

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLE: Financial Reporting Requirements – Statement of Financial Condition – Dealers and Investment Advisers
 RULE NO.: 3E-600.015

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The purpose of the proposed rulemaking workshop is to develop guidelines for when the thirty (30) day extension referenced in subpart (2)(a) of Rule 3E-600.015, F.A.C., is to be granted.

SPECIFIC AUTHORITY: 517.03(1), 517.12(9), 517.121(2) FS.

LAW IMPLEMENTED: 517.12(9), 517.121(2) FS.

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

TIME AND DATE: 1:30 p.m., Wednesday, November 12, 2003

PLACE: Office of Financial Regulation, Sixth Floor, Conference Room, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill Reilly, Financial Administrator, Division of Securities, 200 East Gaines Street, Fletcher Building, Suite 604, Tallahassee, Florida 32399-0350, (850)410-9805

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER TITLE: Pesticides
 RULE CHAPTER NO.: 5E-2

RULE TITLE: Organo-Auxin Herbicides: Restrictions and Prohibitions
 RULE NO.: 5E-2.033

PURPOSE AND EFFECT: The purpose of the rule amendment is to further qualify the restrictions placed on the use of the organo-auxin herbicide 2,4D registered in the State of Florida, providing an exemption covering its use according to label instructions as a plant growth regulator in dosages substantially less than for herbicidal use.

SUBJECT AREA TO BE ADDRESSED: The use of 2,4D compounds in the state of Florida.

SPECIFIC AUTHORITY: 570.07(16)(b), 570.07(23) FS.

LAW IMPLEMENTED: 487.031(10), 487.031(13)(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: 8:00 a.m., November 21, 2003

PLACE: AES, Conference Room, 3125 Conner Blvd., Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Dale Dubberly, Department of Agriculture and Consumer Services, 3125 Conner Blvd., Tallahassee, FL 32399-1650

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-2.033 Organo-Auxin Herbicides: Restrictions and Prohibitions.

(1) through (8) No change.

(9) The application of low volatility 2,4D compounds registered in the State of Florida in accordance with label instructions for use as a growth regulator in small dosages substantially less than for herbicidal use is not subject to the use regulations and restrictions set forth in subsections (3), (4), and (5) of this rule but is subject to the record keeping requirements in subsection (6) and label instructions must be followed.

Specific Authority 487.051(4), 487.154, 570.07(16)(b), 570.07(23) FS. Law Implemented 487.031(10), 487.031(13)(e) FS. History–New 2-4-86, Amended 7-10-89, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLES: Standards of National Fire Protection
 RULE NOS.: Association Adopted 5F-11.002

Out of Service Account Procedure 5F-11.043

Out-of-Gas, Leak Call, and Interrupted Service Procedure 5F-11.044

Installation of Unvented Room Heaters 5F-11.050

PURPOSE AND EFFECT: The purpose of this rule is to adopt the most current edition of the National Fire Protection Association Standard 54, the National Fuel Gas Code. Also, this rule updates references to specific code sections within other rules in this chapter.

SUBJECT AREA TO BE ADDRESSED: This rule addresses the adoption of National Fire Protection Association Standard 54, the National Fuel Gas Code.

SPECIFIC AUTHORITY: 527.06 FS.

LAW IMPLEMENTED: 527.06 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS Vicki O'Neil, Bureau Chief of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, Florida 32314-1650, (850)921-8001

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-11.002 Standards of National Fire Protection Association Adopted.

(1) The standards of the National Fire Protection Association for the storage and handling of liquefied petroleum gases as published in NFPA No. 58, LP-Gas Code 2001 edition, and for gas appliances and gas piping as published in NFPA No. 54, ~~American National Standard~~ National Fuel Gas Code, 2002 ~~1999~~ edition, shall be the accepted standards for this state, subject to such additions and exceptions as are set forth in these rules. Reference to NFPA 58 and NFPA 54 in these rules shall be to the most recent edition as adopted herein.

(a) Section 3.2.10 of NFPA 58, 2001 edition, titled "Installation of Containers on Roofs," is hereby excluded from adoption.

(b) Each of the NFPA publications listed in subsection (1) above is incorporated by reference in each rule within this rule chapter in which referenced is made to the publication. In each instance, the publication becomes a part of the rule, in the entirety of the publication, or in part thereof, as the rule provides or the context of the rule may require.

(2) "NFPA" is the recognized abbreviation for the National Fire Protection Association, Inc., and generally the abbreviation is used in these rules in identifying the publications of the association. The public may obtain a copy of any NFPA publication by writing the association, whose address is: National Fire Protection Association, Inc., Batterymarch Park, Quincy, Massachusetts 02269.

Specific Authority 527.06 FS. Law Implemented 527.06 FS. History--New 8-7-80, Formerly 4A-1.01, Amended 7-18-85, Formerly 4B-1.01, Amended 10-8-86, 2-6-90, 8-9-92, Formerly 4B-1.001, Amended 7-20-95, 7-23-97, 6-8-99, 5-23-00, 9-2-02, _____.

5F-11.043 Out of Service Account Procedure.

(1) All licensed suppliers of LP gas shall:

(a) Identify those accounts where stationary, company-owned tanks with a 100 gallon or more container capacity have been out of service for a period of 12 months, and within 60 days, initiate appropriate container abandonment procedures pursuant to Section 3-2.9.1(f) of NFPA 58. Alternatively, licensed suppliers may provide for the safe removal of the container or containers, install a suitable

mechanical device that prevents the system from being activated or have a pressure leak safety check pursuant to Annex Appendix D of NFPA 54 performed every 12 months. The supplier shall provide reasonable notice to the customer prior to initiating such procedures.

(b) In the event an account is reactivated, the supplier shall perform an appropriate pressure leak safety check. Each supplier shall maintain records of such inactive accounts suitable for inspection by the Department.

(2) All consumers, end users or owners of LP gas containers shall:

(a) Within 60 days initiate the safety procedures outlined in subparagraph (1)(a) above, for any stationary LP gas tank with a 100 gallon or more container capacity which has not been in use for a period of 12 months.

(b) Alternatively, have a prescribed pressure leak safety check performed annually by licensed, qualified personnel.

Specific Authority 527.06 FS. Law Implemented 527.06 FS. History--New 7-23-86, Amended 2-6-90, Formerly 5F-11.044, Amended 4-30-96, 9-2-02, _____.

5F-11.044 Out-of-Gas, Leak Call, and Interrupted Service Procedure.

(1) Prior to filling an LP gas container in an out-of-gas situation, a licensed supplier of LP gas shall:

(a) Close all container valves.

(b) If practical, physically check all appliances and appliance outlets to be certain they are closed and check for evidence of appliance changes and open or uncapped lines.

(c) If the customer is not present or appliances are inaccessible, close container(s) valves and provide ~~adequate~~ adequate written notice to the customer of the work done and advising the customer to contact the supplier for relighting of appliances. ~~Written notice as provided in NPGA #102-91, which is hereby incorporated by reference, shall be deemed adequate.~~

(d) Fill container(s) or replace safely with filled container(s).

(e) If access is possible, put all appliances back in service, making certain all pilots are properly lighted.

(f) An LP gas serviceman may, subsequent to the filling of an LP gas container in an out-of-gas situation, perform the safety procedures required in subsections (b), (c) and (e) above.

(2) If reason exists to suspect LP gas leakage, an LP gas license holder or its employee shall:

(a) Check for leakage by performing an appropriate leak test pursuant to Annex Appendix D of NFPA 54 as adopted in Rule 5F-11.002, F.A.C.

(b) Make necessary repairs or leave system in a safe condition.

(c) After repairs are made, place the system back into service, pursuant to Section 4.2, NFPA 54 as adopted in Rule 5F-11.002, F.A.C.

(3) In instances involving the interruption of gas supply to a system, the following procedures shall be followed:

(a) The LP gas license holder or its employee shall check for leakage of the affected areas of the system in accordance with Chapter 4 of NFPA 54 as adopted in Rule 5F-11.002, F.A.C.

(b) A leak test of the system as prescribed in Annex Appendix D of NFPA 54 as adopted in Rule 5F-11.002, F.A.C. must be performed prior to placing the system back into service.

(c) A leak test as prescribed in Annex Appendix D of NFPA 54 as adopted in Rule 5F-11.002, F.A.C. shall not be required where the LP gas license holder or its employee has caused the interruption of the gas supply to the system for the purpose of minor repairs to the system, and where the license holder or its employee remains on the system site and monitors the system during the service. However, the repairs shall be leak tested by means of an approved combustible gas detector or a leak detector solution.

Specific Authority 527.06 FS. Law Implemented 527.06 FS. History—New 7-23-86. Amended 6-8-88, 2-6-90, 12-31-91. Formerly 4B-1.030, Amended

5F-11.050 Installation of Unvented Room Heaters.

The following exceptions to the requirements of Section 9.23 6.24 of NFPA 54, ~~1999 edition~~, are adopted with regard to the installation of unvented room heaters:

(1) One listed, wall-mounted, unvented room heater, equipped with an oxygen depletion safety shutoff system may be installed in a bathroom, provided that the input rating shall not exceed 6000 BTU per hour and combustion and ventilation air are provided as specified in by Section 6-1(b) of NFPA 54.

(2) One listed, wall-mounted, unvented room heater equipped with an oxygen depletion safety shutoff system may be installed in a bedroom, provided that the input rating shall not exceed 10,000 BTU per hour and combustion and ventilation air are provided as specified in by Section 6-1(b) of NFPA 54.

Specific Authority 527.06 FS. Law Implemented 527.06 FS. History—New 1-24-95, Amended

DEPARTMENT OF EDUCATION

State Board of Education

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Reemployment Services	6A-22
RULE TITLES:	RULE NOS.:
Definitions	6A-22.001
Rehabilitation Provider Qualifications	6A-22.002
Reemployment Status Review	6A-22.003
Reemployment Assessments	6A-22.0031
Notice Requirements	6A-22.004

Carrier Referrals for Services	6A-22.005
Screening Process	6A-22.006
Vocational Evaluations	6A-22.007
Reemployment Services and Programs	6A-22.008
Employee Responsibilities	6A-22.009
Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier Responsibilities	6A-22.010
List of Forms	6A-22.011
Expenditures from the Workers' Compensation Administration Trust Fund	6A-22.012

PURPOSE AND EFFECT: The changes being proposed are to clarify various issues that have arisen since the last rule revision of this chapter, and to expand the definition of those who may be a qualified rehabilitation provider. Lists documentation required for reemployment assessments. Citations to educational programs are corrected. Rehabilitation services provided by a rehabilitation company, and who may provide those services, is clarified. The trial work period is eliminated. Registered Nurses who are also Certified Case Managers would be allowed to be qualified rehabilitation providers. The identity of applicants for services would be documented.

SUBJECT AREA TO BE ADDRESSED: Reemployment Assessments under Section 440.491(4), F.S., Training and education under Section 440.491(6), F.S. and provider qualifications under Section 440.491(7), F.S.

SPECIFIC AUTHORITY: 440.491(4), 440.491(6), 440.491(7) FS.

LAW IMPLEMENTED: 440.491(4), 440.491(6), 440.491(7) 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: Larry D. Wood, Chief Operating Officer, Department of Education, 325 West Gaines Street, Suite 1514, Turlington Bldg., Tallahassee, Florida, (850)245-0505

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-22.001 Definitions.

(1) "Cooperative working agreement" means a written contractual agreement between the Department and a qualified rehabilitation provider or a public or private agency to provide comprehensive reemployment services such as on-the-job training development, job placement and follow up.

(2) "Customary residence" is the injured employee's place of permanent residence.

(3) "Customary vicinity" is the distance traveled by the injured employee from his customary residence to his place of employment at the time of injury.

(4) "Education program" means a formal course of study or a certificate program in a training and education facility, agency or institution operating under Chapters 1004, Parts II, III, and IV, 1005, 239, Part II, 240, Parts II and III or 246, F.S., or a career and technical education program defined in Chapter 1003.01(4)(c) ~~228.041(22)(e)~~, F.S. (2002 ~~1997~~), which states: "At the post secondary education level, courses of study that provide ~~vocational~~ competencies needed for entry into specific occupations or for advancement within an occupation." Outside of the State of Florida, an education program shall be approved as governed by comparable statutes of that state.

(5) "Ergonomic job analysis" is the objective study of the relationship among job demands, environmental conditions and human functional characteristics.

(6) "Good cause" is termination resulting from employee conduct:

(a) Evincing such willful or wanton disregard of an employer's interests as is found in deliberate violation or disregard of standards of behavior which the employer has the right to expect of his employee; or

(b) Carelessness or negligence of such a degree or recurrence as to manifest culpability, wrongful intent, or evil design, or to show an intentional and substantial disregard of an employer's interests or of the employee's duties and obligations to his employer.

(7) "Individualized written rehabilitation program" (IWRP) is an individualized written rehabilitation program as defined in the Rehabilitation Act of 1973, 29 U.S.C. §§ 701, et seq.

(8) "Labor market" means an area not to exceed a 50 mile radius of the injured employee's customary vicinity.

(9) "On-the-job training (OJT) contractor" is a qualified rehabilitation provider or employee of a public or private agency which has entered into a cooperative working agreement with the Department for the provision of on-the-job development and follow-up services.

(10) "On-the-job training (OJT) contract" is a contract between an employer, injured employee and the Department in which an employer agrees to hire an injured employee subject to the same working conditions and benefits as all other similarly situated employees. Pursuant to the contract, the employer shall provide training and adequate supervision to enable the injured employee to achieve predetermined competencies to ensure a return to suitable gainful employment with the contract employer at the end of the contract period.

(11) "Rehabilitation Company" means a business entity such as a corporation, or partnership, ~~or sole proprietorship~~ which employs or contracts to provide services pursuant to Section 440.491, F.S. All services provided by a carrier or a rehabilitation company under Section 440.491, Florida

Statutes, shall be provided only by an individual who is a qualified rehabilitation provider or a facility that is a qualified rehabilitation provider. Neither the employment status of the person providing the services, nor the main method of communication in providing the services negates the statutory requirement that a person providing such services must be a qualified rehabilitation provider.

(12) "Rehabilitation Facility" means an institution or agency accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF) for a specific vocational rehabilitation program.

(13) "Test-site" is a Department approved location that may be inspected by the Department, to be used by a qualified rehabilitation provider for vocational evaluation and assessment services.

~~(14) "Trial period of reemployment" is a period of employment to validate whether an injured employee who has been determined to be permanently and totally disabled has been rehabilitated to the extent that he has reestablished an earning capacity.~~

~~(14)(15)~~ "Vocational evaluator" is a qualified individual employed by the Department or who holds the designation of a certified vocational evaluator and is approved by the Department to perform vocational evaluations.

~~(15)(16)~~ "Vocational specialist" means an individual who possesses:

(a) A master's degree in vocational rehabilitation (counseling, evaluation, adjustment); or

(b) Is certified by the Commission on Rehabilitation Counselor Certification, or by the Commission on Certification of Work Adjustment and Vocational Evaluation Specialists; and

(c) Is employed by a CARF-accredited facility.

Specific Authority 440.491(5),(6),(7),(8) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 2-9-00, 6-26-01, Formerly 38F-55.001, Amended _____.

6A-22.002 Rehabilitation Provider Qualifications.

(1) The Department shall approve qualified rehabilitation providers who submit proof of meeting the following requirements:

(a) Rehabilitation nurse:

1. A current Florida license as a registered professional nurse, and

2. A current C.R.R.N. certificate as a Certified Rehabilitation Registered Nurse from the Association of Rehabilitation Nurses, or

3. A current C.O.H.N. certificate as a Certified Occupational Health Nurse from the American Board for Occupational Health Nurses, or

4. A current C.R.C. certificate as a Certified Rehabilitation Counselor from the Commission on Rehabilitation Counselor Certification, or

5. A current C.D.M.S. certificate as a Certified Disability Management Specialist from the Certification of Disability Management Specialists Commission, or-

6. A current C.C.M. certificate as a Certified Case Manager from the Commission for Case Management Certification.

(b) Rehabilitation counselor:

1. A current C.R.C. certificate as a Certified Rehabilitation Counselor from the Commission on Rehabilitation Counselor Certification, or

2. A current C.D.M.S. certificate as a Certified Disability Management Specialist from the Certification of Disability Management Specialists Commission.

(c) Vocational evaluator: A current C.V.E. certificate as a Certified Vocational Evaluator from the Commission on Certification of Work Adjustment and Vocational Evaluation Specialists.

(d) Facilities, other than hospitals:

1. Current accreditation by CARF in a specific vocational rehabilitation program in which the facility will provide services, and

2. Designation on the application of the qualified rehabilitation counselor or vocational specialist who will be a member of the core team to provide services to injured employees.

(e) Companies:

1. Employ only qualified rehabilitation providers for the purpose of providing all services under Section 440.491, Florida Statutes and are,

2. Incorporated under Chapters 607 and 617, F.S., or are a partnership under Chapter 620, F.S.

3. Submit a non-refundable \$25.00 biennial renewal fee, and a signed, typed and completed qualified rehabilitation provider application on form DWC-96, which is incorporated by reference into this rule, for each business address providing any services under Section 440.491, Florida Statutes.

(2) Applicants applying for renewal shall submit a non-refundable \$25.00 biennial renewal fee, and a signed, typed and completed qualified rehabilitation provider application on form DWC-96, ~~which is incorporated by reference into this rule,~~ and a copy of current certification and applicable licensure.

(a) Attendance at a Department sponsored or approved qualified rehabilitation provider workshop is required before the initial application and also before each renewal.

(b) An applicant for initial listing in the directory or an applicant whose qualified rehabilitation provider number has expired shall not provide services to injured employees until notification of an assigned provider number or renewal is received from the Department.

(3) Each applicant shall submit a signed, typed and completed form DWC-96, proof of attendance at a Department sponsored or approved qualified rehabilitation provider workshop, and a non-refundable check or money order in the amount of \$25.00 payable to Workers' Compensation Administrative Trust Fund to the Department of Education, Bureau of Rehabilitation and Reemployment Services, Provider Relations Section, 2728 Centerview Drive, 101A Forrest Building, Tallahassee, Florida 32399-~~0400664~~. Illegible or unsigned applications and applications submitted without the application fee shall be returned. Facilities and companies must attach to this application a listing of all individuals listed in the directory as qualified rehabilitation providers who provide services under Section 440.491, Florida Statutes for the facility or company.

(4) Department approval of a qualified rehabilitation provider, facility or company shall be revoked for a period of six (6) months for one or more of the following:

(a) Revocation of credentials or certification by the applicable certification or credentialing board.

(b) Misrepresentation of credentials or certification.

(c) Allowing a non-qualified rehabilitation provider to report and bill for services using an individual's, company's and or facility's qualified rehabilitation provider number.

(5) Employees of the Department, other public agencies and private agencies receiving federal or state funds to provide reemployment services are exempt from the requirements of subsections 6A-22.002(2) and (3), F.A.C.

Specific Authority 440.491(7) FS. Law Implemented 440.491(7) FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.002, Amended _____.

6A-22.003 Reemployment Status Review.

(1) The carrier shall conduct a reemployment status review by completing a reemployment status review form on the DWC-22, which is incorporated by reference in Rule 6A-22.011, F.A.C.

(2) The carrier shall complete form DWC-22 within 15 days of the reporting requirement deadlines set forth in Section 440.491(3)(a), F.S., and

(a) Shall retain a copy in the carrier's file, and

(b) Shall submit form DWC-22 to the Department within 15 business days of completion.

Specific Authority 440.491(3),(5),(6),(8) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.005, Repromulgated _____.

6A-22.0031 Reemployment Assessments.

(1) Reemployment assessments shall include documentation of the following:

(a) From the injured employee:

1. Discussion of the injured employee's understanding of their injury, treatment and prognosis.

2. Description of the injured employees job duties, including physical demands.

3. Discussion about accommodations that might allow the injured employee to return to work.

4. The injured employee's work history.

5. Factors that would impede the injured employee's ability to return to work, and

6. Results of any vocational, interest, academic, psychological or other testing if conducted with the injured employee.

(b) From the employer:

1. Discussion of the injured employee's job of injury, including a job description with the essential functions and physical demands of the job.

2. Discussion about the ability to return the injured employee to work in either the same job, modified job or different job, and

3. Discussion of possible accommodations that could allow the injured employee to return to work in either the same job, modified job or different job.

(c) From the Health Care Provider(s):

1. Discussion of the injured employee's diagnosis and prognosis.

2. Discussion of factors that could enhance or impede the healing process.

3. Anticipated release to return-to-work date and anticipated physical limitations, and

4. Anticipated Maximum Medical Improvement date and anticipated permanent physical imitations.

Specific Authority 440.491(1),(4),(8) FS. Law Implemented 440.491 FS. History--New _____.

6A-22.004 Notice Requirements.

(1) If an injured employee remains unemployed 180 days after the date of accident and is receiving compensation, the carrier shall notify the injured employee in writing within 190 days of the date of accident of the availability of a Department screening.

(2) A carrier shall use the following written notice: "Your continuing disability indicates you may be unable to perform the duties of the job held at the time of your work-related injury. If this is correct and you are unable to return to work in any capacity with your current employer or find other employment which would allow you to earn your pre-injury wages, you may be eligible for a screening for reemployment services from the State of Florida, Department of Education. Upon receipt of your request, the Department will assess your case to determine what services are necessary to return you to suitable gainful employment. Reemployment services that you may be eligible for include job seeking skills training, counseling, referrals to other agencies, job market information, transferable skills analysis, job development, job placement, job analysis, job modification, vocational testing, vocational

evaluation, on-the-job training, or formal training and education. Additionally, if you have reached maximum medical improvement, the carrier shall pay temporary total disability benefits for a period up to 26 weeks upon beginning a Department approved retraining program or the carrier may elect to pay temporary partial disability/wage loss benefits if you earn wages as the result of on-the-job training or work while enrolled in a program. An additional 26 weeks may be approved if deemed necessary by the Judge of Compensation Claims. To request a screening, contact your local state Division of Vocational Rehabilitation, Bureau of Rehabilitation and Reemployment Services District Office or the Central Office in Tallahassee at (850)245-3470 ~~488-3431~~ and ask to speak with a staff person in the Reemployment Services Section of the Bureau of Rehabilitation and Reemployment Services." The carrier shall send a copy of this notification to the Bureau of Rehabilitation and Reemployment Services, Department of Education, 101A Forrest Building, 2728 Centerview Drive, Tallahassee, Florida 32399-0400~~0664~~ within ten days of mailing the notification to the injured employee.

Specific Authority 440.491(5),(6),(8) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.006, Amended _____.

6A-22.005 Carrier Referrals for Services.

(1) A carrier may make a referral of an injured employee at anytime to the Department to be considered for the Department provided reemployment services program. The carrier shall make referrals to the Department for reemployment services on a request for screening form DWC-23, which is incorporated by reference in Rule 6A-22.011, F.A.C.

(2) Upon discontinuation of carrier sponsored services pursuant to Section 440.491(5), F.S., the carrier shall make referrals to the Department for reemployment services on a request for screening form DWC-23, which is incorporated by reference in Rule 6A-22.011, F.A.C.

(3) A Form DWC-23 submitted by the carrier to the Department shall not be considered complete until signed by the injured employee.

Specific Authority 440.491(5),(6),(8) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.008, Reprimulgated _____.

6A-22.006 Screening Process.

(1) A request for screening is made using a form DWC-23. Before the Department will consider a request complete and initiate a screening, the injured employee must sign the form DWC-23.

(2) The screening process shall consist of:

(a) A review of all available medical and vocational documentation relevant to the compensable injury to determine whether the injured employee is able to perform the duties of the pre-injury occupation; and

(b) A review of the documentation which supports the payment of temporary partial disability and wage loss benefits to determine the injured employee's inability to obtain suitable gainful employment because of his injury; and

(c) An interview with the injured employee.

(3) The carrier shall provide, within 10 business days of receipt of a request from the Department, any medical, vocational, and other requested documents or reports related to the injured employee's workers' compensation case.

(4) The Department may request the information directly from the authorized treating physician(s), or qualified rehabilitation provider(s), or obtain the services of an expert medical adviser to identify the injured employee's ability to return to work, permanent impairment rating, and permanent work restrictions.

(5) The Department shall not provide any reemployment services, including a vocational evaluation unless the injured employee provides documentation to establish identity and employment eligibility. Such documentation shall be consistent with the acceptable documents for verifying identity and employment eligibility as required by the US Department of Justice, Immigration and Naturalization Service's Employment Eligibility Verification Form I-9.

~~(6)(5)~~ The Department shall not provide a vocational evaluation or any reemployment services when form DWC-23, which is signed by the injured employee, is received by the Department more than one (1) year from the date of last payment of indemnity benefits or the furnishing of remedial treatment, care, or attendance from the employer or carrier.

~~(7)(6)~~ Following a Department screening the Department shall not provide any additional reemployment services or refer the injured employee for a vocational evaluation:

(a) If the injured employee has filed a claim for permanent total disability benefits under Section 440.15(1), F.S., which the carrier has denied, wherein either the injured employee's medical condition or vocational capabilities are in dispute, until such time as an Office of the Judge of Compensation Claims adjudicates the injured employee's claim; or

(b) If the injured employee's medical condition is unresolved or unstable, until such time as the medical condition becomes stable; or

(c) If the injured employee has reached maximum medical improvement and returned to and maintained suitable gainful employment for at least 90 calendar days; or

(d) If the injured employee refuses to accept reemployment services from the Department.

~~(8)(7)~~ The Department shall not refer the injured employee for a vocational evaluation if the injured employee:

(a) Has returned to suitable gainful employment as a result of placement services provided by the Department; or

(b) Has no documented permanent physical restrictions related to the injury; or

(c) Has transferable skills which would allow return to work in suitable gainful employment; or

(d) Was terminated by the employer for good cause unrelated to the injury or any restrictions or limitations resulting therefrom; or

(e) Terminated suitable gainful employment for reasons unrelated to the injury.

Specific Authority 440.491(5),(6),(8) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.009, Amended

6A-22.007 Vocational Evaluations.

(1) The provision of Department sponsored vocational evaluations shall be limited to one per injured employee, per date of accident. Vocational evaluations shall be adapted to the specific needs of an injured employee to insure validity.

(2) The Department shall accept a vocational evaluation only if the vocational evaluation meets the requirements of and contains the information identified in paragraph 6A-22.010(2)(e), F.A.C.

Specific Authority 440.491(5),(6),(8) FS. Law Implemented 440.491 FS. History—New 7-1-96, Formerly 38F-55.010, Repromulgated

6A-22.008 Reemployment Services and Programs.

(1) The Department shall approve sponsorship of reemployment services provided through an on-the-job training program, vocational assessment, job placement or a training and education program when recommended and approved as part of a Department reemployment plan.

(2) The Department will approve and sponsor retraining services if:

(a) The vocational evaluation is completed by a Department approved vocational evaluator, and

(b) The vocational evaluation contains the information identified in paragraph 6A-22.010(2)(e), F.A.C.; and

(c) The vocational evaluation demonstrates that the injured employee:

1. Has no transferable skills which would allow for return to suitable gainful employment with the same employer, same job; same employer, different or modified job; new employer, same job; new employer, modified or different job; or

2. Requires additional Department sponsored reemployment services to enable the injured employee to return to suitable gainful employment.

(3) The Department shall sponsor retraining programs which exceed 52 weeks only when there is no program shorter than 52 weeks which would enable the injured employee to return to suitable gainful employment, the injured employee provides a plan for living expenses during the period in excess of 52 weeks, and one of the following conditions apply:

(a) The injured employee has no formal marketable vocational training and education; or

(b) The injured employee has documented physical restrictions as a result of the injury.

(4) If the Department determines a training program is necessary to return an injured employee to suitable gainful employment, the Department shall have the exclusive right to determine the educational programs and facilities at which to sponsor the injured employee.

(a) Training at private education facilities shall not be approved unless such recommended training is not offered at a public educational facility or provides an overall cost/time savings to the Workers' Compensation System, which can be justified.

(b) Training programs which only accept students from an applicant pool after the students complete a prerequisite curriculum may be approved only if the injured employee presents evidence of acceptance into such program.

(c) Baccalaureate or Graduate level studies may be approved only if the program capitalizes on prior education and/or aptitudes, and

1. The program under consideration firmly establishes marketability toward suitable gainful employment for that injured employee, and

2. The injured employee presents evidence of acceptance into a degree program prior to the Department's Disposition letter of approval, and

3. The program does not exceed the level of a Master's degree.

(5) The Department shall not transfer its sponsorship of reemployment services outside the range of the labor market survey unless a labor market survey for the new area supports the specific recommendation of the vocational evaluation.

(6) The Department shall not sponsor reemployment services if the vocational evaluation does not recommend reemployment services.

Specific Authority 440.491(5),(6) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 2-9-00, 6-26-01, Formerly 38F-55.011, Repromulgated

6A-22.009 Employee Responsibilities.

Upon approval of Department sponsored reemployment services, the injured employee and Department staff shall sign and date a Department and student agreement for sponsorship of training and education form DWC-24, which is incorporated by reference in Rule 6A-22.011, F.A.C.

Specific Authority 440.491(5),(6) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.012, Repromulgated

6A-22.010 Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier Responsibilities.

(1) A qualified rehabilitation provider providing employer or carrier sponsored reemployment services shall:

(a) Submit a properly completed individualized written rehabilitation program within 30 days of referral which specifies the recommended services and associated costs

necessary to return the injured employee to suitable gainful employment, using terminology consistent with Department service code descriptions to the employer or carrier for approval when recommending:

1. Reemployment services as a result of a reemployment assessment, or

2. Three or more counseling sessions, or

3. A vocational evaluation, or

4. A work evaluation, or

5. Training and education, including on-the-job training, or

6. Placement services, or

7. Changes to the initial individualized written rehabilitation program.

(b) Maintain a copy of the properly completed individualized written rehabilitation program in the injured employee's file.

(2) A certified vocational evaluator providing Department sponsored vocational evaluations shall:

(a) Ensure any test site used for Department sponsored vocational evaluations meets the definition of "test site" set forth in subsection 6A-22.001(13), F.A.C.; and

(b) Be responsible for the administration, scoring and interpretation of all testing instruments and work samples used as part of the vocational evaluation process; and

(c) Remove or cure conditions that invalidate test results; and

(d) Provide adaptive evaluation tools or techniques to accommodate any physical or functional disability or language barrier; and

(e) Submit to the Department, within 30 calendar days of Department approval of services, a written report which shall:

1. Include an interpretation of testing instruments and work samples used, specifying the form and level of tests, percentile scores, norm groups, grade levels, standard scores and stanine scores as applicable to the test instrument; and

2. Identify the injured employee's physical and intellectual capabilities, aptitudes, achievements, work related behaviors; and interests. The interests of the injured employee alone cannot be the only basis for the vocational evaluator's recommendation; and

3. Identify residual or transferable skills; and

4. Identify the most appropriate vocational objectives; and

5. Identify which reemployment service(s) are necessary for the injured employee to return to suitable gainful employment; and

6. Discuss how the provision of the recommended service(s) will facilitate reemployment; and

7. When a retraining program is recommended, include the rationale for the recommended program, the entrance, enrollment and exit requirements of the program, the anticipated program costs and the proximity of the program to the injured employee's customary residence; and

8. Include an individualized labor market survey which supports the injured employee's ability to compete for employment in the identified vocational goal(s) and shall include information documenting:

a. The potential wage earning capacity,

b. The physical demands of the identified vocational goal as identified by potential employers,

c. The minimum educational requirements and work experience required by potential employers, and

d. Each potential employer's job openings for the six months prior to the survey and projected openings for the upcoming six months.

(f) Submit to the Department, within 10 days of submission of the written report, the original receipt statement signed by the injured employee and the vocational evaluator.

(3) Any qualified rehabilitation provider providing any employer or carrier or Department sponsored reemployment services, reemployment assessments or medical care coordination shall submit with each DWC-21, which is incorporated by reference into this rule, a written report which reports services provided and expected outcomes, covering the following points:

(a) Summary by date of contacts with the injured employee and other pertinent parties; and

(b) Problems or issues adversely affecting the reemployment process and the corrective actions taken in that process; and

(c) Continuing feasibility of the reemployment plan; and

(d) Vocational activities planned for the subsequent month; and

(e) Justification for change or modification of current plan.

(4) Upon request a qualified rehabilitation provider providing a Department sponsored reemployment service, including a vocational evaluation, shall make available to the Department information and documentation to certify that the authorized service that was rendered is complete pursuant to Rule 6A-22.010, F.A.C., if such information or documentation is identified by the ~~Department Division~~.

(5) Failure of a qualified rehabilitation provider providing Department sponsored reemployment services to submit the written report and additional information and documentation as required by this rule shall result in the:

(a) Reassignment of the case,

(b) Termination of the contract,

(c) Forfeiture of any monies owing at the time of termination of contract.

(6) A qualified rehabilitation provider providing either employer or carrier or Department sponsored reemployment services, reemployment assessments, medical care coordination and vocational evaluations, shall:

(a) Report on form DWC-21 only those services provided by or through the authorized qualified rehabilitation provider. Services not rendered by or through the qualified rehabilitation provider may not be billed or reimbursed.

(b) Submit a properly completed form DWC-21 listing the specific service(s) provided, utilizing only valid service codes and descriptors for those direct services rendered to the injured employee. Direct services are those services provided or required by an individualized written rehabilitation program. Other services are to be billed in the manner agreed upon by the employer or carrier and the qualified rehabilitation provider.

1. The initial form DWC-21 shall be submitted to the Department within 30 days of the contract approval date for Department sponsored services or to the employer or carrier within 30 days of the date of the referral for employer or carrier sponsored services.

2. An interim DWC-21 shall be submitted at 30-day intervals thereafter during which the authorized services are provided. The DWC-21 should not be filed if services are not provided within any 30-day period.

3. A final DWC-21 shall be submitted within 30 days of the date of the last service provided or according to the terms of a contract with the Department for vocational evaluation services.

(c) Close a file and submit a final DWC-21 when attorney involvement interferes with the provision of direct services.

(7) Any qualified rehabilitation provider or employee of the Department or other public or private agencies administering, scoring and interpreting testing instruments shall have the training and education required by the publisher of the testing instrument.

(8) Testing instruments, including work samples, used in vocational evaluations, reemployment assessments or other reemployment service activities may be administered and scored under the supervision of a qualified rehabilitation provider. Testing instruments shall be interpreted by the qualified rehabilitation provider with whom the contract for services is authorized.

(9) The employer or carrier shall:

(a) Ensure that the information required in this rule is provided on the form DWC-21 prior to payment and filing with the Department, and

(b) Approve or deny the provision of services recommended as part of an individualized written rehabilitation program within 15 calendar days of receipt of the same; and pay or deny form DWC-21 bills within 45 calendar days after receipt of a bill for services provided to an injured employee, and

(c) Complete items 20, 21 and 23 on every form DWC-21 filed with the Department. In item 20 it is necessary to legibly enter the date the form DWC-21 was received. In item 21 it is necessary to legibly enter the date the form DWC-21 was reimbursed. In item 23 it is necessary to enter the amount reimbursed only if it is different from the amount billed by the qualified rehabilitation provider or facility, and

(d) File form DWC-21 with the Department of Education at its office in Tallahassee, Florida within 30 days after the full or partial payment of form DWC-21 (A DWC-21 filed with the Department shall have a date stamp in the upper right hand corner indicating the date the DWC-21 is sent to the Department), and

(e) Be responsible for the legibility, accuracy and completeness of the social security number, date of accident, the employer or carrier's and servicing company/TPA's Department of Insurance, Division of Workers' Compensation's assigned four digit carrier code number and Federal Employer Identification Number (FEIN), and those areas that the employer or carrier completes on form DWC-21.

(10) If an employer or carrier is submitting to the Department and retaining DWC-21s on electronic media, that employer or carrier need not retain paper copies of those forms, but may treat the electronic media as the original documentation.

(11) A form DWC-21 filed with the Department which is not completed according to these rules will be returned by the Department to the employer or carrier. Upon receipt of the returned form, the employer or carrier shall properly complete and refile the form with the Department within 15 days.

(12) Form DWC-21 is incorporated by reference in Rule 6A-22.011, F.A.C.

Specific Authority 440.491(5),(6),(7) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.013, Amended

6A-22.011 List of Forms.

(1) Forms DWC-21, DWC-22, DWC-23, DWC-24 and DWC-96 and accompanying instructions are incorporated by reference as part of this rule chapter. Each form shall be typed or legibly completed in order for the form to be considered properly filed or submitted with the Department.

(a) Department reemployment services billing form shall be submitted to the Department on form DWC-21, dated 6/26/01.

(b) Reemployment status review form shall be submitted to the Department on form DWC-22, dated 6/26/01.

(c) Request for screening form shall be submitted to the Department on form DWC-23, dated 6/26/01.

(d) ~~Agency~~ Department and student agreement for sponsorship of training and education form shall be completed on form DWC-24, dated 6/26/01.

(e) Qualified rehabilitation provider application shall be submitted to the Department on form DWC-96, dated 6/26/01.

(2) A copy of the forms and accompanying instructions incorporated by subsection 6A-22.011(1), F.A.C., may be obtained from the Department of Education, Bureau of Rehabilitation and Reemployment Services, 2728 Centerview Drive, Suite 101A, Forrest Building, Tallahassee, Florida 32399-04000664. Copies are also available at the following Department web site: <http://www.firn.edu/doe/rules/rules.htm>.

Specific Authority 440.491(5),(6),(7),(8) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.014, Amended

6A-22.012 Expenditures from the Workers' Compensation Administration Trust Fund.

(1) Upon receipt of the completed evaluation report, the Department shall authorize reimbursement for the evaluation from the Workers' Compensation Administration Trust Fund at a maximum rate of \$55.00 per hour, not to exceed \$1,100.00 per evaluation.

(2) The Department shall expend funds from the Workers' Compensation Administration Trust Fund only:

(a) For vocational evaluations and retraining for dates of accident on or after October 1, 1989 through December 31, 1993, and

(b) For reemployment services authorized by the Department pursuant to Rule Chapter 6A-22, F.A.C., for dates of accident on or after January 1, 1994.

(3) The maximum cost the Department shall expend for an approved retraining plan shall not exceed 85% of the injured employee's pre-injury average weekly wages as calculated on an annual basis, which amount shall include:

(a) Pre-approved costs for fees, tuition, books and special supplies required by the program curriculum, and

(b) Pre-approved costs for board, lodging, and travel at the rate currently allowed for state employees when an approved program requires temporary relocation for participation, or

(c) Pre-approved mileage reimbursement at the rate currently allowed for state employees for mileage to the training facility in excess of 50 miles, one-way, using the most direct route from the injured employee's customary residence. Mileage expense will not be reimbursed or paid by the Department when the training facility is less than 50 miles from the injured employee's customary residence at the time of approval for training.

(4) The Department shall pay from the Workers' Compensation Administration Trust Fund the direct costs to employers for on-the-job training according to the reimbursement schedule negotiated in the on-the-job training contract.

(5) The Department shall not reimburse or pay for any reemployment services independently initiated or obtained by the injured employee without prior written approval from the Department of the proposed reemployment plan recommending such reemployment services, including any expenses associated with retraining or education.

(6) The Department shall reimburse travel associated with the provision of reemployment services at a rate not to exceed one-half (1/2) the professional rate at which the services were contracted.

(7) The Department shall have exclusive jurisdiction over any dispute involving a claim made against it or the Workers' Compensation Administration Trust Fund for reemployment services, vocational evaluations, training and education, and rehabilitation.

(8) The Office of the Judge of Compensation Claims shall have jurisdiction over claims relating to additional temporary total disability compensation provided in Section 440.491(6)(b), F.S. (Supp. 1994).

Specific Authority 440.491(5),(6),(7),(8) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 12-2-98, 6-26-01, Formerly 38F-55.015, Repromulgated _____.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE TITLE: Adjustments to Income

RULE NO.: 12C-1.044

PURPOSE AND EFFECT: The purpose of this new rule is to: (1) provide information on when the Department may require adjustments under Section 220.44, F.S., to clearly reflect Florida net income; and (2) provide information on when a taxpayer may ask the Department for an adjustment under Section 220.44, F.S.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed by these proposed rule revisions is the Departmental procedures governing the adjustment of a taxpayer's income for Florida corporate income tax purposes.

SPECIFIC AUTHORITY: 213.06(1), 220.51 FS.

LAW IMPLEMENTED: 220.44 FS.

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

TIME AND DATE: 10:00 a.m., November 12, 2003

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

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: Larry Green, (850)922-4830. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Robert DuCasse, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-4715, e-mail: ducasser@dor.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

CORPORATE INCOME TAX

12C-1.044 Adjustments to Income.

(1) The Executive Director or the Executive Director's designee is authorized to make adjustments to clearly reflect income in order to arrive at a proper and accurate tax. Such discretion may be exercised when any agreement, understanding, arrangement, or device, whether by inadvertence or design, improperly or inaccurately reflects Florida income. Adjustments are authorized to be made, but are not limited to, any item or items of income, loss, deduction, apportionment factor, or exclusion and can be made to all or part of any such item or items to the extent required to properly and accurately reflect income. Utilization of this authority by the Executive Director or the Executive Director's designee shall not be limited to circumstances where the improper or inaccurate reflection of income results from efforts to reduce, avoid, or escape tax.

(2) Examples when such adjustments are authorized to be made include, but are not limited to:

(a) Transactions at more or less than a fair price, which include, but are not limited to:

1. Transfers of property.
2. Loans and advances.
3. Services.
4. Transfers or use of intangible property.

(b) Transactions, arrangements, or agreements with little or no business purpose other than the reduction or avoidance of tax;

(c) Methods of accounting that fail to properly and accurately reflect income such as the inconsistent treatment of items of income, loss, or expense; or

(d) Acquisitions requiring substantial capital investment in Florida resulting in substantial changes in organizational structure and increases in the Florida apportionment fraction of the newly acquired corporation or group of corporations due to increases in the property and payroll factors.

(3)(a) If a taxpayer requests an adjustment under s. 220.44, F.S., pursuant to (2)(d), such request shall be made by the taxpayer through submission of a request for such adjustment to the Executive Director or the Executive Director's designee. Whether such adjustment shall be allowed and the amount of any adjustment shall be determined through an analysis that takes into account and balances the factors listed in this rule

against the net tax effect of the amount of the adjustment. The taxpayer shall provide information requested by the Executive Director or the Executive Director's designee that shall be utilized when making the analysis and the determination of whether and to what extent an adjustment is appropriate under s. 220.44, F.S.

(b) When an affiliated group of corporations that is necessitated by regulatory and market requirements to create different legal entities and has never elected to file a Florida consolidated return acquires a separate group of affiliated corporations and:

1. The acquired group of corporations:

a. Is or will continue to be headquartered in Florida;

b. Was properly filing Florida consolidated returns prior to acquisition; and

c. Has substantial debt prior to acquisition, which is paid directly or indirectly by the purchaser as part of the purchase price;

2. The purchaser or its existing affiliates incurred substantial debt in order to effect the acquisition; and

3. The taxpayer demonstrates that substantial net operating losses will occur upon the filing of separate Florida returns by members of the affiliated group, the Executive Director or the Executive Director's designee is authorized to enter into an agreement with the parent company of the affiliated group for an adjustment to accelerate the deduction of current year net operating losses within the affiliated group for a period not to exceed 10 years. The Executive Director or the Executive Director's designee is authorized to impose other conditions so that the adjustment is limited to the acceleration of current year net operating losses. Under no circumstances shall a taxpayer be allowed to use more tax preference items than it would have been entitled to use without the acceleration effects of this rule. The tax effect of the acceleration of current year net operating losses in each of the years under the agreement shall not exceed the lesser of twenty-five percent (25%) of the additional Florida investments made in the first three tax years after the acquisition that contribute to the increased payroll and property factor related to the acquired companies, or \$2 million.

(c) The agreement shall include provisions for the recapture of any tax benefits resulting from such adjustments should the conditions set forth in this rule or the agreement no longer be met.

(d)1. A taxpayer, any successor entities, or other members of an affiliated group of corporations that includes the taxpayer or any successor entities that has entered into an agreement with the Department under this rule shall not submit a request to revise, amend, or modify the existing agreement unless the taxpayer presents information showing that unforeseen circumstances have arisen with respect to the transaction that is the subject of the agreement.

2. A taxpayer, any successor entities, or other members of an affiliated group of corporations that includes the taxpayer or any successor entities that has entered into an agreement with the Department under this rule shall not submit a request for another agreement under this subsection for a period of 10 years from the date of the existing agreement unless the taxpayer presents information regarding a new transaction that involves a different acquired corporation or group of corporations from those included in the existing agreement.

(e) Should a taxpayer disagree with a decision made by the Executive Director or the Executive Director's designee on a request for an adjustment made pursuant to this subsection, the taxpayer may request review of the decision by the Governor and Cabinet acting as the head of the Department of Revenue.

(4) When requested, a taxpayer shall be required to submit information under oath or affirmation and shall permit examination of books and records as may be necessary to allow the Executive Director or the Executive Director's designee to determine whether and to what extent an adjustment is appropriate.

Specific Authority 213.06(1), 220.51 FS. Law Implemented 220.44 FS. History—New _____.

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

St. Johns River Water Management District

RULE TITLE: Delegation
 RULE NO.: 40C-3.0321

PURPOSE AND EFFECT: The purpose and effect of this proposed amendment is to: (1) delegate authority to issue water well contractor licenses and renewals from the District's Governing Board to the Executive Director, Assistant Executive Director, Director, Department of Resource Management, Assistant Director, Department of Resource Management, and Division Director, Division of Water Use Regulation; and (2) further delegate authority to issue permits for construction, repair, or modification of water wells to the Assistant Executive Director, Director, Department of Resource Management, Assistant Director, Department of Resource Management and Division Director, Division of Water Use Regulation.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment would delegate authority to issue water well contractor licenses and renewals and further delegate authority to issue permits for the construction, repair, or modification of water wells.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.
 LAW IMPLEMENTED: 373.083(5), 373.308, 373.309(2), 373.323(5), 373.324(2), 373.333, 373.342 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4459, Suncom 860-4459

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-3.0321 Delegation.

The authority for general administration of Chapter 40C-3, F.A.C., is delegated to the Executive Director of the District. It is the policy of the Board that in making this delegation the Executive Director is authorized to designate specific staff members to carry out various tasks but that overall supervision and responsibility shall rest with the executive director. The Executive Director, Assistant Executive Director, Director, Department of Resource Management, Assistant Director, Department of Resource Management, or Division Director, Division of Water Use Regulation ~~is~~ expressly authorized to issue permits under this chapter as provided in sections 373.342(1), 373.323(5) and 373.324(2), F.S.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.083(5), 373.308, 373.309(2), 373.323(5), 373.324(2), 373.333, 373.342 FS. History—New 10-14-84, Formerly 40C-3.032, 40C-3.0032, Amended 9-17-89, Formerly 40C-3.032, Amended

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Procedural	40D-1
RULE TITLE:	RULE NO.:
Variations from Water Shortage Rules (Chapter 40D-21, F.A.C.)	40D-1.1002

PURPOSE AND EFFECT: Update the Executive Director's water shortage plan variance authority consistent with the proposed updates to Chapter 40D-21, F.A.C., Water Shortage Plan.

SUBJECT AREA TO BE ADDRESSED: Rules of Chapter 40D-21, F.A.C., (Water Shortage Plan) and 40D-1.1002, F.A.C., (Variations from 40D-21) will be discussed. These rule development and staff workshops are designed to provide the same input opportunity at four different locations. District staff will briefly outline the legal framework for updating both rules, then will solicit input based on “lessons learned” from past drought events and other concerns or suggestions.

Workshop input will be considered during the development of preliminary text for Rules 40D-21 and 40D-1.002, F.A.C., that is currently projected to be available March 2004.

SPECIFIC AUTHORITY: 120.54(5), 373.044, 373.113 FS.
 LAW IMPLEMENTED: 120.54(5), 373.175, 373.246 FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:
 TIME AND DATE: 1:00 p.m. – 3:00 p.m., November 4, 2003
 PLACE: Southwest Florida Water Management District, Tampa Office, Board Room, 7601 Highway 301, North, Tampa, Florida
 TIME AND DATE: 9:30 a.m. – 11:30 a.m., November 10, 2003

PLACE: Southwest Florida Water Management District, Brooksville Office, Board Conference Rooms A & B, 2379 Broad Street, Brooksville, Florida

TIME AND DATE: 1:00 p.m. – 3:00 p.m., November 20, 2003

PLACE: Southwest Florida Water Management District, Bartow Office, Board Room, 170 Century Boulevard, Bartow, Florida

TIME AND DATE: 9:30 a.m. – 11:30 a.m., November 24, 2003

PLACE: Southwest Florida Water Management District, Sarasota Office, Board Room, 6750 Fruitville Road, Sarasota, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lois Sorensen, Water Shortage Coordinator, Records and Data Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4299

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Regulation of Wells	40D-3
RULE TITLE:	RULE NO.:
Rules and Publications Incorporated by Reference	40D-3.037

PURPOSE AND EFFECT: The purpose of this rulemaking is to incorporate the effective dates of Chapters 62-524, 62-531, 62-532 and 62-555, F.A.C., into Rule 40D-3.037, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The Department of Environmental Protection amended Chapter 62-531, F.A.C. on July 17, 2003. Rule 40D-3.037, F.A.C. does not reference the date of the amendment. Chapters 62-524, 62-532 and 62-555, F.A.C., are also referenced in Rule 40D-3.037, F.A.C. However, the effective dates of these chapters are not included.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.309 FS.
LAW IMPLEMENTED: 373.046, 373.308, 373.309, 373.323, 373.324, 373.333 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: David C. Ryder, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-3.037 Rules and Publications Incorporated by Reference.

(1) The regulations promulgated by the Department governing the construction of water wells as set forth in Chapter 62-532, F.A.C., (3-28-02), the construction of water wells in delineated areas as set forth in Chapter 62-524 (6-27-00), the licensing requirements for Water Well Contractors as set forth in Chapter 62-531, F.A.C., (7-17-03), and the construction of public supply water wells as set forth in Chapter 62-555, F.A.C., (4-10-03), are hereby incorporated by reference and made a part of this rule and shall apply to all water wells constructed, repaired, modified or abandoned in the District.

(2) through (3) No change.

Specific Authority 373.044, 373.113, 373.309 FS. Law Implemented 373.046, 373.308, 373.309, 373.323, 373.324, 373.333 FS. History—New 7-1-90, Amended 12-31-92, 4-11-94, 6-27-94, 9-22-94, 7-5-95, 10-19-95, 7-15-99, 6-23-03,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Regulation of Wells
RULE CHAPTER NO.: 40D-3
RULE TITLES: Construction Methods
RULE NOS.: 40D-3.502
Casing and Liner Pipe Standards 40D-3.507

PURPOSE AND EFFECT: This purpose of this proposed rulemaking is to prohibit the drilling of a borehole using a drill bit larger than the inside diameter of the casing for wells constructed by combination method. In so doing, the proposed rulemaking will ensure that a good seal preventing water movement is obtained in wells constructed by such method.

SUBJECT AREA TO BE ADDRESSED: Water well construction requirements for wells constructed using a combination method of drilling a borehole and then driving the casing into the hole.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.309, 373.337 FS.

LAW IMPLEMENTED: 373.306, 373.308, 373.309 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: Jack R. Pepper, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-3.502 Construction Methods.

(1) No change.

(2) For wells constructed using the combination method of drilling a borehole and then driving the casing, the borehole shall be equal to or smaller in diameter than the inside diameter of the casing and shall be sealed by adding dry bentonite to the casing string at land surface and allowing that material to be carried down the outside of the casing as the casing is driven to completion. Dry bentonite shall be applied to maintain a grout seal around the casing. The first length of water bearing casing, excluding the attached drive shoe, shall not exceed 21 feet in length and must be driven into the ground before any additional borehole is constructed. During construction of a well in a delineated area, as defined in Rule 62-524.200, F.A.C., or a public supply well using the combination drilling method, the minimum acceptable grout seal shall be accomplished by undercutting or underreaming the last five feet of hole before sealing the casing. A minimum of one foot of such enlarged hole must be into the consolidated formation in which the casing is seated. The entire enlarged portion of the hole shall be filled with cement grout and then the casing shall be driven through the cement grout and seated into the enlarged portion of the consolidated formation. The top 20 feet of casing shall be sealed with no less than a 2-inch nominal thickness of cement grout. No other minimum seal shall be acceptable unless approved by the District or delegated permitting authority. Except as described above, the use of a drilling tool, such as an eccentric bit or an underreamer bit, that is capable of drilling a hole larger than the inside diameter of the casing is prohibited when constructing a well by combination method.

(2) through (7) renumbered (3) through (8) No change.

Specific Authority 373.044, 373.171, 373.309, 373.337 FS. Law Implemented 373.306, 373.308, 373.309 FS. History—New 7-1-90, Amended 9-3-91, 12-31-92,_____.

40D-3.507 Casing and Liner Pipe Standards.

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

(4) When any part of a well casing with an outside diameter of 4 inches or larger is intended to be installed in a bore hole which is larger in diameter than the ~~inside~~ ~~outside~~ diameter of the casing, the annular space shall be filled from bottom to top with not less than a nominal 2 inch thickness of neat cement grout. For those well casings with an outside diameter of less than 4 inches, the minimum grout thickness shall be a nominal 1 inch.

(5) No change.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.306, 373.308, 373.309 FS. History—New 7-1-90, Amended 9-30-91, 12-31-92, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Water Shortage Plan	40D-21
RULE TITLES:	RULE NOS.:
Policy and Purpose	40D-21.011
Elements of the Plan	40D-21.031
Definitions	40D-21.051
Evaluating Water Conditions	40D-21.221
Declaring a Water Shortage	40D-21-231
Water Shortage Phases	40D-21.251
Implementing a Water Shortage Declaration	40D-21.275
Variances	40D-21.291
Declaring a Water Shortage Emergency	40D-21.331
Water Use Restrictions in a Water Shortage Emergency	40D-21.371
Implementing a Water Shortage Emergency Declaration	40D-21.391
Monitoring	40D-21.401
Enforcement	40D-21.421
General	40D-21.511
Source Classifications	40D-21.531
Use Classifications	40D-21.541
Method of Withdrawal Classifications	40D-21.571
General	40D-21.601
Phase I: Moderate Water Shortage	40D-21.621
Phase II: Severe Water Shortage	40D-21.631
Phase III: Extreme Water Shortage	40D-21.641

PURPOSE AND EFFECT: Update the District's Water Shortage Plan.

SUBJECT AREA TO BE ADDRESSED: Rules of Chapter 40D-21, F.A.C., (Water Shortage Plan) and 40D-1.1002, F.A.C., (Variances from 40D-21) will be discussed. These rule development and staff workshops are designed to provide the same input opportunity at four different locations. District staff will briefly outline the legal framework for updating both rules, then will solicit input based on "lessons learned" from past drought events and other concerns or suggestions.

Workshop input will be considered during the development of preliminary text for Rule 40D-21 and 40D-1.002, F.A.C., that is currently projected to be available March 2004.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.119, 373.129, 373.136, 373.175, 373.246, 373.603, 373.609 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 1:00 p.m. – 3:00 p.m., November 4, 2003

PLACE: Southwest Florida Water Management District, Tampa Office, Board Room, 7601 Highway 301, North, Tampa, Florida

TIME AND DATE: 9:30 a.m. – 11:30 a.m., November 10, 2003

PLACE: Southwest Florida Water Management District, Board Conference Rooms A & B, Brooksville Office, 2379 Broad Street, Brooksville, Florida

TIME AND DATE: 1:00 p.m. – 3:00 p.m., November 20, 2003

PLACE: Southwest Florida Water Management District, Bartow Office, Board Room, 170 Century Boulevard, Bartow, Florida

TIME AND DATE: 9:30 a.m. – 11:30 a.m., November 24, 2003

PLACE: Southwest Florida Water Management District, Sarasota Office, Board Room, 6750 Fruitville Road, Sarasota, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lois Sorensen, Water Shortage Coordinator, Records and Data Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4299

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Nursing Facility Services
 RULE NO.: 59G-4.200

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, October 2003. The handbook contains changes required by the Health Insurance Portability and Accountability Act (HIPAA) and other necessary changes. The effect will be to incorporate by reference in the rule the current Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Nursing Facility Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 400 Part II, 409.905, 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: 9:00 a.m. – 11:00 a.m., November 10, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kris Russell, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7353

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.200 Nursing Facility Services.

(1) No change.

(2) All participating nursing facility services providers must comply with the provisions of the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, October 2003, August, 2000 and the corresponding Florida Medicaid Provider Reimbursement Handbook, Institutional 021, September 1996 which are incorporated by reference. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 400 Part II, 409.905, 409.908 FS. History–New 1-1-77, Amended 6-13-77, 10-1-77, 1-1-78, 2-1-78, 12-28-78, 2-14-80, 4-5-83, 1-1-84, 8-29-84, 9-1-84, 9-5-84, 7-1-85, Formerly 10C-7.48, Amended 8-19-86, 6-1-89, 7-2-90, 6-4-92, 8-5-92, 11-2-92, 7-20-93, Formerly 10C-7.048, Amended 11-28-95, 5-9-99, 10-15-00, 10-4-01, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Asbestos Consultants/Asbestos Consultant Examination

RULE TITLE: RULE NO.:

Fees; License Renewal; Active, Inactive and Delinquent Licenses; Change of Status 61E1-3.001

PURPOSE AND EFFECT: This amendment to Rule Chapter 61E1, F.A.C., implements the rule-adoption requirement contained in Section 455.02(2), Florida Statutes, which exempts spouses of members of the Armed Forces of the United States from licensure renewal provisions, in cases of absence from the state because of their spouses’ duties with the Armed Forces.

SUBJECT AREA TO BE ADDRESSED: License renewal, asbestos removal.

SPECIFIC AUTHORITY: 455.02(2), 469.011 FS.

LAW IMPLEMENTED: 455.02(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Eric R. Hurst, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61E1-3.001 Fees; License Renewal; Active, Inactive and Delinquent Licenses; Change of Status.

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

(g) Spouses of members of the Armed Forces of the United States shall be exempted from licensure renewal provisions, but only in cases of absence from the state because of their spouses’ duties with the Armed Forces.

(5) through (6) No change.

Specific Authority 455.02(2), 469.008, 469.011 FS. Law Implemented 455.02(2), 455.271, 469.006, 469.008 FS. History–New 9-22-94, Amended 10-17-95, 10-29-97, 4-27-00, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Asbestos Consultants/Asbestos Consultant Examination

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Inspections 61E1-5

RULE TITLE: RULE NO.:

Removal of Asbestos – Containing Resilient Floor Cover or its Adhesive 61E1-5.001

PURPOSE AND EFFECT: This amendment to Rule Chapter 61E1, F.A.C., implements the rule-adoption requirement contained in Section 469.002(3), Florida Statutes, regarding the inspection of asbestos removal sites. This inspection is a safeguard put in place in conjunction with the exemption from licensure for individuals or businesses involved in the removal of Category I type floor tile.

SUBJECT AREA TO BE ADDRESSED: Asbestos removal.

SPECIFIC AUTHORITY: 455.2035, 469.002(3) FS.

LAW IMPLEMENTED: 469.002(3) 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: Eric R. Hurst, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

INSPECTIONS

61E1-5.001 Removal of Asbestos – Containing Resilient Floor Cover or its Adhesive.

The Department or its contractual designee may periodically inspect and oversee projects concerning the removal of asbestos-containing resilient floor cover or its adhesive. Such inspections shall be for the purposes of determining that the resilient floor covering is a Category I nonfriable material as defined in NESHAP and remains a Category I nonfriable material during removal activity and that all such removal activities are performed in accordance with all applicable asbestos standards of the United States Occupational Safety and Health Administration under 29 C. F. R., Part 1926. Upon completion of such inspections, the Department or its contractual designee shall submit a written report verifying the date, time, place and company performing the removal of the asbestos-containing resilient floor cover or its adhesive and certification that all conditions required pursuant to Section 469.002(3), F.S., have been met.

Specific Authority 469.002(3), 455.2035 FS. Law Implemented 469.002(3) FS. History–New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE TITLES:	RULE NOS.:
Normal Penalty Ranges	61G3-21.001
Suspension	61G3-21.014

PURPOSE AND EFFECT: The Board proposes the development of rules to include language regarding limitations on the imposition of penalties and to address the suspension of a license.

SUBJECT AREA TO BE ADDRESSED: Limitations of fines imposed and authority to suspend a license.

SPECIFIC AUTHORITY: 476.064(4), 455.2273, 476.024, 476.214(2) FS.

LAW IMPLEMENTED: 455.2273, 476.024, 476.214(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Julie Malone, Executive Director, Barbers’ Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G3-21.001 Normal Penalty Ranges.

The following guidelines shall be used in disciplinary cases, absent aggravating or mitigating circumstances and subject to the other provisions of this chapter.

(1) through (13) No change.

(14) Penalties imposed by the Board pursuant to Rule 61G3-21.001, F.A.C., may be imposed in combination or individually but may not exceed the limitations enumerated below:

(a) Revocation or suspension of any license or registration issued pursuant to Chapter 476, Florida Statutes.

(b) Issuance of a reprimand or censure.

(c) Imposition of an administrative fine not to exceed \$500 for each count or separate offense.

(d) Placement on probation for a period of time and subject to such reasonable conditions as the Board may specify.

(e) Refusal to certify to the Department an applicant for licensure or registration.

Specific Authority 476.064(4), 455.2273 FS. Law Implemented 455.2273 FS. History–New 11-25-86, Amended 7-4-90, 12-23-90, Formerly 21C-21.001, Amended 10-30-95, _____.

61G3-21.014 Suspension.

The Board may suspend any license issued pursuant to Chapter 476, Florida Statutes, in any case where, in the Board’s opinion, it is in the interest of the public health, safety and welfare.

Specific Authority 476.024, 476.214(2) FS. Law Implemented 476.024, 476.214(2) FS. History–New _____.

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 Massage Therapy

RULE TITLE:	RULE NO.:
Colonic Irrigation	64B7-31.001

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

SUBJECT AREA TO BE ADDRESSED: Colonic irrigation.

SPECIFIC AUTHORITY: 480.035(7), 480.041(4) FS.

LAW IMPLEMENTED: 480.032, 480.033, 480.041(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:
List of Approved Forms; Incorporation 64B8-1.007
PURPOSE AND EFFECT: The proposed rule amendments are intended to incorporate revised forms into the rule.
SUBJECT AREA TO BE ADDRESSED: Incorporation of revised forms.

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

LAW IMPLEMENTED: 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.348, 458.351, 465.0276 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-1.007 List of Approved Forms; Incorporation.

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

(1) DH-MQA 1000, entitled “Board of Medicine Medical Doctor Application for Licensure ~~by Examination and Endorsement (Medical Doctor)~~” (10/03) ~~(12/02)~~.

(2) through (7) No change.

(8) DH-MQA 1008, entitled “Limited License Application Materials for Allopathic Physicians to be Licensed Pursuant to Section 458.317, F.S.,” (10/03) ~~(6/99)~~.

(9) DH-MQA 1009, entitled “Temporary Certificate for Practice in an Area of Critical Need,” (10/03) ~~(6/99)~~.

(10) through (16) No change.

(17) DH-MQA 1032, entitled “Board of Medicine Application Materials for Initial Registration & Renewal of ~~Unlicensed~~ Intern/Resident/Fellow & House Physician,” (10/03) ~~(12/00)~~.

(18) through (19) No change.

(20) DH-MQA 1072, entitled “Application Materials Medical Faculty Certificate,” (10/03) ~~(10/02)~~.

(21) through (25) No change.

Specific Authority 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS. Law Implemented 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.348, 458.351, 465.0276 FS. History—New 4-17-01, Amended 11-20-01, 8-13-02, 11-10-02, 3-19-03, 6-4-03, _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:
Continuing Education for Biennial Renewal 64B8-13.005
PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address continuing education credit by Board members.

SUBJECT AREA TO BE ADDRESSED: Continuing education credit for Board members.

SPECIFIC AUTHORITY: 456.013(6),(7), 456.031(4), 458.309, 458.319 FS.

LAW IMPLEMENTED: 456.013(6),(7), 456.031(1)(a),(3), 458.319(4) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-13.005 Continuing Education for Biennial Renewal.

(1) No change.

(2)(a) For purposes of this rule, risk management means the identification, investigation, analysis, and evaluation of risks and the selection of the most advantageous method of correcting, reducing, or eliminating identifiable risks.

(b) Five hours of continuing medical education in the subject area of risk management may be obtained by attending one full day or eight (8) hours, whichever is more, of disciplinary hearings at a regular meeting of the Board of Medicine in compliance with the following:

1. through 2. No change.

3. The licensee must sign out with the Executive Director of the Board at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. A licensee may receive CME credit in risk management for attending the disciplinary portion of a Board meeting only if he or she is attending on that date solely for that purpose; he or she may not receive such credit if appearing at the Board meeting for another purpose. A member of the Board of Medicine may obtain 3 ½ hours of continuing medical education in the subject area of risk management and 2 hours of continuing medical education in the subject area of prevention of medical errors for attendance at the disciplinary portion of one Board meeting.

(3) through (11) No change.

Specific Authority 456.013(6),(7), 456.031(4), 458.309, 458.319 FS. Law Implemented 456.013(6),(7), 456.031(1)(a),(3), 458.319(4) FS. History—New 9-7-86, Amended 11-17-87, 11-15-88, 1-31-90, 9-15-92, Formerly 21M-28.002, Amended 12-5-93, Formerly 61F6-28.002, Amended 3-1-95, 1-3-96, 1-26-97, Formerly 59R-13.005, Amended 5-18-99, 2-7-01, 6-4-02, 10-8-03, _____.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE TITLE:

Adoption of Federal Regulations and Other Standards

RULE NO.:

5K-4.002

PURPOSE AND EFFECT: Amendments to existing rules which reference specific federal codes, standards, publications and regulations are periodically updated to keep the rule current. This rule amendment adopts by reference: Current, revised, new and renumbered sections of Titles 7, 9, 19, 21 and 40, Code of Federal Regulations (CFR), and deletes reference to Title 50, CFR. This rule amendment adopts the following publications by reference: 1) Chapters 1-7 of The U.S. Food and Drug Administration (FDA) “2001 Food Code” (with some exclusions), and Chapters 1-7 of the “Supplement to the 2001 Food Code;” 2) the Model Consumer Commodity Salvage Code (2002); 3) the FDA/CFSAN Defect Action Level Handbook, The Food Defect Action Levels, (Revised May 1998), and 4) the Industry Activities Staff Booklet, Action Levels For Poisonous or Deleterious Substances in Human Food and Animal Feed (August 2000). The rule amendment also deletes existing rule language regarding

regulatory action levels for pesticide residues for fresh fruits and vegetables. The rule amendment excludes the 7° C (45° F), temperature standard, found in parts of the 2001 Food Code, and Supplement to the 2001 Food Code.

SUMMARY: The rule amendment adopts by reference new sections of Title 7, Code of Federal Regulation, federal standards for fresh fruit and vegetables, grading of shell eggs, inspection of eggs and egg products and grading of poultry products. The rule amendment deletes previously adopted sections of Title 7, regarding grading standards for meats. The rule amendment adopts by reference new sections of Title 9, Code of Federal Regulations, federal standards for cooking pork sausage. The rule amendment adopts by reference, all of Part 134 of Title 19, Code of Federal Regulations, a federal regulation requiring country of origin labeling on imported juices and juice concentrate. The rule amendment adopts by reference Part 1240 of Title 21, Code of Federal Regulations, a federal standard for control of communicable diseases, and deletes other Parts of Title 21. The rule amendment adopts by reference sections of Part 180 of Title 40, Code of Federal Regulations, federal standards for pesticide tolerances in food and animal feed, and deletes other Parts of Title 40, which were previously adopted. The rule amendment deletes reference to all previously adopted Parts of Title 50, Code of Federal Regulations; which are pertinent to the National Marine Fisheries Service, but inapplicable to the Department. The rule amendment deletes previously adopted provisions of the Federal Register regarding safe and sanitary procedures for fish processing and importing, because these provisions have been replaced by parts of Title 21, Code of Federal Regulations, which are adopted by reference in this rule amendment. The rule amendment adopts by reference the Model Consumer Commodity Salvage Code. The rule amendment addresses action levels for pesticide and other deleterious substances found in food and feed, by adopting by reference the FDA/CFSAN Defect Action Level Handbook, The Food Defect Action Levels, (Revised May 1998), and the Industry Activities Staff Booklet, Action Levels For Poisonous or Deleterious Substances in Human Food and Animal Feed (August 2000). The rule amendment also eliminates existing rule language regarding regulatory action levels for pesticide residues on fresh fruit and vegetables. The deletion of this rule language makes the FDA standard for pesticide residues on fresh fruit and vegetables the applicable standard.

The rule amendment updates the Department’s base sanitation code by adopting by reference Chapter 1-7 of the FDA “2001 Food Code” with some exclusions, and Chapters 1-7 of the Supplement to the 2001 Food Code. The rule amendment excludes a 7°C (45°F) temperature standard found in Chapters 1-7 of the 2001 Food Code and Supplement to the 2001 Food Code. Previous and current Food Codes gave industry 5 years to upgrade cooling equipment so that it would maintain a temperature of 5°C (41°F), which is necessary to suppress the growth of the bacterium, *Listeria monocytogenes*. The

Department previously adopted a requirement for cooling allowing the Industry 5 years, until September 8, 2002, to upgrade their cooling equipment. The passing of the deadline is the reason for the rule amendment excluding the 7°C (45°F) standard from the rule.

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

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

SPECIFIC AUTHORITY: 500.09, 500.12(1)(f), 500.12(5)(d), 500.12(6), 500.303, 500.304, 500.459, 570.07(23),(24) FS.

LAW IMPLEMENTED: 500.02, 500.03, 500.032, 500.04, 500.09, 500.10, 500.11, 500.12(4)(a), 500.121, 500.13, 500.147, 500.166, 500.169, 500.172, 500.301, 500.303, 500.304, 500.459, 570.07(2),(6),(9),(16),(18),(23),(24), 570.0725 FS.

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

TIME AND DATE: 10:00 a.m., Tuesday, November 18, 2003
 PLACE: Division of Forestry, Conference Room, Suite "J", Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Fruin, Division of Food Safety, 3125 Conner Blvd., Suite C, Tallahassee, Florida 32399-1650, (850)488-3951

THE FULL TEXT OF THE PROPOSED RULE IS:

5K-4.002 Adoption of Federal Regulations and Other Standards.

(1) The following are hereby adopted as rules under the Florida Food Act, Chapter 500, F.S.: ~~Interested persons may obtain copies of the pertinent sections of the Code of Federal Regulations and the Federal Register referenced in paragraph (a) below by contacting the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Copies of the pertinent sections of Food, Drug and Cosmetic Law Reports referenced in paragraph (b) below may be obtained from Commerce Clearing House, Inc., 4025 West Peterson Avenue, Chicago, Illinois 60645. Copies of all referenced documents are available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Suite H, Tallahassee, Florida 32399-1650.~~

~~(a) Those regulations, definitions, standards of sanitation, identity, quality and fill of container, tolerances and exemptions from tolerances, and general regulations in the following:~~

~~(a)1- Code of Federal Regulations Title 7 – Agriculture, Parts 51, Sections 51.2-51.3, 51.300-51.3749, Part 52, Sections 51.100-51.6005, 52.2-52.3, 52.771-52.3764, 52.201-52.6582, 54.1-54.2, 54.16-54.18, 54.102-54.137, Part 55, Sections 55.1-55.2, 55.5, 55.300-55.390, 55.600-55.650, 55.800-55.820, Part 56, Sections 56.1-56.2, 56.35-56.37, 56.39-56.41, 56.75-56.77, Part 57, Sections 57.1, 57.5, 57.35, 57.45, 57.50, 57.410, 57.504, 57.800-57.860, 57.900-57.970, 56.4-56.234, 59.122-59.134, 59.140-59.240, 59.400-59.970, and Part 70, Sections 70.1-70.2, 70.50-70.55, 70.80-70.81, 70.110, 70.4, 70.10-70.14, 70.16-70.92 and 70.110-70.332, revised as of January 1, 2003; and January 1, 1995~~

~~(b)2- Code of Federal Regulations Title 9 – Animal and Animal Products, Parts 301, 303, 316-317, Part 318, Sections 318.10, 318.16, 318.20, Part 319, Part 352, Sections 352.1 and 352.7, Part 354, Sections 354.1, 354.70-354.72, 352-354, and Part 381, Sections 381.1-381.15, 381.125, revised as of January 1, 2003; and January 1, 1995;~~

~~(c) Code of Federal Regulations Title 19. – Custom Duties, Part 134, revised as of April 1, 2003; and~~

~~(d)3- Code of Federal Regulations Title 21 – Food and Drugs, Parts 1, 2, Part 2, Sections 2.5, 2.25-2.125, Parts 7, 70, 73-74, 100, Part 101, (excluding Subsection 101.9(g)(2)), Parts 102-190, and 100-199, revised as of April, 1, 2003, and Part 1240, revised as of April 1, 2002; and April 1, 1995;~~

~~(e)4- Code of Federal Regulations Title 40 – Protection of Environment, Parts 180, (excluding subsection 180.6(d) and section 180.101), 180, 185 and 186, revised as of July 1, 2003, July 1, 1995;~~

~~5- Code of Federal Regulations Title 50 – Wildlife and Fisheries, Parts 216-225, 246-247, 260-285, revised as of October 1, 1995; and~~

~~6- The provisions of the final rule regarding Procedures for the Safe and Sanitary Processing and Importing of Fish and Fishery Products stated in the Federal Register, Vol. 60, No. 242, dated December 18, 1995.~~

~~(f). Interested persons may obtain copies of the pertinent sections of the Code of Federal Regulations referenced herein by contacting the Superintendent of Documents, U.S. Government Printing Office, P. O. Box 371954, Pittsburgh, PA 15250-7954. Copies of all referenced documents are also available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Suite H, Tallahassee, Florida 32399-1650.~~

~~(2)(b) The action levels for food defects declared by the United States Food and Drug Administration and referenced in the FDA/CFSAN Defect Action Level Handbook, The Food Defect Action Levels, May 1995 (Revised May 1998), and in the Industry Activities Staff Booklet, Action Levels For Poisonous or Deleterious Substances in Human Food and Animal Feed (August 2000), are hereby adopted by reference as administrative rules under Chapter 500, F.S.. Copies of~~

these books may be obtained from the U.S. Food and Drug Administration, Industry Activities Staff (HFS-565), Center for Food Safety and Applied Nutrition, 200 C Street S.W., Washington, DC 20204. These books are also available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Suite H, Tallahassee, Florida 32399-1650. Section 50,280 of Food, Drug and Cosmetic Law Reports as of March 19, 1990, the action levels for poisonous or deleterious substances in human food and animal feed declared by the United States Food and Drug Administration and referenced in Section 50,285 of Food, Drug and Cosmetic Law Reports as of March 11, 1996, and the Metric Labeling Standards declared by the United States Food and Drug Administration and referenced in Section 50,290 of Food, Drug and Cosmetic Law Reports as of January 24, 1994.

~~(3)~~(2) Food Salvage Operations.

(a) The purpose of this rule subsection is to adopt sanitation criteria, standards and requirements for food salvage operations.

(b) The “Model Consumer Commodity Salvage Code (November 2002).” ~~provisions and requirements of Chapter 10, paragraph 1-102, through Chapter 10, paragraph 10-102, of the “Model Food Salvage Code 1984,”~~ jointly published by the Association of Food and Drug Officials, ~~and the U.S. Department of Health and Human Services and the U.S. Department of Agriculture Food and Drug Administration~~ are is hereby adopted by reference as administrative regulations ~~and rules under Chapter 500, F.S., with the following exclusions: Sections 1-102(B), 9-102(C), (F) and (G), 13-101-13-106, and 14-101-14-107.~~

(c) For the purposes of Subsection (3) of this rule, “Consumer commodity” is defined as: “any food, beverage, dietary supplement, animal food (pet food), single service food containers or utensils, soda straws, paper napkins, or any other product of a similar nature. It also may include animal feed when handled at the same facility as other consumer commodities. This definition includes salvage caused by disasters which could include animal feeds which are handled differently than “animal food” which is destined for consumption by pets (e.g., cans of cat food, broken bags of dry dog food).”

(d) Interested persons may obtain copies of the Model Consumer Commodity Salvage Code (November 2002), ~~this code~~ by contacting the Association of Food and Drug Officials, 2550 Kingston Road, Suite 311, ~~Post Office Box 3425~~, York, PA, 17402, and copies are available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Blvd., Suite H, Tallahassee, Florida.

~~(3)~~ Regulatory Action Limits (RAL) — Pesticide Residues.

(a) ~~“Comparable product”~~ is defined as a product that belongs to the same general category of raw agricultural commodity as defined in 40 C.F.R. 180.41 (1995).

(b) ~~In the case where pesticide residues are detected on a food product for which no federal tolerances, food additives tolerances or action levels exist, the RAL shall be applied for enforcement action.~~

(c) ~~If pesticide residues are found at or above the RALs in a food product, the food shall be considered adulterated and shall be subject to regulatory action pursuant to Chapter 500, F.S., and the rules of this agency.~~

(d) ~~The RAL shall be one tenth (1/10) of the tolerance level or, if it exists, the action level, established for the pesticide on a comparable product.~~

(e) ~~In the case where there is no comparable product, one tenth (1/10) of the lowest tolerance level or action level established for the pesticide on any fresh fruit or vegetable product shall be the RAL.~~

(f) ~~In cases where there is a FDA Action Level (AL) for unavoidable residue on a comparable product, the same FDA AL applies as the RAL for purposes of regulatory action.~~

(g) ~~If no comparable product is listed for a FDA AL, the lowest FDA AL for the pesticide on any fresh fruit or vegetable product applies as the RAL.~~

(h) ~~In the case of leafy vegetables, group tolerances for non-Brassica category vegetables apply to Brassica category vegetables and vice versa for purposes of calculation of the RAL.~~

(i) ~~All regulatory actions shall be based upon analytical results with confirmation following established criteria.~~

(j) ~~All incidents of pesticide residues found on commodities for which no tolerances are established are reported to the Bureau of Compliance Monitoring, Division of Agricultural Environmental Services for pesticide mis-use investigation.~~

(4) Food Code – Provisions Adopted.

(a) Chapters 1-7 of the “2001 Food Code 1999” ~~and Chapters 1-7 of the “Supplement to the 2001 Food Code.”~~ published by the U.S. Public Health Service of the U.S. Department of Health and Human Services (1999), are hereby adopted by reference as administrative rules ~~a rule~~ under Chapter 500, F.S., except for the following provisions, which are not adopted by reference and therefore are specifically excluded from this rule:

1. Subparts 1-201.10(B)(36), (37), and (95); and (31), (32), (87) 2. 2-102.11

~~2.3.~~ Subpart 3-304.14(B)(2); and

3. The 7° Centigrade (45° Fahrenheit) requirement in Subparts 3-501.12(A), 3-501.13(A), 3-501.13(B)(3), 3-501.13(B)(4), 3-501.13(B)(4)(b), 3-501.14(A)(2), 3-501.14(B), 3-501.14(C), 3-501.16(A)(2)(b); and

- 4. Subpart 3-501.14(D); and
- 5. Subpart 3-501.17(A)(2); and
- 6. Subparts 4-301.12(C)(5), 4-301.12(D), 4-301.12(E);

and

- ~~7.4. Subpart 5-203.11(C); and~~
- ~~8.5. Subpart 5-402.12; and~~
- ~~9.6. Subpart 6-202.110.~~

(b) All provisions in the “2001 Food Code”~~1999~~ and the “Supplement to the 2001 Food Code.” that are adopted herein by reference shall apply to all food establishments regulated by the Florida Department of Agriculture and Consumer Services. Interested parties may obtain copies of this publication by contacting the U.S. Government Printing Office, Superintendent of Documents, P. O. Box 371954, Pittsburgh, PA 15250-7954. Copies are also available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Room 289, Tallahassee, Florida 32399-1650.

~~(c)(b) Existing mechanical refrigeration units which are being utilized to maintain potentially hazardous food at 7° C (45° F) or below and are otherwise in good repair shall have until September 8, 2002, to comply with the requirements of 5° C (41° F) or below as stated in section 3-501.16 of the “Food Code 1999”. Mechanical refrigeration units in new and extensively remodeled food establishments are required to maintain potentially hazardous foods at 5° C (41° F) or below, as stated in section 3-501.16 of the “Food Code 1999”. When a mechanical refrigeration unit must be replaced, the replacement unit must comply with temperature requirements of 5° C (41° F) or below for potentially hazardous food. The term “extensively remodeled” as used in this rule means “structural changes to an existing food establishment which cost in excess of 50% of the assessed value of the establishment as determined by the county property appraiser”.~~

(5) Other Standards.

(a) Cloths used for wiping food spills on food-contact surfaces of equipment shall be clean and rinsed frequently in an approved sanitizing solution as defined in 21 C.F.R. § 178.1010 (2002) ~~(1995)~~. Cloths used for wiping food spills on food-contact surfaces shall be used for no other purpose. The cloths shall be stored in the sanitizing solution between uses.

(b) Cloths used for cleaning non-food-contact surfaces shall be clean and rinsed frequently in an approved sanitizing solution as defined in 21 C.F.R. § 178.1010 (2002) ~~(1995)~~. Cloths used for cleaning non-food-contact surfaces shall be used for no other purpose. These cloths shall be stored in the sanitizing solution between uses.

Specific Authority 500.09, 500.12(1)(f), 500.12(5)(d), 500.12(6), 500.303, 500.304, 500.459, 570.07(23),(24), ~~500.12(1)(d)~~ FS. Law Implemented 500.03, 500.032, 500.04, 500.09, 500.10, 500.11, 500.12(4)(a), 500.121, 500.13, 500.147, 500.166, 500.169, 500.172, 500.301, 500.303, 500.304, 500.459, 570.07(2),(6),(9),(16),(18),(23),(24), 570.0725 FS. History—Revised 3-1-72, Amended 12-31-74, 1-18-83, 6-17-85, Formerly 5E-6.02, Amended 7-25-88, 4-13-92, Formerly 5E-6.002, Amended 8-8-95, 9-9-96, 12-10-96, 4-10-97, 9-8-97, 11-15-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dana H. Plummer, Esq., Division of Food Safety, 3125 Conner Blvd., Suite C, Tallahassee, Florida 32399-1650, (850)488-3951

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: J. D. Warren, Assistant Director, Division of Food Safety, 3125 Conner Blvd., Suite C, Tallahassee, Florida 32399-1650, (850)488-3951

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 15, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 18, 2003

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Right of Way Property Management	14-19
RULE TITLES:	RULE NOS.:
Definitions	14-19.003
Real Property Conveyances	14-19.004
Payments Due to the Department on Sales, Leases, and Demolition and Removal Contracts	14-19.005
Demolition and Removal Contracting	14-19.006
Appraisal/Title Certification Requirements	14-19.012
Leasing of Department Owned Property	14-19.013
Asbestos Management	14-19.016
Outdoor Advertising Signs	14-19.017
Recreational Trail Leases	14-19.019

PURPOSE AND EFFECT: Rule Chapter 14-19, F.A.C., is being repealed in its entirety. This is part of the Department’s overall goal to review existing rules and to repeal any rules that are considered to be obsolete or unnecessary. The rule chapter does not have a specific statutory grant of rulemaking authority, and rules within the chapter relate to contractually negotiated matters not requiring rules.

SUMMARY: Rule Chapter 14-19, F.A.C., is repealed.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 215.34(2), 255.051, 255.551-.565, 260.0121, 334.044(28), 337.25, 337.18, 337.274 FS.

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

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

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

14-19.003 Definitions.

Specific Authority 334.044(2) FS. Law Implemented 255.551, 337.25 FS. History–New 8-18-92, Amended 5-24-94, 4-25-95, 11-17-98, Repealed

14-19.004 Real Property Conveyances.

Specific Authority 334.044(2) FS. Law Implemented 337.25(4) FS. History–New 8-18-92, Amended 5-24-94, 11-17-98, Repealed

14-19.005 Payments Due to the Department on Sales, Leases, and Demolition and Removal Contracts.

Specific Authority 334.044(2) FS. Law Implemented 337.25(4) FS. History–New 8-18-92, Amended 5-24-94, 11-17-98, Repealed

14-19.006 Demolition and Removal Contracting.

Specific Authority 334.044(2), 337.18(1) FS. Law Implemented 255.05, 255.551 - 255.565, 337.11, 337.18 337.25 FS. History–New 8-18-92, Amended 11-17-98, Repealed

14-19.012 Appraisal/Title Certification Requirements.

Specific Authority 334.044(2), 337.25 FS. Law Implemented 334.044(27), 337.25 FS. History–New 8-18-92, Amended 5-24-94, 4-25-95, 11-17-98, Repealed

14-19.013 Leasing of Department Owned Property.

Specific Authority 334.044(2) FS. Law Implemented 337.25 FS. History–New 8-18-92, Amended 5-24-94, 4-25-95, 11-17-98, Repealed

14-19.016 Asbestos Management.

Specific Authority 334.044(2) FS. Law Implemented 255.551-.565 FS. History–New 8-18-92, Amended 5-24-94, 4-25-95, 11-17-98, Repealed

14-19.017 Outdoor Advertising Signs.

Specific Authority 334.044(2) FS. Law Implemented 337.25, 479.01-.24 FS. History–New 8-18-92, Amended 5-24-94, 4-25-95, 11-17-98, Repealed

14-19.019 Recreational Trail Leases.

Specific Authority 334.044(2) FS. Law Implemented 260.0161, 337.25 FS. History–New 4-25-95, Amended 11-17-98, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Lisa Barnes, Deputy Right of Way Manager, Relocation and Property

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Christine Speer, Assistant Secretary for Finance and Administration, for José Abreu, P.E., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 10, 2003

DEPARTMENT OF TRANSPORTATION

Commercial Motor Vehicle Review Board

RULE CHAPTER TITLE: Commercial Motor Vehicle Review Board

RULE CHAPTER NO.: 14A-1

RULE TITLES: Powers 14A-1.001

Organization 14A-1.002

Officers and Staff 14A-1.003

Meetings of the Commercial Motor Vehicle Review Board 14A-1.004

Public Notice of Meetings 14A-1.005

Agendas 14A-1.006

Timely Written Request for Meeting 14A-1.007

Appearances 14A-1.008

Records 14A-1.009

Continuances 14A-1.010

Decisions 14A-1.011

Rehearings 14A-1.012

Administrative Hearings 14A-1.013

PURPOSE AND EFFECT: Rule Chapter 14A-1, F.A.C., is significantly amended to repeal 12 existing rules and amend one rule. The bulk of the rules are being repealed because they duplicate the Uniform Rules of Procedure. Because of the repeal of the procedural rules, the chapter title is changed to "Commercial Motor Vehicle Review Board." Also, redundant provisions for administrative hearing rights beyond appearance before the Commercial Motor Vehicle Review Board are being eliminated.

SUMMARY: Rule Chapter 14A-1, F.A.C., is amended to repeal 12 rules and to amend one rule. Because of the repeal of the procedural rules, the chapter title is changed to "Commercial Motor Vehicle Review Board."

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: 334.044(2) FS.

LAW IMPLEMENTED: 120.569, 120.57(1), 316.545 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

COMMERCIAL MOTOR VEHICLE REVIEW BOARD
POWERS, ORGANIZATION, OFFICERS, DUTIES,
STAFF, AGENDA, ADMINISTRATIVE STAFF,
AND RULES OF PROCEDURE

14A-1.001 Powers.

Specific Authority 334.044(2) FS. Law Implemented 316.3025, 316.540, 316.545 FS. History--New 1-1-75, Formerly 14A-1.01, Amended 4-26-89, 8-5-96, Repealed _____.

14A-1.002 Organization.

Specific Authority 316.3025, 334.044(2) FS. Law Implemented 316.545(7) FS. History--New 4-26-89, Repealed _____.

14A-1.003 Officers and Staff.

Specific Authority 316.3025, 334.044(2) FS. Law Implemented 316.545(7) FS. History--New 4-26-89, Repealed _____.

14A-1.004 Meetings of the Commercial Motor Vehicle Review Board.

(1) The Commercial Motor Review Board (Review Board) meetings shall be scheduled as often as necessary, based upon a sufficient number of requests for review to justify the expense of holding a meeting, but in no case shall there be less than six meetings a year.

(a) The Review Board shall sit as an administrative body in equity to consider testimony or other evidence which supports written documents in mitigation, extenuation, modification, cancellation, or revocation, or maintenance of any penalty or penalties imposed pursuant to Section 316.540, 316.545, or 316.3025, Florida Statutes. Only penalties which have been paid or for which a Section 316.545, bond has been posted, will be considered by the Review Board. However, this provision shall not prevent the owner of a motor vehicle that has been impounded for nonpayment from receiving a Review Board hearing. Provision for Further, as provided in Rule 14-108.004, a motor carrier may obtain a Review Board hearing on penalties assessed as a result of a compliance review terminal audit prior to payment or posting of a bond is found in Rule Chapter 14-108, F.A.C.

(b)(1) Review Board meetings may be scheduled as often as determined necessary, based on a sufficient number of penalties being available for review to justify the expense of holding a meeting. The Review Board shall meet not less than six times per year. The location of each meetings shall be determined by the Review Board. Any person may request that the review of his or her case be held at a specific city at which the Review Board regularly meets. For his or her convenience, any Upon timely written request, cases involving Florida-based persons may request to be heard will be scheduled at the next meeting held in the their geographic area of the state in which his or her principal place of business is located. Any person may also request to be heard at the next meeting of the Review Board, regardless of geographic area. However, cases

involving requests for Review Board consideration of unpaid penalties imposed for violations found during a terminal audit will be scheduled for the next meeting, regardless of location. Upon timely written request, cases involving non-Florida based persons will be scheduled at the next meeting of the Review Board. Persons may request the scheduling of their case at a specific city at which the Review Board meets. These Such requests must be made in writing and be received by to the Commercial Motor Vehicle Review Board no less than 14 days prior to the scheduled meeting, Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida 32399-0450.

(2) All meetings and records shall be open to the public and shall be in compliance with Section 286.011, Florida Statutes.

(c) Notwithstanding Section (b) above, cases involving requests for Review Board consideration of unpaid penalties imposed for violations found during a compliance review will be heard at the next meeting, regardless of location.

(2) Agendas. The Chair of the Review Board shall be responsible for the preparation and distribution of agenda items to be considered at the meeting, and the time and place of such meeting, to Review Board members at least 14 days prior to the meeting.

(a) Changes may be made to the order or content of the agenda by the Chair of the Review Board after it has been made available for distribution, for good cause and as stated in the record.

(b) Copies of the agenda may be obtained from the Review Board, upon verbal or written request received at least seven days prior to the scheduled meeting.

(3) Timely Written Request for Hearing. Any person who wishes to have a penalty which was issued pursuant to Section 316.3025 or 316.545, Florida Statutes, considered by the Review Board shall file a written request for hearing before the Review Board. The request must be received by the Review Board no later than 60 days after the date on the Notice of Violation.

(4) Appearances. Persons, firms, or corporations assessed a penalty for violations of Section 316.3025 or 316.545, Florida Statutes, that have complied with all applicable requirements of this rule shall appear in person, through an authorized representative, or through legal counsel.

(a) Persons requesting a hearing, who will not be present or represented, shall submit evidence or arguments no less than 14 days prior to the scheduled hearing.

(b) The Review Board shall sustain all penalties imposed where no testimony, written evidence, other evidence, or arguments are presented by the person requesting an appearance before the Review Board.

(5) Records. Meetings of the Review Board shall be stenographically or mechanically recorded and shall be preserved for the period required by the Division of Library and Information Services, Department of State.

(6) Continuances. Requests for continuances by any person shall be in writing and received by the Review Board at least seven days prior to the scheduled meeting. The Review Board, at its discretion shall grant continuances for good cause shown.

(7) Decisions. The Review Board shall render its decision within 30 days after the hearing and shall notify the person requesting the hearing of its decision in writing. The written notice of the Review Board's decision shall contain a statement that the decision is final. A rehearing may be requested if additional evidence is presented, pursuant to a request from the Review Board.

Specific Authority 334.044(2) FS. Law Implemented 286.011, 316.3025, 316.545 FS. History--New 4-26-89, Amended 8-5-96, _____.

14A-1.005 Public Notice of Meetings.

Specific Authority 334.044(2) FS. Law Implemented 120.525, 286.0105, 316.545(7) FS. History--New 4-26-89, Repealed _____.

14A-1.006 Agendas.

Specific Authority 120.53(1)(d), 334.044(2) FS. Law Implemented 316.545(7) FS. History--New 4-26-89, Repealed _____.

14A-1.007 Timely Written Request for Meeting.

Specific Authority 120.53(1)(b), 334.044(2) FS. Law Implemented 316.3025, 316.545(7) FS. History--New 4-26-89, Amended 8-5-96, Repealed _____.

14A-1.008 Appearances.

Specific Authority 120.53(1)(b), 334.044(2) FS. Law Implemented 316.3025, ~~316.540~~, 316.545(4)(c),(7),(8) FS. History--New 4-26-89, Amended 8-5-96, Repealed _____.

14A-1.009 Records.

Specific Authority 120.53(1)(a), 334.044(2) FS. Law Implemented 286.011, 316.545(7) FS. History--New 4-26-89, Repealed _____.

14A-1.010 Continuances.

Specific Authority 120.53(1)(b), 316.3025, 344.044(2) FS. Law Implemented 316.545(7) FS. History--New 4-26-89, Repealed _____.

14A-1.011 Decisions.

Specific Authority 334.044(2) FS. Law Implemented 316.3025, 316.545(8) FS. History--New 4-26-89, Amended 8-5-96, Repealed _____.

14A-1.012 Rehearings.

Specific Authority 316.3025, 334.044(2) FS. Law Implemented 316.3025, 316.545(8) FS. History--New 4-26-89, Repealed _____.

14A-1.013 Administrative Hearings.

Specific Authority 334.044(2) FS. Law Implemented 120.569, 120.57(1), 316.545 FS. History--New 4-26-89, Amended 8-5-96, 1-17-99, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lt Col David Binder, Office of Motor Carrier Compliance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Morefield, Assistant Secretary for Transportation Policy, for José Abreu, P.E., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 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 MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: General Regulations
RULE CHAPTER NO.: 60A-1

RULE TITLE: MyFloridaMarketPlace Transaction Fee
RULE NO.: 60A-1.031

PURPOSE AND EFFECT: To amend this rule governing MyFloridaMarketPlace, the state-wide program for on-line procurement of commodities and contractual services, as defined in Section 287.012, F.S.

SUMMARY: Indicate clearly that a vendor's failure to report and pay transaction fee will result in vendor being excluded from future business with the State; clarify conditions under which reports are not required.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12), 287.057(23) FS.

LAW IMPLEMENTED: 287.032, 287.042, 287.057 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: 10:00 a.m., November 18, 2003

PLACE: Room 301, 4050 Esplanade Way, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard L. Brown, State Purchasing, 4050 Esplanade Way, Tallahassee, Florida 32399-0950, (850)488-3049, Facsimile (850)414-6122, E-mail: brownr2@dms.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.031 MyFloridaMarketPlace Transaction Fee.

(1) Each agency shall include language substantially similar to the following in the terms and conditions of all agency purchasing transactions involving commodities and contractual services as defined in Section 287.012, Florida Statutes (including formal solicitations, contracts, and purchase orders), unless the transaction is exempt from the Transaction Fee pursuant to Rule 60A-1.032, F.A.C.:

MyFloridaMarketPlace Transaction Fee

The State of Florida, through the Department of Management Services, has instituted MyFloridaMarketPlace, a statewide eProcurement system. Pursuant to Section 287.057(23), Florida Statutes (2002), all payments shall be assessed a Transaction Fee of one percent (1.0%), which the vendor shall pay to the State.

For payments within the State accounting system (FLAIR or its successor), the Transaction Fee shall, when possible, be automatically deducted from payments to the vendor. If automatic deduction is not possible, the vendor shall pay the Transaction Fee pursuant to subsection 60A-1.031(2), F.A.C. By submission of these reports and corresponding payments, vendor certifies their correctness. All such reports and payments shall be subject to audit by the State or its designee.

The vendor shall receive a credit for any Transaction Fee paid by the vendor for the purchase of any item(s) if such item(s) are returned to the vendor through no fault, act, or omission of the vendor. Notwithstanding the foregoing, a Transaction Fee is non-refundable when an item is rejected or returned, or declined, due to the vendor's failure to perform or comply with specifications or requirements of the agreement.

Failure to comply with these requirements shall constitute grounds for declaring the vendor in default and recovering procurement costs from the vendor in addition to all outstanding fees. **VENDORS DELINQUENT IN PAYING TRANSACTION FEES SHALL ~~MAY~~ BE EXCLUDED FROM CONDUCTING FUTURE BUSINESS WITH THE STATE.**

(2) On a monthly calendar basis, each vendor registered in MyFloridaMarketPlace shall report its business activity relating to State agreements using Form PUR 3776 (09/03) ~~(07/03)~~, which is hereby incorporated by reference.

(a) through (b) No change.

(c) ~~A For all vendors that have a current State or agency term contract, a report is required even if there are no sales. For all other vendors, a report is required only when fee-eligible payments have been received during the reporting period (no report is required if all payments are exempt from the Transaction Fee); provided, however, that if total Transaction Fees due are less than \$50, a such vendors may carry over the balance to the next reporting period.~~

(d) All information provided by the vendor is material and will be relied upon by the Department in administering MyFloridaMarketPlace. Failure to file a report shall be deemed a representation by the vendor that it received no reportable payments for the period quarter and that it owes no Transaction Fees. Any knowing and material misstatement shall be treated as fraudulent concealment from the State of the true facts relating to the conduct of the vendor's business with the State. A misrepresentation shall be punishable under law, ~~including, but not limited to, Chapter 817 of the Florida Statutes,~~ and shall be grounds for precluding the vendor from doing future business with the State.

Specific Authority 287.042(12), 287.057(23) FS. Law Implemented 287.032, 287.042, 287.057 FS. History—New 7-1-03, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Robert Hosay, Deputy Secretary, Department of Management Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: William Simon, Secretary, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 29, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLES: RULE NOS.:
 Biennial Barbershop Licensure Renewal Fee 61G3-20.010
 Barbershop Delinquent Renewal Fee 61G3-20.0105

PURPOSE AND EFFECT: The proposed rule amendments are intended to increase the cost of the biennial licensure and delinquent renewal fees for barber shops.

SUMMARY: The proposed rule amendments set forth the fees required for renewal of barbershop licensure and delinquent renewal fees.

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

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

SPECIFIC AUTHORITY: 476.064(4), 476.192, 476.184 FS.

LAW IMPLEMENTED: 476.193, 476.184 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

61G3-20.010 Biennial Barbershop Licensure Renewal Fee.

The biennial barbershop licensure renewal fee shall be one hundred fifty ~~seventy-five~~ dollars (\$150.00 ~~75.00~~).

Specific Authority 476.064(4), 476.192 FS. Law Implemented 476.192 FS. History--New 7-16-80, Amended 10-17-85, Formerly 21C-20.10, Amended 12-15-87, 5-11-88, Formerly 21C-20.010, Amended _____.

61G3-20.0105 Barbershop Delinquent Renewal Fee.

The delinquent renewal fee for barbershops shall be one hundred ~~seventy-five~~ dollars (\$100.00 ~~75.00~~) and shall be paid simultaneously with and in addition to those fees referred to in Rule 61G3-20.010, F.A.C., which were not paid in accordance with Rule 61G3-19.003, F.A.C.

Specific Authority 476.064(4), 476.184, 476.192 FS. Law Implemented 476.184, 476.192 FS. History--New 10-17-85, Formerly 21C-20.105, Amended 12-15-87, 5-11-88, Formerly 21C-20.0105, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLES:	RULE NOS.:
Renewal of Active Status License	
Fee for Veterinarians	61G18-12.005
Delinquency Fee	61G18-12.006
Renewal Fee for Inactive Status License	61G18-12.009

PURPOSE AND EFFECT: The Board proposes to raise the renewal and delinquency fees.

SUMMARY: Renewal and Delinquency fees are raised from \$160.00 to \$260.00.

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

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

SPECIFIC AUTHORITY: 474.206, 474.211, 474.271 FS.

LAW IMPLEMENTED: 455.271, 455.271(3), 474.2065, 474.211 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G18-12.005 Renewal of Active Status License Fee for Veterinarians.

The fee for Biennial renewal of an active status license shall be \$ 260.00 ~~160.00~~.

Specific Authority 474.206, 474.211 FS. Law Implemented 474.211, 474.2065 FS. History--New 11-14-79, Amended 3-1-84, Formerly 21X-12.05, Amended 12-14-87, 7-26-89, Formerly 21X-12.005, Amended 2-6-95, 5-27-99, _____.

61G18-12.006 Delinquency Fee.

A delinquent status licensee shall pay a delinquency fee of two ~~one~~ hundred sixty (\$ 260.00 ~~160~~) dollars when the licensee applies for active or inactive status.

Specific Authority 455.271 FS. Law Implemented 455.271 FS. History--New 2-6-95, Amended 5-8-00, _____.

61G18-12.009 Renewal Fee for Inactive Status License.

The fee for renewal of an inactive license shall be two ~~one~~ hundred sixty dollars (\$ 260.00 ~~160.00~~).

Specific Authority 474.206 FS. Law Implemented 455.271(3), 474.2065 FS. History--New 3-1-84, Formerly 21X-12.09, 21X-12.009, Amended 1-5-95, 4-25-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Veterinary Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 5, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 19, 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 Medicine

RULE TITLE:	RULE NO.:
Manner of Application	64B8-51.001

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the form number for the revised electrolysis licensure application.

SUMMARY: The proposed rule amendment changes the form number date of the revised electrolysis licensure application.

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: 478.43(1),(4) FS.

LAW IMPLEMENTED: 478.45 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: Kaye Howerton, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-51.001 Manner of Application.

(1) All persons applying for licensure as an electrologist shall submit a signed application to the Executive Director of the Council on forms provided by the Council and approved and incorporated herein by reference by the Board as Form DOH/MQA/EO APP/ Rev-04/03 ~~Rev-01/01~~, entitled "Application for Electrologist Licensure," effective 12-23-97, which can be obtained from the Council. The initial application must be accompanied by the application fee.

(2) through (4) No change.

Specific Authority 478.43(1),(4) FS.Law Implemented 478.45 FS. History--New 5-31-93, Formerly 21M-76.001, Amended 11-10-93, Formerly 61F6-76.001, Amended 5-29-96, Formerly 59R-51.001, Amended 12-23-97, 5-28-00, 8-9-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Medicine

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

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

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Continuing Education on Prevention of Medical Errors RULE NO.: 64B8-52.005

PURPOSE AND EFFECT: The Board proposes a new rule to allow the Council to accept medical errors courses that are accepted and approved by other Department of Health Boards.

SUMMARY: The proposed new rule approves medical errors courses that are used by other Department of Health Boards for required continuing education credit hours.

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: 456.013(7), 478.50(4)(c) FS.

LAW IMPLEMENTED: 456.013(7) 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: Kaye Howerton, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-52.005 Continuing Education on Prevention of Medical Errors.

Two (2) hour prevention of medical error courses as required in Section 456.013(7), Florida Statutes, approved by any Board within the Division of Medical Quality Assurance of the Department of Health pursuant to Chapter 456, F.S., are recommended by the Council and approved by the Board.

Specific Authority 456.013(7), 478.50(4)(c) FS. Law Implemented 456.013(7) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Medicine

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

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

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

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

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: 6E-1.0032 RULE TITLE: Fair Consumer Practices

NOTICE OF CHANGE

Notice is hereby given that the following information has been added to the notice of additional public hearing published in Vol. 29, No. 41, issue of the Florida Administrative Weekly:

TIMES AND DATE: 9:00 a.m., November 13-14, 2003

PLACE: Marriott Hotels and Resorts, Tampa International Airport, Tampa, Florida 33607

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-19	Right of Way Property Management
RULE NOS.:	RULE TITLES:
14-19.003	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 WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 29, No. 27, July 3, 2003, Florida Administrative Weekly, has been withdrawn.

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 NOS.:	RULE TITLES:
33-209.101	Staff Development – Definitions
33-209.1015	Training Development and Delivery
33-209.104	Training Requests and Assignments

SECOND NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 33, (August 15, 2003), and in Vol. 29, No. 38, (September 19, 2003) issue of the Florida Administrative Weekly:

33-209.101 Staff Development – Definitions.

For the purposes of this chapter:

(1) through (22) No change.

(23) “Office of Staff Development” means the office responsible for development and management of training, within the Department of Corrections.

(23) through (27) renumbered (24) through (28) No change.

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

(29) through (32) 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 FS. History–New 8-26-87, Formerly 33-25.001, Amended _____.

33-209.1015 Training Development and Delivery.

(1) No change.

(2) ~~The Office of Staff Development in the Office 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) through (4) 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 FS. History–New _____.

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) through (b) No change.

(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 a review by his or her supervisor, who is encouraged to seek and input from the next level supervisor appropriate senior manager.

(d) through (3) 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 FS. History—New 8-26-87, Formerly 33-25.004, Amended.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-302.109 Offender Orientation
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing on the above referenced proposed rule, as noticed in the Florida Administrative Weekly, Vol. 29, No. 40, October 3, 2003, will be held at 10:00 a.m. on Tuesday, November 4, 2003, at the Department of Corrections Central Office, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-501.301 Law Libraries
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. 36, (September 5, 2003), issue of the Florida Administrative Weekly:

33-501.301 Law Libraries.

- (1) No change.
- (2) Definitions.

(a) Central office library services: ~~where used herein~~, refers to library services section in the bureau of programs, office of classification and programs, in the department’s central office headquarters.

(b) Deadline: ~~where used herein~~, refers to any requirement imposed by law, court rule or court order that imposes a maximum time limit on the filing of legal documents with the court.

(c) ~~Functionally illiterate~~: ~~where used herein~~, refers to inmates who demonstrate academic competence below the 9th grade level, as measured by the Test of Adult Basic Education as provided in Rule 6A-6.014, F.A.C., means approved for this purpose by the Florida State Board of Education.

(d) Incompetence or incompetent: ~~where used herein~~, refers to oral or written statements or conduct that demonstrates to departmental staff that an inmate law clerk does not have ability or knowledge to research and use the law library collection, to provide inmates with accurate information on the law and civil or criminal procedure, or to assist inmates in the preparation of legal documents or legal mail.

(e) Inmate law clerk: ~~where used herein~~, refers to any inmate that an institution has assigned to work in a law library in departmental inmate work assignment codes L04 and L09. Inmate law clerks have successfully completed the

department’s law clerk training program, or have equivalent legal training, and have “LEGAL” or “LAW” certificate entries recorded in the department’s offender database.

(f) Inmate law clerk trainee: ~~where used herein~~, refers to any inmate that an institution has assigned to work in a law library in departmental inmate work assignment codes L03 and L08. Inmates must meet all of the qualifications established in paragraph (7)(d) to be assigned as a law clerk trainee.

(g) Inmate library clerk: ~~where used herein~~, refers to any inmate that an institution has assigned to work in the law library in departmental work assignment codes L01 and L06.

(h) Interstate Corrections Compact: ~~where used herein~~, refers to an interstate agreement that permits the State of Florida to transfer custody of Florida inmates to other state correctional systems in accordance with Sections 941.55-941.57, F.S.

(i) Law library supervisor: ~~where used herein~~, refers to a library program specialist, librarian specialist, library technical assistant, and, whenever these positions are vacant, any other employee that the warden or designee appoints to oversee operation of the institution’s law library program.

(j) Legal assistance: ~~where used herein~~, refers to those services that the law library program or inmate law clerks provide to the inmate population. They include: providing inmates access to law library materials; assisting inmates in conducting legal research; assisting inmates with the preparation of legal documents and legal mail associated with the filing of post-conviction petitions filed in the state or federal courts, civil rights actions filed in the state or federal courts, and administrative actions filed with the Florida Parole Commission or the Florida Bar; assisting inmates with the preparation of grievances filed with the Department of Corrections; providing inmates with access to grievance and court forms; providing indigent inmates with access to legal writing supplies pursuant to Rule 33-210.102, F.A.C.; and providing copying services to inmates pursuant to Rule 33-501.302, F.A.C.

(k) Library services administrator: ~~where used herein~~, refers to departmental employee in the bureau of programs who is responsible for statewide coordination of library and law library services.

(l) Major collection: ~~where used herein~~, refers to a law library that includes the following legal publications: an annotated edition of the Florida Statutes; an annotated edition of the U.S. Constitution and federal statutes governing habeas corpus and prisoner’s rights; Florida and federal case reporters; Florida and federal Shepard’s citation indexes; Florida and federal practice digests; forms manuals; and secondary source materials providing research guidance in the areas of federal habeas corpus, Florida post-conviction and post-sentence remedies, and prisoner’s rights. Major collection law libraries also maintain current copies of departmental rules and regulations as provided in paragraph (4)(b).

(m) Minor collection: ~~where used herein~~, refers to a law library that includes the following legal publications: an annotated edition of the Florida Statutes; Florida case reporters; Shepards Florida Citations; Florida and federal practice digests; an annotated edition of the U.S. Constitution and federal statutes governing habeas corpus and prisoner's rights; forms manuals; and secondary source materials providing research guidance in the areas of federal habeas corpus, Florida post-conviction and post-sentence remedies, and prisoner's rights. Minor collection law libraries also maintain current copies of departmental rules and regulations as provided in paragraph (4)(b).

(n) Official state holiday: ~~where used herein~~, refers to any day that the governor or the state legislature of the state of Florida designates a state holiday.

(o) Open population inmates: ~~where used herein~~, refers to inmates housed in general population at a institution or unit with a major or minor collection law library and any inmates housed at satellite correctional facilities if major or minor collection law libraries are not located there.

(p) Personal legal papers: ~~where used herein~~, refers to legal documents, legal correspondence, research notes, and transcripts relating to ongoing civil or criminal litigation where the inmate is a named plaintiff or defendant.

(q) Priority access: ~~where used herein~~, refers to the act of providing an inmate with exceptional access to the law library collection, inmate law clerks, interlibrary loan services, or to copying services.

(r) Research items: ~~where used herein~~, refers to photocopies of cases and statutes, and tables of contents, sections, or chapters from other reference titles in the institution's law library collection, which are loaned to inmates for legal research purposes. These do not include the inmate's personal legal papers, pleadings, or transcripts.

(s) Satellite correctional facilities: ~~where used herein~~, refers to a medium or minimum custody correctional facility, such as an annex, work camp, road prison, forestry camp, or drug treatment center. Satellite correctional facilities do not include work release centers.

(t) Starter collection: ~~where used herein~~, refers to a law library that includes the following legal publications: an annotated edition of the Florida Statutes; an annotated edition of the Title 42, United States Code, Section 1983; the Florida and federal rules of court; and a legal dictionary.

(u) Working day, ~~where used herein~~, refers to any weekday, i.e., Monday to Friday, except when the day is an official state holiday.

(3) Law Library Access – General.

(a) through (d) No change.

(e) Inmates who are ~~functionally~~ illiterate or have disabilities that hinder their ability to research the law and prepare legal documents and legal mail, and need research assistance, shall be provided access to the law library and to inmate law clerks. These inmates may request legal assistance by making an oral request for same to the correctional staff working in their housing or confinement units, classification staff, work supervisors, mental health staff, or to the law library supervisor. Staff shall relay oral requests for legal assistance to the law library supervisor. Upon receipt of an oral request or Form DC6-236, Inmate Request, the law library supervisor shall schedule the inmate for a visit to the law library or a visit with an inmate law clerk.

(f) through (4)(e) No change.

(f) Inmates shall be limited to possession of no more than 15 research items from the law library. Research items shall be loaned for a maximum of 21 days. If research items are not returned to the law library within 21 days, then the inmate's privilege to borrow research items from the law library shall be suspended until the material is returned. Institutions shall also limit the accumulation of research materials when possession of same in an inmate's cell creates a safety, sanitation or security hazard.

(5) through (6) No change.

(7) Use of inmates as clerks in law libraries.

(a) through (o) No change.

(p) Central office library services shall suspend the law clerk certificate of an inmate when ~~4~~ 2 years have passed since he or she worked in a law library as an inmate law clerk. Whenever a law clerk certificate is suspended, central office library services shall remove the certificate entry from the offender database. ~~Provided that no more than 5 years have passed since an inmate has worked as an inmate law clerk, a law library supervisor may request that an inmate's suspended law clerk certificate be reinstated. In such cases, Central office library services shall~~ reinstate the law clerk certificate if ~~require that~~ the inmate demonstrates, through successful completion of a written examination, that he or she still possesses current knowledge of the law, knowledge of legal research materials and how to use them, and can communicate effectively in writing. ~~If the inmate demonstrates to central office library services that he or she still has the requisite knowledge and skills to work as an inmate law clerk, the suspension shall be lifted and the law clerk certificate shall be re-entered in the offender database.~~

(q) No change.

(r) Inmate law clerks ~~normally~~ shall not be permitted to conduct legal research or prepare legal documents and legal mail on personal legal matters during work hours unless. ~~However, law library supervisors are authorized to make exceptions when:~~

- 1. through 2. No change.
- (8) through (10) No change.

(11) Forms. The following forms ~~relevant to this section~~ are hereby incorporated by reference. A copy of any of these forms is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

- (a) through (b) No change.

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 COPORATION

RULE NOS.:	RULE TITLES:
67-45.001	Definitions
67-45.005	Terms and Conditions of Loans
67-45.006	Loan Processing
67-45.007	Fees

NOTICE OF CHANGE

Notice is hereby given that in response to recommendations made by the Joint Administrative Procedures Committee, the following changes have been made to Rule Chapter 67-45, Florida Administrative Code, as published in Vol. 29, No. 37 of the Florida Administrative Weekly on September 12, 2003.

67-45.001 Definitions.

(1) “Act” means the Florida Housing Finance Corporation Act as found in Chapter 420, Part V, F.S., ~~as amended.~~

(2) “Construction Loan” means a loan to a non-profit sponsor or developer under the Homeownership Loan Program as more fully described in Rule Chapter 67-50, F.A.C.

(3) “Corporation” means the Florida Housing Finance Corporation.

(4) “Down Payment Assistance Loan” ~~or “Loan”~~ means a Florida Home Ownership Assistance Program loan for which no interest is charged and which shall be limited to the lesser of 25 percent of the purchase price of the Home or the amount necessary to enable an Eligible Borrower to meet credit underwriting criteria. ~~The loan shall not exceed 30 years or the term of the First Mortgage of principal is deferred until the expiration of the term of the First Mortgage, or in the event of sale, transfer, refinancing or failure to occupy the Home as the primary residence as outlined in Rule Chapter 67-25.014, F.A.C., in which case the Loan is due and payable in full at that time. The Down Payment Assistance Loan may be used for down payment and closing costs associated with the purchase of the Home financed with Single Family Bond Program funds.~~

(5) “Eligible Borrower” means a person or persons or family or families:

(a) Who intend to permanently reside as a household in the Home as their principal single-family residence;

(b) Whose total annual family income at time of closing does not exceed 80 percent of the State or local median income, whichever is greater, adjusted for family size.

(c) Who are participating in the Corporation's Single-Family Bond Program.

(6) Fannie Mae” means the Federal National Mortgage Association, a corporation organized and existing under the Federal National Mortgage Association Charter Act, 12 U.S.C. 1716 ~~et seq., or any successor thereto.~~

(7) through (9) No change.

(10) “Freddie Mac” means the Federal Home Loan Mortgage Corporation, ~~or any successor thereto.~~

(11) “Home” means a residential unit used as a single-family residence, which is taxed as real property under the laws of the State of Florida and is located within the State, including a condominium unit and a manufactured home meeting conventional or FHA standards, which is acceptable to any insurer providing private mortgage insurance, FHA, VA or RD. The dwelling structure may consist of two-, three- or four-family dwelling units one unit of which is to be occupied by the mortgagor of the units and all of which units were first occupied as homes at least five (5) years before the Loan with respect to such Home which:

(a) Is designed and intended primarily for residential housing;

(b) Is determined by a qualified appraisal to have an expected useful life of not less than 30 years or the term of the First Mortgage, whichever is less;

(c) Will be occupied by the owner as his or her principal residence within 60 days after financing is provided;

(d) Has a sales price which does not exceed the Maximum Acquisition Price as defined in subsection 67-45.001(12), F.A.C., of this rule.

(e) Maintains the basic livability of the residence and will not be used for business purposes to generate additional income for the Eligible Borrower (including child care services, on a regular basis for compensation) unless such income is used to qualify the borrower for the loan.

(12) “Maximum Acquisition Price” means the maximum purchase price of a Single Family Residence, as prescribed in the IRS Revenue Procedures 94-55, hereby incorporated by reference. The Acquisition Price Limits are also subject to the FHA/VA/RD limits for the counties, hereby incorporated by reference. Copies of these A copy of this documents may be obtained by contacting the Single Family Bonds Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1397. Acquisition Price limits are also subject to the applicable FHA/VA/RD limits for the Counties.

(13) "Participating Lender" means the entity signing a Master Mortgage Purchase Agreement and the Supplements to the Master Mortgage Purchase Agreement, hereby incorporated by reference. A copy of this document may be obtained by contacting the Single Family Bonds Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1397. By which, by virtue of executing the Master Mortgage Purchase Agreement the Participating Lender represents that it is a home mortgage lending institution or entity:

(a) Participating in the local private home lending market;

(b) That is an FHA-approved mortgagee (with direct endorsement underwriting authority preferred), or a VA-approved lender (with automatic approval authority preferred), or an RD approved lender (unless waived by the Corporation or its designee);

(c) With respect to Conventional Mortgage loans, is a Fannie Mae or Freddie Mac approved lender in good standing, has errors and omissions coverage of at least \$300,000, meets the requirements of the Corporation or its designee with respect to financial status and is acceptable to a Fannie Mae or Freddie Mac PMI Insurer, ~~if applicable;~~

(d) Which can make the representations and warranties and covenants set forth in the Master Mortgage Purchase Agreement; and

(e) Which has agreed to and will originate Mortgage Loans itself or through correspondent mortgage lending institutions.

(14) "Permanent Loan" ~~or "Loan"~~ means a loan to a borrower under the Homeownership Loan Program as more fully described in Rule Chapter 67-50, F.A.C.

(15) "RD" means Rural Development Services (formerly the Farmer's Home Administration) of the United States Department of Agriculture, ~~its successors and assigns.~~

(16) "Second Mortgage" means the recorded mortgage securing the Down Payment Assistance Loan, which is subordinate only to the lien of the First Mortgage.

(17) "Single-Family Bond Program" means the Single-Family Mortgage Revenue Bond Program implemented pursuant to Rule Chapter 67-25, F.A.C., or any other public or private loan program approved by the Corporation's Board of Directors as a substitute for the Single-Family Mortgage Revenue Bond Program.

(18) "VA" means the U.S. Department of Veterans Affairs, an agency of the United States of America, ~~or any successor to its functions.~~

Specific Authority 420.507(12),(23) FS. Law Implemented 420.507(23), 420.5088 FS. History--New 8-7-95, Formerly 91-45.001, Amended 12-26-99, 10-29-01, _____.

67-45.005 Terms and Conditions of Loans.

(1) All Down Payment Assistance Loans must be in compliance with the Act and shall adhere to the terms and conditions outlined in Rule Chapter 67-50, F.A.C.

(2) The loan shall not exceed 30 years or the term of the First Mortgage of principal is deferred until the expiration of the term of the First Mortgage, or in the even of sale, transfer, refinancing or failure to occupy the Home as the primary residence as outlined in Rule Chapter 67-25.014, F.A.C., in which case the Loan is due and payable in full at that time.

(3) The Down Payment Assistance Loan may be used for down payment and closing costs associated with the purchase of the Home financed with Single-Family Bond Program funds.

Specific Authority 420.507(12),(23) FS. Law Implemented 420.507(23), 420.5088 FS. History--New 8-7-95, Formerly 91-45.005, Amended _____.

67-45.006 Loan Processing.

(1) All applications and Loans ~~are shall be~~ processed by the Participating Lenders in accordance with each Participating Lender's standard underwriting criteria and any additional criteria imposed by FHA, VA, FannieMae, Freddie Mac, RD or other parties insuring or guaranteeing the First Mortgage loan.

(2) No change.

(3) If sufficient funds are not available in the full amount of the Loan as requested, the application shall be deferred to a waiting list maintained by the Corporation or its designee on a first-come, first-served basis. Such application shall be considered as soon as sufficient funds become available to finance the Loan.

Specific Authority 420.507(12),(23) FS. Law Implemented 429.5088 FS. History--New 8-7-95, Formerly 91-45.006, Amended 12-26-99, 10-29-01, _____.

67-45.007 Fees.

In connection with the origination of a Down Payment Assistance Loan, the Lender may collect and retain from the Eligible Borrower a \$75.00 ~~\$150.00~~ application fee, payable at the time of application.

Specific Authority 420.507(4),(12),(23) FS. Law Implemented 420.507(19) FS. History--New 8-7-95, Formerly 91-45.007, Amended 10-29-01, _____.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-51.001	Definitions
67-51.004	Application Procedures
67-51.005	Terms and Conditions of Loans
67-51.007	Fees

NOTICE OF CHANGE

Notice hereby given that in response to recommendations made by the Joint Administrative Procedures Committee, the following changes have been made to Rule Chapter 67-51, Florida Administrative Code, as published in Vol. 29, No. 37 of the Florida Administrative Weekly on September 12, 2003.

67-51.001 Definitions.

(1) "Act" means the Florida Housing Finance Corporation Act as found in Chapter 420, Part V, F.S. as amended.

(2) "Corporation" means the Florida Housing Finance Corporation.

(3) "Down Payment Assistance Loan" ~~or "Loan"~~ means a Florida Homeownership Assistance for Moderate Income Program loan in the amount up to \$5,000. ~~The loan is amortized for a 10-year period with the interest rate to set between a minimum of 3 percent and a maximum interest rate of 5 percent, which shall be adjusted to be competitive with market rates. Repayment is due in the event of sale, transfer, refinancing or failure to occupy the Home as the primary residence without prior approval by the Corporation as outlined in Rule Chapter 67-25.014, F.A.C., in which case the Loan is due and payable in full at that time. The Down Payment Assistance Loan shall be used for down payment and closing costs associated with the purchase of the Home financed with Single Family Bond Program funds.~~

(4) "Eligible Borrower" means a person or persons or family or families:

(a) Who intend to permanently reside as a household in the Home as their principal single-family residence;

(b) Whose total annual family income at time of closing is equal to or greater than 80.01 percent of the State or local median income, whichever is greater and does not exceed 120 percent of the local median income in targeted areas and 115 percent of the local median income in all other areas ~~limits.~~

(c) Who are ~~may or may not be~~ participating in the Corporation's Single-Family Bond Program.

(5) "Fannie Mae" means the Federal National Mortgage Association, a corporation organized and existing under the Federal National Mortgage Association Charter Act, 12 U.S.C. 1716 *et seq.*, ~~or any successor thereto.~~

(6) "FHA" means the Federal Housing Administration of the U.S. Department of Housing and Urban Development ~~or other Agency or instrumentality created or chartered by the United States government to which the powers of the Federal Housing Administration have been transferred.~~

(7) "First Mortgage" means the recorded mortgage secured via the Corporation's First Time Home Buyer Program to which the Down Payment Assistance Loan is subordinated and which is superior to any other lien or encumbrance on the property.

(8) "Freddie Mac" means the Federal Home Loan Mortgage Corporation ~~or any successor thereto.~~

(9) "Home" means a residential unit used as a single-family residence, which is taxed as real property under the laws of the State of Florida and is located within the State, including a condominium unit and a manufactured home meeting conventional or FHA standards, which is acceptable to any insurer providing private mortgage insurance, FHA, VA or RD. The dwelling structure shall consist of two-, three- or four-family dwelling units, one unit of which is to be occupied by the mortgagor of the units and all of which units were first occupied as homes at least five (5) years before the Loan with respect to such Home which:

(a) Is designed and intended primarily for residential housing;

(b) Is determined by a qualified appraisal to have an expected useful life of not less than 30 years or the term of the First Mortgage, whichever is less;

(c) Will be occupied by the owner as his or her principal residence within 60 days after financing is provided.

(d) Has a sales price which does not exceed the Maximum Acquisition Price as defined in subsection 67-51.001(10), F.A.C., of this rule.

(e) Maintains the basic livability of the residence and will not be used for business purposes to generate additional income for the Eligible Borrower (including child care services on a regular basis for compensation) unless such income is used to qualify the borrower for the loan.

(10) "Maximum Acquisition Price" means the maximum purchase price of a Single Family Residence, as prescribed in IRS Revenue Procedures 94-55, hereby incorporated by reference. The Acquisition Price limits are also subject to the FHA/VA/RD limits, hereby incorporated by reference. A copy ~~Copies~~ may be obtained by contacting the Single Family Bonds Program Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. ~~Acquisition Price limits are also subject to the FHA/VA/RD limits, hereby incorporated by reference.~~

(11) "Participating Lender" means the entity signing a Master Mortgage Purchase Agreement and the all applicable ~~Supplements to the Master Mortgage Purchase Agreement,~~ which by virtue of executing, represents that it is a home mortgage lending institution or entity:

(a) participating in the local private home lending market;

(b) That is an FHA – approved mortgagee (with direct endorsement underwriting authority preferred), or a VA-approved lender (with automatic approval authority preferred), or an RD approved lender (unless waived by the Corporation or its designee);

(c) That with respect to Conventional Mortgage loans, is a Fannie Mae or Freddie Mac approved lender in good standing, has errors and omissions coverage of at least \$300,000, has a minimum net worth of \$250,000, ~~meets the requirement the~~

~~Corporation or its designee with respect to financial status and is acceptable to a Fannie Mae or Freddie Mac PMI Insurer, if applicable;~~

(d) Which can make the representations and warranties and covenants set forth in Section 2 of the Mortgage Purchase Agreement; and

(e) Which has agreed to and will originate Mortgage Loans itself or through correspondent mortgage lending institutions.

(12) "RD" means Rural Development Service (formerly the Farmers Home Administration) of the United States Department of Agriculture, ~~its successors and assigns.~~

(13) "Second Mortgage" means the recorded mortgage securing the Down Payment Assistance Loan, which is subordinate only to the lien of the First Mortgage.

(14) "Single-Family Bond Program" means the Single-Family Mortgage Revenue Bond Program implemented pursuant to Rule Chapter 67-25, F.A.C., or any other public or private loan program approved by the Corporation's Board of Directors as a substitute for the Single-Family Mortgage Revenue Bond Program.

(15) "VA" means the Department of Veterans Affairs, an agency of the United States of America, ~~or any successor to its functions.~~

Specific Authority 420.507(12), 420.507(24) FS. Law Implemented 420.509, 420.509(11)(c) FS. History--New _____.

67-51.004 Application Procedures.

(1) Eligible Borrowers shall apply for a Down Payment Assistance Loan with any Participating Lender that is processing the applicant's First Mortgage Loan application.

(2) Prior to receiving funding for a Down Payment Assistance Loan, Eligible Borrowers shall meet all eligibility requirements as specified in the ~~relevant~~ Single-Family Bond Program documents as further described in subsection 67-25.006(2), F.A.C.

(3) Eligible Borrowers shall execute a note and mortgage for this loan.

Specific Authority 420.507(12), 420.507(24) FS. Law Implemented 420.509, 420.509(11)(c) FS. History--New _____.

67-51.005 Terms and Conditions of Loans.

(1) All Down Payment Assistance Loans must be in compliance with the Act and shall adhere to the terms and conditions outlined in this Rule Chapter.

(2) The loan is amortized for a 10-year period with the interest rate to set between a minimum of 3 percent and a maximum interest rate of 5 percent, which shall be adjusted to be competitive with market rates.

(3) Repayment is due in the event of sale, transfer, refinancing or failure to occupy the Home as the primary residence without prior approval by the Corporation as outlined in Rule Chapter 67-25.014, F.A.C., in which case the Loan is due and payable in full at that time.

(4) The Down Payment Assistance Loan shall be used for down payment and closing costs associated with the purchase of the Home financed with Single-Family Bond Program funds.

Specific Authority 420.507(12), 420.507(24) FS. Law Implemented 420.509, 420.509(11)(c) FS. History--New _____.

67-51.007 Fees.

In connection with the origination of a Down Payment Assistance Loan, the ~~Corporation Participating Lender~~ shall collect from the Eligible Borrower a ~~\$75~~ \$150 application and \$150 servicing fee, payable at the time of application.

Specific Authority ~~420.507(4)~~, 420.507(12), 420.507(24) FS. Law Implemented 420.509, 420.509(11)(c) FS. History--New _____.

Section IV
Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs received a Petition for Waiver on October 13, 2003, from the Town of Callahan. The petitioner seeks a waiver of paragraph 9B-43.014(5)(d), Fla. Admin. Code, with respect to the demand by the Department that the Town of Callahan refund to the Department the sum of \$430,780.58 which it received under a Community Development Block Grant for housing rehabilitation. This petition for waiver is being applied for under Chapter 120.542, F.S.

A copy of the petition, which has been assigned the number DCA03-WAI-279, may be obtained by writing: Paula P. Ford, Agency 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."

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-160 DAO-ROW), on October 8, 2003, to Joseph H. Seiverd.

The petition for waiver was received by the SFWMD on August 29, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 37, on September 12, 2003. No public comment was received. This Order provides a waiver for the proposed placement of a storage shed, existing steps and trees encroaching within the southeast right of way of the C-1N Canal at the rear of 20143 S. W. 103rd Avenue, S8/T56S/R40E, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which govern the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Joseph Seiverd from a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-161 DAO-ROW), on October 8, 2003, to Broward County Board of County Commissioners.

The petition for waiver was received by the SFWMD on May 13, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 23, on June 6, 2003. No public comment was received. This Order provides a waiver for a pedestrian bridge along the North New River Canal, S24/T50S/R41E, Broward County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within the District's 100 foot long equipment staging areas within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Broward County Board of County Commissioners from a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-163 DAO-ROW), on October 8, 2003, to the Florida Department of Transportation.

The petition for waiver was received by the SFWMD on August 19, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 36, on September 5, 2003. No public comment was received. This Order provides a waiver for 2 existing outfall pipes within the north and south rights of way adjacent to the Powerline Road (SR 845) bridge crossing the Hillsboro Canal, S33,34/T47S/R42E, Palm Beach/Broward Counties. 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 states that for culvert connections the crown elevation is 1/2 foot below the design water surface of optimum water control elevation within

Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Florida Department of Transportation from substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-162 DAO-ROW), on October 8, 2003, to Miami-Dade County.

The petition for waiver was received by the SFWMD on July 29, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 32, on August 8, 2003. No public comment was received. This Order provides a waiver for the proposed installation of a portion of guardrail, curb and gutter and concrete flumes within the north right of way of C-2 Canal along Snapper Creek Drive from S. W. 97th Avenue northerly to S. W. 102nd Avenue, S32/T54S/40E, Miami-Dade County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), F.A.C., and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of retention/detention facilities associated with roadways within the District's rights of way and governs the placement of above-ground permanent and/or semi-permanent encroachments within 40 feet of the top of canal bank and within the District's designated 100 foot long equipment staging areas within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Miami-Dade County from a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-164 DAO-ROW), on October 8, 2003, to the Florida Department of Transportation.

The petition for waiver was received by the SFWMD on August 14, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 35, on August 29, 2003. No public comment was received. This Order provides a waiver for the proposed construction of an 8' high noise wall along the east side of the existing I-95 vehicular bridge within the north and south rights of way of the Hillsboro Canal, Boca Raton, Deerfield Beach, S36/T37S/R42E, Palm Beach/Broward Counties. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which govern the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Florida Department of Transportation from a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

DEPARTMENT OF ELDER AFFAIRS

NOTICE IS GIVEN the Department of Elder Affairs has received a request for a variance from the North Central Florida Hospice, Inc. The request was filed on October 8, 2003. The North Central Florida Hospice, Inc., seeks a permanent waiver from Rule 58A-2.025, Florida Administrative Code, Physical Plant Requirements (Inpatient Facility and Unit), which requires all new inpatient units and facilities, and additions or renovations to existing units and facilities to be in compliance with the physical plant requirements specified in the Rule 58A-2.025, Florida Administrative Code, effective August 10, 2003. North Central Florida Hospice, Inc., seeks to obtain a Variance or Waiver from the Rule 58A-2.025, Florida Administrative Code, to allow the hospice facility located at 6400 St. John's Avenue, Palatka, Florida, to be licensed by the Agency for Health Care Administration.

A copy of the request for variance may be received from and comments submitted to: Linda Macdonald, Department of Elder Affairs, 4040 Esplanade Way, Suite 315L, Tallahassee, Florida 32399-7000 or e-mail: macdonaldla@elderaffairs.org. Comments must be received no later than 14 days from the date of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the Board of Hearing Aid Specialists issued a Final Order on October 10, 2003, in response to a Petition for a Waiver and/or Variance filed by Robert F. Duncan f/k/a Robert F. Dechmerowski. Petitioner sought a variance of subsection 64B6-2.002(1), F.A.C., which requires that the Applicant provide at least two receipts per month for 12 of the 18 months immediately preceding the application.

The Board found that Petitioner failed to clarify the exact nature of his work experience over the past 12 months. Due to this failure, the board was unable to determine whether Petitioner’s work experience should be deemed to satisfy the requirement of “actively practicing,” as required for licensure pursuant to Section 484.045(2)(e)2.b., Florida Statutes. Therefore, pursuant to Section 120.542(2), F.S., the Board voted to DENY Petitioner’s request for a variance.

For a copy of the petition and final order contact: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Medicine hereby gives notice that it has received a petition filed on October 14, 2003, by Sushila Mohan, M.D., seeking a variance from subsection 64B8-2.001(2), F.A.C., with regard to the passing requirements of the FLEX examination.

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

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

The Board of Medicine hereby gives notice that it has received a petition filed on October 3, 2003, by Suresh D. Ghatte, M.D., seeking a variance from subsection 64B8-4.009(5), F.A.C., with regard to required verification of the applicant’s medical education directly from the medical school.

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

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

The Board of Orthotists and Prosthetists hereby gives notice that it received a petition on October 9, 2003, from Alan Albert Giardina by and through his attorney, Ron Renzy, seeking a variance of paragraph 64B14-4.110(1)(b), Florida Administrative Code, with respect to licensure requirements as an orthotic fitter assistant for two (2) years prior to licensure as an orthotic fitter. Comments on this petition should be filed with the Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Tallahassee, Florida.

For a copy of the petition, contact: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399.

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

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

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

DATE AND TIME: November 12, 2003, 9:00 a.m.

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

PURPOSE: Regular scheduled meeting of the Governor and Cabinet

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

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

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

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

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

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

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

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

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

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

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

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

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

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

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol,

Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF LEGAL AFFAIRS

The Nominating 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, November 5, 2003, 10:00 a.m.

PLACE: Call (850)414-3300 for information on participation
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces a meeting of the Citrus Production Research Advisory Council.

DATE AND TIME: Tuesday, October 28, 2003, 9:30 a.m.
 PLACE: Highlands County Agricultural Center, 6400 Highway 27, Sebring, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the research council to review citrus research projects and to choose which pre-proposals will move forward to full proposals and discuss the replacement of the Scientific Coordinator. There is likely to be some discussion of the referendum for FCPRAC.

If special accommodations are needed to attend this meeting because of disability, please contact: Tony Fendrick, (850)488-4366.

The **Florida Self-Insurers Guaranty Association, Inc.** announces a telephone conference meeting of its Board of Directors in which all interested persons are invited to attend.

DATE AND TIME: Wednesday, October 29, 2003, 9:00 a.m.
 PLACE: Florida Hotel and Motel Association Building, 200 W. College Avenue, Suite 115, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Brian Gee, Florida Self-Insurers Guaranty Association, 200 W. College Avenue, Suite 115, Tallahassee, Florida 32301, (850)222-1882.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** announces a meeting of the Silviculture Best Management Practices Technical Advisory Committee, to which all persons are invited.

DATE AND TIME: November 7, 2003, 10:00 a.m.
 PLACE: Division of Forestry, State Office Headquarters, 3125 Conner Blvd, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Silviculture Best Management Practices Technical Advisory.

For more information about the meeting, for a copy of the agenda, or if special accommodations are needed to attend this meeting because of a disability, please contact: Jeff Vowell, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650 or (850)414-9935.

DEPARTMENT OF EDUCATION

The **Florida Rehabilitation Council** announces the following conference call/quarterly meeting:

MEETING: Florida Rehabilitation Council: Quarterly Meeting
 DATES AND TIME: November 12-14, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Tampa Marriot Hotel, Tampa International Airport, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320 or Dean Goodson, (850)245-3319.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to

ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/quarterly meeting:

MEETING: Florida Rehabilitation Council: Coordination Committee Mental Health Workgroup

DATES AND TIMES: November 19, 2003, 8:30 a.m. – 1:30 p.m.; November 19, 2003, 2:00 p.m. – 4:00 p.m. (Coordination Committee meeting)

PLACE: Wakulla Springs Lodge and Conference Center, Wakulla Springs, Florida 32327

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320 or Dean Goodson, (850)245-3319.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following meeting:

MEETING: Florida Rehabilitation Council: RETREAT

DATES AND TIME: December 3-6, 2003, 8:00 a.m. – 5:00 p.m.

PLACE: Grand Key Resort, Key West, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320 or Dean Goodson, (850)245-3319.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The public is invited to a meeting of the **Department of Education Advisory Council** on Educational Facilities.

DATE AND TIME: Tuesday, October 28, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Nova Southeastern University, Alvin Sherman Library, Research, and Information Technology Center, Room 4009, 3100 Ray Ferrero Jr. Blvd., Ft. Lauderdale, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the third convening of the Council charged with making recommendations relating to educational facilities in the K-20 education system in Florida. Sub-committees will meet 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.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: Monday, November 3, 2003, 10:30 a.m.

PLACE: Administration Building, 301 N. Olive Avenue, Jane Thompson Memorial Chambers, 6th Floor, West Palm Beach, Florida 33401

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 County of Palm Beach. 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 Palm Beach County. 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. Although this hearing is for seeking a provider for Palm Beach County, applications will also be considered for providing programs services to the tri-county area of Palm Beach, Martin and St. Lucie Counties.

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. Applications must be received at the Department of Community Affairs by 4:30 p.m., November 20, 2003.

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 **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: Monday, November 3, 2003, 2:00 p.m.

PLACE: Martin County Board of County Commissioners, Commission Chambers, 2401 S. E. Monterey Road, Stuart, Florida 34984

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 County of Martin. 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 Martin County. 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. Although this hearing is for seeking a provider for Martin County, applications will also be considered for providing programs services to the tri-county area of Palm Beach, Martin and St. Lucie Counties.

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. Applications must be received at the Department of Community Affairs by 4:30 p.m., November 20, 2003.

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 **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: Tuesday, November 4, 2003, 10:30 a.m.

PLACE: Administration Building, 2300 Virginia Avenue, 3rd Floor, Ft. Pierce, Florida 34982

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 County of St. Lucie. 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 St. Lucie County. 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. Although this hearing is for seeking a provider for St. Lucie County, applications will also be considered for providing programs services to the tri-county area of Palm Beach, Martin and St. Lucie Counties.

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. Applications must be received at the Department of Community Affairs by 4:30 p.m., November 20, 2003.

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).

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public meeting of the Property Tax Administration Task Force to which all interested persons are invited.

DATE AND TIME: Wednesday, November 5, 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 sixteenth meeting of the Property Tax Administration Task Force. This is the eleventh 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 to: 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://sum6.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).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: November 12, 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, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of amendments to Rule 12A-19.043, Florida Administrative Code. Notice of this proposed adoption was published in the Florida Administrative Weekly on September 5, 2003 (Vol. 29, No. 36, pp. 3505-3507).

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: Larry Green, (850)922-4830. If you are hearing-impaired or speech-impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: November 6, 2003, 8:30 a.m.

PLACE: Department of Transportation, Turnpike Headquarters, Law Enforcement Building, Second Floor Conference Room, Mile Post 263, Turkey Lake Service Plaza, Building 5318, Ocoee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or person under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

Any person aggrieved by the imposition of a civil penalty pursuant to Sections 316.3025 or 316.550, Florida Statutes, may apply to the Commercial Motor Vehicle Review Board for a modification, cancellation, or revocation of the penalty.

Anyone needing an agenda or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or call: Rosa Seabrooks, (850)922-4483.

Special accommodation requests under the Americans With Disabilities Act should be made at least 48 hours prior to the public meeting.

A copy of the agenda may be obtained by writing: Rosa Seabrooks, Executive Secretary, Commercial Motor Vehicle Review Board, 1815 Thomasville Road, Tallahassee, FL 32303-5750.

The **Florida Highway Beautification Council (FHBC)** announces a Teleconference meeting to which all persons are invited.

DATES AND TIMES: Thursday, November 6, 2003, 9:00 a.m. – 11:00 a.m.

PLACE: Access location where interested persons may attend: 2740 Centerview Drive, Room 321I, Rhyne Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to conduct general business.

For information please contact: Mr. Jeff Caster, State Transportation Landscape Architect, Florida Department of Transportation, 605 Suwannee Street, MS #37, Tallahassee, Florida 32399-0450, (850)410-5892, jeff.caster@dot.state.fl.us
Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Jeff Caster, (850)410-5892, prior to the meeting.

The Florida **Department of Transportation**, District Five announces public hearings to which all interested persons are invited. Specific notice is provided to the Brevard, Ocala, Volusia and Orlando Metropolitan Planning Organizations (MPOs) and the County Commissioners for Brevard, Flagler, Lake, Marion, Orange, Osceola, Seminole, Sumter and Volusia Counties.

FOR MARION AND SUMTER COUNTIES:

DATE AND TIMES: November 13, 2003, 5:30 p.m. – Documents/Information available for review; 6:00 p.m. – Public Hearing

PLACE: Belleview City Hall, 5343 S. E. Abshier Boulevard, US 27/441, Belleview, Florida

FOR BREVARD COUNTY:

DATE AND TIMES: November 17, 2003, 5:30 p.m. – Documents/Information available for review; 6:00 p.m. – Public Hearing

PLACE: Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida

FOR FLAGLER AND VOLUSIA COUNTIES:

DATE AND TIMES: December 4, 2003, 5:30 p.m. – Documents/Information available for review; 6:00 p.m. – Public Hearing

PLACE: Volusia County Mobility Management Center, VOTRAN, 950 Big Tree Road, South Daytona, Florida

FOR LAKE, ORANGE, OSCEOLA AND SEMINOLE COUNTIES:

DATE AND TIMES: December 11, 2003, 5:30 p.m. – Documents/Information available for review; 6:00 p.m. – Public Hearing

PLACE: Florida Department of Transportation, Orlando Urban Office, Lake Apopka Conference Room, 133 South Semoran Boulevard, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: These public hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes, as amended. The purpose of these public hearings is to consider the Department's Tentative Work Program for Fiscal Years 2004/2005-2008/2009 and to consider making any changes to the Program. These hearings also will include consideration of proposed projects for the Florida's Turnpike Enterprise as applicable in Lake, Marion, Orange, Osceola, Seminole and Sumter Counties.

Written comments from all interested parties will be accepted by the Department at the Public Hearing and within ten days after the Public Hearing. Comments should be addressed to: Michael Snyder, District Secretary, Florida Department of Transportation, 719 South Woodland Boulevard, DeLand, Florida 32720.

A copy of the agenda may be obtained from: Ms. Georganna L. Gillette, Government Liaison Assistant, Florida Department of Transportation, 133 South Semoran Boulevard, Orlando, Florida 32807.

In compliance with the Americans with Disability Act, the Department, if requested, will provide special assistance at the public hearings for those persons who are disabled. Those persons requiring special assistance must notify the Department at least ten days prior to the public hearing, by contacting: Michael Szunyog, Florida Department of Transportation, 133 South Semoran Boulevard, Orlando, Florida 32807, (407)482-7800.

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."

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, November 5, 2003, 9:00 a.m.

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

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

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980). A copy of the Agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida **Public Service Commission** that the Notice of Proposed Rulemaking for Rule 25-6.003, Florida Administrative Code, Definitions, published in the Florida Administrative Weekly (FAW) on September 5, 2003, stated an incorrect publication date for the Notice of Proposed Rule Development. The Notice of Proposed Rule Development for Rule 25-6.003, Florida Administrative Code, was published in the FAW on May 16, 2003, not May 9, 2003. Docket No. 030426-EI.

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public hearing to which all interested persons are invited.

DATE AND TIME: November 13, 2003, 9:00 a.m.

PLACE: Mayo, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public hearing in accordance with Section 373.59, F.S., concerning the proposed purchase of the Rayonier Timberlands Operating Company/Lake Rowell Tract, 607 acres +/- in Bradford County, Florida, with funds from the Florida Forever Trust Fund; also, the proposed purchase of the Rayonier Timberlands Operating Company/Sandlin Bay Inholding Tract, totaling 570 acres +/- in Columbia County, Florida, with funds from the Florida Forever Trust Fund.

A copy of the agenda may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, FL 32060.

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

The Suwannee River Water Management District does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the District's functions, including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact Lisa M. Cheshire, Administrative Assistant, (386)362-1001 or 1(800)226-1066 (Florida only), Fax (386)362-1056.

The **St. Johns River Water Management District** announces a Central Region Recreation Advisory Council Meeting to which all persons are invited.

MEETING: Central Region Recreation Advisory Council

DATE AND TIME: Wednesday, November 5, 2003, 9:30 a.m. – 12:00 Noon

PLACE: Camp La-No-Che – (meeting to be held in the WT Blanding Dining Hall), Winn-Dixie Scout Reservation, located in Lake County (Directions are: CR 42 in Paisley-turn on Maggie Jones Rd., then right at Boy Scout Road, (352)669-8558)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review land management and land acquisition activities in the Central Region.

If any person decides to appeal any decision with respect to any matter considered at the above listed meeting such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise Linda Lorenzen, (386)329-4262 or (386)329-4450 (TDD), at least five work days before the date of the meeting.

The **St. Johns River Water Management District** announces the following public meetings and hearings which may be conducted by means of or in conjunction with communications technology. All persons are invited.

CHAIRMEN (GOVERNING BOARD AND COMMITTEES)

DATE AND TIME: Tuesday, November 11, 2003, 8:15 a.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100, West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

FINANCE AND ADMINISTRATION COMMITTEE

DATE AND TIME: Tuesday, November 11, 2003, 8:45 a.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100, West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Finance & Administration agenda items followed by committee recommendations to be approved by the full Governing Board. Staff will recommend approval of external budget amendments which affect the adopted budget.

REGULATORY COMMITTEE

DATE AND TIME: Tuesday, November 11, 2003, 10:00 a.m.
PLACE: District Headquarters, 4049 Reid Street (Hwy. 100, West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Regulatory agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD/REGULATORY AND PUBLIC HEARING ON LAND ACQUISITION

DATE AND TIME: Tuesday, November 11, 2003, 1:00 p.m.
PLACE: District Headquarters, 4049 Reid Street (Hwy. 100, West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

ANNUAL DISTRICT REUNION

DATE AND TIME: Tuesday, November 11, 2003, 5:30 p.m.
PLACE: District Headquarters, 4049 Reid Street (Hwy. 100, West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Annual District Reunion is a dinner social held to express the District's appreciation of its current and former Governing Board members and current and former employees. Two or more Governing Board members may attend.

GOVERNING BOARD*

DATE AND TIME: Wednesday, November 12, 2003, 9:00 a.m.

*November 12 meeting subject to cancellation if all business concluded November 11, 2003

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100, West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of other District business including regulatory and non-regulatory matters.

NOTE: In the event of a declared emergency or emergency conditions due to an imminent tropical storm or hurricane, all or part of these meetings may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained at the SJRWMD website (www.sjrwmd.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings is requested to advise the District at least 48 hours before the meeting or hearing by contacting: Ann Freeman, (386)329-4101.

If any person decides to appeal any decision with respect to any matter considered at the above-listed meetings or hearings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Water Management District** announces the following meetings to which all interested parties are invited.

GREEN INDUSTRY ADVISORY COMMITTEE

DATE AND TIME: Thursday, November 6, 2003, 9:30 a.m.
PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

Copies of the agendas may be obtained by writing: Community and Legislative Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the American's with Disability Act (ADA) should call 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **Southwest Florida Water Management District** (SWFWMD) announces the following meeting(s) to which all interested parties are invited to attend:

TOUR OF PROJECTS IN CHARLOTTE AND DESOTO COUNTIES (Governing and Basin Board members may attend)

DATE AND TIME: Friday, November 7, 2003, 9:30 a.m.
PLACE: Meet at Charlotte County Memorial Auditorium, 75 Taylor Street, Punta Gorda, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Evaluate water control structures and areas of flooding concern in Charlotte County, and FARMS projects in DeSoto County
TOUR OF LAKE HANCOCK AND OLD FLORIDA PLANTATION

DATE AND TIME: Thursday, November 13, 2003, 1:00 p.m.
PLACE: Meet at SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Observe lake conditions relative to future project development. 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 South Florida Water Management District announces a public meeting to which all interested parties are invited:

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

PLACE: 6089 Janes Lane, Naples, FL 34109

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Land Resources Committee of the South Florida Water Management District's Governing Board to discuss Land Resources issues.

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 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

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

Those who want more information, please contact: Garrett Wallace, District Clerk's Office, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406, (561)682-6371.

The South Florida Water Management District announces a public meeting to which all interested parties are invited:

DATE AND TIME: Tuesday, November 4, 2003, 6:00 p.m.

PLACE: Sonny's Real Pit Bar-B-Q, Meeting Room, 1388 W. Sugarland Hwy., Clewiston, FL 33440-2713

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the Draft Lake Okeechobee Protection Plan for reaching compliance with the mandated lake Total Maximum Daily Load (TMDL). The draft plan is available on the District website at

http://www.sfwmd.gov/org/wrp/wrp_okee/projects/protection_plan.html.

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 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, 205 N. Parrott Avenue, Suite 201, Okeechobee, FL 34972, (863)462-5260 or 1(800)250-4200.

The South Florida Water Management District announces a public meeting(s) to which all interested parties are invited:

DATE AND TIME: November 7, 2003, 8:30 a.m. – 12:00 Noon

PLACE: USDA-ARS-US-Horticultural Research Laboratory, 2001 South Rock Road, Fort Pierce, FL 34945

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Issues Workshop on The Upper East Coast Regional Water Supply Plan.

Information regarding the existing Upper East Coast Water Supply Plan can be found at <http://www.sfwmd.gov/org/wsd/wsp/uecwsp.htm>.

A copy of the agenda may be obtained at the District Website seven (7) prior to the meeting at (<http://www.sfwmd.gov/gover/wrac/agendas.html>) or by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Persons with disabilities who need assistance may contact Paula Moree, Deputy District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact: Mark Elsner, Water Supply Planning and Development Division, (561)682-6156 or melsner@sfwmd.gov or Paula Moree, District Clerk's Office, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6447 or pmoree@sfwmd.gov.

The South Florida Water Management District announces a public meeting to which all interested parties are invited:

DATES AND TIME: November 10, 2003 and/or November 11, 2003, 8:50 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Acquisition of certain lands contained within the Save Our Rivers Land Acquisition & Management Plan which lands are further described below.

A copy of the agenda may be obtained at the (1) District Website

(<http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

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

Those who want more information, please contact Ruth Clements, Department Director, Land Acquisition Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 7220, West Palm Beach, FL 33406, (561)682-6271.

Part of the Southern Corkscrew Regional Ecosystem Watershed project comprised of forty parcels referred to as SFWMD Tract Nos. 09-100-007, 09-100-011, 09-100-013, 09-100-014, 09-100-016, 09-100-017, 09-100-018, 09-100-021, 09-100-022, 09-100-024, 09-100-027, 09-100-034, 09-003-194, 09-003-198, 09-003-434, 09-003-511, 09-003-756, 09-003-773, 09-003-729, 09-003-779, 09-003-782, 09-003-783, 09-003-865, 09-003-875, 09-005-005, 09-005-013, 09-005-119, 09-005-022, 09-005-034, 09-005-053, 09-005-126, 09-005-132, 09-005-133, 09-005-141, 09-005-147, 09-005-149, 09-005-183, 09-005-230, 09-005-270 and 09-005-271 consisting of approximately 268 acres and lying in Sections 25, 26, 31, 32, 33, 34 and 35, Township 47 South, Range 26 East within Lee County, Florida.

Part of the C-43 Basin Storage Reservoir Project comprised of two parcels referred to as SFWMD Tract No. GX-100-006 consisting of approximately 201 acres and GX-100-007 consisting of approximately 196 acres, lying in Sections 23, 24, 25, and 26, Township 43 South, Range 28 East within Hendry County, Florida.

Part of the Kissimmee River project comprised of sixteen parcels referred to as SFWMD Tract Nos. 19-103-559, 19-103-560, 19-103-561, 19-103-562, 19-103-563, 19-103-565, 19-103-566, 19-103-567, 19-103-665, 19-103-666, 19-103-667, 19-103-668, 19-103-669, 19-103-670, 19-103-671 and 19-103-672 consisting of approximately 15 acres and lying in Sections 21, 22 and 27, Township 36 South, Range 33 East within Okeechobee County, Florida.

Part of the Water Conservation Area project comprised of two parcels referred to as SFWMD Tract Nos. 27-100-042 and 27-100-056 consisting of approximately 360 acres, and lying in Sections 02 and 17, Townships 49 and 53 South, Ranges 35 and 39 East in Miami-Dade and Broward Counties, Florida.

Part of the Kissimmee River project comprised of one parcel referred to as SFWMD Tract No. 19-102-140 consisting of approximately 300 acres, lying in Sections 9 and 10, Township 35 South, Range 32 East in Highlands County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of two parcels referred to as SFWMD Tract Nos. 18-200-005 and 18-200-007, consisting of a total of approximately 700 acres, all in Sections 28 through 32, Township 27 South, Range 30 East and in Osceola County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of five parcels referred to as SFWMD Tract Nos. 18-011-002 through 18-011-006, consisting of a total of approximately 5 acres, all in Sections 24 and 25, Township 30 South, Range 30 East and in Polk County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of eight parcels referred to as SFWMD Tract Nos. 18-001-052 through 18-001-060, consisting of a total of approximately 45 acres, all in Section 3, Township 31 South, Range 31 East and in Polk County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of one parcel referred to as SFWMD Tract No. 18-021-002, consisting of a total of approximately 1 acre, in Section 3, Township 30 South, Range 31 East and in Polk County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of four parcels referred to as SFWMD Tract Nos. 18-029-001, 18-030-001, 18-116-002 and 18-116-004, consisting of a total of approximately 200 acres, all in Sections 1 and 12, Township 29 South, Range 29 East and in Polk County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of four parcels referred to as SFWMD Tract Nos. 18-029-003, 18-030-003, 18-116-005 and 18-031-002, consisting of a total of approximately 360 acres, all in Sections 1 and 12, Township 29 South, Range 29 East and in Polk County, Florida.

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract Nos. 19-101-065 and 19-101-066, consisting of a total of approximately 45 acres, all in Sections 12 and 13, Township 34 South, Range 31 East in Okeechobee County, Florida.

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract Nos. 19-101-055 and 19-101-056, consisting of a total of approximately 220 acres, in Sections 12 and 13, Township 34 South, Range 31 East in Okeechobee County, Florida.

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract Nos. 19-103-271 and 19-103-434, consisting of a total of approximately 1,900 acres, all in Sections 1, 2, 3, 4 and 5, Township 36 South, Range 33 East in Okeechobee County, Florida.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATES AND TIMES: Wednesday, November 12, 2003, 9:00 a.m. – completed; Thursday, November 13, 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: Regular Governing Board Workshop/Meeting/Audit Committee/Human Resources Committee to discuss and consider District business including regulatory and non-regulatory matters.

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.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-6371, at least two business days in advance of the meeting to make appropriate arrangements.

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)682-3447.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Lake Belt Mitigation Committee, created pursuant to Section 373.41492, Florida Statutes, to discuss and approve the discuss committee activities for 2003 and other related committee business.

PLACE: The South Florida Water Management District, Florida B-1 Auditorium in Building B-1, 3301 Gun Club Road, West Palm Beach, Florida (Meet Me Number – (850)488-5776 or Suncom 278-5776)

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 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

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

Those who want more information, please contact Ruth Clements in the Land Acquisition Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 7210, West Palm Beach, FL 33406, (561)682-6271.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces that an emergency meeting of the Commission was held as follows:

DATE AND TIME: Monday, October 13, 2003, 9:00 a.m.

PLACE: 2740 Centerview Drive, Rhyne Building, Room 308, Tallahassee, Florida 32399 and via conference call (850)922-2903

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss a Medicaid contract between the Agency for Health Care Administration (AHCA) and the Commission for the Transportation Disadvantaged (CTD). The CTD voted to table the discussion until a later time.

Persons in need of additional information, should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only).

The Florida **Commission for the Transportation Disadvantaged** announces a Nominating Committee Meeting to which all persons are invited.

DATE AND TIME: Monday, November 3, 2003, 10:00 a.m. – completion

PLACE: 2740 Centerview Drive, Suite 1A, Rhyne Building, Tallahassee, FL (850)410-5700, Conference Call Number (850)414-1711, Suncom 994-1711

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss nominations for the 2004 Chair and Vice-Chair of the Commission.

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

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

The Florida **Commission for the Transportation Disadvantaged** announces a CTC Tour to which all persons are invited.

DATE AND TIME: Thursday, November 6, 2003, 1:00 p.m. – completion

PLACE: Departing from Embassy Suites Miami Airport, 3974 NW South River Drive, Miami, FL 33142, (305)779-5005

GENERAL SUBJECT MATTER TO BE CONSIDERED: To tour local Community Transportation Coordinator facilities and observe the coordinated transportation system.

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

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

The Florida **Commission for the Transportation Disadvantaged** announces a Public Hearing to which all persons are invited.

DATE AND TIME: Thursday, November 6, 2003, 5:30 p.m. – completion

PLACE: Embassy Suites Miami Airport, 3974 NW South River Drive, Miami, FL 33142, (305)779-5005

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hear comments from the public concerning the transportation disadvantaged program.

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

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

The Florida **Commission for the Transportation Disadvantaged** announces a Workshop to which all persons are invited.

DATE AND TIME: Friday, November 7, 2003, 9:00 a.m. – 12:00 Noon

PLACE: Embassy Suites Miami Airport, 3974 N. W. South River Drive, Miami, FL 33142, (305)779-5005

GENERAL SUBJECT MATTER TO BE CONSIDERED: To build consensus for Florida's Customers.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605

Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only).

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

The Florida **Commission for the Transportation Disadvantaged** announces a Quarterly Business Meeting to which all persons are invited.

DATE AND TIME: Friday, November 7, 2003, 1:00 p.m. – completion

PLACE: Embassy Suites Miami Airport, 3974 N. W. South River Drive, Miami, FL 33142, (305)779-5005

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address regular Commission business.

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

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

REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following meeting to which the public is invited.

DATE AND TIME: Wednesday, November 5, 2003, 10:00 a.m.

PLACE: Sarasota County Administration Center, 1660 Ringling Boulevard, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Peace River/Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Persons with disabilities who need assistance may call (941)316-1776, at least two business days in advance to make appropriate arrangements.

DEPARTMENT OF MANAGEMENT SERVICES

The Florida **Department of Management Services** announces a meeting of the Statewide Florida State Employees' Charitable Campaign (FSECC) Steering Committee to which all persons are invited:

DATE AND TIME: November 6, 2003, 1:30 p.m.

PLACE: 4050 Esplanade Way, Suite 101, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the FSECC Steering Committee to review general FSEC Campaign-related issues, proposed campaign rules.

For more information about the meeting, for a copy of the agenda, or if special accommodations are needed to attend this meeting because of a disability, please contact: John Kuczanski, Department of Management Services, 4050 Esplanade Way, Suite 280, Tallahassee, FL 32399-0950, (850)921-5266.

The **State Technology Office**, Wireless 911 Board Subcommittee for Phase II Wireless E911 will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: October 23, 2003, 1:00 p.m. – 3:30 p.m.

PLACE: For participation call: (850)414-5775 or Suncom 994-5775

If accommodation due to disability is needed in order to participate, please notify the State Technology Office/Wireless 911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

NOTICE IS HEREBY GIVEN that the **Digital Divide Council** will hold a one-day meeting to which all persons are invited.

DATE AND TIME: Monday, November 3, 2003, 1:00 p.m. – 3:00 p.m.

PLACE: Room, 110, Senate Office Building, 400 South Monroe Street, Tallahassee, Florida 32399 (Conference call capability will be available. The dial up number (850)410-0966, Suncom 210-096)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary purpose of the meeting will be to address any changes in the Digital Divide Council chair and the mission, including any State Technology Office's and subcommittees' recommendations.

Any additional information as to this meeting will be provided on the Digital Divide website at <http://www.digitaldividecouncil.com> or contact: Meg Brown, State Technology Office, Building 4030 Esplanade Way, Suite 125 I, Tallahassee, Florida 32399, (850)488-1849 or (850)410-4777.

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 Council at least 48 hours before the meeting by contacting Meg Brown at the above stated number.

NOTICE OF CHANGE – The Florida **Black Business Support Corporation** announces a revised teleconference meeting of its Loan Investment Committee to which all interested persons are invited. The November 13, 2003 teleconference has been rescheduled as follow:

DATE AND TIME: Tuesday, November 4, 2003, 2:00 p.m.

PLACE: Teleconference – Call (850)487-4850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider financing requests, receive reports relating to loan and investment activities, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: The Florida Black Business Support Corporation, 1711 South Gadsden Street, Tallahassee, FL 32301, (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend these meeting, please notify the FBBSC office, (850)487-4850, at least seven (7) days prior to the meetings.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Notice is hereby given by the **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes** of a workshop to be conducted to discuss any registration or compliance issues related to timeshare plans pursuant to Chapter 721, Florida Statutes, and related rules. Issues pertaining to investigations or filings pending before the Division will not be discussed.

DATE AND TIME: Wednesday, November 19, 2003, 1:00 p.m. – 4:00 p.m.

PLACE: The Lake Tibet Room, Radisson Barcelo Hotel-Orlando, 8444 International Drive, Orlando, Florida 32819-9329, (407)345-0505, Fax (407)581-2022

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will address filing and compliance issues raised by the public. The Division or other attendees may present additional educational content. Attendees are encouraged to write, fax, call or email Richard Thrawl, (407)317-7226 or Laura Glenn, (850)487-9832, with advance notice of any topics of interest. Advance notice of topics is not required.

Please register to attend by sending an email to laura.glenn@dbpr.state.fl.us and you will be notified of any changes in schedule or location. Registration is not required.

AGENCY CONTACT PERSON: Laura Glenn, Chief, Bureau of Standards and Registration, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe, Tallahassee, Florida 32399-1032, (850)487-9832, Fax (850)921-5448, Email: laura.glenn@dbpr.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at

least 48 hours before the workshop by contacting: Sharon A. Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 TDD.

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

DATE AND TIME: November 7, 2003, 9:00 a.m. (Eastern Standard Time)

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

PLACE: Radisson Suite Inn Palm Beach Airport, 1808 South Australian Avenue, West Palm Beach, FL 33409, (561)689-6888

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 of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: October 28, 2003, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 201 West 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: 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 or by phone (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, November 19, 2003, 10:00 a.m. or soon thereafter

PLACE: Via telephone conference – To connect, dial (850)414-1708, Suncom 994-1708

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 or (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 Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees to which all persons are invited:

DATE AND TIME: Wednesday, November 12, 2003, 1:00 p.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Tuesday, November 18, 2003, 8:30 a.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public telephone conference call to which all persons are invited:

DATE AND TIME: Wednesday, November 19, 2003, 2:00 p.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303, Conference Call Number: 1(800)659-8294

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees to which all persons are invited:

DATE AND TIME: Tuesday, December 2, 2003, 1:00 p.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Engineers Management Corporation** announces a public meeting to conduct the business of the Corporation, to which all persons are invited:

DATE AND TIME: Tuesday, December 2, 2003, 1:00 p.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers Office, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Corporation.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting to conduct the business of the Board, including committee business which all persons are invited.

DATE AND TIME: Wednesday, December 3, 2003, 8:30 a.m.

PLACE: Florida Board of Engineers Office, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

DATE AND TIME: Thursday, December 4, 2003, 8:30 a.m. (if the business of the Boards is not concluded)

PLACE: Ramada Inn North, 2900 N. Monroe Street, Tallahassee, Florida 32303

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

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road., Suite 200, Tallahassee, Florida 32303.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Probable Cause Panel of the Florida **Real Estate Appraisal Board** announces a meeting to which all interested persons are invited.

DATE AND TIME: November 3, 2003, 10:00 a.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Suite 901, North Tower, Ninth Floor, 400 West Robinson Street, Orlando, Florida

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the Florida **Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: November 17, 2003, 10:00 a.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Zora Neale Hurston Building, North Tower, Suite 901N, 400 West Robinson Street, Orlando, Florida 32801

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 8:30 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Mobile Home Relocation Corporation** announces a meeting of its Board of Directors to consider mobile home owner applications for compensation and relocation due to eviction because of change of land use.

DATE AND TIME: Tuesday, October 28, 2003, To be announced

PLACE: Please contact: Connie Prince, 1(888)862-7010, for call in number information

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation including review of applications and such other business that may come before the board.

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**, Juvenile Justice and Delinquency Prevention State Advisory Group – Grants and Contract Committee announce a meeting.

DATE AND TIME: October 30, 2003, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call (850)921-2530

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Grants and Contract Committee.

A copy of the agenda may be obtained by calling: Ana Valdes, Office of Prevention and Victim Services, (850)410-2577.

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

The Florida **Department of Juvenile Justice**, Juvenile Justice and Delinquency Prevention State Advisory Group announce a meeting.

DATES AND TIME: November 6-7, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the State Advisory Group.

A copy of the agenda and specific information on location may be obtained by calling: Ana Valdes, Office of Prevention and Victim Services, (850)410-2577.

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

DEPARTMENT OF HEALTH

The Florida **Department of Health**, Community Environmental Health Advisory Board announces a teleconference call to which all persons are invited.

DATE AND TIME: October 27, 2003, 12:00 Noon – 2:00 p.m. EST (Eastern Standard Time)

PLACE: Call-In Number – 1(888)461-8118

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

A copy of the agenda may be obtained by writing: Ric Mathis, Department of Health, Bureau of Facility Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1710 or by calling (850)245-4444, Extension 2337.

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 5 days before the workshop/hearing/meeting by contacting the board office, (850)487-0004. 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, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The Florida **Department of Health, Division of Medical Quality Assurance** announces a workgroup as mandated by CS/SB 2D.

DATES AND TIME: Monday, November 3, 2003; Monday, December 15, 2003, 10:00 a.m. – completion of agenda

PLACE: Department of Health, Capital Center Office Complex, 4052 Bald Cypress Way, Room 301, Tallahassee, FL 32399, (850)245-4224

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is a workgroup to study the current health care practitioner disciplinary process as mandated in the CS/SB 2D. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Medical Quality Assurance, (850)245-4124, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call Florida Medical Quality Assurance using the Florida Dual Party Relay System that 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: Amy M. Jones, Director, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.

The **Council on Physician Assistants** announces a meeting to which all persons are invited.

DATE AND TIME: Friday, November 7, 2003, 9:00 a.m. or soon thereafter

PLACE: Conference Call: (850)921-6455 or Suncom 291-6455

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Council on Physician Assistants, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Council on Physician Assistants the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Margaret Anglin, Program Administrator, Council on Physician Assistants, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

If any person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

NOTICE OF CORRECTION – The **Department of Health, Board of Dentistry** will hold committee and general business meetings to which all persons are invited.

DATE AND TIME: Friday, November 7, 2003, 8:00 a.m. (CST) – Committee and General Business meetings (The general business meeting will reconvene at 8:00 a.m., (CST), Saturday, November 8, 2003, if necessary)

PLACE: Clarion Suites Resorts, 20 Via Deluna, Pensacola Beach, FL 32561, 1(800)932-4300

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

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**, Rules/Legislative Committee Meeting announces a telephone conference call to be held via meet me number.

DATE AND TIME: Tuesday, November 4, 2003, 12:00 Noon

PLACE: Contact: Florida Board of Medicine, (850)245-4131, for the meet me number

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System 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.

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

DATE AND TIME: Friday, November 7, 2003, 9:00 a.m.

PLACE: Tampa Marriott Westshore, 1001 North Westshore Boulevard, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Psychology** announces a meeting to which all persons are invited.

DATE AND TIME: November 14, 2003, 8:00 a.m. or soon thereafter

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316

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

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, or (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)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the 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 **Diabetes Prevention and Control Program** announces a meeting of the Diabetes Advisory Council and Implementation Workshop. All interested persons are invited.
 DATE AND TIME: November 5, 2003, 9:00 a.m. – 4:00 p.m.
 PLACE: Tampa Airport Marriott
 Contact: Tammie Johnson, (850)245-4330, with any questions.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited.

Executive Committee:
 DATES AND TIME: October 8, 15, 22, 29, 2003, 8:00 a.m. – 5:00 p.m.
 PLACE: Clem C. Benton Bldg., Room 327-D, 337 N. US Hwy 1, Ft. Pierce, FL 34950
 For more information, please contact: Linda Poston, Personal Secretary, 337 North US Hwy. 1, Room 327, Fort Pierce, Florida 34950, (772)467-4178

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlle Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited.

ALLIANCE MEETING
 DATE AND TIME: October 24, 2003, 8:30 a.m. – 10:00 a.m.
 PLACE: Workforce Development Board, Village Green Retail Center, 9350 South U.S. 1, Port St. Lucie, FL
 For more information, please contact: Linda Poston, Personal Secretary, 337 North US Hwy. 1, Room 327, Fort Pierce, Florida 34950, (772)467-4178.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlle Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Children and Family Services**, District 12, Community Alliance Revenue Maximization Taskforce announces a public meeting to which all persons are invited.

DATE AND TIME: October 31, 2003, 10:00 a.m.
 PLACE: United Way, 3747 W. International Speedway Blvd., Daytona Beach, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by writing: Denise Kelly, Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (386)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY, 1(800)955-8771.

The **Department of Children and Family Services**, District 12, Community Alliance Nominating Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 3, 2003, 10:00 a.m.
 PLACE: Daytona Beach Regional Service Center, 210 N. Palmetto Ave., Suite 440, Daytona Beach, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by writing: Denise Kelly, Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (386)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The Florida **Department of Children and Family Services** announces a meeting of the Marion County Children's Alliance Steering Committee to which all persons are invited.

DATE AND TIME: Wednesday, November 5, 2003, 11:30 a.m.
 PLACE: Marion County Sheriff's Office, 692 N. W. 30th Ave., Ocala, 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: Michael Gilbert, Box 80-M, 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 **Department of Children and Family Services**, District 12, Community Alliance announces a public meeting to which all persons are invited.

DATE AND TIME: November 12, 2003, 1:30 p.m.

PLACE: Daytona Beach Regional Service Center, 210 N. Palmetto Ave., Conference Room 148, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by writing: Denise Kelly, Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (386)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The Florida **Department of Children and Family Services** announces a meeting of the Lake County Community Alliance Steering Committee to which all persons are invited.

DATE AND TIME: Wednesday, November 19, 2003, 12:00 Noon

PLACE: Public Safety Complex, Rm. 302, 12900 Lane Park Cutoff Rd., Tavares, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Chapter 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Michael Gilbert, Box 80-M, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785.

Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, telephone (352)330-2177.

The Florida **Department of Children and Family Services** announces a meeting of the Citrus County Shared Services Alliance Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, November 20, 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: Michael Gilbert, Box 80-M, 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 **Department of Children and Family Services**, District 11 announces the following series of meetings with Our Kids of Miami-Dade/Monroe, Inc. of Miami Dade and Monroe Counties.

The categories of meetings are as follows:

- Client Population Workgroup will meet monthly to discuss issues related children in foster care, demographics, geographic distribution, case planning, placement, etc.
- Human Resources Workgroup will meet monthly to discuss issues related to staffing patterns within the department in transition to community based care, and recruitment, orientation and training of new employees for both the department and the lead agency as well as issues related communications to employees during the transition period.
- Information Technology (IT) Workgroup will meet monthly to discuss issues related to the infrastructure of data collection, storage and reporting within Federal, State and local requirements for child in care and to determine and analysis needs for data integration and reporting across systems.
- Shared Risk Workgroup will meet twice a month to discuss potential risk models and best practices, funding streams, and to develop an action plan to include details to generate additional federal funding, identification of local and other revenue maximization and to address barriers.
- Community of Landmark Workgroup will meet once a month to discuss issues related to community based foster care and related services in the Community of Landmark.
- Technical data and information sharing for all of the above may take place on a weekly basis as needed.

All meetings and data/information sharing are subject to change.

For exact times, dates and locations of meetings, all interested parties should contact: Beatrice Maldonado, Administrative Assistant, Office of Peter D. Coats, District 11, (305)377-7018 or (305)377-5002.

The **Department of Children and Family Services**, District 11 announces the following series of committee and subcommittee meetings with The Community Based Alliance of Miami Dade and Monroe Counties.

- Community Based Care Fullboard Alliance will meet monthly to discuss issues related to children in care and other business of the Alliance in Miami Dade County.
- Community Based Care Alliance in Monroe County will meet monthly is discuss issues related to children in care and other business of the Alliance in Monroe County.
- Public Policy Advocacy and Education Committee will meet monthly to discuss issues related to public policy as it relates to child welfare, the work of the Alliance and efforts to educate the public.

- Quality Assurance and Evaluation Committee will meet monthly to discuss issues related to the quality of care for children in care and performance evaluation tools for the department, providers and the prospective lead agency.
- Membership Committee will meet monthly to discuss issues related to membership and bylaws of the Alliance.
- System of Care Committee will meet monthly to discuss issues related to the overall system of care for all age groups of children in care by the department, providers and the prospective lead agency.
- System of Care 0-5 Subcommittee will meet monthly to discuss issues related to children in the 0 to 5 age group in care by the department, providers and the prospective lead agency.
- System of Care 6-12 Subcommittee will meet monthly to discuss issues related to children in the 6 to 12 age group in care by the department, providers and the prospective lead agency.
- System of Care 13-18 Subcommittee will meet monthly to discuss issues related to children in the 13 to 18 age group in care by the department, providers and the prospective lead agency.

All meetings are subject to change.

For exact times, dates and locations of meeting, all interested parties are asked to contact: Beatrice Maldonado, Administrative Assistant, Office of Peter D. Coats, District 11, (305)377-7018 or (305)377-5002.

FLORIDA HOUSING FINANCE CORPORATION

Notice is hereby given that the **Florida Housing Finance Corporation** (“Florida Housing”) will conduct a public hearing Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) to which all interested persons are invited.

DATE AND TIME: Tuesday, November 4, 2003, 10:00 a.m. (EST)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Heritage at Green Cay, a 320-unit multifamily residential rental development to be located on Flavor Pict Road, 450 feet west of the intersection of Flavor Pict Road and Jog Road, just south of the Lake Worth Drainage District Canal 29, the Canal being the northern border to the proposed site, Boynton Beach, Palm Beach County, Florida 33437. The prospective owner, operator or manager of the proposed development is Heritage at Green Cay Ltd., 3225 Aviation Avenue, Suite 700, Miami,

Florida 33133, or such successor in interest in which Housing Trust Group of Florida, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$22,550,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, November 3, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

Notice is hereby given that the **Florida Housing Finance Corporation** (“Florida Housing”) will conduct a public hearing Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) to which all interested persons are invited.

DATE AND TIME: Tuesday, November 4, 2003, 10:00 a.m. (EST)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Legacy Pointe Apartments, a 290-unit multifamily residential rental development to be located on the south west corner of the intersection of Northwest 3rd Avenue and Northwest 175th Street, Miami, Miami-Dade County, Florida 33169. The prospective owner, operator or manager of the proposed

development is Legacy Pointe Associates Ltd., 2121 Ponce de Leon Boulevard, Penthouse, Coral Gables, Florida 33134, or such successor in interest in which Cornerstone Group Development LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$18,290,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, November 3, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, November 4, 2003, 10:00 a.m. (EST)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Mill Creek Apartment Homes, a 312-unit multifamily residential rental development to be located at 5017 Commander Drive, Orlando, Orange County, Florida 32822.

The prospective owner, operator or manager of the proposed development is Prime/Commander Drive LLC, 350 North LaSalle Street, Suite 1100, Chicago, Illinois 60610, or such successor in interest in which White Core Residential, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$19,965,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, November 3, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

The **Florida Housing Finance Corporation** announces a workshop and meeting of the Board of Directors to which all interested parties are invited:

DATE AND TIME: December 12, 2003, 9:00 a.m. – adjourned

Fiscal Committee

Guarantee Committee

Universal Cycle Committee

Multifamily Revenue Bond Committee

Board Meeting

PLACE: Hilton Key West Resort and Marina, 245 Front Sreet, Key West, FL 33040, (305)294-4000

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 December 12, 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.

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Fish and Wildlife Conservation Commission** announces two public workshops concerning tarpon fishing in Boca Grande Pass, to which all interested persons are invited:

TIMES, DATES, AND PLACES:

DATE AND TIME: November 4, 2003, 6:00 p.m. – 8:00 p.m.

PLACE: Terrace Building, Room 1001, 10th Floor, 101 S. Washington Blvd., Sarasota, Florida 34326

DATE AND TIME: November 5, 2003, 6:00 p.m. – 8:00 p.m.

PLACE: The Administrative Center, Room 119, 18500 Murdock Circle, Port Charlotte, Florida 33948

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding workshops to gather public testimony regarding tarpon fishing in Boca Grande Pass. Issues to be discussed include harvesting practices, tarpon research, and potential management options for resolving fishing conflicts among tarpon anglers.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five calendar days before the workshop/meeting by contacting Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

For further information, contact: Mark Robson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

DEPARTMENT OF FINANCIAL SERVICES

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

DATE AND TIME: November 12, 2003, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Adoption of Rule 4-176.013, Florida Administrative Code, Notification of Insured's Rights; Personal Injury Protection Benefits. Notice of the proposed amendments was published on September 5, 2003 in Vol. 29, No. 36 of the Florida Administrative Weekly.

2. Adoption of Rule Chapter 4-164, Florida Administrative Code, Valuation and Nonforfeiture. Notice of the proposed amendments was published on August 22, 2003 in Vol. 29, No. 34, of the Florida Administrative Weekly. A notice of change was published on September 26, 2003 in Vol. 29, No. 39, of the Florida Administrative Weekly.

3. Adoption of Rule 4-189.0055, Florida Administrative Code, Records and Reports of Information by Workers' Compensation Insurers Required. Notice of the proposed amendments was published on May 2, 2003 in Vol. 29, No. 18, of the Florida Administrative Weekly. A notice of change was published on September 12, 2003 in Vol. 29, No. 37, of the Florida Administrative Weekly.

4. Adoption of Rule 4-193.065, Florida Administrative Code, Continuing Care Contracts; Forms Incorporated by Reference. Notice of the proposed amendments was published on May 2, 2003 in Vol. 29, No. 18, of the Florida Administrative Weekly. A notice of change was published on September 26, 2003 in Vol. 29, No. 39, of the Florida Administrative Weekly.

5. Adoption of Rule Chapter 4-202, Florida Administrative Code, Donor Annuity Organizations. Notice of the proposed amendments was published on September 12, 2003 in Vol. 29, No. 37, of the Florida Administrative Weekly.

6. Adoption of Rule Chapter 4-154 Part III, Florida Administrative Code, Minimum Reserve Standards for Individual and Group Health Insurance Contracts. Notice of the proposed amendments was published on September 12,

2003 in Vol. 29, No. 37, of the Florida Administrative Weekly. A notice of change was published on October 17, 2003 in Vol. 29, No. 42, of the Florida Administrative Weekly.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting: Kerry Krantz, (850)413-5038, e-mail: krantz@dfs.state.fl.us.

FLORIDA HEALTHY KIDS CORPORATION

The **Florida Healthy Kids Corporation** announces its Board of Directors meeting to which all persons are invited to attend.

DATE AND TIME: October 24, 2003, 10:00 a.m.

PLACE: Raymond D. Sittig Hall, 301 S. Bronough St., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Board of Directors.

Further details and an agenda for the meeting may be obtained by contacting: Florida Healthy Kids Corporation, P. O. Box 980, Tallahassee, Florida 32302 or (850)224-5437

FLORIDA TELECOMMUNICATIONS RELAY

The **Florida Telecommunications Relay, Inc.** announces a regular meeting of the Board of Directors to which all persons are invited to participate.

DATE AND TIME: Monday, October 27, 2003, 10:30 a.m.

PLACE: 1820 E. Park Avenue, Suite 101, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Board of Directors.

A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1820 E. Park Avenue, Suite 101, Tallahassee, Florida 32301.

The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

HILLSBOROUGH AREA REGIONAL TRANSIT AUTHORITY

The **Hillsborough Area Regional Transit Authority (HART)** announces the following public meetings of the Governing Board of the Authority to which all persons are invited:

Public Hearing

DATE AND TIME: November 3, 2003, 8:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scheduled Board of Directors Meeting.

AGENDA: 1. Call to order; 2. Approval of Minutes; 3. Introductions, Recognition and Awards; 4. Consumer Advisory Committee Report; 5. Public Comment on Action

Items; 6. Consent Action Items; 7. Other Action Items; 8. Chairman's Report; 9. Reports from HART Representatives; 10. HART Committee Reports; 11. Other Board Member's Report; 12. Executive Director's Report; 13. Employee Comment; 13. General Public Comment; 14. Discussion and Presentations; 15. Monthly Information Reports; 16. Other Information Items; 17. Other Business.

A copy of the detailed agenda may be obtained by contacting: Mary Staples, Administrative Assistant II, Hillsborough Area Regional Transit Authority, 201 E. Kennedy Boulevard, Suite 900, Tampa, FL 33602, (813)223-6831, Ext. 2111.

Section 286.0105, Florida Statutes, states that if a person decided to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Lauren Skiver, (813)623-5835, at least 48 hours before the meeting. If the caller is hearing impaired, contact the Authority, (813)626-9158 (TTD).

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION

The **Florida Self-Insurers Guaranty Association, Inc.** announces a telephone conference meeting of the Finance Committee of its Board of Directors in which all interested persons are invited to attend.

DATE AND TIME: Tuesday, November 4, 2003, 3:00 p.m.
 PLACE: Florida Hotel and Motel Association Building, 200 W. College Avenue, Suite 115, Tallahassee, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Brian Gee, Florida Self-Insurers Guaranty Association, 200 W. College Avenue, Suite 115, Tallahassee, Florida 32301, (850)222-1882

GOVERNOR'S COMMISSION ON VOLUNTEERISM AND COMMUNITY SERVICE

The **Governor's Commission on Volunteerism and Community Service**, Volunteer Florida, is pleased to announce a quarterly meeting to which all persons are invited.
 DATES AND TIMES: Thursday and Friday, November 6-7, 2003 (Training Sessions and reception are scheduled for Thursday, November 6, and the quarterly meeting begins at 9:00 a.m. on Friday, November 7, 2003)
 PLACE: Holiday Inn Select, Tallahassee, Florida

Please contact Gwen Erwin, (850)921-5172, for a schedule of events and meeting agenda.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission Business.

Please contact Gwen Erwin, 401 S. Monroe Street, Tallahassee, FL 32301-2034, for the agenda.

If you require a reasonable accommodation to participate, please contact Gwen Erwin, (850)921-5172, Voice/TTY, 72 hours in advance with your request.

DEPARTMENT OF MILITARY AFFAIRS

The **Department of Military Affairs**, St. Francis Barracks announces a meeting to which all interested persons are invited.

DATE AND TIME: Saturday, November 15, 2003, 1:00 p.m.
 PLACE: Adjutant General's Conference Room, St. Francis Barracks, 82 Marine Street, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Armory Board Meeting. The Armory Board will consider action on contracts, leases, agreements and other business relative to real property and facility management issues under its control.

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

DUVAL COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Duval County Research and Development Authority** announces a business meeting.

DATE AND TIME: November 19, 2003, 9:00 a.m. – 11:00 a.m.
 PLACE: University of North Florida, University Center, Room 1058 BOT2, 12000 Alumni Drive, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business Meeting.

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

FLORIDA MUNICIPAL INSURANCE TRUST

The **Florida Municipal Insurance Trust**, an interlocal entity created pursuant to Fla. Stat. 768.28 and 163.01, announces a public meeting to which all persons are invited.

DATES AND TIMES: Friday, November 21, 2003, 9:30 a.m. – 4:00 p.m.; Saturday, November 22, 2003, 9:00 a.m. – 12:00 Noon

PLACE: Marco Island Marriott, 400 South Collier Blvd., Marco Island, Florida, (239)394-2511

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the proposed agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, Florida, (850)222-9684.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is based.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition for a Declaratory Statement from Tampa Electric Company (TECO). The petition requests an order declaring that the Service Territory Agreement between TECO and the City of Bartow, pursuant to Order No. 15437, 1) is valid and binding upon and TECO and Bartow; 2) grants TECO the exclusive right and obligation to provide end use electric service to facilities owned and/or operated by Bartow and located in TECO's service territory; and 3) makes any attempt by Bartow to self-provide end use electric service to such facilities in TECO's service territory, without prior Commission approval, a violation of the agreement.

A copy of the petition may be obtained at <http://www.psc.state.fl.us/psc/dockets/> or by writing: Division of the Commission Clerk and Administrative Services, 4075 Esplanade Way, Tallahassee, FL 32399-0862.

DOCKET NO. 011333-EI.

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

A Notice of Declaratory Statement on behalf of Jennifer L. Loar, O.D., was published in the issue of the Florida Administrative Weekly, Vol. 29, No. 42.

The date of hearing, which was originally published as November 14, 2003, has been changed and will now be November 21, 2003, 9:00 a.m. at the AmeriSuites Orlando Airport, 5435 Forbes Place, Orlando, Florida 32812, (407)816-7800.

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

The person to be contacted regarding the above change is: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399.

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:

Mark N. Levine vs. Florida International University; Case No.: 03-3478RX; Rule No.: 6C8-4.018

Kissimmee River Valley Sportsman Association, Inc. and Phillip B. Griner vs. South Florida Water Management District; Case No.: 03-3286RX; Rule No.: 40E-7.532

Sacred Heart Health System, Inc. d/b/a Sacred Heart Hospital on the Emerald Coast vs. Agency for Health Care Administration; Case No.: 03-3345RP; Rule No.: 59A-3.255

Florida Wildlife Federation, Inc., Environmental Confederation of Southwest Florida, Inc. and Save Our Creeks, Inc. vs. Department of Environmental Protection; Case No.: 03-3532RP; Rule No.: 62-304.700

Remo G. Gaudiel, M.D. and Howard Bourdages, M.D. vs. Department of Health, Board of Medicine; Case No.: 03-3530RX; Rule No.: 64B8-9.003(2)

Mario R. Avello, M.D. vs. Department of Health, Board of Medicine; Case No.: 03-3303RP; Rule No.: 64B8-9.014

Clinical Solutions of South Florida, Inc., A Florida Corporation vs. Department of Health, Board of Pharmacy; Case No.: 03-3390RP; Rule No.: 64B16-28.871

United Mail Pharmacy Services, L.C. vs. Department of Health, Board of Pharmacy; Case No.: 03-3638RP; Rule No.: 64B16-28.871

I. B. and D. B. vs. Department of Children and Family Services; Case No.: 03-3302RX; Rule No.: 65C-16.008(2)

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Hernando-Pasco Hospice, Inc. vs. Agency for Health Care Administration and Lifepath, Inc. d/b/a Lifepath Hospice and Florida Hospices and Palliative Care, Inc.; Case No.: 01-4460RX; Rule No.: 59C-1.0355(4)(d); Dismissed

Florida League of Cities, Inc., City of Casselberry, City of Deerfield Beach, City of Greenacres, City of Kissimmee and City of New Port Richey vs. Department of Management Services, Division of Retirement and Florida Professional Firefighters, Inc., Florida Police Benevolent Association, Inc.; Case No.: 03-1117RP; Rule Nos.: 60Z-1.026, 60Z-2.017; Dismissed

John W. Sullivan, D.C. and Florida Chiropractic Physicians' Association, Inc. vs. Department of Health, Board of Chiropractic Medicine; Case No.: 02-4916RX; Rule No.: 64B2-17.0025(4); Dismissed

Ybor III, Ltd. vs. Florida Housing Finance Corporation; Case No.: 01-3936RX; Rule No.: 67-48.005; Dismissed

Florida League of Cities, Inc., City of Casselberry, City of Deerfield Beach, City of Greenacres, City of Kissimmee and City of New Port Richey vs. Department of Management Services, Division of Retirement and Florida Police Benevolent Association, Inc. and Florida Professional Firefighters, Inc.; Case No.: 02-3610RU; Dismissed

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 04L-131, W/O 649881, Rolfs Hall, Replace Roofing, estimated budget: \$290,000-\$310,000, to be opened November 18, 2003, at 2:00 p.m., local time, in Purchasing, Elmore Hall, Radio Road, Gainesville, FL.

Scope of work: Removal of clay tile roof system. Ludowici clay tile are scheduled to be used for the replacement. All flashing and step flashing associated with the clay tile removal shall be removed and replaced with new copper flashing. The existing gutters, collectors, leaders, downspouts and supports will remain and must be protected from damage. Prepare existing wood fascia, soffit and trim for painting. All roof access by the Contractor shall be by scaffold stairs on the exterior of the building. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, Telephone (352)392-1331. A Mandatory Pre-bid Meeting will be held November 4, 2003, at 3:30 p.m. in the Physical Plant Division Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to A. J. Sontag, C.P.M., Assistant Director, UF Purchasing, (352)392-1331, Ext. 306.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 04L-138, W/O 663810, Campus Bus Shelters, estimated budget: \$250,000-\$270,000, to be opened November 18, 2003, at 3:00 p.m., local time, in Purchasing, Elmore Hall, Radio Road, Gainesville, FL.

Scope of work: Selective removal of existing asphalt pavement and curb/gutter. Addition of new curb, concrete walks, and seating walls. Complete landscape (plants & grassing). Demolition of existing irrigation system, addition of new irrigation system. Construction of new bus shelter facilities. Relocation of existing site lighting. Specifications and Plans

will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, Telephone (352)392-1331. A Non-mandatory Pre-bid Meeting will be held November 4, 2003, at 10:00 a.m. in the Physical Plant Division Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to A. J. Sontag, C.P.M., Assistant Director, UF Purchasing (352)392-1331 Ext. 306. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of North Florida Board of Trustees, a public body corporate, announces that Professional Services in the discipline of engineering will be required for the project listed below:

Project No.: BR-957

Project and Location: Recycled Water Distribution

The project consists of:

Recognizing that the University has a rather large irrigation water distribution system and that the distribution is centered around the existing wells it will be the responsibility of the designer to provide for the evaluation and planning of a distribution system that will take water, from the planned recycled water tap points, to locations where it will be distributed into the irrigation system and a location that will provide cooling water for the campus cooling towers.

To the extent possible it is desirable that existing systems and structures be utilized.

The selected firm will provide design, construction documents and administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000 and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration must submit a letter of application.

The letter of application should have attached:

1. The most recent version of the Florida Board of Education/Division of Colleges and Universities "Professional Qualifications Supplement" completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit 6 copies of the above requested data bound in the order listed above.

Applications which do not comply with the above instructions may be disqualified.

Application materials will not be returned.

The plans and specifications for Florida Board of Education/Division of Colleges and Universities projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting:

Charlie Bear, Director of Physical Facilities
University of North Florida
4567 St. Johns Bluff Road, South
Jacksonville, Florida 32224
(904)620-2483, Fax (904)620-2492

Submittals must be received in the Office of Physical Facilities, Building 5, University of North Florida, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224, by 2:00 p.m., local time, on November 21, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of North Florida Board of Trustees, a public body corporate, announces that Professional Services in the discipline of Master Planning will be required for the project listed below:

Project No.: BR-989

Project and Location: Master Plan Update – University of North Florida, Jacksonville, Florida.

The project consists of reviewing and updating the current university's comprehensive campus master plan in the following areas: urban design, land use, academic facilities, support facilities, housing, recreation and open space, pedestrian and non-vehicular circulation, transit circulation and parking, utilities, conservation, capital improvements, architectural and landscape design guidelines, facilities maintenance and coastal management. Emphasis will be directed toward the resolution of goals and objectives regarding components of the master plan that have illustrated growth or require current modifications. The planning effort

will continue to preserve the integrity of the original master plan while strategically aligning the University for future growth.

The selected firm may be required to coordinate with local governments and assist the University in the preparation and negotiation of development agreements for concurrency and mitigation, if required. The master plan will be developed in accordance with the Division of Colleges and Universities "Guideline for the Comprehensive Campus Master Plan System, April 1992" and subsequent updates.

INSTRUCTIONS

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. The most recent version of the Florida Board of Education – Division of Colleges and Universities "Professional Qualifications Supplement" completed by the applicant's office applying for the project. Applications on any other form will not be considered.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit 6 copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

Scoring of "Design ability" and minority business participation will not be considered in the scoring process.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting:

Phillip Turner, AIA
 University of North Florida
 4567 St. Johns Bluff Road, South
 Jacksonville, Florida 32224
 (904)620-2016, Fax (904)620-2020

Submittals must be received in the Office of Facilities Planning, JJ Daniel Hall, University of North Florida, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224, by 2:00 p.m., local time, on November 21, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 S. Belcher Road, Largo, FL 33773 until 2:00 p.m., local time, on November 18, 2003 for the purpose of selecting a Contractor for supplying all labor, material, and ancillary services required for the construction of the following per the drawings and specifications.

Hot Water Heater & Piping Renovation – Bid #04-968-557
 East Lake High School
 1300 Silver Eagle Drive
 Tarpon Springs, FL 34689

Provide labor and materials to remove, dispose of and replace domestic water piping, remove, dispose of and replace insulation from pipes inside and outside Mechanical Room, remove, dispose of and replace storage tank outside Mechanical Room per plans and specifications. This project requires bonding.

A Pre Bid Conference will be held at the project site on October 28, 2003 at 10:00 a.m. ATTENDANCE IS MANDATORY.

Public opening of the Bids will occur in the Purchasing Conference Room at the Walter Pownall Service Center and all interested parties are invited to attend.

Plans and specifications are available at the office of:

Purchasing Department
 Walter Pownall Service Center
 11111 So. Belcher Road
 Largo, FL 33773

Bonding and insurance are required for this project. The Owner reserves the right to reject all bids.

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

J. HOWARD HINESLEY
 SUPERINTENDENT OF SCHOOLS
 AND EX-OFFICIO SECRETARY
 TO THE SCHOOL BOARD

LINDA S. LERNER
 CHAIRMAN

MARK C. LINDEMANN
 DIRECTOR OF 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."

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE TO PROFESSIONAL CONSULTANTS

CONTINUING AREA CONTRACTS, NORTH REGION

The State of Florida, Department of Management Services, Division of Facilities Management and Building Construction requests qualifications from Geotechnical and Environmental Engineering Consulting firms to provide professional services in the Florida North Region. All counties in a line across the State North of Manatee, Hardee, Highlands, Okeechobee and St. Lucie.

For details please visit the Department's website listed below and click on "Search Advertisements – Division of Facilities Management and Building Construction."

http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES FOR

CONTINUING AREA CONTRACTS AREA 2

The State of Florida, Department of Management Services, Division of Facilities Management and Building Construction requests qualifications from construction management firms to provide services in Area 2, counties of Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla, and other counties as may be determined necessary by the owner.

For details please visit the Department's website listed below and click on "Search Advertisements – Division of Facilities Management and Building Construction."

http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

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

2003/04 Financial Advisor Services

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide financial advisor services to submit proposals for consideration. Written, sealed proposals shall be accepted until 2:00 p.m., Eastern Time, Friday, November 21, 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 the 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>.

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.

VOLUNTEER FLORIDA

Volunteer Florida is pleased to announce a Request for Proposals for 2004-2005 to establish AmeriCorps programs. Proposals must be submitted by 5:00 p.m., EST, Tuesday, January 6, 2004. Eligibility criteria, guidelines, application forms, and technical assistance information will be available at www.volunteerflorida.org beginning November 3, 2003.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA03-OR-255

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: MONROE COUNTY LAND DEVELOPMENT REGULATIONS ADOPTED BY MONROE COUNTY ORDINANCE NO. 025-2003

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On July 17, 2003, the Department received for review Monroe County Ordinance No. 025-2003 which was adopted by the Monroe County Board of County Commissioners on June 18, 2003 ("Ord. 025-2003"). The purpose of Ord. 025-2003 is to establish a temporary moratorium on the transfer of development rights from recreation vehicle (RV) spaces offsite to develop hotel or motel rooms.
3. Ord. 025-2003 is consistent with the County's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2002) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2002). The regulations adopted by Ord. 025-2003 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 025-2003 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (f) To enhance natural scenic resources, promote aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
 - (g) To protect the historical heritage of the Florida Keys.
 - (j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

9. Ord. 025-2003 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 025-2003 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

Charles Gauthier, Acting Director
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL

ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ____ day of September 2003.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Dixie Spehar
Mayor of Monroe County
500 Whitehead Street, Suite 102
Key West, Florida 33040

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Timothy J. McGarry, AICP
Director, Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DCA Final Order No.: DCA03-OR-275

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: CITY OF GROVELAND LAND DEVELOPMENT REGULATIONS ADOPTED BY CITY OF GROVELAND ORDINANCE NO. 2003-09-38

FINAL ORDER

The Department of Community Affairs ("Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2002), approving City of Groveland Ordinance No. 2003-09-38, as set forth below.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and the City of Groveland is a local government within the Green Swamp Area.

2. On September 5, 2003, the Department received for review City of Groveland Ordinance No. 2003-09-38 ("Ordinance"), which was adopted by the City Council of the City of Groveland. The Ordinance was adopted on September 2, 2003. The Ordinance amends Appendix B, Chapter VIII of the City of Groveland Land Development Regulations. These amendments address revisions to the general parking requirements and restrictions of the City.

3. The Ordinance is consistent with the City's Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat.

5. The City of Groveland is a local government within the Green Swamp Area of Critical State Concern. § 380.0551, Fla. Stat. and Rule Chapter 28-26, Fla. Admin. Code.

6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulation adopted by the Ordinance is a land development regulation.

7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. § 380.05(6), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. ("Principles").

8. The Ordinance is consistent with the Principles in Rule 28-26.003, Fla. Admin. Code.

WHEREFORE, IT IS ORDERED that Ordinance No. 2003-09-38 is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

 Valerie J. Hubbard, Director
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE

REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ____ day of October, 2003.

Paula Ford, Agency Clerk

By U.S. Mail:

The Honorable Doris Thompson
Mayor, City of Groveland
156 S. Lake Avenue
Groveland, FL 34736

Jason Yarborough
City Manager
City of Groveland
156 S. Lake Avenue
Groveland, FL 34736

Teresa Greenham
Urban & Regional Planners, Inc.
2001 Old U.S. Highway 441, Ste. 1
Mount Dora, FL 32757

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 360.642, Florida Statutes, General Motors Corporation, intends to allow the establishment of Bill Heard Chevrolet, Inc.-Orlando East as a dealership for the sale and service of Chevrolet motor vehicles at a site located at the northwest quadrant of the intersection of East Colonial Drive (SR50) and the proposed northerly extension of Woodbury Road, Orlando, Orange County, Florida. The easterly boundary of the site is approximately 0.7528 miles east of Alafaya Trail on the north side of East Colonial Drive and the westerly boundary of the site is approximately 0.5 miles east of Alafaya Trail on the north side of East Colonial Drive. The Legal Description of the property is as follows:

Lots 11 thru 16, Block D and Lots 11 thru 18, Block C, of May Spring Farms, Plat Book V, Page 24 of Orange County Official Records. Together with the West 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 22, Township 22 South, Range 31

East together with the East 1/2 of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 22, Township 22 South, Range 31 East. Together with the West 1/2 of the East 1/2 of the Northeast 1/4 of the Northeast 1/4. And the East 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 22, Township 22 South, Range 31 East, Orange County, Florida, lying North of S.R. 50, less the East 20 feet thereof, and the East 229 feet of the West 1/2 of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 22 lying North of S.R. 50, less and except the South 250.00 feet thereof as measured along the East and West lines of the East 229 feet of the West 1/2 of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 22. Being more particularly described as follows:

Commence at the Northeast corner of said Section 22; thence S 87°38'04" W along the North line of the Northeast 1/4 of the Northeast 1/4 of said Section 22, 20.09 feet to the POINT OF BEGINNING: Thence S 00°19'43" E along a line 20 feet West of and parallel with the East line of the Northeast 1/4 of the Northeast 1/4 of said Section 22, 1267.30 feet to the arc of a circular curve concave northerly, having a radius of 11359.20, a central angle of 1°38'54", a chord bearing and distance of N 84°00'39" W, 326.80 feet, thence along the arc of said curve and northerly right-of-way of State Road 50 (East Colonial Drive), a 200 foot right-of-way per State Road Department Right-of-Way map, Section 7506-201, Sheet No. 9, a distance of 326.81 feet; thence departing said Northerly Right-of-Way, N 00°26'56" W, 250.00 feet; thence N 82°42'32" W, 230.28 feet; thence S 00°29'55" E 250.00 feet to said Northerly Right-of-Way; thence N 82°30'30" W along said Northerly Right-of-Way, 1300.38 feet; thence N 00°56'51" W, 968.74 feet to said North line of the Northeast 1/4 of the Northeast 1/4; thence N 87°58'06" E along said North line, 1295.91 feet to an intersection with the East line of the West 1/2 of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 22; thence continue along said North line of the Northeast 1/4 of the Northeast 1/4 N 87°58'43" E 556.60 feet to the POINT OF BEGINNING. Containing 43.24 acres of land, more or less.

The name and address of the Dealer Operator(s) of Bill Heard Chevrolet, Inc. – Orlando East is William T. Heard, Jr., 200 Brookstone Centre Parkway, Columbus, GA 31904. The name and address of the Principal Investor(s) in Bill Heard Chevrolet, Inc. – Orlando East is Bill Heard Enterprises, Inc., 200 Brookstone Centre Parkway, Columbus, GA 31904. William T. Heard, Jr. is the Principal Investor in and owner of Bill Heard Enterprises, Inc.

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: Jody L. Huey, Dealer Contractual Manager, General Motors Corporation, Mail Code 482-A07-C66, 100 Renaissance Center, Detroit, MI 48265-1000.

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 the requirements of Section 320.642, Florida Statutes, notice is hereby given that Hyundai Motor America intends to establish Doral Hyundai, LLC d/b/a Doral Hyundai as a dealership for the sale of Hyundai motor vehicles at "a portion of the South 1/2 of Section 32, Township 53 South, Range 40 East, Dade County, Florida, being more particularly described as follows: Commence at the Southeast corner of the Southwest 1/4 of said Section 32; thence South 89°20'56" West along the South line of said Section 32 for a distance of 118.68 feet to a point; thence North 01°43'13" West for a distance of 80.01 feet to a point on the northerly right-of-way of N. W. 12th Street and to the Point of Beginning: Thence continuing along said northerly right-of-way line South 89°20'56" West a distance of 550.24 feet to a point; thence leaving said northerly right-of-way line North 44°20'56" West a distance of 104.65 feet to a point; thence North 00°39'04" West a distance of 30.74 feet to a point; thence North 34°00'00" West a distance of 205.41 feet to a point; thence North 64°49'27" East a distance of 497.70 feet to a point; thence due East a distance of 273.70 feet to a point; thence South 01°43'13" East a distance of 481.55 feet to a point on said northerly right-of-way line of N. W. 12th Street, said point being the Point of Beginning and containing 6.487 acres of land more or less; the North side of N. W. 12th Street, approximately 1,000 feet East of N. W. 107 Avenue, Miami, Dade County, Florida". Hyundai Motor America intends to engage in business with Doral Hyundai, LLC d/b/a Doral Hyundai on or after December 1, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Doral Hyundai, LLC d/b/a Doral Hyundai are dealer operator(s) and principal investor(s): William M. Lehman, Jr., 2071 N. E. 194th Terrace, North Miami Beach, FL 33179.

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: Marty Vaughn, Market Representation Manager, Hyundai Motor America, 270 Riverside Parkway, Suite A, Austell, GA 30168.

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, Thunder Mountain Custom Cycles, Inc., intends to allow the establishment of Harley-Davidson of Pompano, as a dealership for the sale of Thunder Mountain Custom motorcycles at 2900 Center Port Circle, Pompano Beach, FL 32114, on or after October 1, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Harley-Davidson of Pompano are dealer operator(s) and principal investor(s): Bruce Rossmeyer, 421 Oceanshore Blvd., Ormond 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: Maria Amaya, Controller, Thunder Mountain Custom Cycles, Inc., 5836 Wright Drive, Loveland, CO 80538.

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, Thunder Mountain Custom Cycles, Inc., intends to allow the establishment of Ft. Lauderdale Harley-Davidson as a dealership for the sale of Thunder Mountain Custom motorcycles at 2871 N. Federal Hwy., Ft. Lauderdale, FL 33306, on or after October 1, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Ft. Lauderdale Harley-Davidson are dealer operator(s) and principal investor(s): Bruce Rossmeyer, 421 Oceanshore Blvd., Ormond 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: Maria Amaya, Controller, Thunder Mountain Custom Cycles, Inc., 5836 Wright Drive, Loveland, CO 80538.

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, Thunder Mountain Custom Cycles, Inc., intends to allow the establishment of New Smyrna Harley-Davidson, as a dealership for the sale of Thunder Mountain Custom motorcycles at 1889 State Road 44, New Smyrna (Volusia County), FL 32168, on or after October 1, 2003.

The name and address of the dealer operator(s) and principal investor(s) of New Smyrna Harley-Davidson are dealer operator(s) and principal investor(s): Joseph P. Fonfara, 3811 Royal Drive, Ft. Collins, CO 80526.

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: Maria Amaya, Controller, Thunder Mountain Custom Cycles, Inc., 5836 Wright Drive, Loveland, CO 80538.

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, Thunder Mountain Custom Cycles, Inc., intends to allow the establishment of Daytona Harley-Davidson, as a dealership for the sale of Thunder Mountain Custom motorcycles at 290 N. Beach Street, Daytona Beach (Volusia County), FL 32114, on or after October 1, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Daytona Harley-Davidson are dealer operator(s) and principal investor(s): Bruce Rossmeyer, 421 Oceanshore Blvd., Ormond 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: Maria Amaya, Controller, Thunder Mountain Custom Cycles, Inc., 5836 Wright Drive, Loveland, CO 80538.

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, Hyundai Motor America, intends to allow the establishment of King Motor Company of Coconut Creek, Ltd. d/b/a Coconut Creek Hyundai, as a dealership for the sale of Hyundai motor vehicles, at 4960 North State Road 7, Coconut Creek (Broward County), Florida, on or after December 1, 2003.

The name and address of the dealer operator(s) and principal investor(s) of King Motor Company of Coconut Creek, Ltd. d/b/a Coconut Creek Hyundai are dealer operator(s): A. Edward Appleby, 2301 Sunrise Key Blvd., Ft. Lauderdale, FL 33304; principal investor(s): A. Edward Appleby and Linda K. Appleby, 2301 Sunrise Key Blvd., Ft. Lauderdale, FL 33304.

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: Marty Vaughn, Market Representation Manager, Hyundai Motor America, 270 Riverside Parkway, Suite A, Austell, GA 30168.

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, Hyundai Motor America, intends to allow the establishment of Rick Case Cars, Inc. d/b/a Rick Case Hyundai, as a dealership for the sale of Hyundai motor vehicles, at 3550 Weston Road, Davie (Broward County), Florida, on or after December 1, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Rick Case Cars, Inc. d/b/a Rick Case Hyundai are dealer operator(s): Richard J. Case, 949 Hillsboro Mile, Hillsboro Beach, FL 33062; principal investor(s): Richard J. and Rita M. Case, 949 Hillsboro Mile, Hillsboro Beach, FL 33062.

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: Marty Vaughn, Market Representation Manager, Hyundai Motor America, 270 Riverside Parkway, Suite A, Austell, GA 30168.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, STR, Inc. Motorsports Division, intends to allow the establishment of Grandpa's Cycle Center as a dealership for the sale of KYMCO motorcycles, at 3596 Fowler St., Ft. Myers (Lee County), Florida 33901, on or after August 18, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Grandpa's Cycle Center are dealer operator(s) and principal investor(s): Marion and Lynda Stewart, 3596 Fowler St., Ft. Myers, FL 33901.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Bruce Ramsey, Director of Sales/Marketing, STR, Inc. Motorsports Division, 1770 Campton Rd., Inman, SC 29349.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the State Board of Administration ("the Board") of its estimate of the borrowing capacity and the projected year-end (as of December 31, 2003) fund balance for the Florida Hurricane Catastrophe Fund ("the Fund"), in compliance with the requirements of Section 215.555(4)(c)2., Florida Statutes. This estimate is as of October 1, 2003. The projected year-end balance on December 31, 2003, is estimated to be \$5,462.2 million, assuming no losses to be reimbursed. The Fund's estimated borrowing capacity, defined as the maximum amount that the Board is able to raise through the issuance of revenue bonds under Section 215.555(6), Florida Statutes, pursuant to the upper limitation of \$11 billion in Section 215.555(4), Florida Statutes, is \$5,537.8 million. This estimate is for tax-exempt debt. During the 1999 legislative session, the Legislature enacted changes to Section 215.555, Florida Statutes, and provided an upper limit of \$11 billion on the Board's potential liability to reimburse participating insurers for losses sustained by hurricane damage. Therefore, the Board's obligation is to try to raise \$5,537.8 million, rather than the total capacity determined by using all of the available 4 percent emergency assessment capability.

This estimate is based on the Board's good faith assessment of the current global market conditions and is net of required debt service reserve funds and the costs of issuing the bonds. These conditions may or may not be the same if and when the Board determines that it is necessary to seek the issuance of revenue bonds. The Board's estimate is also based upon projected year-end reimbursement premiums. Emergency assessments are based on data available as of this estimate. This estimate is provided to comply with the requirements of Section 215.555(4)(c)2., Florida Statutes, and should only be relied upon after careful consideration of all relevant assumptions and reservations, including those set forth below.

Assumptions:

1) The Board assumes that both the annual reimbursement premiums and the 4% emergency assessment described in Section 215.555(6)(a)3., Florida Statutes, will be used as the revenue source to service the debt and to provide debt service coverage. Although Section 215.555(6)(a)3., Florida Statutes, also provides for a 2% assessment, any hurricane requiring the Board to issue bonds will necessarily have to be of such a magnitude that it is highly likely that the Governor will have declared a state of emergency and therefore the maximum 4% assessment will be applicable. Further, receipt of federal assistance is dependent upon a declaration of a state emergency.

2) The debt service coverage ratio is assumed to be 2.28. This means that the revenue stream available to service the debt is 2.28 times the amount actually needed to service the debt. The debt service coverage ratio is sensitive to actual

reimbursement premiums collected during the year. Changes in deductible distributions and other factors that impact actual reimbursement premiums may impact the coverage ratio.

3) The Board has assumed interest rates reflecting market conditions on October 1, 2003. Many factors will impact the interest rates that will ultimately be used when the Board determines that bonds must be issued. It is impossible to predict with any certainty what those rates will be.

4) In accordance with the requirements of Section 215.555(6)(a)2., Florida Statutes, the Board has completed the bond validation process. The circuit court hearing held on November 12, 1996, resulted in a favorable ruling. The validation was then immediately appealed to the Florida Supreme Court. The Florida Supreme Court ruled on September 18, 1997, that the bonds are valid.

5) In response to the private letter ruling received in March 1998, and renewed on June 13, 2003, the Internal Revenue Service ruled that interest on the bonds issued under Section 215.555(6), Florida Statutes, is exempt from federal taxation.

Reservations:

1) Since no bonds have ever been issued on behalf of the Fund, there are a number of uncertainties. Among these are the following: the financial condition of the insurance industry at the time of a catastrophic loss, the stability of the revenue stream and potential litigation.

2) A more general uncertainty is the condition of the financial markets at the time the bonds are issued and the degree of familiarity of potential investors with the Fund.

3) Another general uncertainty is the ability of the capital markets to absorb a bond issue of this magnitude at the time of the bond issuance.

As of October 1, 2003, the Board's good faith estimate of its bonding capacity is \$5,537.8 million to reach the current statutory upper limit of \$11 billion. The Board recognizes the importance of this estimate and is committed to make every effort to assure its ability to issue up to \$5,537.8 million, in bonds if and when the necessity arises.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF HOSPICE PROGRAM FIXED NEED POOL

The Agency for Health Care Administration has projected a fixed need pool for hospice programs, defined in accordance with Sections 400.601-400.602, Florida Statutes (F.S.) and 408.031-408.045, F.S. Fixed need pool projections are for hospice programs planned for January 2005, pursuant to the provisions of Rule 59C-1.0355, Florida Administrative Code. Fixed need pool projections as published in the October 10, 2003 edition of the Florida Administrative Weekly, are being revised due to an error in the fixed need pool calculations. The fixed need pool is revised as follows:

Hospice Program Net Need	
Service Area	Net Need
Subdistrict 7B	0
State Total	1

**CERTIFICATE OF NEED
NOTICE OF WITHDRAWAL**

The Agency for Health Care Administration hereby notices withdrawal from review the following Certificate of Need applications:

County: Dade Service District: 11
 CON #: 9723 Decision Date: 10/6/2003 Decision: W
 Facility/Project: Baptist Hospital of Miami
 Applicant: Baptist Hospital of Miami, Inc.
 Project Description: Add seven Level III neonatal intensive care unit beds

A request for administrative hearing, if any, must be made in writing and must be actually received by the Agency within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Hillsborough District: 6
 ID #: 0300007 Decision: A Issue Date: 10/1/2003
 Facility/Project: University Community Hospital
 Applicant: University Community Hospital, Inc.
 Project Description: Convert 20 hospital-based skilled nursing unit beds to acute care beds
 Proposed Project Cost: \$105,600

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

On October 14, 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 Louis Anthony Grauer, R.N., license number RN 9185554. 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 October 13, 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 Kimberly Hightower, R.N., license number RN 9195864. 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 October 13, 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 Scott, R.N., license number RN 2920082. 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 October 7, 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 Kazem Sadati, D.D.S., license number DN 013811. 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 October 7, 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 James D'Amico, D.M.D., license number DN 7121. 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

Public Notice

Notice is hereby given that on February 18, 2003, the state of Florida became a member state of the Interstate Compact on Adoption and Medical Assistance (hereinafter referred to as the Compact) when, pursuant to Section 409.406, Florida Statutes (2002), Jerry Regier, Secretary of the Department of Children and Family Services, executed the necessary Compact joinder documents.

Acknowledgement of receipt of the executed Compact joinder documents was received in a letter dated February 20, 2003, from Liz Oppenheim, JD, Program Director and Secretariat of the Association of Administrators of the Interstate Compact on Adoption and Medical Assistance, 810 First Street, N. E., Suite 500, Washington, DC 20002-4267.

The following Compact joinder documents are kept on file in the Compact Administrators Office as a matter of public record and may be seen at that location:

1. A certified true copy of the Compact.
2. Original signature pages from each current Compact member state.
3. The original letter of acknowledgement dated February 20, 2003, from Liz Oppenheim, JD, Program Director and Secretariat of the Association of Administrators of the Interstate Compact on Adoption and Medical Assistance.
4. An original Designation of Compact Officials form.

Any questions may be directed to the Compact Administrator at the following address:

Compact Administrator
Interstate Compact on Adoption and Medical Assistance
Child Welfare and Community-Based Care Program
Florida Department of Children and Family Services
Building 6 – Suite 100
1317 Winewood Boulevard
Tallahassee, FL 32399-0700

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation has received the following applications.

Comments may be submitted to the Deputy Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., November 14, 2003):

APPLICATION FOR A NEW FINANCIAL INSTITUTION
Applicant and Proposed Location: Englewood Acquisition Bank, 1111 South McCall Road, Englewood, Florida 34223
Correspondent: David J. Mack, 7205 West Central Avenue, Toledo, Ohio 43617
Received: October 14, 2003

APPLICATION AND PLAN FOR THE PURCHASE
OF CERTAIN ASSETS AND ASSUMPTION
OF CERTAIN LIABILITIES

Acquiring Entity: Englewood Acquisition Bank, 1111 South McCall Road, Englewood, Florida
Selling Entity: The Englewood Bank, Englewood, Florida
Received: October 14, 2003

The Office of Financial Regulation has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at http://www.dbf.state.fl.us/banking/cu_expansion.html.

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: City County Credit Union of Fort Lauderdale, Post Office Box 14548, Fort Lauderdale, Florida 33302-4548.

Expansion Includes: Employees and independent contractor agents of the Tom Williams Agency/American Income Life.

Received: October 14, 2003

DIVISION OF TREASURY
BUREAU OF COLLATERAL MANAGEMENT
PUBLIC DEPOSITS SECTION

FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DFS-J1-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DFS-J1-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THEY ARE LISTED UNDER THE STATE OF HOME OFFICE LOCATION. INSTITUTIONS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER AND ARE NOT ACCEPTING NEW PUBLIC DEPOSIT ACCOUNTS. DEPOSITORIES

HAVING A DATE BESIDE THEIR NAME ARE IN THE PROCESS OF WITHDRAWING FROM THE PROGRAM AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE SHOWN. THEY MAY, HOWEVER, HAVE CERTAIN OBLIGATIONS TO THE PROGRAM AFTER THAT DATE WITH WHICH THEY MUST COMPLY BEFORE CONCLUDING THE WITHDRAWAL PROCESS.

ALABAMA

BIRMINGHAM

AMSOUTH BANK
COMPASS BANK
REGIONS BANK
SOUTHTRUST BANK

MONTGOMERY

COLONIAL BANK, N.A.

WARRIOR

THE BANK

FLORIDA

ALACHUA

FIRST NATIONAL BANK OF ALACHUA

APALACHICOLA

COASTAL COMMUNITY BANK

ARCADIA

FIRST STATE BANK OF ARCADIA

AVENTURA

TURNBERRY BANK

BARTOW

CITRUS & CHEMICAL BANK
COMMUNITY NATIONAL BANK AT BARTOW

BELLE GLADE

BANK OF BELLE GLADE

BOCA RATON

FIRST SOUTHERN BANK
POINTE BANK

BONIFAY

BANK OF BONIFAY

BRADENTON

COAST BANK OF FLORIDA
FIRST BRADENTON BANK
FIRST NATIONAL BANK & TRUST
FLAGSHIP NATIONAL BANK
GOLD BANK

BRANDON

PLATINUM BANK

BROOKSVILLE

HERNANDO COUNTY BANK

CANTONMENT

CITIZENS & PEOPLES BANK, N.A.

CAPE CORAL

RIVERSIDE BANK OF THE GULF COAST

CARRABELLE

GULF STATE COMMUNITY BANK

CHIEFLAND

DRUMMOND COMMUNITY BANK

CLEWISTON

FIRST BANK OF CLEWISTON
FIRST FEDERAL SAVINGS BANK OF THE GLADES

COOPER CITY

FIRST WESTERN BANK

CORAL GABLES

BANKUNITED, F.S.B.
COMMERCEBANK, N.A.
GIBRALTAR BANK, F.S.B.

CRAWFORDVILLE

CITIZENS BANK – WAKULLA
WAKULLA BANK

CRESTVIEW

FIRST NATIONAL BANK OF CRESTVIEW

CRYSTAL RIVER

CRYSTAL RIVER BANK

DADE CITY

FIRST NATIONAL BANK OF PASCO

DANIA BEACH

COMMUNITY BANK OF BROWARD

DAVIE

REGENT BANK

DEBARY

FIRST COMMUNITY BANK

DESTIN

DESTIN BANK

DUNNELLON

DUNNELLON STATE BANK

ENGLEWOOD

ENGLEWOOD BANK
PENINSULA BANK

FERNANDINA BEACH

FIRST COAST COMMUNITY BANK
FIRST NATIONAL BANK OF NASSAU COUNTY

FORT LAUDERDALE

BANKATLANTIC
EQUITABLE BANK
LANDMARK BANK, N.A.

FORT MYERS

ATLANTIC STATES BANK
BUSEY BANK FLORIDA
EDISON NATIONAL BANK

FORT PIERCE

HARBOR FEDERAL SAVINGS BANK
RIVERSIDE NATIONAL BANK OF FLORIDA

FORT WALTON BEACH

BEACH COMMUNITY BANK
FIRST CITY BANK OF FLORIDA
FIRST NATIONAL BANK & TRUST

FROSTPROOF

CITIZENS BANK OF FROSTPROOF

GAINESVILLE

MERCHANTS & SOUTHERN BANK
MILLENNIUM BANK

GRACEVILLE

*BANK OF JACKSON COUNTY
PEOPLES BANK OF GRACEVILLE

GROVELAND

PEOPLES STATE BANK OF GROVELAND

HALLANDALE

DESJARDINS FEDERAL SAVINGS BANK

HOMESTEAD

COMMUNITY BANK OF FLORIDA
FIRST NATIONAL BANK OF SOUTH FLORIDA

HOMOSASSA

HOMOSASSA SPRINGS BANK

IMMOKALEE

FLORIDA COMMUNITY BANK

INDIANTOWN

FIRST BANK OF INDIANTOWN

INVERNESS

BANK OF INVERNESS

JACKSONVILLE

FIRST ALLIANCE BANK

JACKSONVILLE BEACH

OCEANSIDE BANK

KEY LARGO

TIB BANK OF THE KEYS

KEY WEST

FIRST STATE BANK OF THE FLORIDA KEYS

KISSIMMEE

FIRST NATIONAL BANK OF OSCEOLA COUNTY

LADY LAKE

CITIZENS FIRST BANK

LAKE CITY

CNB NATIONAL BANK
COLUMBIA COUNTY BANK
PEOPLES STATE BANK

LAKELAND

FLORIDAFIRST BANK

LAKE MARY

COMMUNITY UNITED BANK OF FLORIDA

LAKE WALES

AMERICAN BANK & TRUST OF POLK COUNTY

LARGO

Premier Community Bank of Florida

LEESBURG

FIRST FEDERAL SAVINGS BANK OF LAKE COUNTY

LIVE OAK

FIRST FEDERAL SAVINGS BANK OF FLORIDA

LONGWOOD

*LIBERTY NATIONAL BANK

MADISON

MADISON COUNTY COMMUNITY BANK

MALONE

PCB, THE COMMUNITY BANK

MARATHON

MARINE BANK OF THE FLORIDA KEYS

MAYO

LAFAYETTE STATE BANK

MIAMI

BAC FLORIDA BANK
CITY NATIONAL BANK OF FLORIDA
COCONUT GROVE BANK
COMMERCIAL BANK OF FLORIDA
CONTINENTAL NATIONAL BANK OF MIAMI
EAGLE NATIONAL BANK OF MIAMI
EASTERN NATIONAL BANK
ESPIRITO SANTO BANK
EXECUTIVE NATIONAL BANK
GULF BANK 09/15/03
INTERAMERICAN BANK, F.S.B.
INTERNATIONAL BANK OF MIAMI, N.A.
MELLON UNITED NATIONAL BANK
METRO BANK OF DADE COUNTY
NORTHERN TRUST BANK OF FLORIDA, N.A.
OCEAN BANK
SOFISA BANK OF FLORIDA
TOTALBANK
TRANSATLANTIC BANK
U.S. CENTURY BANK

MILTON

FIRST NATIONAL BANK OF FLORIDA

MONTICELLO

FARMERS & MERCHANTS BANK

MOUNT DORA

FIRST NATIONAL BANK OF MOUNT DORA
FLORIDA CHOICE BANK

NAPLES

BANK OF NAPLES
COMMUNITY BANK OF NAPLES, N.A.
FIFTH THIRD BANK, FLORIDA
FIRST NATIONAL BANK OF FLORIDA
ORION BANK

NEW SMYRNA BEACH

FRIENDS BANK

NICEVILLE

PEOPLES NATIONAL BANK

NORTH LAUDERDALE

SECURITY BANK, N.A.

NORTH MIAMI

KISLAK NATIONAL BANK

NORTH PALM BEACH

ENTERPRISE NATIONAL BANK OF PALM BEACH

OAKLAND PARK

AMERICAN NATIONAL BANK

OCALA

FLORIDA CITIZENS BANK

OKEECHOBEE

BIG LAKE NATIONAL BANK

ORANGE PARK

FIRST NATIONAL BANK
HERITAGE BANK OF NORTH FLORIDA

ORLANDO

CENTURY NATIONAL BANK
MERCANTILE BANK
SOUTHERN COMMUNITY BANK
UNITED HERITAGE BANK

ORMOND BEACH

COQUINA BANK

OVIEDO

CITIZENS BANK OF OVIEDO

PAHOKEE

FIRST COMMUNITY BANK OF PALM BEACH COUNTY

PALATKA

FIRST FEDERAL BANK OF NORTH FLORIDA
PUTNAM STATE BANK

PALM COAST
CYPRESS BANK

PALM HARBOR
PEOPLES BANK

PANAMA CITY
BAY BANK & TRUST COMPANY
FIRST NATIONAL BANK NORTHWEST FLORIDA
PEOPLES FIRST COMMUNITY BANK
VISION BANK, F.S.B.

PENSACOLA
BANK OF PENSACOLA
BANK OF THE SOUTH
GULF COAST COMMUNITY BANK

PERRY
CITIZENS BANK OF PERRY

PORT RICHEY
GULFSTREAM COMMUNITY BANK

PORT ST. LUCIE
FIRST PEOPLES BANK

QUINCY
QUINCY STATE BANK

ST. AUGUSTINE
BANK OF ST. AUGUSTINE
PROSPERITY BANK

ST. CLOUD
PUBLIC BANK

ST. PETERSBURG
FIRST COMMUNITY BANK OF AMERICA
REPUBLIC BANK
UNITED BANK & TRUST COMPANY

SANTA ROSA BEACH
COMMERCE SOUTH BANK

SEBRING
HEARTLAND NATIONAL BANK
HIGHLANDS INDEPENDENT BANK

SOUTH MIAMI
FIRST NATIONAL BANK OF SOUTH MIAMI

SPRING HILL
FIRST KENSINGTON BANK

STARKE
COMMUNITY STATE BANK

STUART
FIRST NATIONAL BANK & TRUST OF THE TREASURE
COAST
GULFSTREAM BUSINESS BANK

SUNRISE
UNION BANK OF FLORIDA

TALLAHASSEE
CAPITAL CITY BANK
TALLAHASSEE STATE BANK
THE BANK OF TALLAHASSEE

TAMPA
FIRST CITRUS BANK
FLORIDA BANK, N.A.

TEQUESTA
INDEPENDENT COMMUNITY BANK

TRENTON
TRI-COUNTY BANK

UMATILLA
UNITED SOUTHERN BANK

VALPARAISO
VANGUARD BANK & TRUST COMPANY

VERO BEACH
INDIAN RIVER NATIONAL BANK

WAUCHULA
FIRST NATIONAL BANK OF WAUCHULA
WAUCHULA STATE BANK

WEST PALM BEACH
FIDELITY FEDERAL BANK & TRUST
FLAGLER BANK
GRAND BANK & TRUST OF FLORIDA

WEWAHITCHKA
BANKTRUST OF FLORIDA

WILLISTON
PERKINS STATE BANK

WINTER HAVEN
FIRST NATIONAL BANK OF POLK COUNTY

WINTER PARK
BANKFIRST

ZEPHYRHILLS
COMMUNITY NATIONAL BANK OF PASCO COUNTY

GEORGIA

ATLANTA
SUNTRUST BANK

DARIEN
SOUTHEASTERN BANK

LOUISIANA

NEW ORLEANS
WHITNEY NATIONAL BANK

MASSACHUSETTS

BOSTON
ONEUNITED BANK

MINNESOTA

EDINA
INTER SAVINGS BANK, F.S.B.

MISSISSIPPI

JACKSON
TRUSTMARK NATIONAL BANK

NEW YORK

NEW YORK CITY
INTERVEST NATIONAL BANK

NORTH CAROLINA

CHARLOTTE
BANK OF AMERICA, N.A.
WACHOVIA BANK, N.A.

ROCKY MOUNT
RBC CENTURA BANK

WINSTON-SALEM
BRANCH BANKING & TRUST COMPANY

OHIO

CINCINNATI
PROVIDENT BANK

TENNESSEE

MEMPHIS
UNION PLANTERS BANK, N.A.

VIRGINIA

RESTON
CITIBANK, F.S.B.

THE FOLLOWING IS A LIST OF INSTITUTIONS THAT
HAD A CHANGE SINCE THE LAST PUBLICATION OF
THIS REPORT.

COLONIAL BANK
MONTGOMERY, ALABAMA
CHANGED ITS NAME TO COLONIAL BANK, N.A.

FIRST NATIONAL BANK OF POLK COUNTY
HAINES CITY
HOME OFFICE LOCATION NOW REPORTED AS
WINTER HAVEN.

HEMISPHERE NATIONAL BANK
MIAMI
WITHDREW FROM PROGRAM EFFECTIVE 10/13/2003.

HOMOSASSA SPRINGS BANK
HOMOSASSA SPRINGS
HOME OFFICE LOCATION NOW REPORTED AS
HOMOSASSA.

METRO BANK OF DADE COUNTY
CORAL GABLES
HOME OFFICE LOCATION NOW REPORTED AS MIAMI.

POINTE BANK
PEMBROKE PINES
HOME OFFICE LOCATION NOW REPORTED AS BOCA
RATON.

SOUTHERN EXCHANGE BANK
TAMPA
MERGED INTO FIRST NATIONAL BANK OF FLORIDA
(NAPLES).

UNION BANK OF FLORIDA
LAUDERHILL
HOME OFFICE LOCATION NOW REPORTED AS
SUNRISE.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN October 6, 2003
 and October 10, 2003**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE

Division of Elections

1S-2.002	10/9/03	10/29/03	29/34	
1S-2.020	10/9/03	10/29/03	29/34	
1S-2.021	10/9/03	10/29/03	29/34	

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

3E-200.001	10/10/03	10/30/03	29/33	
3E-300.002	10/10/03	10/30/03	29/33	
3E-600.005	10/10/03	10/30/03	29/33	
3E-600.012	10/10/03	10/30/03	29/33	
3E-600.013	10/10/03	10/30/03	29/33	
3E-600.0131	10/10/03	10/30/03	29/33	
3E-600.014	10/10/03	10/30/03	29/33	
3E-600.015	10/10/03	10/30/03	29/33	
3E-600.020	10/10/03	10/30/03	29/33	

**BOARD OF TRUSTEES OF THE INTERNAL
 IMPROVEMENT TRUST**

18-21.003	10/9/03	10/29/03	29/5	
18-21.004	10/9/03	10/29/03	29/5	29/22
18-21.0051	10/9/03	10/29/03	29/5	
18-21.009	10/9/03	10/29/03	29/5	
18-21.010	10/9/03	10/29/03	29/5	
18-21.011	10/9/03	10/29/03	29/5	29/22

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF CORRECTIONS

33-208.101	10/7/03	10/27/03	29/36	
33-210.101	10/7/03	10/27/03	29/36	
33-601.602	10/7/03	10/27/03	29/36	

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid Program Office

59G-4.035	10/8/03	10/28/03	29/33	
59G-4.190	10/7/03	10/27/03	29/32	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Construction Industry Licensing Board

61G4-15.005	10/8/03	10/28/03	29/36	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

62D-2.014	10/9/03	10/29/03	29/36	
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DEPARTMENT OF HEALTH

Board of Medicine

64B8-4.022	10/9/03	10/29/03	29/36	
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Board of Optometry

64B13-6.001	10/10/03	10/30/03	29/36	
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**DEPARTMENT OF CHILDREN AND FAMILY
 SERVICES**

Developmental Services Program

65B-11.005	10/8/03	10/28/03	29/28	29/37
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