participating in firearms pre-qualification training if requested.

1. Firearm pre-qualification training will be for a period of four hours scheduled within thirty calendar days prior to annual firearm re-qualification excluding holidays.

2. Firearm pre-qualification training will consist of those hands-on skills required to safely handle, maintain, and accurately shoot a firearm as provided herein and in accordance with Rule 33-602.210, F.A.C.

3. Any employee who is qualified or authorized to carry a firearm who declines the opportunity to participate in firearms pre-qualification training will sign the Refusal of Firearms Pre-qualification Training, Form DC2-902, indicating that the opportunity was provided and was declined. Form DC2-902 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 _____.

4. If an officer fails to re-qualify, (or does not attempt to re-qualify), the range master will secure the Weapons Qualification Card (Institutions), Form DC6-277, and the DC3-223 Firearms Qualification and Authorization Card, Form DC3-223, (community corrections) for that officer and shall notify either the warden or circuit administrator. The range master shall mail the DC6-277 to the warden and the DC3-223 to the circuit administrator. Form DC3-223 is

incorporated by reference in Rule 33-302.104, F.A.C. Form DC6-277 is hereby incorporated by reference. Copies of the 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 _____.

(b) The department will pay for the pre-qualification training, the firearms re-qualification, any remedial training, and any subsequent qualification attempt if required.

(c) The department will provide training ammunition for firearms pre-qualification training, firearms re-qualification, and remedial firearms training for all departmental employees who are authorized to carry a firearm.

(d) In order to remain qualified to carry a firearm after the initial qualification, a correctional officer will complete the required annual re-qualification course using the Department approved standardized lesson plan and course of fire. The warden is authorized to require transport officers and K-9 officers to complete re-qualification on a quarterly rather than annual basis.

1. The warden or designee will inform a correctional officer of the need to attend firearms re-qualification.

2. Upon successful completion of firearms re-qualification, the range master or designee will complete and submit a copy of the State Firearms Re-qualification, Form DC2-907, and the Weapons Qualification Card (Institutions), Form DC6-277, for the correctional officer, to be filed at the facility where the training was conducted. Form DC2-907 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 _____.

3. The range master or designee will retain the DC6-277 weapons qualification card from any officer failing to meet minimum qualification standards and notify the warden via interoffice memorandum or e-mail advising that the officer should not be placed in any position that requires the use of that weapon and will be scheduled for remedial training. The range master shall forward the DC6-277 to the warden.

4. Whenever the officer successfully re-qualifies, a new DC6-277 will be issued and will expire the next year on the last day of the month from the month and year of issuance.

(e) In order to remain qualified to carry a firearm after the initial qualification, a correctional probation officer will complete the required annual re-qualification courses.

1. The circuit administrator or designee will inform the correctional probation officer of the need to attend firearms re-qualification.

2. The correctional probation officer will certify that the referenced firearm on Form DC3-241, Firearms Re-qualification Certification, is the firearm used in the course

of their duties and that they use only authorized ammunition. Form DC3-241 is incorporated by reference in Rule 33-302.104, F.A.C.

3. Upon successful completion of firearms re-qualification, the range master or designee will complete and submit a copy of the Firearms Re-qualification Certification, Form DC3-241, and Firearms Qualification and Authorization Card, Form DC3-223, to be filed at the community corrections circuit office.

4. The range master or designee will retain Form DC3-223 from any correctional probation officer failing to meet minimum qualification standards and notify the circuit administrator via interoffice memorandum or e-mail advising that the officer will not be permitted to carry a firearm on his or her person until successful completion of remedial training.

5. If the correctional probation officer does not attempt to re-qualify prior to the expiration of the Firearms Qualification and Authorization Card, the officer may attempt to re-qualify within a 12 month period from the date of expiration of the card with no additional training required. If, after the 12 months, the officer does not attempt to re-qualify, the officer will be required to re-attend and successfully complete the department-approved basic correctional probation officer firearms course.

6. If the correctional probation officer successfully re-qualifies after remedial training or after the card expires, a new DC3-223 will be issued with an expiration date the following year, on the last day of the month the firearms card was issued.

(3) Remedial Firearms Training.

(a) After an unsuccessful initial firearm re-qualification attempt, the correctional officer must attend remedial training at a time approved by the warden. A correctional probation officer that elects to continue attempts at re-qualification after an unsuccessful initial firearm re-qualification attempt shall attend remedial training at a time approved by the circuit administrator.

(b) Remedial firearms training will be for a period of 16 work hours and will begin as soon as possible, but no later than 10 calendar days from the date of initial attempt. Remedial firearms training will be completed no later than 30 days after remedial training begins.

(c) A correctional probation officer that fails to successfully re-qualify after remedial training has been provided, and who wishes to renew authorization to carry a firearm, must re-attend and successfully complete the department-approved correctional probation officer basic firearms training courses. In addition, if a correctional probation officer does not complete remedial training and does not re-qualify, the correctional probation officer will be required to complete the 44 hour basic firearms course again.

(d) In the event a correctional officer fails to qualify after remedial firearms training, the range master will notify the warden.

1. The warden will notify the regional director and the regional training coordinator.

2. The warden will assign the officer to a training facility within ten days from the date of failure to qualify.

3. The correctional officer will be enrolled in specialized individual training prior to reassignment out of the correctional officer series or termination.

(e) Any officer who discharges a firearm negligently or demonstrates unsafe firearms handling practices will be required to complete a 4 hour remedial safety and negligence course.

(4) Approved Firearms and Ammunition.

(a) A correctional officer will:

1. Use a .38 caliber Smith and Wesson Revolver when qualifying with factory reload 158 grain semi-wadcutter ammunition;

2. Use a Remington 870 Shotgun when qualifying with twelve-gauge factory grade #00 Buck ammunition (CERT will re-qualify annually with twelve-gauge factory grade tactical slug rounds ammunition);

3. Use a Smith and Wesson Semi-Automatic 9mm with 9mm Luger reload 125 grain round nose ammunition when designated by the warden or designee or;

4. Use a Colt AR-15 when qualifying with .223 caliber factory grade 55 grain full metal jacket ammunition as designated by the warden or designee.

(b) A correctional probation officer will use one of the following types of firearms when qualifying:

1. A five shot revolver with a maximum barrel length of four inches, .38 or .357 caliber;

2. A six shot revolver with a maximum barrel length of four inches, .38 or .357 caliber;

3. Factory new .38 caliber special ammunition at standard velocity, or Plus-P velocities with either 125 to 158 grain hollow point;

4. Plus-P rated ammunition only in firearms rated for that type of ammunition or;

5. Reload .38 caliber 158-grain semi-wadcutter ammunition.

(c) Ammunition will be provided by the department.

(5) Electronic Firearms Systems. Electronic firearms systems may be used during firearms pre-qualification training and remedial training to enhance marksmanship and reduce ammunition and instructor costs. If used for remedial training, instructors must verify through live-fire (9 rounds) that deficiencies have been corrected prior to another re-qualification attempt. Department employees will not be allowed to qualify or re-qualify with these systems.

(6) Other Certifications.

(a) All employees issued chemical agents shall successfully complete Staff Development-approved annual training covering the deployment of chemical agents and the treatment of persons exposed to chemical agents.

(b) Employees administering urine screen drug tests shall be trained in the particular technology, procedure or methodology. Certification of that training issued by the manufacturer or distributor of the technology in use or by another person specifically authorized to provide such training and certification shall be placed in each employee's personnel file prior to his being authorized to perform any urine screen drug test.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, ~~40-109~~, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History--New 8-26-87, Amended 11-1-90, Formerly 33-25.003, Amended.

33-209.104 Training Requests and Assignments.

All employees may request training to satisfy minimum training requirements, and appropriate Department authorities may assign employees to any training at any location to meet the needs of the employee or the Department, subject to the following:

(1) All training shall be obtained through the following procedures:

(a) No change.

(b) All approved requests and assignments shall be processed through the appropriate regional training coordinator ~~Correctional Training Officers or Managers~~ prior to employees attending training sessions.

(c) The availability of funds and relief staff as well as the relevance and suitability of the training shall be considered at all stages of approval and processing of requests and assignments. An employee whose training request has been disapproved based on lack of relevance or suitability may request review and input from the appropriate senior manager ~~Assistant Secretary~~.

(d) No change.

(2) All employees who take approved training by request or assignment for purposes other than for salary incentive pay shall observe the following conditions:

(a) through (b) No change.

(c) Training shall be attended on state time as hours worked ~~except that administrative leave with pay shall be utilized for meetings and conferences that are approved for training credit~~. However, an employee whose training request has been approved contingent upon personally paying for registration fees and tuition or travel, meals and lodging, as specified in (a) and (b) above, shall be credited only for the actual hours spent in training.

(3) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, ~~40-109~~, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History--New 8-26-87, Formerly 33-25.004, Amended.

33-209.105 Training Attendance, Performance and Conduct.

All employees shall observe the following conditions regarding attendance, performance and conduct while taking training:

(1) No change.

(2) Absences may be excused at the discretion of the instructor, training coordinator, or Academy Director, subject to the following conditions:

(a) A trainee who is absent due to non-work related reasons, from a training session being taken on state time must use personal leave from the appropriate leave category to cover the absence.

(b) through (c) No change.

(3) An accuracy rate of 80 ~~75~~ percent out of a possible 100 percent shall be achieved on all examinations or performance tests in order to successfully complete each course.

(4) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, ~~40-109~~, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History--New 8-26-87, Formerly 33-25.005, Amended.

33-209.106 Contracting for Training Services.

All contracts for Department training needs shall be coordinated by ~~the Bureau of~~ Staff Development under the following conditions:

(1) through (3) No change.

(4) The training coordinator of staff development ~~Chief of the Bureau~~, or a designee, shall serve as Contract Manager for contractual training agreements.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, ~~40-109~~, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History--New 8-26-87, Formerly 33-25.006, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Ralph Kiessig

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:

James V. Crosby, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

July 29, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

June 20, 2003

DEPARTMENT OF CORRECTIONS

RULE TITLE:

Control of Contraband

RULE NO.:

33-602.203

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete obsolete language from the rule. The effect is to remove reference to the Inmate Welfare Trust Fund and replace it with the General Revenue Fund pursuant to Senate Bill 954 (2003).

SUMMARY: The proposed rule removes reference to the Inmate Welfare Trust Fund and replaces it with the General Revenue Fund pursuant to Senate Bill 954 (2003).

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, 945.215 FS.

LAW IMPLEMENTED: 944.47, 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:

33-602.203 Control of Contraband.

(1) through (4) No change.

(5)(a) No money shall be given directly to or received by an inmate assigned to a work release center unless authorized by the chief of security or his designated representative. On a case by case basis, each chief of security may authorize a draw of funds from the inmate's account that has not been drawn from the inmate's bank fund or that exceeds the approved amount authorized under subsection 33-203.201(3), F.A.C., if a specific request is made and a review determines it is warranted. Any money found in the possession of an inmate in excess of \$75 in work release centers shall be considered contraband and shall be confiscated and deposited in the general revenue inmate welfare trust fund.

(b) In any facility in which inmate identification cards are used to authorize and initiate canteen transactions, any cash found in the possession of an inmate shall be considered contraband and deposited in the general revenue inmate welfare trust fund. An inmate identification card is contraband in the possession of anyone other than the inmate it identifies.

(6) through (8) No change.

Specific Authority 944.09, 945.215 FS. Law Implemented 944.47, 945.215 FS. History—New 10-8-76, Amended 2-24-81, 4-18-82, 8-13-84, 2-13-85, 6-2-85, Formerly 33-3.06, Amended 2-9-87, 11-3-87, 8-14-90, 11-22-91, 1-6-94, 5-28-96, 10-26-97, Formerly 33-3.006, Amended 3-2-00, 7-8-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Randy Agerton

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 11, 2003

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Medicaid Certified School Match Program
 RULE NO.: 59G-4.035

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Certified School Match Program Coverage and Limitations Handbook, October 2003. The effect will be to incorporate by reference in the rule the current Florida Medicaid Certified School Match Program Coverage and Limitations Handbook. The rule text references the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, as being incorporated by reference in Rule 59G-4.001, F.A.C. Rule 59G-4.001, F.A.C., is in the rulemaking process; we expect it to be final prior to this rule being adopted.

SUMMARY: This proposed rule would incorporate by reference the current Florida Medicaid Certified School Match Coverage and Limitations Handbook.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 1011.70, 409.905, 409.906, 409.9071, 409.908, 409.9122, 409.9126 FS.

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

TIME AND DATE: 8:00 a.m., September 8, 2003

PLACE: 2728 Ft. Knox Blvd., Bldg. 3, Conf. Room D, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kim Corsmeier, Bureau of Medicaid Services, 2728 Ft. Knox Blvd., Bldg. 3, MS #20, Tallahassee, Florida 32308-5403, (850)922-7318

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.035 Medicaid Certified School Match Program.

(1) This rule applies to all school districts enrolled in the Medicaid certified school match program, as described in Section 409.9071, F.S.

(2) All school district providers enrolled in Medicaid under the certified school match program must be in compliance with the Florida Medicaid Certified School Match Program Coverage and Limitations Handbook, October 2003 July 2002, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 and

~~Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-4.001 ~~59G-5.020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919, FS. Law Implemented ~~1011.70~~ ~~236.0812~~, 409.905, 409.906, 409.9071, 409.908, 409.9122, 409.9126, FS. History--New 4-9-98, Amended 11-23-99, 5-27-01, 10-31-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kim Corsmeier

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rhonda M. Medows, M.D., FAAFP, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 14, 2003

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Medicaid County Health Department Certified Match Program

RULE NO.: 59G-4.058

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid County Health Department Certified Match Program Coverage and Limitations Handbook, October 2003. The effect will be to incorporate by reference in the rule the current Florida Medicaid County Health Department Certified Match Program Coverage and Limitations Handbook. The rule text references the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, as being incorporated by reference in Rule 59G-4.001, F.A.C. Rule 59G-4.001, F.A.C., is in the rulemaking process; we expect it to be final prior to this rule being adopted.

SUMMARY: This proposed rule would incorporate by reference the current Florida Medicaid County Health Department Certified Match Program Coverage and Limitations Handbook.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 381.0056, 381.0057, 409.905, 409.908, 409.9122 FS.

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

TIME AND DATE: 9:00 a.m., September 8, 2003

PLACE: 2728 Fort Knox Blvd., Building 3, Conference Room D, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ward Peck, Bureau of Medicaid Services, 2728 Fort Knox Blvd., Building 3, MS #20, Tallahassee, Florida 32308-5403, (850)922-7307

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.058 Medicaid County Health Department Certified Match Program.

(1) This rule applies to all county health departments enrolled in the Medicaid County Health Department Certified Match Program, as described in Section 409.9122, F.S.

(2) All county health department providers enrolled in Medicaid under the County Health Department Certified Match Program must ~~be in compliance~~ ~~comply~~ with the Florida Medicaid County Health Department Certified Match Program Coverage and Limitations Handbook, October 2003 ~~July 1998~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500 ~~HCFA-1500~~ ~~and Child Health Check-Up 221~~, which is incorporated by reference, in Rule 59G-4.001 ~~59G-5.020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 381.0056, 381.0057, 409.905, 409.908, 409.9122 FS. History--New 6-21-00, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ward Peck

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rhonda M. Medows, M.D., FAAFP, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 14, 2003

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Child Health Check-Up

RULE NO.: 59G-4.080

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Child Health Check-Up Coverage and Limitations Handbook, October 2003. The effect will be to incorporate by reference in the rule the current Florida Medicaid Child Health Check-Up Coverage and Limitations Handbook. The rule text references the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, as being incorporated by reference in Rule 59G-4.001, F.A.C. Rule 59G-4.001, F.A.C., is in the rulemaking process; we expect it to be final prior to this rule being adopted.

SUMMARY: The proposed rule would incorporate by reference the current Florida Medicaid Child Health Check-Up Coverage and Limitations Handbook.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908 FS.

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

TIME AND DATE: 1:00 p.m., September 8, 2003

PLACE: 2727 Mahan Drive, Bldg. 3, Conf. Room D, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anne Boone, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7321

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.080 Child Health Check-Up.

(1) This rule applies to all Child Health Check-Up service providers, with a Category of Service Code 55 listed on their provider file, enrolled in the Medicaid program.

(2) All Child Health Check-Up service providers enrolled in the Medicaid program must be in compliance ~~comply~~ with the provisions of the Florida Medicaid Child Health Check-Up Coverage and Limitations Handbook, October 2003 ~~May 2000~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 and Child Health Check-Up 221, which is incorporated by reference in Rule 59G-4.001 ~~5-020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS., Chapter 92-129, Sec. 58, Laws of Florida. Law Implemented 409.905, 409.908 FS. History—New 1-1-77, Amended 2-6-78, 1-4-79, 2-18-80, 9-15-80, 9-30-81, Formerly 10C-7.47, Amended 7-17-91, 5-11-92, 5-27-93, Formerly 10C-7.047, Amended 12-26-95, 4-22-98, 9-26-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anne Boone

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rhonda M. Medows, M.D., FAAFP, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 6, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 2003

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Therapy Services
 RULE NO.: 59G-4.320

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Therapy Services Coverage and Limitations Handbook, October 2003. The effect will be to incorporate by reference in the rule the current Florida Medicaid Therapy Services Coverage and Limitations Handbook. The rule text references the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, as being incorporated by reference in Rule 59G-3.001, F.A.C. Rule 59G-4.001, F.A.C., is in the rulemaking process, we expect it to be final prior to this rule being adopted.

SUMMARY: This proposed rule would incorporate by reference the current Florida Medicaid Therapy Services Coverage and Limitations Handbook.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908 FS.

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

TIME AND DATE: 10:00 a.m., September 8, 2003

PLACE: 2727 Mahan Drive, Bldg. 3, Conf. Room D, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gail Connolly, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7319

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.320 Therapy Services.

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

(2) All therapy providers enrolled in the Medicaid program must be in compliance ~~comply~~ with the Florida Medicaid Therapy Services Coverage and Limitations Handbook, October 2003 ~~July 1998~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 and EPSDT 221, which is incorporated in Rule 59G-4.001 ~~5-020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908 FS. History—New 5-24-92, Amended 4-12-93, Formerly 10C-7.068, Amended 5-4-94, 12-26-95, 3-9-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gail Connolly

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rhonda M. Medows, M.D., FAFP, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 28, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 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 July 1, 2003, to provide the following changes based on 2003-04 General Appropriations Act, Senate Bill 2A, Specific Appropriation 198.

1. Due to non-recurring funds, the \$26,925,842 provided in fiscal year 2002-03 for the purpose of rebasing the operating cost component of the Medicaid nursing home per diem rate will be eliminated. These funds were used to address the increased cost of general and professional liability insurance.

SUMMARY: The proposed amendment to rule number 59G-6.010 incorporates revisions to the Florida Title XIX Long-Term Care Reimbursement Plan. The amendment seeks to eliminate the \$26,925,842 provided in fiscal year 2002-03 for the purpose of rebasing the operating cost component of the Medicaid nursing home per diem rate.

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: 11:00 a.m., September 17, 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 ~~XXV~~ ~~XXIV~~ Effective Date ~~_____ June 11, 2003~~ and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Deputy Secretary 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, 6-11-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Robert Butler

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Robert Butler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2003

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

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

RULE TITLE: Demonstrating Knowledge of Laws and Rules for Licensure
RULE NO.: 64B4-3.0035

PURPOSE AND EFFECT: The proposed rule amendment is intended to set forth criteria for laws and rules courses.

SUMMARY: The proposed rule amendment sets forth criteria with regard to laws and rules on-line courses.

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: 491.004(5) FS.

LAW IMPLEMENTED: 491.005(1)(e) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-3.0035 Demonstrating Knowledge of Laws and Rules for Licensure.

An applicant for licensure in Clinical Social Work, Marriage and Family Therapy or Mental Health Counseling shall demonstrate knowledge of the laws and rules for licensure in the following manner:

(1) through (5) No change.

(6) Laws and rules courses may be offered and conducted on-line but must comply with this rule in their entirety. Such courses must include real time (contemporaneous) interactive discussions as required by subsection (2) of this rule.

Specific Authority 491.004(5) FS. Law Implemented 491.005(1)(e) FS. History—New 12-28-99, Amended 8-9-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2003

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

DEPARTMENT OF HEALTH

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

RULE TITLE: Terms of Probation

RULE NO.: 64B4-5.008

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify requirements for licensees serving a period of probation for violations of laws and rules.

SUMMARY: The proposed rule amendments clarify requirements for licensees serving a period of probation with regard to supervision and practice settings.

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

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

SPECIFIC AUTHORITY: 456.079, 491.004(5) FS.

LAW IMPLEMENTED: 456.079, 491.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-5.008 Terms of Probation.

Any licensee determined to have violated the provisions of Chapter 491, Florida Statutes, may be ordered to serve probationary terms including any or all of the following:

(1) Probationers license is suspended ~~for a period of time set by the Board, said suspension to be~~ but stayed so long as the licensee complies with the terms of probation set forth below. In the event the Probationer is suspended, he or she shall be required prior to reinstatement to comply with all terms and conditions set forth in any previous Board Order, and must appear before the Board to demonstrate his or her present ability to engage in safe practice. The Board reserves the right to impose reasonable conditions of reinstatement at the time the licensee appears before the Board to demonstrate the present ability to engage in safe practice.

(2) No change.

(3) The licensees probation shall be subject to the following terms and conditions:

(a) through (c) No change.

(d) Probationer shall practice only under the supervision of a psychotherapist fully licensed under Chapter 491 to be approved by the Board or its designee. Supervision under probation shall consist of a minimum of one hour of face-to-face supervision every two weeks and shall focus on raw data from the Probationer’s clinical work which is made available to the supervisor through such means as oral case presentation, written clinical material, direct observation, and video and audio recordings. Probationer shall have the supervising psychotherapist with the probationer at the Probationers first probation appearance before the Board. Prior to approval of the supervising psychotherapist by the Board or its designee, the Probationer shall provide to the supervising psychotherapist a copy of the administrative complaint filed in

this case. A failure of the Probationer or the supervising psychotherapist to appear at the scheduled Board meeting shall constitute a violation of the Boards Final Order. Prior to the approval of the supervising psychotherapist by the Board or its designee, Probationer shall submit to the Board or its designee a current curriculum vitae and description of the current practice from the proposed supervising psychotherapist. Said materials shall be received in the Board office no later than fourteen (14) days before Probationers first scheduled probation appearance. Probationer shall be responsible for ensuring that the supervising psychotherapist submits the required reports. The responsibilities of the supervising psychotherapist shall include:

- 1. Submit quarterly reports, which shall include:
 - a. through d. No change.
 - e. Detail any problems which may have arisen with Probationer and attempts at resolution.
 - 2. through 6. No change.

(e) Probationer shall submit quarterly reports to the Board. The reports shall include:

- 1. through 5. No change.
- 6. Description of any problems and attempts at resolution.
- 7. No change.

(f) through (m) No change.

(n) Probationer shall not see clients of a specified gender unless his or her supervisor, or another licensed therapist approved by the supervisor, is present in the same room.

(4) No change.

(5) The Probationer must report any change in address or telephone number, employment, employer's address or telephone number, or any arrests (or violations of probation or whatever impediment which may be on the license from another jurisdiction), in writing by within 10 working days to the Clinical Social Work, Marriage and Family Therapy or Mental Health Counseling Compliance Officer at the Department of Health, Client Services Unit, HMQAMS, BIN C01, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3251.

(6) All current and future settings in which the Probationer practices Clinical Social Work, Marriage and Family Therapy or Mental Health Counseling shall be promptly informed of the licensee's probationary status. Within five days of the receipt of the final order, the licensee shall furnish a copy to his or her supervisor or supervisors, if there are multiple employers. The supervisors must acknowledge the probation to the Clinical Social Work, Marriage and Family Therapy or Mental Health Counseling Compliance Officer in writing on employer letterhead within ten days. Should the licensee change employers, he or she must supply a copy of the final order to his or her new nursing supervisor within five days. The new employer shall acknowledge the probation in writing on

employer letterhead to the Clinical Social Work, Marriage and Family Therapy or Mental Health Counseling Compliance Officer within ten days.

Specific Authority 456.079, 491.004(5) FS. Law Implemented 456.079, 491.009 FS. History--New 6-1-92, Formerly 21CC-5.008, 61F4-5.008, 59P-5.008, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2003

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: Content of Residency Program – Reports

RULE NO.: 64B18-16.005

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the responsibilities of residency program directors.

SUMMARY: The proposed rule amendment requires residency program directors to provide residency reports to the Board.

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: 461.005, 461.014(4) FS.

LAW IMPLEMENTED: 461.014 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 Podiatric Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-16.005 Content of Residency Program – Reports.

On January 1 and July 1 of each year, each residency program director shall provide the following information to the Board:

- (1) through (5) No change.

Specific Authority 461.005, 461.014(4) FS. Law Implemented 461.014 FS. History--New 11-24-80, Formerly 21T-16.05, 21T-16.005, 61F12-16.005, Amended 1-4-96, Formerly 59Z-16.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Podiatric Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 9, 2003

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLE: Definitions
RULE NO.: 67-21.002

PURPOSE AND EFFECT: The purpose of this Rule Chapter is to establish the procedures by which the Corporation shall administer the supplemental application cycle, determine bond allocation amounts and implement the provisions of the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 42 of the Code and Section 420.509, Florida Statutes.

The intent of this Rule Chapter is to encourage public-private partnerships to invest in residential multifamily housing through a supplemental application cycle; to stimulate the construction and rehabilitation of residential multifamily housing which in turn will stimulate the job market in the construction and related industries; and to increase and improve the supply of affordable housing in the State of Florida.

SUMMARY: Prior to the opening of an Application Cycle, the Corporation (1) researches the market need for affordable housing throughout the state of Florida and (2) evaluates prior Application Cycles to determine what changes or additions should be added to the Rule and/or Application. The proposed amendments to the Rule and adopted reference material include changes that will create a formulated process for selecting Developments that will apply in the 2003 Supplemental MMRB Application Cycle.

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: 420.507, 420.508 FS.

LAW IMPLEMENTED: 420.507, 420.508, 420.509 FS.

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

TIME AND DATE: 10:00 a.m., September 5, 2003

PLACE: Florida Housing Finance Corporation, 6th Floor, Seltzer Room, 227 North Bronough Street, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Wayne Conner, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE FULL TEXT OF THE PROPOSED RULE IS:

67-21.002 Definitions.

(1) through (69) No change.

(70) "Preservation Development" means an existing Development currently subject to documented rent restrictions or income restrictions through a federal, state or local government affordable housing program, where the rent restrictions or income restrictions for the Development will end within five years.

(70) through (95) renumbered (71) through (96) No change.

(97)(96) "Universal Application Package" or "UA1016" Rev. 8 3-03 means the forms and instructions, obtained from Florida Housing at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, which shall be completed and submitted to Florida Housing in accordance with this rule chapter in order to apply for the Program. The Universal Application Package is adopted and incorporated herein by reference, effective on the date of the latest amendment to this rule chapter.

(98)(97) No change.

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.502, 420.503, 420.507, 402.508 FS. History—New 12-3-86, Amended 2-22-89, 12-4-90, 11-23-94, 2-6-97, 1-7-98, Formerly 91-21.002, Amended 1-26-99, 11-14-99, 2-11-01, 3-17-02, 4-6-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wayne Conner, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Orlando Cabrera, Executive Director, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2003

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 22, May 30, 2003

The following subsections of Rule 12-24.002 have been changed so that, when adopted, these subsections will read:

(1) through (5) No change.

(6) "Submission" means the day on which a taxpayer or preparer communicates payment or tax return information to the Data Collection Center.

(7) "Submission" means:

(a) For the electronic submission of a payment and return together, or just a payment, the specified time interval in each submission day during which an electronic payment or electronically-filed tax return information received by the Data Collection Center is processed for transactions occurring on the next business day, or on a date specified by the taxpayer or preparer. Electronic payment and electronically-filed tax return information must be communicated to the Data Collection Center and completed no later than 5:00 p.m. Eastern Time, on the submission day to clear the ACH for deposit in the State Treasury on the next business day.

(b) No change.

(8) "Data Collection Center" means the Department, or a third party vendor, who, under contract with the Department, collects and processes electronic payments and electronically-filed tax return information from taxpayers or preparers.

(9) No change.

(10) "Due date" means the date on or before which an electronic payment must be received or an electronically-filed tax return must be submitted by a taxpayer or preparer under a revenue law of this state.

(11) through (17) No change.

(18) "Personal identification number (PIN or password)" means a confidential code assigned to each taxpayer or preparer which uniquely identifies the payor and allows the payor to communicate payment information and/or return information, information reports, or data to the Data Collection Center.

(19) "Preparer" means a person that prepared and reported the Employer's Quarterly Report (UCT-6) for 100 or more employers in any calendar quarter in the preceding state fiscal year. For the purposes of this definition, "prepared and reported" means the completion of the Employer's Quarterly Report (UCT-6) and the submission of the completed report directly to the Data Collection Center. A preparer is not required to pay taxes by electronic means, but if the preparer voluntarily chooses to submit payment by electronic means, the payment must be submitted in accordance with these rules.

(19) through (21) renumbered (20) through (22) No change.

(23) "Tax type" means a tax or fee which is subject to remittance of payments and the submission of tax returns, information reports, or data by electronic means, each of which shall be considered a separate category of payment. The tax

types for which taxpayers or preparers will be required to pay amounts due and/or submit tax returns, information reports, or data by electronic means are as follows:

(a) through (25) No change.

Specific Authority 202.26(3)(a), 213.06(1) FS. Law Implemented 202.30, 213.7555, 443.1317, 443.163 FS. History—New 12-19-89, Amended 1-8-91, 10-24-96, 4-30-02, _____.

Subsection (5) of Rule 12-24.003 has been changed so that, when adopted, this subsection will read:

(1) through (4) No change.

(5) All taxpayers or preparers required to pay taxes or fees and/or file tax returns by electronic means shall participate for the entire calendar year for which they have enrolled. Persons required to participate on the basis of prior state fiscal year tax payments will be notified by the Department at their last address of record. Once notified of this requirement, the taxpayer or preparer must transmit by electronic means all payments and/or returns for that tax type as provided in this rule. Changes in a taxpayer's or preparer's tax liability or registration during an enrollment period shall not suspend or terminate the requirement to pay taxes or file returns by electronic means for the entire calendar year for which he or she is enrolled.

Specific Authority 202.26(3)(a), 212.06(1)(a), 213.06(1) FS. Law Implemented 202.30, 213.7555, 443.1317, 443.163 FS. History—New 12-19-89, Amended 1-8-91, 10-24-96, 4-30-02, _____.

The following subsections of Rule 12-24.004 have been changed so that, when adopted, these subsections will read:

(1) No change.

(2)(a) On or before November 1st (January 1 for taxpayers remitting only unemployment tax), the Department will notify every taxpayer or preparer required to pay a tax or fee and/or file a tax return by electronic means in the upcoming calendar year, and include with such notification all of the following:

1. An Enrollment and Authorization for e-Services Program (Form DR-600) or instructions on how to access and complete enrollment on the Department's Internet site, which instructions are hereby incorporated by reference; and

2. A Florida e-Services Programs Calendar of Due Dates (Form DR-659); and

3. An explanation of the options from which the taxpayer or preparer must choose to pay taxes or fees and/or file tax returns by electronic means.

(b) No change.

(3) Upon receipt of the enrollment package, the taxpayer or preparer must, on or before December 1 (February 1 for taxpayers remitting only unemployment tax):

(a) Access and complete enrollment on the Department's Internet site [www.myflorida.com/dor]; or,

(b) Obtain and complete form DR-600 and return it to the Department, if the taxpayer or preparer is unable to use the Department's Internet site to enroll.

(4) Enrollment requires the submission of information on form DR-600 that includes:

(a) The taxpayer's or preparer's business entity name;

(b)1. The taxpayer's or preparer's tax identification numbers assigned by the federal government and the Department, including tax account number if different from the tax identification numbers;

2. The preparer's agent i. d. number assigned by the Department, plus the information required by subparagraph (b)1. of this subsection for every employer for which the enrollee currently prepares and reports Form UCT-6.

(c) A contact person's name, mailing address, telephone number, fax number and e-mail address who is responsible for electronic payments and/or electronic filing of returns for the taxpayer's or preparer's business;

(d) Whether the contact person is an employee of the business;

(e) The tax and/or fee type for which the taxpayer or preparer is enrolling;

(f) The filing and payment method the taxpayer or preparer requests;

(g) The taxpayer's banking information, including the taxpayer's bank name, the bank routing number(s), the taxpayer's bank account number(s), and information stating whether the account is a savings or checking account (this information is not required if the taxpayer is requesting the ACH-credit method); and,

(h) If this is a notification from a taxpayer of a change in bank information, the effective date of the change.

(5) By completing and submitting this enrollment request (form DR-600), the taxpayer or preparer is applying to file tax returns and reports and make tax and fee payments to the Department electronically. In addition, by completing and submitting this enrollment request, the taxpayer or preparer and the Department agree that:

(a) The same statute and rule sections that pertain to all paper documents filed by the taxpayer or preparer govern an electronic return, report, or payment initiated electronically pursuant to this enrollment (the completed and submitted DR-600).

(b) The taxpayer's or preparer's electronic transmission of such reports, returns, and payments must be made in a manner compatible with the Department's software, equipment, and facilities. Any failure to comply with this term shall result in the taxpayer or preparer being deemed to have failed to file a return or payment.

(c) No change.

(d)1. By typing his or her name on the signature line of an electronically-submitted form DR-600, the taxpayer or preparer is declaring, under penalties of perjury, that he or she is authorized to sign on behalf of the applicant entity, and that he or she has read form DR-600, and that the facts stated on the form are true.

2. The typed name of the taxpayer or preparer or its authorized agent(s) affixed to a completed and properly submitted form DR-600 shall be deemed to appear on electronically filed tax returns, as if actually so appearing.

(e) The taxpayer or preparer must notify the Department of any changes by completing and submitting a new DR-600, or accessing and completing a change request on the Department's Internet site, no later than 30 consecutive calendar days before the changes are intended to take effect, which provides the Department a reasonable opportunity to act on such changes.

(6) Upon receipt of enrollment information, the Data Collection Center shall assign a confidential personal identification number directly to the taxpayer or preparer to be used by the taxpayer or preparer when communicating electronic payment or return information to the Data Collection Center. This number shall be provided to the taxpayer prior to the date the first required payment is due under the e-services program for all accounts who timely file the form DR-600 with the Department.

(7)(a) The Department prescribes Form DR-600, Enrollment and Authorization for e-Services Program (r. 01/03), Form DR-654, Request for Waiver From Electronic Filing (r. 7/03), and Form DR-659, Florida EFT Program Electronic Tax Payment Calendar (r. 10/02) as the forms to be used for the purposes of this chapter and hereby incorporates these forms by reference. Copies of the forms discussed in this rule chapter may be obtained, without cost, by one or more of the following methods: 1) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Distribution Center at (850)922-2208; or, 3) using a fax machine telephone handset to call the Department's automated Fax on Demand system at (850)922-3676; or 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours for general taxes at (800)352-3671 (in Florida only) or (850)488-6800, or for unemployment tax at (800)482-8293 (nationwide); or 6) downloading selected forms from the Department's Internet site at the address shown inside the parentheses (www.myflorida.com/dor). Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

(b) No change.

Specific Authority 202.26(3)(a), 213.06(1) FS. Law Implemented 202.30, 213.755, 443.1317, 443.163 FS. History—New 12-19-89, Amended 1-8-91, 11-17-93, 4-30-02, _____.

The Law Implemented statement for Rules 12-24.005, 12-24.006, and 12-24.007 has been changed so that, when adopted, it will read:

Law Implemented 202.30, 213.755, 443.1317, 443.163 FS.

The Law Implemented statement for Rule 12-24.008 has been changed so that, when adopted, it will read:

Law Implemented 202.30(1), 213.755, 443.1317, 443.163 FS.

Subsection (1) of Rule 12-24.009 has been changed so that, when adopted, this subsection will read:

(1) Taxpayers who are required to pay taxes or fees through electronic means must initiate the transfer so that the amount due is deposited as collected funds to the State Treasurer's account on or before the due date under the appropriate revenue law. If a tax due date falls on a Saturday, a Sunday, a legal holiday as defined in Section 683.01, F.S., or on a legal holiday of the jurisdiction in which the taxpayer's financial institution is located, the deposit by electronic means is required on or before the first banking day thereafter. For the purposes of these rules, "banking day" has the meaning prescribed in Section 674.104(1), F.S. If the date on which the taxpayer is required to initiate either an ACH debit or an ACH credit transfer falls on a Saturday, Sunday, or a business or banking holiday, the taxpayer must initiate the transaction on the preceding business day pursuant to subsection 12-24.008(3), F.A.C.

Specific Authority 202.26(3)(a), 213.06 FS. Law Implemented 202.28, 202.30, 212.12, 213.755, 443.1317, 443.163 FS. History—New 12-19-89, Amended 4-30-02, _____.

Subsections (1) and (4) of Rule 12-24.010 have been changed so that, when adopted, these subsections will read:

(1) Taxpayers or preparers who need general information concerning the e-Services programs can contact the Department toll-free at (800)352-3671 (Florida only) or (850)488-6800 or for unemployment tax toll free at (800)482-8293 (nationwide), or at the Department's Internet address at www.myflorida.com/dor.

(4)(a) The Department is authorized to waive the requirement that a taxpayer or preparer submit tax returns by electronic means, if the taxpayer or preparer can establish that he or she is unable to comply with e-filing requirements pursuant to the provisions in the introductory paragraph to Section 213.755, Florida Statutes. To request a waiver the taxpayer or preparer must complete and submit form DR-654 (Request for Waiver From Electronic Filing), revised March, 2003, to establish in writing the basis upon which such waiver is requested. This form notifies the taxpayer that the Department will verify the information submitted on the form, and will respond in writing to the taxpayer after reviewing the form. Information requested from the taxpayer on form DR-654 includes:

1. Business partner or tax account number.
2. Federal employer identification number or social security number.

3. Business name, phone number, fax number, and e-mail address.

4. Contact person and contact address.

5. Whether the taxpayer or preparer currently files information electronically with other businesses or government agencies.

6. Whether the taxpayer has a computer with a 486/66-MHz processor or higher that operates Windows 98 or higher, or has a Macintosh version 5.1.6.

7. Whether the taxpayer uses an external programmer, software developer, or service provider for the computation, reporting, and/or payment of this tax, and if so, the name of the programmer, developer, or provider.

8. Any written explanation describing any additional reason for requesting a waiver.

(b) Grounds for approving a waiver include, but are not limited to:

1. Any of the circumstances specified in Section 213.755(9)(a) and (b), F.S.; or,

2. The taxpayer or preparer does not have a modem; or,

3. The taxpayer or preparer does not have access to the Internet.

(c) A waiver shall be valid for up to two years and the issuance of a subsequent waiver shall be contingent on the taxpayer or preparer working with the Department during the current waiver period to address the issues that originally necessitated the issuance of the waiver. The requirement to work with the Department to address the issues that necessitated a waiver means the taxpayer or preparer will: discuss existing computer capabilities with the Department; consider any assistance, recommendations, or training the Department offers; and, implement any Department recommendation that enables the taxpayer or preparer to submit returns by electronic means, unless the taxpayer or preparer can establish that the circumstances or reasons as set forth in Section 213.755, Florida Statutes, continue to apply.

Specific Authority 202.26(3)(a), 213.06(1) FS. Law Implemented 202.30, 213.755, 443.1317, 443.163 FS. History—New 12-19-89, Amended 1-8-91, 11-17-93, 4-30-02, _____.

Subsection (4) of Rule 12-24.023 has been changed so that, when adopted, this subsection will read:

(4) The Department shall use form DR-600 (Enrollment and Authorization for e-Services Program) to document an agreement with a taxpayer or preparer that such taxpayer or preparer will file tax reports and returns by electronic means.

Specific Authority 202.26(3)(a), 213.06(1) FS. Law Implemented 202.30, 213.34, 213.35, 443.1317, 443.163 FS. History—New 10-24-96, Amended 4-30-02, _____.

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE NO.: 12D-10.0044
 RULE TITLE: Uniform Procedures for Hearings; Procedures for Information and Evidence Exchange Between the Petitioner and Property Appraiser, Consistent with s. 194.032, F.S.; Organizational Meeting; Uniform Procedures to be Available to Petitioners

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 40, October 4, 2002, Florida Administrative Weekly, has been withdrawn. This rule has been replaced as noticed in Vol. 29, No. 26, June 27, 2003, Florida Administrative Weekly.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-19
 RULE CHAPTER TITLE: Right of Way Property Management

RULE NOS.: 14-19.003
 RULE TITLES: Definitions

14-19.004
 Real Property Conveyances

14-19.005
 Payments Due to the Department on Sales, Leases, and Demolition and Removal Contracts

14-19.006
 Demolition and Removal Contracting

14-19.012
 Appraisal/Title Certification Requirements

14-19.013
 Leasing of Department Owned Property

14-19.016
 Asbestos Management

14-19.017
 Outdoor Advertising Signs

14-19.019
 Recreational Trail Leases

NOTICE OF HEARING

The Florida Outdoor Advertising Association has requested a hearing for the subject rule chapter amendment. The hearing will be held as follows:

TIME AND DATE: 10:00 a.m., September 25, 2003

PLACE: Fourth Floor, Right of Way Conference Room, Room 479, 605 Suwannee Street, Tallahassee, Florida

Notice was published in Florida Administrative Weekly, Vol. 29, No. 27, July 3, 2003, Pages 2657 through 2661.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.: 40D-4
 RULE CHAPTER TITLE: Individual Environmental Resource Permits

RULE NO.: 40D-4.091
 RULE TITLE: Publications and Agreements Incorporated by Reference

NOTICE OF WITHDRAWAL

Notice is hereby given that the proposed rule listed above, and amendment to Chapter 1 of the Environmental Resource Permitting Basis of Review as noticed in Vol. 29, No. 22, Page 2177 on May 30, 2003 of the Florida Administrative Weekly have been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-5.020
 RULE TITLE: Provider Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 26, June 27, 2003, issue of the Florida Administrative Weekly.

In response to comments received from the Joint Administrative Procedures Committee, the Florida Medicaid Provider General Handbook, October 2003, which is being incorporated by reference in Rule 59G-5.020, F.A.C., has been revised as follows:

Handbook Page iv, Effective Date of New Material, was revised to read, "The month and year that the new material is effective will appear in the bottom corner of each page."

Handbook Page 2-20, Denying Provider Enrollment, was revised to read, "AHCA may consider the following factors, as well as any other factor that could affect the effective and efficient administration of the program, the current availability of medical care, services, or supplies to recipients, taking into account geographic location and reasonable travel time."

Handbook Page 2-31, the following paragraph was deleted, "Appeals of Denied Enrollment. Providers do not have appeal rights in accordance with Chapter 120, F.S., if they are denied enrollment in the Medicaid program."

Handbook Page 2-33, the following paragraph was deleted, "Appeals of Medicaid Actions: Providers do not have appeal rights in accordance with Chapter 120, F.S., on termination from the Medicaid program."

Handbook Page 2-47, Requirements, was revised to read: "Examples of covered services are drugs, syringes, nutritional supplements, and test strips."

Handbook Page 5-4, Administrative Sanctions, references 409.913(14) F.S. We added this statute to the history note so it reads, "Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS."

Handbook Page 5-8, Appeals, the following paragraph was deleted, "AHCA may terminate a provider's participation in the Medicaid program if the provider fails to reimburse an overpayment that has been determined by final order, not subject to further appeal, within 35 days after the date of the final order, unless the provider and AHCA have entered into a repayment agreement."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**Section IV
Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 495, EASY 8'S
 RULE NO.: 53ER03-39
 SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 495, "EASY 8'S," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-39 Instant Game Number 495, EASY 8'S.

(1) Name of Game. Instant Game Number 495, "EASY 8'S."

(2) Price. EASY 8'S lottery tickets sell for \$1.00 per ticket.

(3) EASY 8'S lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning EASY 8'S lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any EASY 8'S lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

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

1	2	3	4	5	6	7	8	9	10	11	12
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIN	NINE	TEN	ELEVEN	TWELVE

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

TICKET	\$1.00	\$2.00	\$5.00	\$10.00	\$20.00	\$100	\$1,000
TICKET	ONE	TWO	FIVE	TEN	TWENTY	ONE HUN	ONE THO

(6) The legend is as follows:

PLAY AREA

(7) Determination of Prizewinners.

8

A ticket having an "WIN" symbol in the play area shall entitle the claimant to the corresponding prize shown. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$100, and \$1,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a \$1.00 ticket, except as follows. A person who submits by mail an EASY 8'S lottery ticket which entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(8) The estimated odds of winning, value, and number of prizes in Instant Game Number 495 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$1 TICKET	1 IN 10.00	1,008,000
\$1	\$1	9.38	1,075,200
\$2	\$2	50.00	201,600
\$1 x 5	\$5	100.00	100,800
\$5	\$5	300.00	33,600
\$2 x 5	\$10	300.00	33,600
\$5 x 3	\$15	300.00	33,600
\$5 x 4	\$20	300.00	33,600
\$20	\$20	300.00	33,600
\$5 x 5	\$25	300.00	33,600
\$10 x 5	\$50	8,181.82	1,232
\$20 x 5	\$100	134,400.00	75
\$100 x 5	\$500	336,000.00	30
\$1,000	\$1,000	840,000.00	12

(9) The estimated overall odds of winning some prize in Instant Game Number 495 are 1 in 3.89. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 495, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing an EASY 8'S lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(12) Payment of prizes for EASY 8'S lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History--New 8-1-03.

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

EFFECTIVE DATE: August 1, 2003

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 494, YEARLY BONUS

RULE NO.: 53ER03-40

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 494, "YEARLY BONUS," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; and the estimated odds of winning, value, number and size of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-40 Instant Game Number 494, YEARLY BONUS.

(1) Name of Game. Instant Game Number 494, "YEARLY BONUS."

(2) Price. YEARLY BONUS lottery tickets sell for \$5.00 per ticket.

(3) YEARLY BONUS lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning YEARLY

BONUS lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any YEARLY BONUS lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

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

1	2	3	4	5	6	7	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	15	16	17	18	19	
ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	
21	22	23	24	25	26	27	28	29	
TYWONE	TYWTWO	TYWTHRE	TYWFOUR	TYWFIVE	TYWSIX	TYWSEVEN	TYWEIGHT	TYWNINE	

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	15	16	17	18	19	
ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	
21	22	23	24	25	26	27	28	29	
TYWONE	TYWTWO	TYWTHRE	TYWFOUR	TYWFIVE	TYWSIX	TYWSEVEN	TYWEIGHT	TYWNINE	

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

\$1.00	\$2.00	\$4.00	\$5.00	\$10.00	\$15.00
ONE	TWO	FOUR	FIVE	TEN	FIFTEEN
\$25.00	\$30.00	\$50.00	\$75.00	\$100	\$200
TY FIV	THIRTY	FIFTY	SVY FIV	ONE HUN	TWO HUN
\$250	\$500	\$1,000	\$5,000	\$10,000	GP
TWO FTY	FIV HUN	ONE THO	FIVE THO	TEN THO	\$25K/YR./10YRS

(7) The "BONUS BOX" play symbols and play symbol captions are as follows:



(8) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS BONUS

(9) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches any number in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to fifteen sets of matching numbers. The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$25.00, \$30.00, \$50.00, \$75.00, \$100, \$200, \$250, \$500, \$1,000, \$5,000, \$10,000 and GP/\$25K/YR/10YRS.

\$\$

(b) A ticket having a "^{HIN \$50}" symbol in the "BONUS BOX" play area shall entitle the claimant to a prize of \$50.

GP

(c) The winner of a "^{\$25K/YR/10YRS}" prize may choose one of two payment options for receiving his or her prize. Payment options are "Cash Option" and "Annual Payment." At the time a \$25,000 a year for 10 years prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to choose the Cash Option. If a winner does not choose the Cash Option within such time, the Annual Payment option will be applied. Once the winner signs the Winner Claim Form and exercises the winner's chosen option, the election of that option shall be final. Winner Claim Form DOL-173-2, Revised 2/01, and Spanish Winner Claim Form DOL-173-S, Revised 2/01, are incorporated herein by reference and may be obtained from the Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, Florida 32399-4016.

(d) Cash Option prizes will be paid in a single cash payment equal to the amount of cash required to purchase U.S. Government Securities that would fund the \$250,000 prize payable over a ten year period, less applicable federal tax withholding. This figure will be determined during the week following the date on which the \$25,000 a year for ten years prize was claimed, by obtaining quotes from at least two investment sources. The quote costing the least to fund the ten year payment stream, had the annual payment option been selected, will be the amount of the Cash Option prize.

(e) Annual Payment prizes will be paid in ten equal, annual installments of \$25,000 per year, each payment less applicable federal tax withholding.

(f) Any interest or earnings accruing on a \$25,000 a year for ten years prize prior to the prize payment or purchase of securities, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 494 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 120,000 TICKETS PER POOL
\$1 x 5	\$5	30.00	168,000
(\$1 x 3) + \$2	\$5	30.00	168,000
\$1 + (\$2 x 2)	\$5	30.00	168,000
\$5	\$5	30.00	168,000
\$1 x 10	\$10	30.00	168,000
\$2 + (\$4 x 2)	\$10	60.00	84,000
(\$1 x 4) + (\$2 x 3)	\$10	60.00	84,000
\$1 + (\$2 x 2) + \$5	\$10	120.00	42,000
\$10	\$10	120.00	42,000
\$1 x 15	\$15	60.00	84,000
\$5 x 3	\$15	60.00	84,000
\$15	\$15	60.00	84,000
\$2 x 15	\$30	400.00	12,600
\$5 x 6	\$30	400.00	12,600
(\$2 x 10) + \$10	\$30	300.00	16,800
\$10 x 3	\$30	300.00	16,800
(\$5 x 2) + (\$10 x 2)	\$30	300.00	16,800
\$30	\$30	600.00	8,400
\$50 (AUTOWIN "\$\$" SYMBOL)	\$50	171.43	29,400
\$5 x 15	\$75	12,000.00	420
\$5 + (\$10 x 7)	\$75	30,000.00	168
(\$5 x 5) + \$50	\$75	30,000.00	168
(\$10 x 5) + \$25	\$75	30,000.00	168
\$75	\$75	30,000.00	168
\$10 + (\$15 x 6)	\$100	3,000.00	1,680
\$10 x 10	\$100	1,714.29	2,940
\$25 x 4	\$100	3,000.00	1,680
(\$25 x 2) + \$50	\$100	3,000.00	1,680
\$10 x 15	\$150	2,400.00	2,100
\$50 x 10	\$500	201,600.00	25
(\$50 x 8) + \$100	\$500	201,600.00	25
\$500	\$500	336,000.00	15
\$100 x 10	\$1,000	420,000.00	12
\$200 x 5	\$1,000	504,000.00	10
\$250 x 4	\$1,000	504,000.00	10
\$500 x 2	\$1,000	504,000.00	10
\$1,000	\$1,000	504,000.00	10
\$1,000 x 10	\$10,000	1,260,000.00	4
\$5,000 x 2	\$10,000	1,680,000.00	3
\$10,000	\$10,000	1,680,000.00	3
\$25,000 A YEAR FOR 10 YEARS ("GP" SYMBOL)	TOP PRIZE	1,680,000.00	3

(10) The estimated overall odds of winning some prize in Instant Game Number 494 are 1 in 3.43. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 494, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

(13) Payment of prizes for YEARLY BONUS lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of

the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History–New 8-1-03.

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

EFFECTIVE DATE: August 1, 2003

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: Licensure of Massage Establishments
 RULE NO.: 64B7ER03-2

SPECIFIC REASON FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Board of Massage Therapy regulates the Practice of Massage Therapists in the State of Florida, as well as establishments where massage therapy is performed. Effective August 5, 2003, an amendment to Board of Massage Therapy, Rule 64B7-26.001, Florida Administrative Code will repeal a long standing exemption from the Establishment licensure requirement for Healthcare practitioners who authorize massage therapists to perform massage therapy on the practitioners' clients at the practitioners' offices. The exemption repeal is necessary because of an absence of statutory authority for the rule exemption. Therefore, all healthcare practitioners' offices where massage therapists practice will be required to have establishment licenses issued by the Board of Massage Therapy effective August 5, 2003. Massage therapists are prohibited by Section 480.046(1)(n), Florida Statutes, from practicing at unlicensed establishments, including the healthcare practitioners' offices that are not licensed as establishments. The owners of the healthcare practitioners' offices are prohibited by Section 480.047(1)(b), Florida Statutes, from operating unlicensed massage establishments. Criminal penalties apply to any violation of Chapter 480, Florida Statutes. Massage therapy is regulated as a therapeutic healthcare profession in the State of Florida. Across the state, massage therapists will not be able to practice and the public will have restricted access to massage therapy unless the Board acts to facilitate the licensure of an estimated several hundred new massage establishments that have not needed licensure because of the soon to be repealed exemption. The situation constitutes an immediate danger to the public health, safety and welfare.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: Massage therapy healthcare services for thousands of patients will be interrupted if this emergency rule is not enacted. The Department of Health does not presently have the resources to timely process the anticipated influx of applications and inspect the hundreds of anticipated new establishment

licensees. This measure will reasonably allow the Department time to process the applications while ensuring that the public is protected.

SUMMARY OF THE RULE: The rule authorizes the issuance of temporary permits to healthcare practitioners licensed under chapters 457, 458, 459, 460, 461, 468 and 486, Florida Statutes, who are required to apply and become licensed as massage establishments in order to continue arranging for massage therapy to be performed on their premises after August 4, 2003.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE EMERGENCY RULE IS:

64B7ER03-2 (64B7-26.002) Licensure of Massage Establishments.

(1) through (4) No change.

(5) For those applications filed on or after August 4, 2003, where the application is to license as an establishment the office of a physician licensed under Chapters 458 or 459, Florida Statutes, a chiropractic physician licensed under Chapter 460, Florida Statutes, an acupuncturist licensed under Chapter 457, Florida Statutes, a podiatrist licensed under Chapter 461, Florida Statutes, a dentist licensed under Chapter 466, Florida Statutes, or a physical therapist licensed under Chapter 486, Florida Statutes, the applicant will be issued a temporary permit upon paying the application fee. The temporary permit shall be valid for a period not exceeding 120 days from issuance to allow time for the application process and initial inspection by the Department to proceed. Should the applicant issued a temporary permit fail the initial inspection, the temporary permit will expire 21 days after the failed inspection unless the applicant passes a follow-up inspection or demonstrates to the Department that the previous deficiency has been corrected.

(6) No application filed under this section shall be complete until the applicant passes the initial inspection, pays the initial application fee and the licensure of establishment fee.

Specific Authority 480.035(7), 480.043(2) FS. Law Implemented 480.043(1),(2), 483.043(7) FS. History–New 11-27-79, Formerly 21L-26.02, Amended 1-7-86, Formerly 21L-26.002, Amended 3-9-95, 9-25-95, Formerly 61G11-26.002, Amended 7-16-98, 1-26-00, 8-4-03.

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

EFFECTIVE DATE: August 4, 2003

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that Florida Communities Trust, within the Department of Community Affairs, received a Petition for Waiver on July 25, 2003, from Thomas G. Pelham, Esquire, Attorney for Petitioner, Village of Wellington. The Petition seeks a temporary waiver of subsections 9K-7.003(5) and 9K-7.002(41), F.A.C., which, in combination, preclude Florida Communities Trust from considering a grant application for a project which includes land purchased under an agreement entitled "A Purchase and Sale Agreement in Lieu of Condemnation." This waiver is being requested pursuant to the provisions of Section 120.542, F.S., and Chapter 28-104, F.A.C.

A copy of the Petition, which has been assigned the number DCA03-WAI-218, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumark Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT the South Florida Water Management District (SFWMD) Governing Board issued Order No. SFWMD 2003-107 DAO-ERP Granting Variance under Section 120.542, Fla. Stat. (Order), dated July 9, 2003 to Palm Beach Aggregates (Petitioner) for a project known as Temporary Disposal Area B, located in Palm Beach County. The Petition for Variance (Application 030325-5) was received by the SFWMD on March 25, 2003.

Notice of Receipt of the Petition requesting the variance was published in the Florida Administrative Weekly, Vol. 29, No. 16, on April 18, 2003. Specifically, the Order grants a variance from subsection 40E-41.263(3), F.A.C., regarding basin criteria flood plain encroachment requirements. Generally, the Order sets forth the basis of the Governing Board decision to grant the variance as follows: 1) the Petitioner has provided reasonable assurances that the purpose of the underlying statute will be achieved through other means by the Petitioner; and 2) the Order granting a variance from the subject rule is necessary to prevent the Petitioner from suffering substantial hardship as set forth in Section 120.542, Fla. Stat.

A copy of the Order can be obtained from: Beth Colavecchio, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6905 or by e-mail: bcolavec@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-105 DAO-ROW), on July 9, 2003, to Palm Beach County. The amended petition for waiver was received by the SFWMD on June 13, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 27, on July 3, 2003. No public comment was received. This Order provides a waiver for retention/detention drainage treatment facilities, guardrail, fencing, light poles, bank stabilization and mitigation areas within the north and south rights of way of C-18E, Palm Beach County, Section 3, Township 41 South, Range 42 East. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of drainage treatment facilities within the right of way and the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet of the top of canal bank and within the District's designated equipment staging areas. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the proposed facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Palm Beach County from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299, e-mail: jsluth@sfwmd.gov.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

NOTICE OF REPLACEMENT – The **Department of State, Division of Historical Resources**, Ad Hoc Advisory Committee announces a teleconference to which all interested persons are invited to participate. This meeting replaces the previously advertised meeting to be held in Palatka on the same date.

DATE AND TIME: Thursday August 21, 2003, 10:30 a.m.

PLACE: Room 319, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250

Should any person wish to appeal any decision made with respect to the above referenced meeting, she or he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

The **Department of State, Division of Cultural Affairs** announces a Vision Steering Committee, Services to Individual Artists Subcommittee meeting to be held by conference call, to which all persons are invited.

DATE AND TIME: August 28, 2003, 10:00 a.m. – conclusion

PLACE: Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Vision Steering Committee, Services to Individual Artists Subcommittee.

For more information, please contact: Todd Warlik, Special Projects Manager, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301, (840)245-6494.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he/she may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this conference call is asked to contact Dana DeMartino in writing at least 5 calendar days in advance of the conference call at the Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301. If you are hearing or speech impaired, please contact the Division of Cultural Affairs by using the Florida Relay Service, which can be reached at 711 or 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

DEPARTMENT OF LEGAL AFFAIRS

The LCSW Task Force Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: Wednesday, August 27, 2003, 3:00 p.m.

PLACE: Call (850)414-3300 for information on participation

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

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

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken.

If you have any questions, please call (850)414-3300.

The Women’s Hall of Fame Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: August 27, 2003, 3:00 p.m.

PLACE: Call (850)414-3300 for information on participation

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

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of the Pesticide Review Council to which all persons are invited.

DATE AND TIME: August 20, 2003, 9:00 a.m.

PLACE: Clayton Hutchinson Center, Exhibit Hall A, 559 Military Trail, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Council during which there will be a review of pertinent pesticide issues impacting on human health and environment.

Copy of agenda may be obtained by contacting: Bureau of Pesticides, 3125 Conner Boulevard, Mail Station L6, Tallahassee, Florida 32399-1650.

Please contact Ms. Donna C. Hartsfield, (850)487-0532, if you have any questions.

DEPARTMENT OF EDUCATION

The public is invited to a meeting of the State **Board of Education**, Advisory Council on Educational Facilities.

DATE AND TIME: August 26, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Tallahassee Community College, Legislative Research Center and Museum, 444 Appleyard Dr., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is the initial convening of the Council charged with making recommendations relating to educational facilities in the K-20 education system in Florida. Organizational matters of the Council will be discussed, initial background information will be provided to members, and the Council will break into subcommittees. The Council is to review and evaluate facilities planning and budgeting processes; needs for existing and proposed facilities; forming alliances with non-public educational institutions and/or community organizations; alternatives to minimize construction of additional facilities; available sources to meet funding requirements; methods of distribution of funds; and alternatives to minimize funding needs.

A copy of the agenda may be obtained from the Advisory Council on Educational Facilities website at <http://www.myfloridaeducation.com/council>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The **University of South Florida**, Lawton and Rhea Chiles Center for Healthy Mothers and Babies announces the Covering Kids Statewide Coalition meeting to which all persons are invited.

DATE AND TIME: Thursday, September 4, 2003, 9:30 a.m. – 12:30 p.m.

PLACE: The Lawton and Rhea Chiles Center for Healthy Mothers and Babies, University of South Florida, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Items to be discussed include election of Vice-Chair, implementation of waiting lists, application volume, activities of state and local grantees.

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited:

DATE AND TIME: Wednesday, August 27, 2003, 3:30 p.m.

PLACE: Boca Raton Campus, Board of Trustees Room, Kenneth R. Williams Administration Bldg., 777 Glades Road, Boca Raton, Florida 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Academic and Student Affairs.

A copy of the agenda may be obtained by contacting: Dr. Anthony Lombardo, Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431, (561)297-4030

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD (561)297-2130.

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited:

DATE AND TIME: Wednesday, August 27, 2003, 1:00 p.m.

PLACE: Boca Raton Campus, Board of Trustees Room, Kenneth R. Williams Administration Bldg., 777 Glades Road, Boca Raton, Florida 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Governance Committee.

A copy of the agenda may be obtained by contacting: Dr. Anthony Lombardo, Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431, (561)297-4030

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD (561)297-2130.

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited. The meeting will be conducted by conference call.

DATE AND TIME: Wednesday, August 27, 2003, 10:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Personnel and Compensation.

The call in number can be obtained by contacting: Dr. Anthony Lombardo, Liaison to the Board of Trustees, Florida Atlantic University, 777 Glades Road, Boca Raton, Florida 33431, (561)297-4030.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD (561)297-2130.

The **State University Presidents Association** announces a meeting to which all persons are invited:

DATE AND TIME: Friday, August 15, 2003, 11:00 a.m.

PLACE: 4th Floor, Gatwick Room, Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget; Legislation; Other Business.

A copy of the agenda may be obtained by contacting: University of Central Florida, President's Office, (407)823-2484

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 as soon as possible and at least 48 hours before the meeting by contacting: Ms. Sandra Cherepow, (407)823-2484.

The **Florida Alliance for Assistive Services and Technology**, Inc. Board of Directors announces a public meeting to which all persons are invited to attend:

DATE AND TIME: Friday, August 15, 2003, 12:00 Noon – 5:00 p.m.

PLACE: This meeting will be conducted via teleconference, (850)921-2548

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet to conduct such business as specifically on the agenda. Time will be set aside to solicit input from the public concerning assistive technology needs and services. If you have any questions, please contact FFAST, Inc. located at 325 John Knox Road, Bldg. B., Tallahassee, FL 32303, or by calling (850)487-3278. If you would like to present information to the Board of Directors, or if you require reasonable accommodations due to a disability, please contact FFAST, Inc. at the above address at least 7 working days in advance of the meeting. If a person decides to appeal any decision made by the Board of Directors with respect to any matter considered at such meetings, the person will need a record of the proceedings. Additionally, the Board of Directors conduct committee teleconferences, at the call of the committee Chairs, to accomplish the goals and objectives of the committees between full Board meetings. If you would like to present information to a FFAST committee, attend a committee teleconference, or require reasonable telecommunication accommodations due to a disability, please contact the FFAST, Inc. office in writing at the above address.

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

DATE AND TIME: Wednesday, August 20, 2003, 8:00 a.m. – 12:30 p.m.

PLACE: Embassy Suites Orlando Airport, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Florida Community Colleges Risk Management Consortium, 5700 S. W. 34th Street, Suite 1205, Gainesville, FL 32608, (352)955-2190, Ext. 3.

DEPARTMENT OF COMMUNITY AFFAIRS

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

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

PLACE: Putnam County Public Library, 601 College Road, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking public or nonprofit entities to administer the Weatherization Assistance Program (WAP) and related programs (Low Income Emergency Home Repair Program (LEHRP), Weatherization-Low Income Home Energy Assistance Program (WAP-LIHEAP)) in the Counties of Clay, Flagler and Putnam. Entities interested in contracting with DCA to provide all or part of these services should be present at this public hearing in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the entities' experience and performance in weatherization or housing renovation activities, and in assisting low-income persons in the area to be served, and their capacity to undertake a timely and effective weatherization program. Preferences will be given to any Community Action Agency or other public or nonprofit entity which has, or is currently administering an effective DCA funded Weatherization Assistance Program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; (4) the ability of the entity to secure volunteers, train participants and public service employment workers; and (5) maintain compliance with administration and financial management requirements. If no more than one entity is funded, that entity must be capable and willing to provide services to all eligible low-income citizens in the geographic area.

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

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to Norm Gempel, Manager, Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Fax (850)488-2488.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a formal record of the proceeding, and for such purposes he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

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

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

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

Meeting of the Accessibility Advisory Council

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the following applications for waiver from accessibility code requirements: Econo Lodge Inn and Suites, 4900 Hollywood, Boulevard, Hollywood; 816 Commerce Street Building, 816 Commerce Street, Miami Beach; Razzle's Night Club, 611 Seabreeze Boulevard, Daytona Beach; Congo River Golf, 5905 International Drive, Orlando; Fatboy Chili, 1903 South Ridgewood Avenue, South Daytona; Ocean Drive Camera, 1200 Ocean Drive, Space B, Miami Beach; Horizons at Orlando by Marriott, 11206 Westwood Boulevard, Orlando; Copley Plaza Hotel, 3900 Collins Avenue, Miami Beach; Miami-Dade County Parks Department, Various Parks, Miami-Dade County; World Jet, Inc., 6101 N. W. 10th Terrace, Fort Lauderdale.

DATE AND TIMES: August 25, 2003, 8:00 a.m. – Meeting of the Structural Technical Advisory Committee;

11:00 a.m. – Meeting of the Code Administration Technical Advisory Committee;

1:00 p.m. – Meeting of the Education Technical Advisory Committee;

1:00 p.m. – Meeting of the Plumbing Technical Advisory Committee;

2:00 p.m. – Meeting of the Accessibility Technical Advisory Committee;

2:30 p.m. – Product Approval/Prototype Buildings/Manufactured Buildings POC;

3:00 p.m. – Meeting of the Mechanical Technical Advisory Committee

DATE AND TIMES: August 26, 2003, 8:30 a.m. – Meeting of the Plenary Session of the Florida Building Commission. Agenda review and approval; review and approval of July 15, 2003 Meeting Minutes and August 4, 2003 Telephone Meeting Minutes; review and approval of work plan updates; and Chair's discussion issues and recommendations;

9:00 a.m. – Consideration of requests for waiver from accessibility code requirements: Econo Lodge Inn and Suites, 4900 Hollywood, Boulevard, Hollywood; 816 Commerce Street Building, 816 Commerce Street, Miami Beach; Razzle's Night Club, 611 Seabreeze Boulevard, Daytona Beach; Congo River Golf, 5905 International Drive, Orlando; Fatboy Chili, 1903 South Ridgewood Avenue, South Daytona; Ocean Drive Camera, 1200 Ocean Drive, Space B, Miami Beach; Horizons at Orlando by Marriott, 11206 Westwood Boulevard, Orlando; Copley Plaza Hotel, 3900 Collins Avenue, Miami Beach; Miami-Dade County Parks Department, Various Parks, Miami-Dade County; World Jet, Inc., 6101 N. W. 10th Terrace, Fort Lauderdale; 9:30 a.m. – Petitions for declaratory statement:

Second Hearing:

DCA03-DEC-106 by Ricco Longo of Collier County

DCA03-DEC-133 by C. R. Willis.

DCA03-DEC-134 by Tim Krebs of T. A. Krebs Architect, Inc.

DCA03-DEC-138 by Joe Schubiger of Charlotte County.

First Hearing:

DCA03-DEC-131 by Alfonso Fernandez-Fraga of Initial Engineers

DCA03-DEC-173 by Timothy J. Orie of Superior Aluminum Installations

DCA03-DEC-179 by James E. Agen of Wilson Window Glass & Mirror

DCA03-DEC-196 by Grant E. Tolbert of Hernando County Dev. Dept.

DCA03-DEC-214 by B. Parks Wilson of Wilson & Company, Inc.

DCA03-DEC-217 by William S. Flowers of Martin Mechanical Services, Inc.

DCA03-DEC-219 by Peter K. Coleman of Weathermaster Building Products, Inc

DCA03-DEC-221 by John Bosanek of NDS

DCA03-DEC-222 by Suzanne T. Graham of American Pest Control Management

DCA03-DEC0223 by Leonard A. Tylka, Jr. of LTL Associates, Inc.

10:00 a.m. – Workshop on 2004 FBC update, revised schedule, base codes, and process.

11:30 a.m. – Consideration of Committee Reports and Recommendations: Accessibility TAC Report; Code Administration TAC; Education TAC Report; Mechanical

TAC Report; Plumbing TAC Report; Special Occupancy TAC Report; Structural TAC Report; and Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee Report.

12:10 a.m. – Receive public comment.

DATE AND TIME: August 26, 2003, 1:30 p.m. – Meeting of the Joint Fire TAC Fire Marshal's Fire Advisory Council

DATE AND TIME: August 27, 2003, 8:30 a.m. – Meeting of the Joint Fire TAC Fire Marshal's Fire Advisory Council

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

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

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

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

DEPARTMENT OF REVENUE

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

DATE AND TIME: August 26, 2003, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of the proposed amendments to Rule 12-18.004, F.A.C. (Submission of Information and Claims for Compensation).

A Notice of Proposed Rulemaking for these proposed rule amendments was published in the Florida Administrative Weekly on June 27, 2003, Vol. 29, No. 26, pp. 2532-2533.

Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution Office is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech

impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATE AND TIME: August 26, 2003, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of the proposed amendments to Rule 12A-1.097, F.A.C., Public Use Forms (Sales and Use Tax).

A Notice of Proposed Rulemaking for these proposed rule amendments was published in the Florida Administrative Weekly on June 27, 2003, Vol. 29, No. 26, pp. 2533-2534.

Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution Office is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATE AND TIME: August 26, 2003, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

SUBJECT MATTER TO BE CONSIDERED: Adoption of the proposed amendments to Rule Chapter 12A-19, F.A.C. (Communications Services Tax).

A Notice of Proposed Rulemaking for these proposed rule amendments was published in the Florida Administrative Weekly on June 27, 2003, Vol. 29, No. 26, pp. 2534-2535.

Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution Office is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATE AND TIME: August 26, 2003, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of the proposed changes to Rule Chapter 12B-7, F.A.C. (Severance Taxes and Fees).

A Notice of Proposed Rulemaking for these proposed rule amendments was published in the Florida Administrative Weekly on June 27, 2003, Vol. 29, No. 26, pp. 2535-2538.

Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution Office is asked to advise the Department at least 48 hours before such proceeding by contacting Larry Green (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATE AND TIME: August 26, 2003, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

SUBJECT MATTER TO BE CONSIDERED: Adoption of new Rule 12D-10.0044, Florida Administrative Code. Notice of this proposed adoption was published in the Florida Administrative Weekly of October 4, 2002, Vol. 28, No.40, pp. 4212-4223. Notice(s) of Change to the proposed rule were published in Vol. 28, No. 48, pp. 5351-5352, November 27, 2002; Vol. 29, No. 3, p. 191, January 17, 2003; Vol. 29, No. 9, p. 872, February 28, 2003; Vol. 29, No. 15, p. 1498, April 11, 2003 and Vol. 29, No. 21, p. 2115, May 23, 2003 issues of the Florida Administrative Weekly. The proposed rule as published on October 4, 2002, was replaced as noticed in Vol. 29, No. 26, June 27, 2003, Florida Administrative Weekly to incorporate all published changes.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting Nancy Purvis, (850)488-0712. A person who is hearing-impaired or speech-impaired should contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8700 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public meeting of the Property Tax Administration Task Force to which all interested persons are invited.

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

PLACE: Carlton Building, Room 118, 501 S. Calhoun St., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the fifteenth meeting of the Property Tax Administration Task Force. This is the tenth meeting of the Task Force as authorized by Chapter 2001-137, L.O.F. The

Task Force will consider proposed enhancements to the tax roll evaluation process, value adjustment board process, tangible personal property evaluation, and other administrative and legislative issues. During this meeting the Task Force will form temporarily into work groups to work further on issue identification, clarification and consolidation. Work groups will address the Property Tax Administration, including assessments, assessment appeals, TRIM and tax collection, and exemptions.

A copy of the agenda may be obtained by writing: Director, Property Tax Administration Program, P. O. Box 3000, Tallahassee, Florida 32315-3000 or by calling Theda Eaton or Kathy Henley, (850)488-3338, or accessing the Department's web site at <http://sun6.dms.state.fl.us/dor/property/ptaac>.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this proceeding is asked to advise the Department at least 48 hours before such proceeding by contacting: Kathy Henley or Theda Eaton, (850)488-3338. Any person who is hearing or speech-impaired should contact the Department using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the **Board of Trustees of the Internal Improvement Trust Fund** are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Gift Fruit Advisory Council to which all persons are invited.

DATE AND TIME: Wednesday, August 27, 2003, 1:00 p.m.

PLACE: Ritz-Carlton Grand Lakes, 4012 Central Florida Parkway, Orlando, Florida 32837

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will meet to review the new creative (advertising), media plan and consumer focus group data for a new t.v. commercial to promote gift fruit this coming winter (and future seasons). The Council will also discuss any other issues that may properly come before the Council.

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, (863)499-2510.

PUBLIC SERVICE COMMISSION

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

DATE AND TIME: September 2, 2003, 9:30 a.m.

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

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

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

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

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy. (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

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

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

DATE AND TIME: September 2, 2003, immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148

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

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

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

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 hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

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

Docket No. 030137-TP – Petition for arbitration of unresolved issues in negotiation of interconnection agreement with BellSouth Telecommunications, Inc. by ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom.

DATES AND TIME: September 3-5, 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 petition for arbitration of unresolved issues in negotiation of interconnection agreement with BellSouth Telecommunications, Inc. by ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom, 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 August 18, 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 by using the following numbers: 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

Docket No. 030301-TP – Petition by Mpower Communications Corp. and Florida Digital Network, Inc. for expedited temporary and permanent relief against BellSouth

Telecommunications, Inc. for alleged anticompetitive conduct regarding Florida Digital Network Inc.'s proposed acquisition of assets and customer base of Mpower Communications Corp.

DATE AND TIME: September 3, 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)955-8770 (Voice) or 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces the rescheduling of a hearing from August 7 and 8, 2003 in Docket No. 030296-TP – Petition for arbitration of unresolved issues resulting from negotiations with Sprint-Florida, Incorporated for interconnection agreement, by AT&T Communications of the Southern States, LLC d/b/a AT&T and TCG South Florida.

DATES AND TIME: September 18-19, 2003, 9:30 a.m.

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

NOTICE OF RESCHEDULING – The Florida **Public Service Commission** announces the rescheduling of an Internal Affairs Meeting originally scheduled for August 18, 2003, 9:30 a.m.

DATE AND TIME: August 18, 2003, 11:30 a.m.

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

EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Film and Entertainment** and the Florida Film Advisory Council will convene in a quarterly meeting and a committee meeting. This is a public meeting to which all persons are invited.

DATE AND TIMES: Monday, September 22, 2003, 10:30 a.m. – Talent Agency Committee; 1:30 p.m. – Quarterly Meeting

PLACE: The National Hotel, 1677 Collins Avenue, Miami Beach, FL 33139 (10:30 – Martini Room; 1:30 – Oval Room)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss committee tasks and related general administrative matters of the Advisory Council.

A copy of the agenda may be obtained by writing: Niki Christopher, Executive Assistant, the Office of Film and Entertainment, State of Florida, Executive Office of the Governor, Suite 2002, The Capitol, Tallahassee, Florida 32399-0001 or calling (850)410-4765.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

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

DATES AND TIMES: Thursday, August 21, 2003, 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission Business.

Please contact: Gwen Erwin, 401 S. Monroe Street, Tallahassee, FL 32301-2034 for a copy of the agenda.

If you require a reasonable accommodation to participate in the conference call, please contact Gwen Erwin, (850)921-5172, Voice/TTY, 72 hours in advance with your request.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces the following meetings and workshop to which all persons are invited.

WORKSHOP: Clearinghouse Committee

DATE AND TIME: August 28, 2003, 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the duties and responsibilities of the Clearinghouse Committee.

MEETING: Executive Committee

DATE AND TIME: August 28, 2003, 6:00 p.m.

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

MEETING: Clearinghouse Committee

DATE AND TIME: August 28, 2003, 6:00 p.m.

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

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: August 28, 2003, 7:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

PLACE: Holiday Inn Restaurant, I-75 and U.S. 90, Lake City, Florida

Any person deciding to appeal decisions of the Council or its committees with respect to any matter considered at the meetings or workshop, may need to make a verbatim record of the proceedings.

A copy of any of these agendas may be obtained by emailing ncfrpc@ncfrpc.org or writing: NCFRPC, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 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 **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, September 8, 2003, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

MEETING: Tampa Bay Regional Planning Council

DATE AND TIME: Monday, September 8, 2003, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: TBRPC Legislative Committee

DATE AND TIME: Monday, September 8, 2003, 11:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

MEETING: Agency on Bay Management

DATE AND TIME: Thursday, September 11, 2003, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee

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

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

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

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

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

DATE AND TIME: Monday, August 25, 2003, 8:30 a.m. – 4:30 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 Florida District X, **Local Emergency Planning Committee** announces the following meeting to which all persons are invited.

DATE AND TIME: September 25, 2003, 10:00 a.m.

PLACE: FPL Nuclear Power Plant, 6501 S. E. Ocean Drive, Gate B, Jensen Beach (Hutchinson Island), Florida

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

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

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

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (772)221-4060, at least 48 hours before the meeting.

The **Treasure Coast Regional Planning Council** announces a meeting of its Building Committee.

DATE AND TIME: August 28, 2003, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Council's Building Committee.

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

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he 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, (772)221-4060, at least 48 hours before the meeting.

DEPARTMENT OF CORRECTIONS

The **Florida Corrections Commission** announces the following public meeting to which all interested persons are invited:

DATE AND TIME: Friday, August 22, 2003, 11:00 a.m. – 3:00 p.m.

PLACE: Park Trammel State Office Building, 6th Floor, Conference Room, 1313 N. Tampa Street, Tampa, Florida 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will discuss issues pertaining to the 2003 Annual Report.

A copy of the agenda may be obtained by writing: Mr. John Fuller, Executive Director, Florida Corrections Commission, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500 or call (850)413-9330.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, September 4, 2003, 8:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709.

Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday, 3600 Maclay Blvd., S., Suite 201, prior to the meeting.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Commission at least 48 hours before the meeting by contacting: Commission on Ethics, (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces public meetings to which all persons are invited:

DATE AND TIME: August 28, 2003, 11:15 a.m., EDT

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administration, Budget and Finance Committee – to discuss budget issues.

DATE AND TIME: August 28, 2003, 11:30 a.m., EDT

GENERAL SUBJECT MATTER TO BE CONSIDERED: District Lands Committee meeting – to discuss land acquisition matters.

DATE AND TIME: August 28, 2003, 1:00 p.m., EDT

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District business.

DATE AND TIME: August 28, 2003, 1:15 p.m., EDT

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing on Regulatory Matters – to consider regulatory matters.

DATE AND TIME: August 28, 2003, 1:30 p.m., EDT

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing on Land Acquisition Matters – to consider land acquisition matters.

PLACE: District headquarters, 10 miles west of Tallahassee on U.S. Highway 90, Tallahassee, FL

A copy of the agendas may be obtained by contacting: Carolyn Wise, NWFWM, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available through the Internet at www.state.fl.us/nwfwmd).

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

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **Southwest Florida Water Management District** (SWFWMD) announces the following meeting(s) to which all interested parties are invited to attend:

LAKE PANASOFFKEE RESTORATION COUNCIL MEETING

DATE AND TIME: Monday, August 25, 2003, 5:00 p.m.
 PLACE: Sumter County Courthouse, Commission Chambers, 209 North Florida Street, Bushnell, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Council business

These are public meetings and agendas are available by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

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

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

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING

DATE AND TIME: Tuesday, August 26, 2003, 9:00 a.m.
 PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of Committee meetings, Board meeting and public hearing.

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday.)

DATE AND TIME: Wednesday, August 27, 2003, 9:00 a.m.
 PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting and public hearing.

28TH ANNUAL CONFERENCE ON WATER MANAGEMENT

DATES AND TIMES: Wednesday, September 3, 2003, 10:30 a.m. – Friday, September 5, 2003, 1:30 p.m.
 PLACE: Tampa Marriott Waterside Hotel, 700 South Florida Avenue, Tampa, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida's five Water Management Districts and the Department of Environmental Protection engage in cooperative efforts to manage the state's water resources.

Some Governing and Basin Board members may attend an optional dinner and show on Thursday, September 4, 2003, 7:30 p.m., at the Columbia Restaurant, 2117 E. 7th Avenue, Tampa. No District business will be discussed, and no District funds will be expended.

WATER SUPPLY AUTHORITY'S STATE OF FLORIDA WATER MANAGEMENT DISTRICTS GOVERNING BOARD MEMBERS DINNER

DATE AND TIME: Wednesday, September 3, 2003, 8:00 p.m.
 PLACE: Tampa Marriott Waterside Hotel, 700 South Florida Avenue, Salon Nine, Third Level, Tampa, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Opportunity to discuss State water issues with Lieutenant Governor Toni Jennings.

These are public meetings and agendas are available by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4609, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **South Florida Water Management District** announces a meeting to conduct the public review of the 2004 Everglades Consolidated Report to which all persons are invited to view and in which all members of the public are encouraged to participate. The review will be conducted through the use of an internet accessible website.

DATE AND TIME: The Web Board will be available for public viewing from August 29, 2003 through September 29, 2003 and also available for public comment from August 29, 2003, through September 29, 2003.

PLACE: <http://www.sfwmd.gov/org/ema/everglades/>
 For persons without access to the Internet, access to the website is available at: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida, 8:00 a.m. to 5:00 p.m., Monday through Friday.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This website (<http://www.sfwmd.gov/org/ema/everglades/>) will be used to allow public access to and participation in communications among the chairman and members of the independent peer review panel created to conduct a review of the 2004 Everglades Consolidated Report, pursuant to Section 373.4592(4)(d), F.S.

Beginning on August 20, 2003, through September 29, 2003, interested parties may access ongoing communications among the peer review panelists, electronically stored communications and other public records associated with the 2004 Report that are posted to this site. Peer review panelists will post information at the website from Monday through Friday during normal working hours, Eastern Daylight Time. The public can provide comment directly at the website at any time between August 29, 2003 and September 29, 2003 on any

aspect of the Report, particularly on relevant scientific or technical data and findings. Communications and documents posted are preserved and can be accessed at anytime after they occur or are posted. The peer review panelists will continue to use the Web Board for revisions and additions to the Report from September 29, 2003 through delivery of the final Report on October 13, 2003.

Peer Review and public workshops on the 2004 Everglades Consolidated Report will be held as follows:

DATES AND TIMES: September 23, 2003, 8:15 a.m. – 5:00 p.m.; September 24, 2003, 8:30 a.m. – 5:00 p.m.; September 25, 2003, 8:30 a.m. – 2:00 p.m. (panel working session)

PLACE: Hilton Palm Beach Airport, Ballroom (Salon A-B), 150 Australian Avenue, West Palm Beach, Florida 33406

For information regarding this review, please write: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call Garth Redfield, (561)682-6611.

For assistance in obtaining computer access to this review, please write to the South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call Trudy Morris, (561)682-6569.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this review is asked to advise the agency when access to the Web Board is needed by contacting: Garth Redfield, (561)682-6611. If you are hearing or speech impaired, please contact the agency by calling (561)697-2574.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Thursday, August 28, 2003, 6:00 p.m. – 8:00 p.m.

PLACE: Okeechobee County School Board, Freshman Campus Auditorium, 700 S. W. 2nd Avenue, Okeechobee, FL 34974

GENERAL SUBJECT MATTER TO BE CONSIDERED: Initial presentation of the Draft Lake Okeechobee Protection Plan for reaching compliance with the mandated lake Total Maximum Daily Load (TMDL). The draft plan will be available on the District website at www.sfwmd.gov one week prior to this meeting.

A copy of the agenda may be obtained: (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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 want more information, please contact: Missie Barletto, Okeechobee Service Center, (863)462-5260, or 1(800)250-4200, 205 N. Parrott Avenue, Suite 201, Okeechobee, FL 34972.

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

DATE AND TIME: August 29, 2003, 9:00 a.m.

PLACE: Big Cypress Basin, Mary Ellen Hawkins Building, 6089 Janes Lane, Naples, Florida

The above address shall be the designated access point for public attendance of the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Basin Business and Adoption of FY 2004 Final Budget. A copy of the agenda may be obtained by writing: Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109 or by calling Ann Christian, (239)597-1505.

Appeals from any Big Cypress Basin Board decision require a record of the proceedings. Although Basin Board meetings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Ann Christian, (239)597-1505, at least forty-eight (48) hours before the meeting to make appropriate arrangements.

Those persons who desire more information, or those wishing to submit written or physical evidence may contact: Ann Christian, Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, (239)597-1505.

The **South Florida Water Management District** announces a private closed door attorney-client session:

DATES AND TIMES: Wednesday, September 10, 2003, 9:00 a.m. – completed; Thursday, September 11, 2003, 8:30 a.m. – completed

PLACE: B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406 (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2001) to discuss strategy related to litigation expenditures in City National Bank of Florida V. South Florida Water Management District, Circuit Court, Miami-Dade County, Florida, Case No. 00-5524 CA 32. The subject matter shall be confined to the pending litigation.

ATTENDEES: I. Bague, P. Brooks-Thomas, M. Collins, H. English, N. Gutiérrez, L. Lindahl, K. McCarty, H. Thornton, T. Williams; Executive Director H. Dean; District attorneys S. Wood, S. Glazier, S. Echemendia, M. Dorta, D. Brown, R. Alfert, Jr., and D. Freedman.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Those who want more information, please contact Paula Moree, Deputy District Clerk, Office of District Clerk, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406, (561)682-6447.

The **South Florida Water Management District** announces a private closed door attorney-client session:

DATES AND TIMES: Wednesday, September 10, 2003, 9:00 a.m. – completed; Thursday, September 11, 2003, 8:30 a.m. – completed

PLACE: B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406 (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2001) to discuss strategy related to litigation expenditures in Investors Mortgage Funding Corp. vs. South Florida Water Management District, Circuit Court, Broward County, Florida, Case No. 00-013404-14. The subject matter shall be confined to the pending litigation.

ATTENDEES: I. Bague, P. Brooks-Thomas, M. Collins, H. English, N. Gutiérrez, L. Lindahl, K. McCarty, H. Thornton, T. Williams; Executive Director H. Dean; District attorneys S. Wood, S. Glazier, S. Echemendia, M. Dorta, G. Woodfield, E. James and R. Price.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Those who want more information, please contact: Paula Moree, Deputy District Clerk, Office of District Clerk, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406, (561)682-6447.

The **South Florida Water Management District** announces a private closed door attorney-client session:

DATES AND TIMES: Wednesday, September 10, 2003, 9:00 a.m. – completed; Thursday, September 11, 2003, 8:30 a.m. – completed

PLACE: B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406 (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2001) to discuss strategy related to litigation expenditures in United States of America v. South Florida Water Management District et al, United States District Court, Southern District of Florida, Case No. 88-1886-Civ-Hoeveler. The subject matter shall be confined to the pending litigation.

ATTENDEES: Governing Board Members I. Bague, P. Brooks-Thomas, M. Collins, H. English, N. Gutiérrez, L. Lindahl, K. McCarty, H. Thornton, T. Williams; Executive Director H. Dean; District attorneys S. Wood, S. Glazier, D. MacLaughlin, S. Echemendia, M. Dorta, and Kirk Burns.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record.

A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained: (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Those who want more information, please contact: Paula Moree, Deputy District Clerk, Office of District Clerk, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406, (561)682-6447.

DEPARTMENT OF VETERANS' AFFAIRS

The Florida **Commission on Veterans' Affairs** will hold its quarterly meeting in Tallahassee, Florida. This is a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 22, 2003, 10:00 a.m.

PLACE: The Knott Building, 404 South Monroe Street, Room 116, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Jan Stearns, Florida Department of Veterans' Affairs, 2540 Executive Center Circle, West, The Douglas Building, Suite 100, Tallahassee, Florida 32301.

Please telephone (850)487-1533, at least 48 hours prior to the workshop.

DEPARTMENT OF ELDER AFFAIRS

This notice is to announce that the Nominating Committee of the **Mid and South Pinellas Ombudsman Council** (District 5A) will hold a meeting to which all interested persons are invited.

DATE AND TIME: August 20, 2003, 11:00 a.m. – 12:00 Noon

PLACE: Conference Room 309A, 11351 Ulmerton Road, Largo, Florida 33778

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purpose of conducting the business of nominating a Council Chair.

For any additional questions or comments, please contact: Mr. Ed Forman, (727)510-7476.

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

DATE AND TIME: August 28, 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, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2091, email: Sindtj@elderaffairs.org.

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.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public hearing to which all persons are invited:

DATE AND TIME: August 26, 2003, 9:00 a.m. – 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed Rule 59A-12.0073, F.A.C., HMO and PHC Penalty Categories, Published July 11, 2003.

DEPARTMENT OF MANAGEMENT SERVICES

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

DATE AND TIME: Monday, August 25, 2003, 1:00 p.m. – 2:30 p.m.

PLACE: 2002 Old St. Augustine Road, Suite E-45, Tallahassee, FL

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: John Kuczanski, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, FL 32399-0950, (850)921-5266, at least 48 hours prior to the workshop.

The **State Technology Office**, Wireless 911 Board announces the following meeting schedule information:

DATES AND TIME: August 13-14, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Hampton Inn, 430 A1A Beach Boulevard, St. Augustine Beach, Florida

DATES AND TIME: September 10-11, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Wyndham Casa Marina Resort, 1500 Reynolds Street, Key West, Florida

DATES AND TIME: October 9-10, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Holiday Inn, 8375 Gulf Boulevard, Navarre Beach, Florida

DATES AND TIME: November 12-13, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Marriott Westshore, 1001 North Westshore, Tampa, Florida

DATES AND TIME: December 10-11, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Peabody Hotel, 9801 International Drive, Orlando, Florida

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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

DATE AND TIME: August 21, 2003, 10:00 a.m. (Eastern Standard Time)

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

PLACE: Call (850)410-0960 or Suncom 210-0960

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

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for

such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATE AND TIME: September 8, 2003, 10:00 a.m. (Eastern Standard Time)

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

PLACE: CALL (850)410-0960 or Suncom 210-0960

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

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

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

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

DATE AND TIMES: August 26, 2003, 9:00 a.m. and 10:00 a.m. or soon thereafter

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

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

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

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

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

DATE AND TIME: Wednesday, September 17, 2003, 10:00 a.m. or soon thereafter

PLACE: Via telephone conference – To connect, dial (850)921-2530, Suncom 291-2530

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting 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)487-1395.

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, (850)487-8304. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

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

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

The Florida **Board of Landscape Architecture** announces the following meeting, to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: August 22, 2003, 9:00 a.m. (Eastern Standard Time)

PLACE: Call (850)487-8856 or Suncom 277-8856.

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).

The Probable Cause Panel, **Building Code Administrators and Inspectors Board** announces a meeting.

DATE AND TIME: August 22, 2003, 10:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 201 South Bloxham Street, Tallahassee, Florida 32301, (850)488-0062

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

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

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

The **Board of Accountancy** announces the following meeting:

DATE AND TIME: Monday, September 8, 2003, 9:30 a.m.

PLACE: Hilton Airport Westshore, 2225 North Lois Avenue, Tampa, Florida

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.

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

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

DEPARTMENT OF HEALTH

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

DATE AND TIME: Thursday, August 28, 2003, 9:30 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, FL, Meet Me Number (850)921-6513

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

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

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

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of 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 to be held via telephone conference call. All interested parties are invited to participate, the conference call is open to the public.

DATE AND TIME: Tuesday, August 26, 2003, 9:30 a.m.
 PLACE: Call (850)245-4461 to inquire about the 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 Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 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 at 1(800)955-8771.

The **Department of Health, Board of Dentistry** will hold a workshop to which all persons are invited:

DATE AND TIME: August 22, 2003, 9:00 a.m.
 PLACE: Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399, (850)245-4474
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a privatization/outsourcing workshop.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which records include 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 Sarah Walls, (850)245-4474, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Quality Assurance Committee announces a telephone conference call to be held via meet me number.

DATE AND TIME: Tuesday, August 26, 2003, 6:00 p.m.
 PLACE: Contact: Florida Board of Medicine, (850)245-4131, for meet me number
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech

impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

Section 286.0105, F.S. – Notices of meetings and hearings 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. The requirements of this section do not apply to the notice provided in s. 200.065(3), F.S.

History.--s. 1, ch. 80-150; s. 14, ch. 88-216; s. 209, ch. 95-148.

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

DATES AND TIMES: Friday, September 5, 2003, 5:00 p.m. or shortly thereafter; Saturday, September 6, 2003, 9:00 a.m. or shortly thereafter

PLACE: Wyndham Westshore, 4860 W. Kennedy Blvd., Tampa, Florida 33609, (813)286-4400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting 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 Osteopathic Medicine, 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 Christy Robinson, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson 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 Physical Therapy Practice** announces a meeting to which all persons are invited:
DATES AND TIMES: October 9, 2003, 6:30 p.m. or soon thereafter; October 10, 2003, 8:30 a.m. or soon thereafter
PLACE: Omni Hotel, 245 Water Street, Jacksonville, FL 32202, (904)791-4978
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting/Public Rule Hearing.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Tallahassee, FL 32399-3255 or by calling (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

The Florida **Department of Health** announces a meeting of the Florida KidCare Coordinating Council Finance and Streamlined Program/Eligibility Work Groups to which all persons are invited:

DATE AND TIMES: Monday, August 25, 2003, 9:00 a.m. – 12:00 Noon – Finance Work Group; 1:00 p.m. – 4:00 p.m. – Streamlined Program/Eligibility Work Group

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 166, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Finance and Streamlined Program/Eligibility Work Groups of the Florida KidCare Coordinating Council, an advisory body appointed by the Secretary of the Florida Department of Health, will meet on Monday, August 25, 2003, 9:00 a.m. – 4:00 p.m. in Tallahassee to discuss Florida KidCare, the state children's health insurance program. The Council is charged with making recommendations to the Department, the Governor and the Legislature, as well as other state

government groups about possible changes and adjustments to the Florida KidCare Program which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change, or Congressional action.

A copy of the agendas may be obtained from: Gail Vail, Florida Department of Health, (850)245-4444, Ext. 2238, Gail_Vail@doh.state.fl.us

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Family Services** announces a meeting of the Citrus County Shared Services Alliance Steering Committee to which all persons are invited.
DATE AND TIME: Thursday, August 28, 2003, 10:00 a.m.

PLACE: Citrus County School Board Office, 1007 W. Main Street, Inverness, 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 **Office on Homelessness** and the Council on Homelessness will be conducting a conference call
DATE AND TIME: Tuesday, August 26, 2003, 10:00 a.m. – 11:30 a.m.

PLACE: The conference call in number is (850)487-8587 or SunCom 277-8587

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss with local homeless coalitions, lead agencies of homeless continuums of care, and all interested parties, a conceptual proposal to consolidate the state's homeless assistance grants into one formula allocated grant.

Due to the limited line capacity, interested parties are encouraged to call in together to allow as many persons to participate as possible.

A copy of the concept paper 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.

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: Thursday, August 28, 2003, 9:30 a.m.

PLACE: Department of Children and Family Services, Conference Room 148, 210 N. Palmetto Avenue, Daytona Beach, Florida

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

PLACE: Volusia County Health Department, Conference Room 516 A, 1845 Holsonback Drive, Daytona Beach, Florida

A copy of the agenda for each meeting may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Suite 440, Daytona Beach, FL 32114-3284 (Attn: Brenda Williams).

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Brenda Williams, (386)238-3175, 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 Family Care Council, Developmental Disabilities, District 14, **Department of Children and Family Services** announces the following meetings to which all persons are invited.

MEETING: Family Care Council, Hardee, Highlands and Polk Counties

DATES AND TIME: Monday, August 18, 2003; Monday, September 15, 2003; Monday, October 20, 2003; Monday, November 17, 2003; Monday, December 15, 2003, 10:00 a.m. – 12:00 Noon

PLACE: Department of Children and Family Services, District Fourteen Headquarters, 4720 Old Highway 37, Conference Room F, Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Family Care Council Meeting.

For copies of the agenda, further information, or persons needing accommodation to participate in this meeting please contact: Eric Olsen, (863)619-4228.

The **Department of Children and Family Services**, District 11, Miami-Dade Community Based Care Alliance, System of Care 13-18 Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, August 21, 2003, 2:00 p.m.

PLACE: Rhode Building, 401 N. W. 2nd Avenue, Suite S-1014 Conference Room, Miami, Florida 33128, (305)377-5787

GENERAL SUBJECT MATTER TO BE CONSIDERED: Miami-Dade Community Based Care Alliance System of Care 13-18 Committee Meeting.

For copies of the agenda, further information, or person requiring accommodations in order to participate in this meeting should contact Ana M. Hereau-Mijares, Operations and Management Consultant II, (305)377-5787 or in writing by close of business (5:00 p.m.) no later than five working days prior to the meeting.

The **Council on Homelessness** announces conference call meetings of its Planning and Discharge Planning Committees, to which all persons are invited.

COMMITTEE: Discharge Planning

DATE AND TIME: August 18, 2003, 9:00 a.m. – 10:00 a.m. (3rd Tues.)

PLACE: Call (850)488-5778 or SunCom 278-5778

COMMITTEE: Planning

DATE AND TIME: September 8, 2003, 3:00 p.m. – 4:00 p.m. (1st Mon.)

PLACE: Call (850)488-5778 or SunCom 278-5778

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 Section 286.26, Florida Statutes, any disabled person wishing to access this meeting who may be in need of special assistance should contact Office on Homelessness, (850)922-4691, at least 48 hours in advance of the meeting.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a workshop and meeting of the Board of Directors to which all interested parties are invited:

Fiscal Committee; Guarantee Committee; Universal Cycle Committee; Multifamily Revenue Bond Committee; Board Meeting

DATE AND TIME: September 12, 2003, 9:00 a.m. – adjourned

PLACE: Clarion Suites and Convention Center, 20 Via De Luna, Pensacola, FL 32561, (850)932-4300

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider, review, and take action on matters brought to the Fiscal Committee and to consider recommendations made by the Fiscal Committee to the Board.
2. Consider, review, and take action on matters brought to the Guarantee Committee and to consider recommendations made by the Guarantee Program Committee to the Board.

3. Consider, review, and take action on matters brought to the Universal Cycle Committee and to consider recommendations made by the Universal Cycle Committee to the Board.
 4. Consider, review, and take action on matters brought to the Multifamily Revenue Bond Committee and to consider recommendations made by the Multifamily Revenue Bond Committee to the Board.
 5. Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds of pending multifamily issues, which have satisfied the requirements for funding.
 6. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
 7. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
 8. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
 9. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
 10. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
 11. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
 12. Consideration of all necessary actions with regard to the Multifamily Bond Program.
 13. Consideration of approval of underwriters for inclusion on approved master list and teams.
 14. Consideration of all necessary actions with regard to the HOME Rental Program.
 15. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
 16. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
 17. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
 18. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
 19. Consideration of all necessary actions with regard to the Home Ownership Programs.
 20. Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.
 21. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
 22. Consideration of workouts or modifications for existing projects funded by the Corporation.
 23. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
 24. Consideration of funding additional reserves for the Guarantee Fund.
 25. Consideration of audit issues.
 26. Evaluation of Professional and Consultant performance.
 27. Such other matters as may be included on the Agenda for the August 1, 2003, Board Workshop and Meeting.
- A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197.
- Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sheila Freaney, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).
- If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2003, 8:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Fire Code Advisory as part of, and in conjunction with, the Joint Fire Code and Building Code Technical Advisory Committee for resolving conflicts between the Florida Fire Prevention Code and the Florida Building Code.

A copy of the agenda may be obtained by writing: Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436 or the website: www.floridabuilding.org.

Pursuant to the provisions of the Americans with Disabilities Act and Section 286.26, Florida Statutes, any person requiring special accommodation to participate in this meeting, please

contact: Millicent King, 200 E. Gaines Street, Tallahassee, FL 32399-0342, (850)413-3619, Fax (850)922-2553, at least five calendar days before the meeting for assistance.

ENTERPRISE FLORIDA

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Marketing Working Group
DATE AND TIME: Tuesday, August 19, 2003 – 4:30 p.m. – 5:30 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Rural Working Group
DATE AND TIME: Tuesday, August 19, 2003, 1:00 p.m. – 2:30 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Urban Working Group
DATE AND TIME: Tuesday, August 19, 2003, 1:00 p.m. – 2:30 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Inc. Competitiveness Working Group Meeting

DATE AND TIME: Tuesday, August 19, 2003, 2:30 p.m. – 4:30 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Florida International Business Council

DATE AND TIME: Wednesday, August 20, 2003, 2:00 p.m. – 3:00 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Legislative Committee
DATE AND TIME: Wednesday, August 20, 2003, 4:00 p.m. – 5:00 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Defense and Space Advisory Council Meeting

DATE AND TIME: Wednesday, August 20, 2003, 2:00 p.m. – 4:30 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Inc. Florida TEC Leadership Council Meeting

DATE AND TIME: Wednesday, August 20, 2003, 3:30 p.m. – 5:00 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Partner Council Meeting

DATE AND TIME: Wednesday, August 20, 2003, 8:00 a.m. – 12:00 Noon

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Small Business Council Meeting

DATE AND TIME: Wednesday, August 20, 2003, 2:00 p.m. – 3:30 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Strategic Planning Committee Meeting

DATE AND TIME: Wednesday, August 20, 2003, 1:00 p.m. – 2:00 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Board of Directors Meeting

DATE AND TIME: Thursday, August 21, 2003, 8:30 a.m. – 12:30 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Board of Directors Orientation Meeting

DATE AND TIME: Thursday, August 21, 2003, 12:45 p.m. – 3:00 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will give an orientation to new board members on Enterprise Florida, Inc.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Board of Director's Dinner Meeting

DATE AND TIME: Wednesday, August 20, 2003, 7:00 p.m. – 9:00 p.m.

PLACE: The Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are

hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

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

DATE AND TIME: August 20, 2003, 2:00 p.m.

PLACE: Technological Research and Development Authority, 5195 S. Washington Ave., Titusville, Florida 32780

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

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

WORKFORCE FLORIDA

The **Workforce Florida** will be holding their quarterly Board of Directors' and related meetings to which all interested persons are invited.

DATES AND TIMES: August 20, 2003, 1:00 p.m. – 4:00 p.m., Partners' Meeting; August 21, 2003, 8:30 a.m. – 9:30 a.m., Finance Committee Meeting; 9:30 a.m. – 11:30 a.m., Council Meetings; 12:30 p.m. – 3:00 p.m., Board of Directors' Meeting
PLACE: Embassy Suites Hotel, Downtown Orlando, 191 E. Pine Street, Orlando, Florida 32801

For additional information please contact: Peggy Dransfield, (850)921-1119.

FLORIDA SPORTS FOUNDATION

The **Florida Sports Foundation** announces its quarterly grants meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 26, 2002, 11:30 a.m. – 12:30 p.m.

PLACE: 2930 Kerry Forest Parkway, Suite 101, Tallahassee, FL 32309, Teleconference Numbers: 413-9245 (Tallahassee Only), 1(877)651-3473 (Toll Free)

Please make note that if a person decides to appeal any decision made by the Grants Committee with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

FLORIDA INDEPENDENT LIVING COUNCIL

The **Florida Independent Living Council**, Inc. announces the following meetings:

MEETING: Personnel Policies Task Force Meeting

DATE AND TIME: Thursday, August 28, 2003, 11:00 a.m. EST

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Meeting of the Program Sub-Committee of the Grassroots Forum Steering Committee

DATE AND TIME: Tuesday, September 9, 2003, 1:00 p.m. EST

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

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

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, (850)488-5624 or toll free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Beth Schultz at the council address.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

The Florida **Commission on Tourism** announces a public meeting of the VISIT FLORIDA Board of Directors and the Florida Commission on Tourism as follows:

MEETING: Visitor Services Committee

DATE AND TIME: Wednesday, September 17, 2003, 8:00 a.m. – 9:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will hear updates on the Florida Welcome Centers and other business as necessary.

MEETING: Cultural, Heritage and Nature Tourism Development Committee

DATE AND TIME: Wednesday, September 17, 2003, 9:00 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will hear regional updates and other business as necessary.

MEETING: Nature/Based and Heritage Advisory Committee to the Florida Commission on Tourism

DATE AND TIME: Wednesday, September 17, 2003, 1:00 p.m. – 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and discuss old and new business.

MEETING: Finance Committee

DATE AND TIME: Wednesday, September 17, 2003, 10:00 a.m. – 11:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will review financial statements and other business as necessary.

MEETING: Multicultural Subcommittee

DATE AND TIME: Wednesday, September 17, 2003, 10:00 a.m. – 11:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subcommittee will review and discuss business as necessary.

MEETING: Partner Development Committee

DATE AND TIME: Wednesday, September 17, 2003, 1:00 p.m. – 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will discuss old business and strategies for recruiting new Partners.

MEETING: Marketing Committee

DATE AND TIME: Wednesday, September 17, 2003, 3:00 p.m. – 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will discuss and review marketing strategies and other business as necessary.

MEETING: VISIT FLORIDA Board of Directors Meeting

DATE AND TIME: Thursday, September 18, 2003, 9:00 a.m. – adjournment

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will discuss committee reports, on-going issues and other matters.

MEETING: Florida Commission on Tourism

DATE AND TIME: Thursday, September 18, 2003, upon adjournment of the Board of Directors meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will ratify actions of the Board of Directors and discuss other matters as necessary.

PLACE: Royal Pacific Resort, 6300 Hollywood Way, Orlando, FL, 1(888)331-3592

For further information contact: Susan Gale, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100 or (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)

BREVARD LEGISLATIVE DELEGATION

The **Brevard Legislative Delegation** announces a meeting to consider applications to serve on the Technological Research and Development Authority Commission to which all interested persons are invited.

DATE AND TIME: Friday, August 29, 2003, 3:15 p.m.

PLACE: Educational Services Facility, 2700 Judge Fran Jamieson Way, Training Rooms 1 and 2, Viera, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Brevard County Legislative Delegation wil review applications submitted to serve on the Technological Research and Development Authority Commission. Nominees will then be considered for appointment by the Governor.

Additional information may be obtained by contacting: Carol Laymance, Legislative Delegation Coordinator, (321)633-2132, carol.laymance@brevardcounty.us.

Section VII

**Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on June 12, 2003, from County of Charlotte regarding application of the requirement imposed by Section 1804.1.3, Florida Building Code, Building Volume (2001 as amended effective 7/1/2003) for foundations to extend no less than twelve inches below finish grade as applied to identified aluminum structures.

It has been assigned the number DCA03-DEC-138.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on June 12, 2003, from J. Scott Drafting regarding Charlotte

County’s application of Chapter 16, Florida Building Code, Building Volume (2001 as amended effective 7/1/2003), to determine the exposure category of five identified properties.

It has been assigned the number DCA03-DEC-139.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on August 1, 2003, from NDS, Inc. regarding the product identified in the Petition, that is not a concrete pad, complies with Section 304.7, Florida Building Code, Mechanical Volume (2001 as amended effective 7/1/2003).

It has been assigned the number DCA03-DEC-221.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on August 1, 2003, from American Pest Control Management regarding compliance with Section 1816.1, Florida Building Code, Building Volume (2001, as amended effective 7/1/2003), utilizing a termite baiting system can be shown by submittal of one year service contract with a guaranteed option to renew for four additional years.

It has been assigned the number DCA03-DEC-222.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on August 4, 2003, from LTL, Associates, Inc., with regards to the application of the requirement for fifty percent opening requirement in Section 1014.1.1, Florida Building Code, Building Volume (2003), to the use of breezeways between individual or groups of apartments as means of egress.

It has been assigned the number DCA03-DEC-223.

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.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Board of Veterinary Medicine has received a Petition for Declaratory Statement with regard to Section 474.214(1)(k), Florida Statutes, which was filed July 15, 2003 by VetCentric, Inc. Petitioner requests a declaratory statement on whether a veterinarian buying veterinary products from Petitioner for direct delivery to clients would be subject to disciplinary action.

This matter will be addressed during the regularly scheduled Board meeting on September 6, 2003, 10:00 am. or shortly thereafter, The Wyndham Palace Resort, 1900 Buena Vista Drive, Lake Buena Vista, Florida 32830-2206, (407)827-2727. Comments on this petition should be filed with the Board of Veterinary Medicine, Northwood Center, 1940 No. Monroe Street, Tallahassee, Florida 32399-0783, within 14 days of publication of this notice.

For a copy of the petition, contact: Juanita Chastain, Executive Director, Board of Veterinary Medicine, at above address or telephone (850)922-7154.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services (formerly the Department of Insurance), Division of State Fire Marshal, has received a Petition for Declaratory Statement filed July 29, 2003, from Eric A. Neilinger. The Petition is seeking the Department’s interpretation of the Florida Fire Prevention Code and specifically NFPA 72, 1999 edition, subdivisions 3-8.1, 3-9.3.6; and ASME A17.0, subdivision 211.3, 211.4. Petitioner asks:

1. Does installing a separate FACP to control elevator functions meet the intent of the code without the need to replace the building’s fire alarm?

2. Since the elevator initiating devices are not required to sound the building alarm, do the panels have to be interconnected, when annunciators are installed at a constantly attended location?
3. Are automatic initiating devices required to be installed in open unenclosed elevator landings.

A copy of the Petition may be obtained by writing, calling or faxing: 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 case any question arises) or e-mail: mazzeog@doi.state.fl.us. Please mention Fernandez-Fraga2 in your request.

**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:

Total Pharmacy Services of Florida, LLC vs. Agency of Health Care Administration; Case No.: 03-2753RX; Rule No.: 59G-4.250

David L. McSherry, December McSherry, Dwight Adams, Sierra Club, Inc., Sustainable Alachua County, Inc. and Saving Florida, Inc. vs. Department of Community Affairs; Case No.: 03-2711RU

Pompano Imports, Inc., d/b/a Vista Motors vs. Department of Highway Safety and Motor Vehicles; Case No.: 03-2808RU

Finco Financial Corporation vs. Department of Financial Services, Office of Insurance Regulation; Case No.: 03-2748RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

METROPOLITAN PLANNING ORGANIZATIONS

RFQ No. 5087

**REQUEST FOR LETTERS OF INTEREST
AND QUALIFICATIONS FOR INDIAN RIVER
COUNTY COMMUNITY TRANSPORTATION
COORDINATOR (CTC)**

The Indian River County Metropolitan Planning Organization is seeking letters of interest and statements of qualifications from qualified agencies or firms interested in coordinating transportation services for the transportation disadvantaged in Indian River County, Florida. Subsequent to submittal of letters of interest, qualified firms will be asked to submit a formal response to a request for proposals. The selected firm will be the designated Community Transportation Coordinator for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes, and more fully described in Chapter 41-2 of the Florida Administrative Code. State statutes mandate the competitive selection of a Community Transportation Coordinator for the Transportation Disadvantaged Program every three years.

The Community Transportation Coordinator is defined by Chapter 427, Florida Statutes, as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in s. 427.015(2), F.S.

The transportation disadvantaged are defined by Chapter 427, Florida Statutes as "those persons who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life sustaining activities, or children who are handicapped or high-risk or at-risk as defined in s. 411.202, F.S."

Interested firms/agencies are required to have capabilities to coordinate all transportation-disadvantaged trips within Indian River County. The interested firm/agency could function as a COORDINATOR only (acts as total brokerage system that does not operate vehicles) or could function as a COORDINATOR/TRANSPORTATION OPERATOR (acts as brokerage and also provides all or part of the needed transportation services by operating vehicles).

Indian River County is a predominantly rural county, consisting of a small permanent resident population of approximately 101,070 persons. Currently, the Indian River County Council on Aging (COA) serves as the Community Transportation Coordinator for the county. The COA functions as a COORDINATOR/TRANSPORTATION OPERATOR, operating and maintaining its own fleet of vehicles as well as acting as a broker of trips for other transportation service providers. In addition, the COA coordinates all trips for the Transportation Disadvantaged Program at no cost to system users.

Letters of interest and qualifications should be limited to a maximum of five (5) pages. The following information should be included in letters of interest and qualifications:

- Name, address, phone number, fax number, and e-mail address (if available) of firm or agency
- Name and address of the contact person
- Staffing chart of the agency (list current staff, position, education, experience)
- Agency's past experience as a Community Transportation Coordinator (list locations and contact persons including phone numbers for references)
- Statement of whether the agency either has or will be able to establish a local office in Indian River County
- Statement of whether and to what extent the agency is familiar with Indian River County
- Agency's past experience with providing, brokering, or managing Mass Transit services, Americans with Disabilities Paratransit Services, and eligibility-based ridership transportation services (list locations and contact persons including phone numbers)

Potential providers should submit five (5) copies of their expression of interest and qualifications in a sealed envelope to: Fran B. Powell, Director, Purchasing Department, Indian River County, 2625 19th Avenue, Vero Beach, FL 32960. Letters must be marked, RFQ No. 5087 "LETTER OF INTEREST AND QUALIFICATIONS FOR INDIAN RIVER

COUNTY COMMUNITY TRANSPORTATION COORDINATOR.” Letters of interest and qualifications must be received by 2:00 p.m. September 10, 2003.

Written questions should be addressed to: Sasan Rohani, Chief, Long-Range Planning, 1840 25th Street, Vero Beach, FL 32960.

Faxed and e-mailed responses will not be accepted. Late letters will be returned unopened with the notation, “This letter of interest was received after the delivery time designated for receipt and opening in the legal notice.” Only responses to the request for letters of interest will be considered if a request for proposals is issued for Community Transportation Coordinator.

The Indian River County Metropolitan Planning Organization reserves the right to accept or reject any and all responses in the best interest of the County and State Commission for the Transportation Disadvantaged.

All proposers must certify that they are not on the State of Florida Comptroller General’s List of Ineligible Bidders. Proposers must also certify that no principal of the firm is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in the type of work required by this letter of interest by any federal, state, or local department or agency.

EXPRESSWAY AUTHORITIES

**MIAMI DADE EXPRESSWAY AUTHORITY (MDX)
NOTICE TO CONSTRUCTION FIRMS**

On June 20, 2003, MDX and its General Engineering Consultants conducted a peer review workshop relating to segmental concrete bridge design and its applicability to MDX Project No. 11205: Interconnector Ramps from Miami International Airport to SR 112. MDX sought the participation of experts in the field to ensure that thorough consideration is given to all potential issues related to the application of segmental options for this significant expressway interchange.

The Summary Minutes of the workshop and the project information package distributed to the attendees of the workshop are available to interested firms by contacting MDX. MDX welcomes comments from the industry on the concept, or the contents of the Summary Minutes. Firms interested in submitting their written comments must do so no later than Friday, August 29, 2003.

For further information, please contact: Jesus Sanchez, MDX Production Manager, Miami-Dade Expressway Authority (MDX), 3790 N. W. 21 Street, Miami, Florida 33147, (305)637-3277, Fax (305)637-3283, e-mail: jsanchez@mdx-way.com

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

FLORIDA HOUSING FINANCE CORPORATION

Request for Proposals

2003/02 Securitization Services

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide Securitization Services to submit proposals for consideration. Written, sealed proposals shall be accepted until 2:00 p.m., Eastern Time, September 19, 2003, to the attention of Robin Grantham, Contract Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Robin Grantham, (850)488-4197 or robin.grantham@floridahousing.org. To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror’s responsibilities, please submit your request to the attention of Robin Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/ViewPage.aspx?page=77&p1=1>. Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

FLORIDA SHERIFFS ASSOCIATION

REVISED

BID ANNOUNCEMENT

BID NUMBER: 03-11-0825
 BID TITLE: PURSUIT, ADMINISTRATIVE
 NON-PURSUIT, UTILITY
 VEHICLES, TRUCKS & VANS,
 & OTHER FLEET EQUIPMENT

REVISED ADVERTISEMENT DATES:
 AUGUST 8, 2003 and
 AUGUST 15, 2003

PRE-BID CONFERENCE:
 AUGUST 6, 2003, 10:00 a.m.

PRE-BID CONFERENCE TO BE HELD AT:
 MARION COUNTY SHERIFF’S
 OFFICE
 CONFERENCE ROOM
 692 N.W. 30TH AVENUE
 OCALA, FL 34475-5608

REVISED BID OPENING DATE:
SEPTEMBER 9, 2003, 11:00 a.m.
CHANGED FROM AUGUST 25,
2003

BID OPENING TO BE HELD AT:
FLORIDA SHERIFFS
ASSOCIATION
COOPERATIVE BID
COORDINATOR'S OFFICE
2617 MAHAN DR. (32308)
P. O. BOX 12519
TALLAHASSEE, FL 32317-2519

BIDS MUST BE CONTAINED IN A SEALED ENVELOPE
ADDRESSED TO THE FLORIDA SHERIFFS
ASSOCIATION. INDICATE ON THE OUTSIDE OF THE
ENVELOPE THE BID NUMBER, TITLE, OPENING DATE
AND TIME. ALL BIDS MUST BE RECEIVED ON OR
BEFORE THE DATE AND TIME NOTED ABOVE.

ALL QUESTIONS PERTAINING TO THIS BID, SHOULD
BE DIRECTED TO LYNN MEEK OR PEGGY GOFF WITH
THE FLORIDA SHERIFFS ASSOCIATION, (850)877-2165.

**FIRST FLORIDA GOVERNMENTAL FINANCING
COMMISSION**

REQUEST FOR PROPOSALS
DISCLOSURE COUNSEL SERVICES
ISSUER COUNSEL SERVICES

The First Florida Governmental Financing Commission, an
interlocal governmental bond issuing agency comprised of the
Cities of Boca Raton, Clearwater, Gainesville, Hollywood,
Sarasota, St. Petersburg; and Broward County, is accepting
separate proposals from qualified professionals for disclosure
counsel and issuer counsel services. Deadline for submissions
is August 28, 2003.

Copies of the RFP documents may be obtained by contacting:
Program Administrator, (850)878-1874 or via email:
gamsgrp@tfn.net.

**FLORIDA DEVELOPMENTAL DISABILITIES
COUNCIL**

Invitation to Negotiate (ITN)

The Florida Developmental Disabilities Council (FDDC)
announces the availability an Invitation to Negotiate (ITN).
Copies of the ITN can be downloaded from the FDDC website
(www.fddc.org) or copies may be requested by writing or
calling: FDDC, 124 Marriott Drive, Suite 203, Tallahassee,
Florida 32301, (850)488-4180 or Toll Free 1(800)580-7801 or
TDD toll free 1(888)488-8633. Register for electronic (email)
notice of future FDDC ITNs or RFPs by going to the website

(www.fddc.org) and click on the "RFP/ITN" button near the
top of the page. Then, click on the "Sign up" line and follow
the instructions.

The Consumers and Families Leadership Development
Assistance ITN 2003-IP-1000 is being issued by the Council to
provide Floridians with developmental disabilities and family
members residing in Florida with funds to participate in
conferences, training events, public forums, focus groups,
committees, task forces, hearings and other similar activities
when they can obtain information, become aware of effective
practices, learn about laws, policies and issues, receive training
and technical assistance, develop leadership and other needed
skills to participate more meaningfully in decisions that affect
their lives. The amount of funds available for this ITN will be
approximately \$75,000.

The deadline for submitting written questions for ITN
2003-IP-1000 is 4:00 p.m. on September 12, 2003. The
answers to the written questions will be posted on FDDC
website on or before October 1, 2003. The deadline for
submitting letters of intent is 4:00 p.m., EST on September 26,
2003. The deadline for submitting proposals is 4:00 p.m., EST
on October 20, 2003.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

The Division of Historical Resources announces that it is
soliciting applications for State Grants-in-Aid assistance for
historical museum projects.

A legislative appropriation up to \$1,500,000 could be available
to assist General Operating Support and Public Educational
Exhibit activities.

Solicitation begins Wednesday, October 1, 2003.

The deadline for filing applications is Monday, December 15,
2003. Applications must be delivered to the Grants Office,
Room B-11, The Old Capitol, 400 South Monroe Street by
5:00 p.m. on that date or be clearly postmarked or show
evidence of submission to an express mail service on or before
that date.

Application forms and more information may be obtained
from: Grants Manager, Bureau of Historical Museums, The
Old Capitol, 400 South Monroe Street, Tallahassee, Florida
32399-0250, (850)487-1902.

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, Indian Motorcycle Corporation, intends to allow the establishment of Tombstone Cycles, Inc. d/b/a Indian Motorcycle Daytona Beach, as a dealership for the sale of Indian motorcycles, at 812 W. International Speedway, Daytona Beach (Volusia County), Florida 32114, on or after February 15, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Indian Motorcycle Corporation. are dealer operator(s) and principal investor(s): Fred Campagnuolo, 812 W. International Speedway, Daytona Beach, FL 32114.

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: Gary Busch, Director, Dealer Development, Indian Motorcycle Corporation, 200 East Tenth Street, Gilroy, CA 95020.

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

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

Pursuant to Section 320.642, Florida Statutes, Mod Cycles Corp. intends to allow the establishment of Refurbished & Liquidation Inc. as a dealership for the sale of Yumbo motorcycles, at 12400 S. W. 128 Street, Ste. 2, Miami (Dade County), Florida 33186, on or after July 21, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Refurbished & Liquidation Inc. are dealer operator(s) and principal investor(s): Leudes Rodriguez, 12400 S. W. 128 Street, Miami, FL 33186.

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: Raul Romero, Jr., Sales Manager, Mod Cycles Corp., 7547 N. W. 52nd Street, Miami, FL 33166.

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

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

Pursuant to Section 320.642, Florida Statutes, American Suzuki Motor Corporation intends to allow the establishment of City Automotive-Avenues, Inc. as a dealership for the sale of Suzuki automobiles at 11790 Phillips Highway, Jacksonville, (Duval County), Florida 32202, on or after May 1, 2004.

The name and address of the dealer operator(s) and principal investor(s) of City Automotive-Avenues, Inc. are dealer operator(s): John Galeani, 11790 Phillips Highway, Jacksonville, FL 32202; principal investor(s): William Bresnan, John Galeani, Paul Gislason, Jeffrey Demond and Patrick Bresnan, 11790 Phillips Highway, Jacksonville, FL 32202.

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: Chris White, National Dealer Development Manager, American Suzuki Motor Corporation, 3251 E. Imperial Hwy., P. O. Box 1100, Brea, California 92822-1100.

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

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

Pursuant to Section 320.642, Florida Statutes, American Suzuki Motor Corporation intends to allow the establishment of K&O Ventures, Inc., d/b/a Atlantic Suzuki as a dealership for the sale of Suzuki automobiles at 10384 Atlantic Blvd., Jacksonville, (Duval County), Florida 32225, on or after August 1, 2003.

The name and address of the dealer operator(s) and principal investor(s) of K&O Ventures, Inc. d/b/a Atlantic Suzuki. are dealer operator(s): Pete Kirill, 10384 Atlantic Blvd., Jacksonville, FL 32225; principal investor(s): Pete Kirill, Mark O'Steen and Jason Burhyte, 10384 Atlantic Blvd., Jacksonville, FL 32225.

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: Chris White, National Dealer Development Manager, American Suzuki Motor Corporation, 3251 E. Imperial Hwy., P. O. Box 1100, Brea, California 92822-1100.

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.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

Notice of Availability of Grant Funds

The Northwest Florida Water Management District (District) announces the availability of funds under its Florida Forever Competitive Grant Program for capital improvement projects meeting the objectives of The Florida Forever Act (Section 259.105, Florida Statutes) and the Florida Forever Water Management District Work Plan (Section 373.199, Florida Statutes).

The goal of this grant program is to support water resource management efforts that improve water quality, in particular, but also those that implement stormwater improvements, restore natural systems with water resources value, promote flood protection, demonstrate Best Management Practices (BMPs), or implement water reuse.

The District seeks proposals from government entities within the jurisdiction of the Northwest Florida Water Management District's 16-county area for cooperative or cost-share capital improvement projects that can be completed within one year of grant agreement execution. Applications must be received at District Headquarters by 3:00 p.m., EDT on Friday September 19, 2003.

The full text of this notice, the application form, and additional information can be found on the District's homepage at <http://www.state.fl.us/nwfwmd/> under the link titled "Grant Program Application Form." Printed or electronic copies (on CD) of the application form and grant program information are available upon request.

For more information call: Tyler Macmillan, Paul Thorpe or Jeff Bonekemper at (850)539-5999 or 1(800)913-1518.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for inpatient hospitals participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for inpatient hospitals, the Agency is publishing the final rates, the methodologies underlying the establishment of such rates, and justifications for the final rates. The Agency is in the process of amending its Title XIX Inpatient Hospital Reimbursement Plan (The Plan) to incorporate changes to the reimbursement methodology.

FINAL RATES: Effective July 1, 2003, the final rates for Medicaid inpatient hospitals will be rates resulting from the current methodology used to calculate per diems rates including the following appropriations from the 2003-04 General Appropriations Act, Senate Bill 2A, Specific Appropriation 169.

1. \$46,499,136 is provided for special Medicaid payments to statutory teaching hospitals, family practice teaching hospitals as defined in s. 395.805, Florida Statutes, hospitals providing primary care to low-income individuals, hospitals operating as designated or provisional trauma centers, and rural hospitals. Statutory teaching hospitals that qualify for the Graduate Medical Education Disproportionate Share (DSH) Hospital Program shall be paid \$12,203,921 distributed in the same proportion as Graduate Medical Education DSH payments. Family practice teaching hospitals shall be paid \$2,097,794 distributed equally between the hospitals. Hospitals providing primary care to low-income individuals and participating in the Primary Care DSH program shall be paid \$12,203,921 distributed in the same proportion as the Primary Care DSH payments. Hospitals, which are designated or provisional trauma centers, shall be paid \$11,610,000. Of this amount, \$4,590,000 shall be distributed equally between hospitals which are a Level I trauma center; \$4,500,000 shall be distributed equally between hospitals which are either a Level II or Pediatric trauma center; and \$2,520,000 shall be distributed equally between hospitals which are both a Level II and Pediatric trauma center. Rural hospitals participating in the Rural Hospital DSH program shall be paid \$8,383,500 distributed in the same proportion as the DSH payments.

2. \$15,498,938 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total adjusted hospital days, equals or exceeds 11 percent. The Agency shall use the average of the 1997, 1998 and 1999 audited DSH data available as of March 1, 2003. In the event the Agency does not have the prescribed three years of audited DSH data for a hospital, the Agency will use the average of the audited DSH data for 1997, 1998 and 1999 that is available. For those hospitals with only one year of audited DSH data, the Agency shall eliminate the inpatient reimbursement ceilings for only those hospitals with 1999 audited DSH data.

3. \$20,111,332 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose Medicaid days as a percentage of total hospital days exceeds 9.6 percent, and are trauma centers. The Agency shall use the average of the 1997, 1998 and 1999 audited DSH data available as of March 1, 2003. In the event the Agency does not have the prescribed three years of audited DSH data for a hospital, the Agency will use the average of the audited DSH data for 1997, 1998 and 1999 that is available.

4. \$85,306,178 is provided to make special Medicaid payments to hospitals that serve as a safety net in providing emergency and inpatient care to low-income and indigent individuals. These amounts shall be paid to the following:

Hospital	2003-04 SMP
Jackson Memorial Hospital	\$3,322,365
University Medical Center – Shands	\$43,920,631
All Children’s Hospital	\$6,154,745
Shands Teaching Hospital	\$684,224
St. Mary’s Hospital	\$51,222
Miami Children’s Hospital	\$5,400,230
Tampa General Hospital	\$13,414,213
Orlando Regional Medical Center	\$3,291,219
Lee Memorial Hospital/CMS	\$950,000
Broward General Medical Center	\$330,366
Tallahassee Memorial Healthcare	\$54,402
St. Joseph’s Hospital	\$52,835
Florida Hospital	\$55,072
Baptist Hospital of Pensacola	\$450,000
Mt. Sinai Medical Center	\$7,174,654

5. \$14,884,011 is provided to make special Medicaid payments to the statutory teaching hospitals. These payments shall be used by the teaching hospitals in collaboration with the Department of Health and the Area Health Education Centers to enhance medical education programs.

6. \$138,120,624 is provided to eliminate the inpatient reimbursement ceilings for teaching, specialty and Community Hospital Education Program hospitals.

7. \$5,430,912 is provided to make special Medicaid payments to hospitals. These payments shall be used to reimburse approved liver transplant facilities a global fee for providing transplant services to Medicaid recipients.

8. \$4,868,549 is provided to make special Medicaid payments to hospitals. These payments shall be used by the hospitals in collaboration with the Department of Health and Federally Qualified Health Centers to provide primary care services to indigent residents. The special Medicaid payments are contingent upon state funds being provided in 2003-04 General Appropriations Act, Specific Appropriation 586B.

9. \$354,468,508 is provided for special Medicaid payments to hospitals providing enhanced services to low-income individuals.

10. A delay in the July 1, 2003 price level increase until October 1, 2003.

11. For Disproportionate Share (DSH) hospital programs, a revision to the formula used to pay disproportionate share dollars to state mental health hospitals and public hospitals (non-state government owned or operated hospitals with less than 3,300 Medicaid days and for non-state government owned or operated hospitals with more than 3,300 Medicaid days).

12. A provision limiting the period of time an audited cost report may be reopened.

13. Disproportionate Share (DSH) appropriations for 2003-04 will replace DSH appropriations for 2002-03.

14. Revisions to the disproportionate share (DSH) formulas to reflect the recommendations of the DSH Task Force. Senate Bill 22-A adopts the 2002-03 DSH formulas for future use and deletes prior formula language from statute.

15. The agency shall provide a preliminary estimate of the payments under the rural disproportionate share and financial assistance programs to the rural hospitals by August 31 of each state fiscal year for review. Each rural hospital shall have 30 days to review the preliminary estimates of payments and report any errors to the agency. The agency shall make any corrections deemed necessary and compute the rural disproportionate share and financial assistance program payments.

16. The distribution of regional perinatal intensive care centers (RPICC) DSH will be based on prior state fiscal year payments and not disproportionate share data.

17. The distribution of primary care DSH will be based on prior state fiscal year payments and not disproportionate share data.

METHODOLOGIES: The methodology underlying the establishment of the final rates for Medicaid inpatient hospitals will be rates resulting from the current methodology used to calculate per diems including the amounts appropriated in the 2003-04 General Appropriations Act, Senate Bill 2-A, Specific Appropriation 169 and Senate Bill 22-A, Health Care, 2003-04 Florida Legislature.

JUSTIFICATION: The justification for the final state plan amendment is the 2003-04 General Appropriations Act, Senate Bill 2-A, Specific Appropriation 169 and Senate Bill 22-A, Health Care.

The Agency is proposing the above rates and changes in reimbursement, effective July 1, 2003. Providers, beneficiaries and their representatives, and other concerned State residents may provide written comment on the final rates, methodologies and justification underlying the establishment of such rates. Written comments may be submitted to: Robert Butler, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308.

Copies of the final reimbursement plan incorporating the above changes are not available at this time. Please contact the person listed above for a copy of the Plan when available.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, announces it will be accepting applications for inclusion in the drawing for new quota liquor licenses beginning AUGUST 18, 2003 and continuing through NOVEMBER 15, 2003 for the following counties and amounts: ALACHUA (1), BREVARD (1), BROWARD (2), CITRUS (1), CLAY (1), COLLIER (2),

DADE (3), DUVAL (1), FLAGLER (1), GADSDEN (1), HERNANDO (1), HIGHLANDS (1), HILLSBOROUGH (4), INDIAN RIVER (1), LEE (2), LEON (1), MANATEE (1), MARION (1), MARTIN (1), ORANGE (3), OSCEOLA (2), PALM BEACH (4), PASCO (1), ST. JOHNS (1), ST. LUCIE (1), SARASOTA (1), SEMINOLE (1), SUMTER (1), VOLUSIA (1).

All interested persons should contact the Division's district office serving their area of interest.

Further information may be obtained by going to MyFlorida.com on the Internet or by calling (850)488-8284 or writing to: Division of Alcoholic Beverages and Tobacco, Bureau of Licensing and Records, New Quota License Drawing, 1940 North Monroe Street, Tallahassee, FL 32399-1021.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted the following policy for review and comment and the final draft and matrix of comments of a second policy on MyFlorida.com at:

<http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>.

Electronic Mail (E-Mail) Access and Use (department-wide policy type A) – sets forth the department's policy with regard to use of, access to, and disclosure of electronic mail to assist in ensuring that the Department resources serve those purposes. This is the only posting of this policy for a 20 working day review and comment period.

Administrative Health Service Components (department-wide policy type B) – this is final posting of this policy along with the matrix of comments from the second posting. No further comments will be taken on this policy.

Department staff should submit comments regarding the first policy listed to the contact person identified on the above Website. The closure date for submission of comments on this policy is August 28, 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

On August 1, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Restriction with regard to the license of Nancy F. Pili, R.N., license number RN 2905692. This Emergency Restriction Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 1, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Seth Mahler, R.Ph., license number 17274. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 1, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Julirs Seiler, R.Ph., license number 19835. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 1, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Jason Villano, R.Ph., license number 34242. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 1, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Theodore Racciatti, D.O., license number OS 1874. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 1, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Medicine Cabinet, Inc. d/b/a/The Drug Store, license number PH 13733. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 1, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Desmar Pharmacy, Inc., d/b/a/The Plantation Chemist, license number PH 18574. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 1, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Mara Pharmacy, Inc., d/b/a/ United Prescription Center, license number PH 9038. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Department of Children and Family Services has conducted a survey to determine the need for new medication (methadone) treatment service providers, pursuant to Section 397.427, Florida Statutes, and administrative rules adopted thereunder. The specific service to be added is outpatient methadone maintenance treatment. The results of the survey indicate that the need for additional outpatient methadone maintenance treatment has been established in the following Department of Children and Family Services districts:

District 15 and District 3

Prospective applicants for a license to operate outpatient methadone maintenance treatment in District 15 and District 3 may direct requests for an application for a license to the following:

District 15

Department of Children and Family Services
Alcohol, Drug Abuse, and Mental Health Program Office
Fort Pierce Regional Service Center
337 North 4th Street, Suite A
Fort Pierce, Florida 34950-4206
Attention: George Woodley, Ph.D.
Telephone: (561)467-3852

District 3

Department of Children and Family Services
Alcohol, Drug Abuse, and Mental Health Program Office
P. O. Box 390
Gainesville, Florida 32602-0390
Physical Address (see below):
1621 N. E. Waldo Road
Gainesville, Florida 32609
Attention: Bev J. White
Telephone: (352)955-5053

Applications for a license will be subject to review by the respective districts and rated in accordance with specific criteria established for that purpose.

The closing date for submitting applications for a license to District 15 and District 3 is Friday, October 17, 2003, 5:00 p.m., Eastern Standard Time.

Copies of the assessment report may be obtained from:

Department of Children and Family Services
Substance Abuse Program
1317 Winewood Boulevard
Building 6, Room 306
Tallahassee, Florida 32399-0700
Telephone: (850)488-9210
Attention: Phil Emenheiser

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN July 28, 2003
 and August 1, 2003**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION

University of West Florida

6C6-4.008	7/29/03	8/18/03	Newspaper	
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University of North Florida

6C9-6.1001	8/1/03	8/21/03	Newspaper	
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DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

9B-3.054	8/1/03	8/21/03	29/13	29/25
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DEPARTMENT OF CITRUS

20-34.005	7/30/03	8/19/03	29/21	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Construction Industry Licensing Board

61G4-17.002	7/31/03	8/20/03	29/24	
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Board of Professional Surveyors and Mappers

61G17-5.0041	7/29/03	8/18/03	29/10	29/22
61G17-5.0043	7/29/03	8/18/03	29/10	29/22
61G17-5.0044	7/29/03	8/18/03	29/10	29/22
61G17-5.0051	7/29/03	8/18/03	29/10	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Florida Building Code Administrators and Inspector

61G19-6.008	7/28/03	8/17/03	28/48	29/16
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DEPARTMENT OF HEALTH

Board of Medicine

64B8-8.001	7/31/03	8/20/03	29/26	
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Board of Optometry

64B13-5.002	7/30/03	8/19/03	28/49	29/27
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**DEPARTMENT OF CHILDREN AND FAMILY
 SERVICES**

Family Safety and Preservation Program

65C-16.001	7/30/03	8/19/03	29/17	29/27
65C-16.002	7/30/03	8/19/03	29/17	29/27
65C-16.003	7/30/03	8/19/03	29/17	
65C-16.004	7/30/03	8/19/03	29/17	29/27
65C-16.005	7/30/03	8/19/03	29/17	29/27
65C-16.007	7/30/03	8/19/03	29/17	
65C-16.008	7/30/03	8/19/03	29/17	29/27
65C-16.009	7/30/03	8/19/03	29/17	
65C-16.010	7/30/03	8/19/03	29/17	
65C-16.011	7/30/03	8/19/03	29/17	
65C-16.012	7/30/03	8/19/03	29/17	29/27
65C-16.013	7/30/03	8/19/03	29/17	
65C-16.014	7/30/03	8/19/03	29/17	
65C-16.015	7/30/03	8/19/03	29/17	
65C-16.016	7/30/03	8/19/03	29/17	
65C-16.017	7/30/03	8/19/03	29/17	29/27