

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE TITLE: Commercial Values for Penalty Assessments
 RULE NO.: 5E-1.016

PURPOSE AND EFFECT: The purpose of this rule is to provide the most recent market prices of fertilizer components to be used for penalty assessments of deficient fertilizer.

SUBJECT AREA TO BE ADDRESSED: Rule 5E-1.016, F.A.C. updates the most recent market prices of fertilizer components to be used for penalty assessments of deficient fertilizers.

SPECIFIC AUTHORITY: 576.181(2), 570.07(23) FS.

LAW IMPLEMENTED: 576.051(2),(7), 576.061, 576.071, 576.181 FS.

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

TIME AND DATE: 9:00 a.m. December 2, 2003

PLACE: Agricultural Environmental Services, Conference Room, 3125 Conner Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Dale Dubberly, Chief, Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-8731

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-1.016 Commercial Values for Penalty Assessments.

The commercial values used in assessing penalties for plant nutrient deficiencies are determined by the annualized average market prices published by the Chemical Market Reporter Publication (effective 6/8/98), which is hereby incorporated by reference. Commercial Values not provided in Industry Publications will be established thru survey approved by the Fertilizer Technical Council. Copies may be obtained from the Chemical Market Reporter, 307 Southgate Court, Brentwood, TN 37027. This rule shall be reviewed annually.

(1) PRIMARY PLANT NUTRIENTS.

	Guaranteed	Commercial Values	
	as	(Per unit*)	
Total Nitrogen	N	\$ <u>5.49</u>	\$5.65
Nitrate Nitrogen	N	<u>5.39</u>	5.38
Ammoniacal Nitrogen	N	<u>4.60</u>	4.76
Water Soluble or Urea Nitrogen	N	<u>4.81</u>	4.75

Slow Release Nitrogen (from other SRN sources)	N	<u>14.48</u>	15.85
Water Insoluble Nitrogen	N	<u>12.32</u>	12.93
Available Phosphorus	P ₂ O ₅	<u>3.55</u>	3.62
Slow Release Phosphate	P ₂ O ₅	<u>19.10</u>	19.60
Potassium (from Muriate)	K ₂ O	<u>2.21</u>	2.30
Slow Release Potassium	K ₂ O	<u>15.04</u>	15.04
Potassium (from any source other than Muriate or a combination of sources)	K ₂ O	<u>4.31</u>	4.41

(2) SECONDARY PLANT NUTRIENTS.

	Guaranteed	Commercial Values	
	as	(per unit*)	
Total and water Soluble Magnesium (from any source)	Mg	<u>\$6.53</u>	\$6.55
Manganese (from sulfate)	Mn	<u>15.89</u>	16.19
<u>Manganese (from Sucrate)</u>	<u>Mn</u>	<u>11.25</u>	11.33
Manganese (from chloride)	Mn	6.10	6.10
Manganese (from oxide)	Mn	<u>6.27</u>	7.55
Manganese (from chelate in group 1**)	Mn	<u>215.50</u>	231.00
Manganese (from chelate in group 2**)	Mn	70.90	70.90
Copper (from sulfate)	Cu	<u>36.52</u>	42.45
Copper (from chloride)	Cu	22.15	22.15
Copper (from oxide)	Cu	<u>19.25</u>	20.50
Copper (from chelate in group 1**)	Cu	156.00	156.00
Copper (from chelate in group 2**)	Cu	113.20	113.20
Zinc (from sulfate)	Zn	<u>17.94</u>	17.72
Zinc (from sucrate)	Zn	<u>14.20</u>	14.20
Zinc (from chloride)	Zn	18.45	18.45
Zinc (from oxide)	Zn	<u>9.92</u>	10.05
Zinc (from chelate in group 1**)	Zn	<u>188.00</u>	184.00
Zinc (from chelate in group 2**)	Zn	65.00	65.00
Iron (from sulfate)	Fe	<u>12.88</u>	13.27
<u>Iron (from sucrate)</u>	<u>Fe</u>	<u>6.18</u>	6.28
<u>Iron (from humate)</u>	<u>Fe</u>	<u>16.11</u>	16.09
Iron (from oxide)	Fe	<u>3.88</u>	4.00
Iron (from chelate in group 1**)	Fe	<u>244.96</u>	267.29
Iron (from chelate in group 2**)	Fe	<u>82.00</u>	80.00
Aluminum	Al	<u>14.42</u>	14.00
Sulfur (free)	S	<u>2.55</u>	2.64
Sulfur (combined)	S	<u>2.21</u>	2.21
Boron	B	<u>33.74</u>	34.12
Molybdenum	Mo	<u>198.80</u>	185.50
Cobalt	Co	89.90	89.90
Calcium (from any source)	Ca	<u>.71</u>	.60

(3) DOLOMITE and LIMESTONE (when sold as material).

Magnesium	MgCO ₃	.18	.16
Calcium	CaCO ₃	.09	.09

(4) CALCIUM SULFATE (land plaster, gypsum) (when sold as material).

Calcium	CaSO ₄	.30	.30
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*A "Unit" of plant nutrient is one percent (by weight) of a ton or 20 pounds.

**Chelates in "group 1" have aminopolycarboxylic acids, such as EDTA, HEDTA, DTPA and NTA, or related compounds as chelating agents. Chelates in "group 2" have chelating agents other than those in group 1.

Specific Authority 576.181(2), 570.07(23) FS. Law Implemented 576.051(2),(3),(7), 576.061, 576.071, 576.181 FS. History--New 1-23-67, Amended 10-22-68, 11-20-69, 10-22-70, 3-9-74, 6-28-74, 10-25-74, 7-6-76, 7-26-77, 7-22-79, 4-23-80, 10-27-80, 10-18-81, 2-16-84, 12-2-85, Formerly 5E-1.16, Amended 11-16-86, 10-8-87, 9-26-88, 11-19-89, 3-28-91, 2-25-92, 8-3-93, 7-12-94, 10-25-98.

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Residency for Tuition Purposes

RULE NO.: 6A-10.044

PURPOSE AND EFFECT: The purpose of this rule development is to review the designation of classifications of students as residents or nonresidents for tuition purposes at community colleges and state universities. The effect is a rule which provides consistency among the institutions.

SUBJECT AREA TO BE ADDRESSED: The addition of eligible VISA categories; clarification of classification of students as residents for tuition purposes.

SPECIFIC AUTHORITY: 1009.21(11) FS.

LAW IMPLEMENTED: 1009.21 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 TO 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: Connie Graunke, Department of Education, 325 West Gaines Street, Room 1414, Tallahassee, Florida 32399-0400, (850)245-9536
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF REVENUE

Property Tax Administration Program

RULE TITLE: Completion and Submission of Assessment Rolls

RULE NO.: 12D-8.002

PURPOSE AND EFFECT: Subsection 12D-8.002(4), F.A.C., requires that property appraisers include with assessment rolls submitted to the Department, an accurate tabular summary by property class of any adjustments made to recorded selling prices or fair market value in arriving at assessed value. The rule requires that complete, clear and accurate documentation for each adjustment under Section 193.011(8), Florida Statutes, exceeding fifteen percent shall accompany the summary detailing how the percentage adjustment was calculated. The purpose of the workshop is to receive public comment on the review methodology the Department will use to analyze the appropriateness of the fifteen percent threshold for documenting adjustments under Section 193.011(8), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Threshold for documenting adjustments to recorded selling prices or fair market value in arriving at assessed value.

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

LAW IMPLEMENTED: 192.001, 193.011, 193.023, 193.114, 193.1142, 193.122, 213.05 FS.

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

TIME AND DATE: 10:30 a.m., Wednesday, December 3, 2003
PLACE: Room 116, Larson Building, 200 E. Gaines St., Tallahassee, Florida

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

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this workshop is asked to advise the Department at least 48 hours before the workshop by contacting: Sharon Gallops, (850)414-6108. A person who is hearing-impaired or speech-impaired should contact the Department by using the Florida Relay Service, 1(800)955-8700 (Voice) and 1(800)955-8771 (TDD).

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

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Incorporation by Reference

RULE CHAPTER NO.: 14-15

RULE TITLE: Toll Facilities Description and

Toll Rate Schedule

RULE NO.: 14-15.0081

PURPOSE AND EFFECT: The purpose of this notice of rule development is to allow the public an opportunity to provide input to changes in the Toll Facilities Description and Toll Rate Schedule resulting from a proposed toll rate increase for cash customers. The facilities affected by the proposed toll rate increase include Florida's Turnpike Mainline [Southern Coin, Ticket, and Northern Coin Systems, the Homestead Extension of Florida's Turnpike (HEFT), Bee Line West Expressway], Sawgrass Expressway, Southern Connector Extension, Seminole Expressway, and the Veterans Expressway. Using a three-stage approach, the last toll rate increases along the Mainline and Bee Line West were completed by 1993, with the HEFT toll rate increase effective in 1995. In addition, the SunPass[®] Electronic Toll Collection System Frequent User Toll Discount Pilot Project, pursuant to the amendment to Rule 14-15.0081, F.A.C., on July 29, 1998, has been completed, and the toll discount program will be discontinued. The present average passenger rate is approximately six cents per mile on the Mainline components and slightly higher on the expansion projects. The proposed increase will bring the average toll rate to approximately eight cents per mile for cash customers on the Mainline components and slightly higher for the expansion projects, and the average toll rate for SunPass customers will not increase. The total additional revenue in Fiscal Year 2003-04 attributable to the proposed toll rate increase and the discontinuance of the toll discount program is estimated to be \$13,539,000. The proposed toll rate increase will have an effective date of March 7, 2004.

The public will benefit from these additional revenues in that under the Florida Turnpike Enterprise Law (Sections 338.22-338.241, Florida Statutes), the Department shall use these funds for repairing, maintaining, and operating the Florida Turnpike System and for supporting the issuance of Turnpike Revenue Bonds to pay the cost of other Turnpike projects to the benefit of the motorist.

SUBJECT AREA TO BE ADDRESSED: As listed below, Toll Rate Rule Development Workshops have been scheduled to inform the public of the proposed toll rate increase and provide the public an opportunity to discuss the proposed toll rate increase.

SPECIFIC AUTHORITY: 334.044(2), 338.155(1) FS.

LAW IMPLEMENTED: 338.222, 338.231, 338.155 FS.

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

TIME AND DATE: 6:00 p.m. – 8:00 p.m., December 1, 2003

PLACE: Florida's Turnpike Enterprise Headquarters Auditorium, Turnpike Mile Post 263, Building 5315, Ocoee, Florida

TIME AND DATE: 6:00 p.m. – 8:00 p.m., December 1, 2003

PLACE: Wynnebrook Elementary School Cafeteria, 1167 Drexel Road, West Palm Beach, Florida

TIME AND DATE: 6:00 p.m. – 8:00 p.m., December 2, 2003
PLACE: Florida Department of Transportation, District 4 Auditorium, 3400 West Commercial Boulevard, Ft. Lauderdale, Florida

TIME AND DATE: 6:00 p.m. – 8:00 p.m., December 4, 2003
PLACE: Florida Department of Transportation, District 7 Auditorium 11201 North Malcolm McKinley Drive, Tampa Florida

TIME AND DATE: 6:00 p.m. – 8:00 p.m., December 4, 2003
PLACE: South Dade Regional Library Conference Room, 10750 S. W. 211 Street Miami, Florida

TIME AND DATE: 6:00 p.m. – 8:00 p.m., December 9, 2003
PLACE: Port St. Lucie Community Center, Rooms C & D, 121 S. W. Port St. Lucie Boulevard, Port St. Lucie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, April 10, 2003, October 1, 2003, and _____, is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 338.222, 338.231, 338.155 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Market Classification, Maturity Standards and Processing or Packing Restrictions for Hybrids
 RULE CHAPTER NO.: 20-13
 RULE TITLE: Oranges: 2003-2004 Anhydrous Acid Maturity Standards
 RULE NO.: 20-13.0011
 PURPOSE AND EFFECT: Lowering minimum acid requirement for fresh oranges by 10% as allowed by statute.
 SUBJECT AREA TO BE ADDRESSED: Lowering minimum acid requirement for fresh oranges.
 SPECIFIC AUTHORITY: 601.10(1),(7), 601.11, 601.19 FS.
 LAW IMPLEMENTED: 601.111, 601.19 FS.
 IF REQUESTED 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: Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Agency Travel Rule
 RULE CHAPTER NO.: 20-115
 PURPOSE AND EFFECT: New rule chapter codifying Florida Department of Citrus Fiscal Policy #304, Rev. 4-4-99, State Travel Expense, as recommended by Department of Financial Services.
 SUBJECT AREA TO BE ADDRESSED: Department of Citrus travel rule.
 SPECIFIC AUTHORITY: 601.15(8)(a) FS.
 LAW IMPLEMENTED: 601.15(8)(a) 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: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Special Management Meal
 RULE NO.: 33-602.223
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow use of the special management meal at all correctional institutions.
 SUBJECT AREA TO BE ADDRESSED: Special management meal.
 SPECIFIC AUTHORITY: 20.315, 944.09 FS.
 LAW IMPLEMENTED: 20.315, 944.09 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-602.223 Special Management Meal.
- (1) No change.
- (2) Requirements for Utilization of Special Management Meal.
 - (a) through (e) No change.
 - (f) The special management meal is authorized for use ~~shall be utilized~~ at all institutions ~~with the exception of those designated for youthful offenders.~~ The Bureau of Food Services shall provide orientation in the preparation and service of the special management meal. The Director of Security and Institutional Support Services, based on documentation from the administrator of the food services section, shall certify to the Assistant Secretary of Institutions, the warden, and the contractor food service director the successful completion of special management meal preparation and service training. Certification is required before the institution is authorized to utilize the special management meal. The special management meal will then be authorized for use on a case-by-case basis at those institutions as provided in this rule.
- (3) through (8) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 1-11-88, 3-4-92, 5-27-97, 11-25-98, Formerly 33-3.0085, Amended 8-1-00, 1-2-02, 11-3-03, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Experience
 RULE NO.: 61G15-20.002

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

SUBJECT AREA TO BE ADDRESSED: Experience.

SPECIFIC AUTHORITY: 471.013 FS.

LAW IMPLEMENTED: 471.013, 471.015 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: Natalie Lowe, Administrator, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLES: Clinical Laboratory Personnel
 RULE NOS.: 64B3-2.002
 Definitions 64B3-2.003

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

SUBJECT AREA TO BE ADDRESSED: Clinical Laboratory Personnel; Definitions.

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

LAW IMPLEMENTED: 483.035(1), 483.803, 483.811(3),(4), 483.821, 483.823 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: Joe Baker, Jr., Board

Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-2.002 Clinical Laboratory Personnel.

(1) Director means a Clinical Laboratory Director qualified or licensed pursuant to the Board's rules who is responsible for and assures the overall operation and administration of the clinical laboratory and fulfills the responsibilities specified in Rule 64B3-13.001, F.A.C.

(2) Supervisor means a person licensed ~~qualified to be a supervisor~~ pursuant to the Board's rules who is responsible for the day-to-day supervision and oversight of technical and scientific operations in a clinical laboratory and fulfills the responsibilities specified in Rule 64B3-13.002, F.A.C.

(3) Technologist means a person licensed pursuant to the ~~qualified to be a technologist under the~~ Board's rules who represents the first level of independent practice and under general supervision, fulfills the responsibilities specified in Rule 64B3-13.003, F.A.C.

(4) Technician means a person licensed ~~qualified as a technician~~ pursuant to the Board's rules who practices the profession and may perform tests classified as highly complex pursuant to 42 CFR 493.17 (September 7, 1999), incorporated by reference herein, only when under direct supervision of a licensed technologist, supervisor, or director unless the technician meets the minimum qualifications contained in 42 CFR 493.1489 (September 7, 1999), incorporated by reference herein, and the requirements contained in subsection 64B3-5.004(5), F.A.C., and fulfills the responsibilities specified in Rule 64B3-13.004, F.A.C.

~~(5) Clinical laboratory trainee means a person enrolled in a clinical laboratory training program approved pursuant to Chapter 64B3-3, F.A.C. who is seeking to meet minimum qualifications for licensure in Florida. Trainees must perform procedures under direct supervision but they may not report test results.~~

~~(5)(6)~~ General supervision means supervision by a director or ~~licensed~~ supervisor who is available on a regular basis and who is responsible for the overall performance of laboratory testing.

~~(6)(7)~~ Direct supervision means supervision by a ~~qualified~~ director, ~~licensed~~ supervisor, or ~~licensed~~ technologist who is on the premises or is available to the laboratory when test procedures are being performed and is responsible for the oversight of testing and reporting of results.

Specific Authority 483.805(4), 483.811(4) FS. Law Implemented 483.035(1), 483.803, 483.811(3),(4) FS. History--New 11-4-93, Formerly 61F3-2.002, Amended 11-21-94, 7-12-95, 5-15-96, Formerly 59O-2.002, Amended 3-19-98, 12-13-98, 9-27-00, 9-9-02, _____.

64B3-2.003 Definitions.

(1) through (4) No change.

(5) Contact hour means a continuing education offering which is at least 50 continuous minutes in duration. Total number of hours cannot be added up and divided into 50 minute intervals ~~for the purpose of claiming one contact hour for each 50 minute interval.~~

(6) through (12) No change.

~~(13) An alternate provider is an agency of the state or federal government that offers continuing education courses in the subject areas listed in subsection 64B3-11.002(2), F.A.C.~~

(14) through (20) renumbered (13) through (19) No change.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.803, 483.811, 483.821, 483.823 FS. History—New 11-4-93, Formerly 61F3-2.003, Amended 11-21-94, 11-30-94, 12-26-94, 5-3-95, 7-12-95, Formerly 59O-2.003, Amended 3-19-98, 12-13-98, 3-28-99, 9-12-99, 11-15-99, 3-24-02, 10-30-02, _____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLES: RULE NOS.:

General Requirements of Clinical Laboratory Personnel Training Programs 64B3-3.001

Personnel of Clinical Laboratory Personnel Training Programs 64B3-3.002

PURPOSE AND EFFECT: The Board proposes to update the existing rule text for reorganization and to correct numbering errors.

SUBJECT AREA TO BE ADDRESSED: General Requirements of Clinical Laboratory Personnel Training Programs; Personnel of Clinical Laboratory Personnel Training Programs.

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

LAW IMPLEMENTED: 483.800, 483.809, 483.811 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: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-3.001 General Requirements of Clinical Laboratory Personnel Training Programs.

(1) through (3) No change.

(5) through (6) renumbered (4) through (5) No change.

(a) through (f) No change.

(g) Include instruction on the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety.

(g) through (o) renumbered (h) through (p) No change.

~~(6)(7)~~ No change.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History—New 12-28-94, Amended 7-12-95, 4-24-96, Formerly 59O-3.001, Amended 1-11-99, 11-15-99, 9-29-02, _____.

64B3-3.002 Personnel of Clinical Laboratory Personnel Training Programs.

(1) through (3) No change.

(4) Trainee Requirements. Trainees shall:

(a) No change.

(b) Be registered with the Board when enrolled in the practicum portion of the training program.

(c) through (d) No change.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History—New 12-28-94, Amended 3-28-95, 7-12-95, 4-24-96, Formerly 59O-3.002, Amended 9-20-98, 12-13-98, 11-15-99, _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: RULE NO.:

Standards for Continuing Education 64B9-5.003

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

SUBJECT AREA TO BE ADDRESSED: The Board proposes to review the language for evaluation of providers.

SPECIFIC AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 464.013(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 AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

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

DEPARTMENT OF HEALTH

Vital Statistics

RULE TITLES:	RULE NOS.:
Delayed Birth Registration Requirements; Fees	64V-1.001
Birth Certificate Amendments; Who May Apply; Fees	64V-1.002
Birth Certificate Amendments: Documentary Evidence Requirements	64V-1.003
Birth Certificate Amendments by Adoption	64V-1.0031
Birth Certificate Amendments by Paternity Establishment; Judicial and Administrative Process	64V-1.0032
Birth Certificate Amendment by Legal Change of Name; Judicial Process	64V-1.0033
Change of Paternity; Evidence Required	64V-1.004
Evidence Required for Births Occurring Outside of a Facility	64V-1.006
Death Certificate Amendments; Who May Apply; Fees; Documentary Evidence Requirements	64V-1.007
Delayed Death or Fetal Death Registration	64V-1.008
Presumptive Death Registration	64V-1.0081
Certifications of Vital Records	64V-1.0131
Fees for Vital Statistics Services Provided by State Registrar	64V-1.014
Florida Putative Father Registry	64V-1.016
Marriage Reporting	64V-1.019
Dissolution of Marriage Reporting	64V-1.020
Disposition of Fetal Demise	64V-1.021

PURPOSE AND EFFECT: Purpose of proposed amendments is to change certain practices used in the amendment of birth records, update forms incorporated in rule, incorporate forms dictated by recent passage of legislation and to set forth requirements for obtaining information deemed confidential by law.

SUBJECT AREA TO BE ADDRESSED: Restrict other than by departmental administrative clerical error or at the order of the court, the amendment of same fact on a birth record to once, allow for amendment of parent's name on child's birth record as a result of a legal name change of parent, to update forms used in the amendment process incorporated in rule, to require certain information and proof of identity when issuing documents that are deemed confidential and exempt from the provision of s. 119.07, Florida Statutes, to establish fees as provided for in law for filing a claim of paternity or conducting a diligent search of the Florida Putative Father Registry, to incorporate forms to be used for registering with, updating information and requesting diligent search of the Florida Putative Father Registry, require that a Presumptive Death Certificate contain sufficient identifying information on decedent, incorporate forms used in the registration of a

Florida marriage or dissolution of marriage, and to incorporate in rule a form to be used for notifying a mother of her disposition rights in case of a spontaneous fetal demise.

SPECIFIC AUTHORITY: 63.054, 382.003(7),(10),(11), 382.015(6), 382.016, 382.025, 382.0255(3), 383.33625(3) FS.

LAW IMPLEMENTED: 63.054, 63.152, 68.07(4), 382.003(7),(11), 382.012, 382.013(2), 382.015, 382.016, 382.017, 382.019, 382.021, 382.023, 382.025, 382.0255(1), 383.33625, 742.10, 742.16 FS.

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

TIME AND DATE: 10:00 a.m., December 1, 2003

PLACE: Department of Health, Office of Vital Statistics, 1217 Pearl St., Boorde Bldg., Rm. 420, Jacksonville, FL 32231-0042
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kathleen Dunkley Stephens, Sr. Management Analyst Supervisor, Department of Health, Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042

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

**Section II
Proposed 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."

PUBLIC SERVICE COMMISSION

DOCKET NO. 030975-EI

RULE TITLE:	RULE NO.:
Cost of Service Load Research	25-6.0437

PURPOSE AND EFFECT: To update the rule to reflect current need for information, to reduce the frequency of filing the load research studies, and eliminate reporting data that are no longer used.

SUMMARY: Requires investor-owned electric utilities subject to this rule to submit a current, revised load research sampling plan at least every three years and perform a complete load research study every three years.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 366.05(1), 350.127(2) FS.

LAW IMPLEMENTED: 350.117, 366.03, 366.04(2)(f), 366.05(1), 366.06(1), 366.82(3),(4) FS.

Written comments or suggestions on the proposed rule may be submitted to the FPSC, Division of the Commission Clerk and Administrative Services, within 21 days of the date of this notice for inclusion in the record of the proceeding.

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

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christiana T. Moore, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6098

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.0437 Cost of Service Load Research.

(1) Applicability. This rule shall apply to all investor-owned electric utilities over which the Commission has jurisdiction and which provide electric service to more than 50,000 retail customers at the end of any calendar year had gross annual retail sales of 500 GWH or more in 1983.

(2) Purpose. The primary purpose of this rule is to require that load research that supports cost of service studies used in ratemaking proceedings is of sufficient precision to reasonably assure that tariffs are equitable and reflect the true costs of serving each class of customer. Load research data gathered and submitted in accordance with this rule will also be used by the Commission to allocate costs to the customer classes in cost recovery clause proceedings, in evaluating proposed and operating conservation programs, for research, and for other purposes consistent with the Commission's responsibilities.

(3) Sampling Plan. Within 90 days of becoming subject to this rule, each utility ~~All utilities subject to this rule shall, within 90 days of the effective date of this rule,~~ shall submit to the Commission a proposed load research sampling plan. The plan shall provide for sampling all rate classes that account for more than 1 percent of a utility's annual retail sales. The plan shall provide that all covered rate classes shall be sampled within two years of the effective date of this rule. The sampling plan shall be designed to provide estimates of ~~the summer and winter peak demand by class and~~ the averages of the 12 monthly coincident peaks for each class within plus or minus 10 percent at the 90 percent confidence level. The sampling plan shall also be designed to provide estimates of the summer and winter peak demands for each rate class within plus or minus 10 percent at the 90 percent confidence level, except for the General Service Non-Demand rate class. The sampling plan shall be designed to provide estimates of the summer and winter peak demands for the General Service Non-Demand rate class within plus or minus 15 percent at the 90 percent confidence level ~~Any utility subject to this rule may apply to the Commission to waive the requirements hereof for any specific covered rate class.~~

(4) Review of Proposed Plan. Except where a utility has requested a formal ruling by the Commission, within 90 days after submission, the Commission's Division of Economic Regulation ~~Electric and Gas Department~~ shall review each utility's plan to determine whether it satisfies the criteria set forth in Section 3 above and shall notify the utility in writing of its decision accepting or rejecting the proposed sampling plan. If a proposed plan is rejected, the written notice of rejection shall state clearly the reasons for rejecting the proposed plan. If a utility's proposed plan is rejected the utility shall submit a revised sampling plan to the Commission within 60 days after receiving the notice of rejection. Where a utility has requested staff review of its sampling plan and the plan has been rejected the utility may petition the Commission for approval of the plan. If a utility has not submitted a satisfactory sampling plan within 6 months following the submission of the initially proposed plan, the Commission may prescribe by order a sampling plan for the utility.

(5) Use of Approved Sampling Plan. The approved sampling plan shall be used for all load research performed for cost of service studies and other studies submitted to the Commission until a new sampling plan is approved by the Commission.

(6) Revised Sampling Plans. Each utility subject to this rule shall submit a current, revised sampling plan to the Commission no less often than every three ~~two~~ years after the most recent initial sampling plan was required to be submitted is approved. Any new or revised plan shall be developed using data from the utility's most current load research to determine

the required sampling plan to achieve the precision required in Section 3 of this rule. New or revised plans shall be reviewed by the Commission pursuant to Section 4 of this rule.

(7) Load Research Data to be Reported. Each utility subject to this rule shall perform a complete load research study in accordance with the specifications of this rule ~~by December 31, 1985 and~~ no less often than every three years ~~two years thereafter~~. Each utility shall, within 120 days following completion of the study, submit to the Commission the results of each load research study completed after the effective date of this rule. The submission shall include a detailed calculation of the average 12 coincident peak and class load factors for each covered rate class based upon the load research results ~~This submission shall include the hourly load data described in Section (8) for the residential class. The load research results of each study shall be submitted in a form prescribed by the Commission.~~

(8) Hourly Data to be Available Upon Request. Each utility subject to this rule shall make available within 30 ~~90~~ days of a request by the Commission the estimated hourly demands by class for all ~~8760~~ hours in the year derived from this Load Research.

Specific Authority 366.05(1), 350.127(2) FS. Law Implemented 350.117, 366.03, 366.04(2)(f), 366.05(1), 366.06(1), 366.82(3),(4) FS. History--New 3-11-84, Formerly 25-6.437, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: David Wheeler

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 27, July 3, 2003

DEPARTMENT OF ELDER AFFAIRS

Aging and Assisted Living Programs

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Adult Day Care Center	58A-6
RULE TITLES:	RULE NOS.:
Licensure Application Procedures	58A-6.003
Change of Owner or Operator; Marketing	58A-6.0051

PURPOSE AND EFFECT: The proposed amendments to Rules 58A-6.003 and 58A-6.051, F.A.C., were developed in consultation with the Agency for Health Care Administration. The purpose of the proposed amendments to Rule 58A-6.003, F.A.C., is to (a) revise the licensure application for Adult Day Care Center, ADCC Form-1, by omitting the request for social security information as the Department does not have rule authority to require this confidential information, and (b) implement Section 27 of Chapter 2003-57, Laws of Florida, which provides that license renewal notification shall be provided electronically or by mail delivery by the Agency for Health Care Administration. The proposed amendments to

Rule 58A-6.0051, F.A.C., is to (a) implement Section 12 of Chapter 2002-400, Laws of Florida, which provides standards of enforcement applicable to all entities licensed or regulated by the Agency for Health Care Administration, (b) delete the reference to "abuse registry" forms which are no longer required, and (c) inserts the reference to the Adult Day Care Center licensure application that is to be submitted when there is a change of ownership.

SUMMARY: The proposed amendments to Rule 58A-6.003, F.A.C., will (a) revise the adult day care center licensure application, ADCC Form-1, and (b) provide that license renewal notification shall be provided electronically or by mail delivery by the Agency for Health Care Administration. The proposed amendments to Rule 58A-6.0051, F.A.C., will provide standards of enforcement applicable to all entities licensed or regulated by the Agency for Health Care Administration and delete reference to forms no longer required.

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: 400.562, 408.831 FS.

LAW IMPLEMENTED: 400.557(1), 400.5565(1)(b), 400.559, 400.562(3), 408.831(2) FS.

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

TIME AND DATE: 1:00 p.m. – 2:00 p.m., December 8, 2003

PLACE: Department of Elder Affairs, Conference Room 309, 4040 Esplanade Way, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Linda Macdonald, Office of Legal Affairs, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

THE FULL TEXT OF THE PROPOSED RULES IS:

58A-6.003 Licensure Application Procedures.

(1) through (4) No change.

(5) Owners or operators of adult day care centers subject to licensure shall submit a completed application for a license through the Agency for Health Care Administration, 2727 Mahan Dr., Tallahassee, FL 32308. The Licensure Application for Adult Day Care Center, ADCC Form-1, dated August 2003 ~~January 2001~~, which is incorporated by reference, may be obtained from the AHCA, Adult Day Care Program, 2727 Mahan Drive, Tallahassee, Florida 32308 ~~32399~~. The cost of

the application package, which includes Chapter 400, Part V, F.S., and this rule chapter, is \$5.00, in accordance with Section 400.562(3), F.S. Attached to the application shall be:

(a) through (b) No change.

(6) The agency shall notify a licensee electronically or by certified mail delivery at least 120 days before the expiration date of the center's license. Applications for relicensure must be submitted to the agency at least 90 days before the expiration date of the existing license. Failure to file a timely renewal application will result in a fine of \$75.00 pursuant to Chapter 400.5565(1)(b) and 400.557(1), F.S., being assessed against the center.

(7) No change.

Specific Authority 400.562 FS. Law Implemented ~~Ch. 400, Part V, 400.557(1), 400.5565(1)(b), 400.562(3)~~ FS. History—New 7-8-81, Amended 2-27-84, Formerly 10A-6.03, 10A-6.003, 59A-16.003, Amended 11-9-95, 3-29-98, 10-23-01, _____

58A-6.0051 Change of Owner or Operator; Marketing.

(1) The center must notify the Assisted Living Unit, AHCA at 2727 Mahan Drive, Tallahassee, FL 32301-5402, at least 60 days before the date of a change of ownership. The new owner must request and submit a check for \$5.00 for the Licensure Application for Adult Day Care Center, ADCC Form-1, dated August 2003, incorporated by reference in Rule 58A-6.003, F.A.C., dated (effective date of the rule) and obtainable from Assisted Living Unit, AHCA, 2727 Mahan Drive, Tallahassee, FL 32308-5402, (850)487-2515 initial application package, which includes the ADC rules and regulations.

(2) No change.

(3) The transferor shall, prior to agency approval of a change of ownership, repay or make arrangements to repay any outstanding fine amounts owed the agency pursuant to Section 408.831(2), F.S.

~~(4)(3)~~ If the center's owner changes operators, the owner or new operator must notify the AHCA within 30 days at the address in subsection (1), and include the completed ~~abuse registry and~~ criminal background check forms.

Specific Authority 400.562, 408.831 FS. Law Implemented ~~Ch. 400, Part V, 400.559, 408.831(2)~~ FS. History—New 11-9-95, Amended 3-29-98, _____

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Macdonald
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Terry White, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 3, 2003
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 8, 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

Division of Medical Quality Assurance

RULE TITLE: Diagnostic Testing
 RULE NO.: 64B-3.004

PURPOSE AND EFFECT: Senate Bill 32A (2003), authorized the Department of Health (Department) in consultation with the appropriate licensing Boards, to adopt by rule a list of diagnostic tests deemed not to be medically necessary for use in the treatment of persons sustaining injury covered by personal injury protection benefits. In response to the Legislature's mandate, the Department sought input from the Boards of Medicine, Osteopathy, Chiropractic, and Dentistry, and held a workshop to receive public input, on September 9th, 2003, in Tallahassee, Florida. Upon review of the testimony provided at the workshop, input received from the Boards, written opinions by members of the health care and insurance communities, and literature in support thereof, the Department proposes new Rule 64B-3.004, F.A.C.

SUMMARY: Proposed new Rule 64B-3.004, F.A.C., lists four (4) diagnostic tests deemed by the Department of Health to not be medically necessary for use in the treatment of persons sustaining injury covered by personal injury protection benefits
 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: 627.736 FS.

LAW IMPLEMENTED: 627.736 FS.

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

TIME AND DATE: 9:00 a.m., November 18, 2003
 PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 182, Tallahassee, Florida 32399
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

MISCELLANEOUS

64B-3.004 Diagnostic Testing.

For the purposes of Section 627.736(5)(b)6., Florida Statutes (2003), the Department of Health, in consultation with the appropriate licensing boards, hereby adopts the following list of diagnostic tests based on their demonstrated medical value and level of general acceptance by the provider community:

(1) Spinal ultrasound, also known as sonography, ultrasonography, and echography, is deemed not to be medically necessary for use in the diagnosis and treatment of persons sustaining bodily injury covered by personal injury protection benefits.

(2) Surface electromyography, also known as SEMG or Surface EMG, is deemed not to be medically necessary for use in the diagnosis of persons sustaining bodily injury covered by personal injury protection benefits.

(3) Somatosensory Evoked Potentials (SSEP) are deemed not to be medically necessary for use in the diagnosis of radiculopathy or distal nerve entrapment when treating persons sustaining bodily injury covered by personal injury protection benefits.

(4) Dermatomal Evoked Potentials (DEP) are deemed not to be medically necessary for use in the diagnosis and treatment of persons sustaining bodily injury covered by personal injury protection benefits.

Specific Authority 627.736(5) FS. Law Implemented 627.736(5) FS History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry McPherson, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Amy Jones, Division Director, Department of Health, 4052 Bald Cypress Way, Bin C00, Tallahassee, Florida 32399

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2003

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Administrative Fees for Apprenticeships
RULE NO.: 64B12-11.015

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

SUMMARY: The Board has decided to repeal this unnecessary rule.

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

Any person who wishes to provide information regarding 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: 484.005, 484.007 FS.

LAW IMPLEMENTED: 484.007(1)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-11.015 Administrative Fees for Apprenticeships.

Specific Authority 484.005, 484.007 FS. Law Implemented 484.007(1)(d) FS. History--New 4-22-90, Formerly 21P-11.015, 61G13-11.015, Amended 12-4-95, Formerly 59U-11.015, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

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

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

DEPARTMENT OF HEALTH

School Psychology

RULE TITLE: Exemption of Spouses of Members of
RULE NO.: Armed Forces from License

Renewal Requirements 64B21-502.006

PURPOSE AND EFFECT: The Department proposes new Rule 64B21-502.006, F.A.C., allowing licensees who are spouses of members of the Armed Forces of the United States to be exempt from all licensure renewal provisions during a specified period of time.

SUMMARY: Pursuant to s. 456.024, F.S., the Department proposes a new rule exempting spouses of military personnel from certain licensure renewal provisions.

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

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

SPECIFIC AUTHORITY: 456.024, 490.015 FS.

LAW IMPLEMENTED: 456.024 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, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

CONTINUING EDUCATION REQUIREMENTS

64B21-502.006 Exemption of Spouses of Members of Armed Forces from License Renewal Requirements.

A licensee who is the spouse of a member of the Armed Forces of the United States shall be exempt from all licensure renewal provisions for any period of time which the licensee is absent from the State of Florida due to the spouse's duties with the Armed Forces. The licensee must document the absence and the spouse's military status to the department.

Specific Authority 456.024, 490.015 FS. Law Implemented 456.024 FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kaye Howerton, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2003

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE TITLE: RULE NO.:

General Regulations; Definitions 64F-12.001

PURPOSE AND EFFECT: The proposed rule adds the prescription drug, Lipitor, to the specified list of prescription drugs for which a pedigree paper back to the manufacturer is required for the wholesale distribution of Lipitor to a wholesale distributor pursuant to s. 499.0121(6)(e), F.S.

SUMMARY: The proposed rule amends the definition of a specified drug by adding the prescription drug Lipitor, in all strengths and sizes, to the list of prescription drugs qualifying as a specified drug. The wholesale distribution of a specified drug to a wholesale distributor requires special recordkeeping requirements that trace the history of all prior sales of the specified drug back to the manufacturer. The Prescription Drug Advisory Council recommended to the Secretary of the Department of Health, by unanimous vote on October 8, 2003, to place Lipitor on the list of specified drugs in accordance with the procedures established in s. 499.0121(6)(e), F.S., in order to protect the public health.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: This rule will affect prescription drug wholesalers permitted to wholesale prescription drugs in or into the state of Florida that purchase Lipitor from sources other than directly from the manufacturer and sell Lipitor to prescription drug wholesalers. Prescription drug wholesalers that purchase Lipitor from sources other than directly from the manufacturer will be required to verify a pedigree paper that traces all prior sales of each container of Lipitor back to Lipitor's manufacturer. In addition, a prescription drug wholesaler that sells Lipitor to a prescription drug wholesaler will be required to either state on the invoice or accompanying documentation that each container of Lipitor was purchased by that establishment or a member of that establishment's affiliated group directly from the manufacturer, or provide a pedigree paper that traces all prior sales of each container of Lipitor back to the manufacturer.

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: 499.0121(6)(e), 499.05 FS.

LAW IMPLEMENTED: 499.0121 FS.

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

TIME AND DATE: 1:00 p.m. (EST), Monday, December 8, 2003

PLACE: 2818-A Mahan Drive, Tallahassee, Florida

If special accommodations are needed to attend this workshop because of a disability, please contact: Maxine Wenzinger, (850)922-5190.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sandra Stovall, Compliance Officer, 2818-A Mahan Drive, Tallahassee, Florida 32308, (850)487-1257, Ext. 210, sandra_stovall@doh.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

64F-12.001 General Regulations; Definitions.

(1) No change.

(2) In addition to definitions contained in Sections 499.003, 499.012(1), 499.0122(1), 499.028(1), and 499.61, F.S., the following definitions apply to Rule Chapter 64F-12, F.A.C.:

(a) through (u) No change.

(v) "Specified drug" means all dosage forms, strengths and container sizes of the following prescription drugs:

1. Combivir (lamivudine/zidovudine);
2. Crixivan (indinavir sulfate);
3. Diflucan (fluconazole);
4. Epivir (lamivudine);

- 5. Epogen (epoetin alfa);
 - 6. Gamimune (globulin, immune);
 - 7. Gammagard (globulin, immune);
 - 8. Immune globulin;
 - 9. Lamisil (terbinafine);
 - 10. Lipitor (atorvastatin calcium)
 - ~~11.10.~~ Lupron (leuprolide acetate);
 - ~~12.11.~~ Neupogen (filgrastim);
 - ~~13.12.~~ Nutropin AQ (somatropin, e-coli derived);
 - ~~14.13.~~ Panglobulin (globulin, immune);
 - ~~15.14.~~ Procrit (epoetin alfa);
 - ~~16.15.~~ Retrovir (zidovudine);
 - ~~17.16.~~ Risperdal (risperidone);
 - ~~18.17.~~ Rocephin (ceftriaxone sodium);
 - ~~19.18.~~ Serostim (somatropin, mammalian derived);
 - ~~20.19.~~ Sustiva (efavirenz);
 - ~~21.20.~~ Trizivir (abacavir sulfate/lamivudine/zidovudine);
 - ~~22.21.~~ Venoglobulin (globulin, immune);
 - ~~23.22.~~ Videx (didanosine);
 - ~~24.23.~~ Viracept (nelfinavir mesylate);
 - ~~25.24.~~ Viramune (nevirapine);
 - ~~26.25.~~ Zerit (stavudine);
 - ~~27.26.~~ Ziagen (abacavir sulfate);
 - ~~28.27.~~ Zocor (simvastatin);
 - ~~29.28.~~ Zofran (ondansetron);
 - ~~30.29.~~ Zoladex (goserelin acetate); and
 - ~~31.30.~~ Zyprexa (olanzapine).
- (w) through (x) No change.

Specific Authority 499.05, 499.61, 499.701 FS. Law Implemented 499.003, 499.004, 499.005, 499.0054, 499.0057, 499.006, 499.007, 499.008, 499.009, 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.015, 499.023, 499.024, 499.025, 499.028, 499.03, 499.033, 499.035, 499.039, 499.041, 499.05, 499.051, 499.052, 499.06, 499.066, 499.067, 499.069, 499.61, 499.62, 499.63, 499.64, 499.65, 499.66, 499.67, 499.71, 499.75 FS. History—New 1-1-77, Amended 12-12-82, 1-30-85, Formerly 10D-45.031, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.031, Amended 1-26-99, 4-17-01, 6-30-03, 10-7-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jerry Hill, Chief of Statewide Pharmaceutical Services
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Phil E. Williams, Director, Division of Health Awareness and Tobacco
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2003
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2003

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Historical Resources

RULE NOS.:	RULE TITLES:
1A-35.005	Grant Funding
1A-35.007	Application Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules as noticed in Vol. 28, No. 18, May 3, 2002 of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF INSURANCE

RULE NO.:	RULE TITLE:
4-154.203	Categories of Reserves

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. 37, September 12, 2003, of the Florida Administrative Weekly.

These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

4-154.203(1)(b)2.c.(I)(B) is changed to read:

~~(B)b.~~ A reasonable method approved by the Office Department after a public hearing prior to the statement date, A reasonable method is one where the company is able to demonstrate that the claim reserves calculated using the company's method would not be less than those calculated using a generally accepted actuarial method; or

The remainder of the rule reads as previously published.

DEPARTMENT OF REVENUE

Property Tax Administration Program

RULE NO.:	RULE TITLE:
12D-8.0068	Assessment Reduction for Living Quarters of Parents or Grandparents

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to this proposed rule, as published in Vol. 29, No. 44, October 31, 2003, issue of the Florida Administrative Weekly. This change is in accordance with s. 120.54(3)(d)1., F.S.

Paragraph (a) of subsection (6) will be changed so that, when adopted, this paragraph will read:

(6)(a) On the first January 1 on which the construction or reconstruction qualifying as providing living quarters is substantially complete, the property appraiser shall determine the increase in the just value of the property due to such construction or reconstruction. For that year and each year

thereafter in which the property qualifies for the assessment reduction, the assessed value calculated pursuant to Section 193.155, F.S., shall be reduced by the amount so determined. In no year may the assessment reduction, inclusive and aggregate of all qualifying parents or grandparents, exceed twenty percent of the total assessed value of the property as improved prior to the assessment reduction being taken. If in any year the reduction as calculated pursuant to this subsection exceeds twenty percent of assessed value, the reduction shall be reduced to equal twenty percent.

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 NO.: RULE TITLE:
33-302.109 Offender Orientation

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. 40, (October 3, 2003), issue of the Florida Administrative Weekly:

33-302.109 Offender Orientation.

(1) through (5) No change.

(6) The correctional probation officer shall instruct on and review the information contained in the Instructions to the Offender, Form DC3-246. Form DC3-246 is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is September 15, 2002.

(a) through (7) No change.

Specific Authority 944.09 FS., 45 CFR 164.520 Law Implemented 20.315, 944.09 FS., 45 CFR Part 160, 164. History–New 7-19-01, Amended 9-15-02, 7-30-03, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:
61G15-20.002 Experience

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 31, August 1, 2003, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:
61G15-20.006 Educational Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 31, August 1, 2003, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE NOS.: RULE TITLES:
61M-1.001 Procedures for Operation
(Formerly 61B-36.001)

61M-1.002 Claims Procedures
(Formerly 61B-36.002)

61M-1.003 Approved Forms
(Formerly 61B-36.003)

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. 17, April 25, 2003, issue of the Florida Administrative Weekly:

CHAPTER 61M FLORIDA MOBILE HOME RELOCATION CORPORATION

Rule No. 61B-36.001 has been changed to Rule No. 61M-1.001 – Procedures for Operation

Rule No. 61B-36.002 has been changed to Rule No. 61M-1.002 – Claims Procedures

Rule No. 61B-36.003 has been changed to Rule No. 61M-1.003 – Approved Forms

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Connie Prince, Executive Director, Florida Mobile Home Relocation Corporation, Post Office Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010 (Toll free)

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

Division of Health Awareness and Tobacco

RULE NOS.:	RULE TITLES:
64F-12.001	General Regulations; Definitions
64F-12.012	Records of Drugs, Cosmetic, and Devices
64F-12.013	Prescription Drugs; Receipt, Storage and Security
64F-12.015	Licensing, Application, Permitting

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 40, on October 3, 2003, issue of the Florida Administrative Weekly. The changes are the result of some non-substantive technical revisions; written comments received from staff of the Joint Administrative Procedures Commission; and comments received during the Public Hearing on October 27, 2003.

Paragraph (2)(z) of Rule 64F-12.001, F.A.C., shall now read as follows:

64F-12.001 General Regulations; Definitions.

(2) In addition to definitions contained in Sections 499.003, 499.012(1), 499.0121(6), 499.0122(1), 499.028(1), and 499.61, F.S., the following definitions apply to Rule Chapter 64F-12, F.A.C.:

(z) “Verifiable account” means a number issued by the manufacturer to a wholesaler when the wholesaler sets up an account with the manufacturer for the purchase of a prescription drug from that manufacturer that uniquely identifies the wholesaler and that is to be used on a recurring basis.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.05, 499.61, 499.701 FS. Law Implemented 499.003, 499.004, 499.005, 499.0054, 499.0057, 499.006, 499.007, 499.008, 499.009, 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.015, 499.023, 499.024, 499.025, 499.028, 499.03, 499.033, 499.035, 499.039, 499.041, 499.05, 499.051, 499.052, 499.06, 499.066, 499.067, 499.069, 499.61, 499.62, 499.63, 499.64, 499.65, 499.66, 499.67, 499.71, 499.75 FS. History—New 1-1-77, Amended 12-12-82, 1-30-85, Formerly 10D-45.31, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.031, Amended 1-26-99, 4-17-01, 6-30-03, 10-7-03, 1-1-04.

Paragraph (3)(e) of Rule 64F-12.012 shall now read as follows:

64F-12.012 Records of Drugs, Cosmetics and Devices.

(e) Effective March 1, 2004, a pedigree paper under s. 499.0121(6)(d), F.S., must trace a prescription drug back to the last authorized distributor of record. The department will maintain a database of authorized distributors of record on its website at www.doh.state.fl.us/pharmacy/drugs. A prescription drug wholesaler that receives or prepares a pedigree paper under s. 499.0121(6)(d), F.A.C., and this chapter that traces the previous distributions of a prescription drug back to a

prescription drug wholesaler that is not listed on the department’s website as an authorized distributor of record for the drug’s manufacturer for the date in which the transaction occurred must maintain and have available for inspection documentation that supports the fact the prescription drug wholesaler is an authorized distributor of record in accordance with the criteria of s. 499.0121(6)(d)5.a., b., or c, F.S.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.05, 499.0121, 499.0122, 499.013, 499.014, 499.052 FS. Law Implemented 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.051, 499.052 FS. History—New 1-1-77, Amended 12-12-82, 7-8-84, 1-30-85, Formerly 10D-45.53, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.053, Amended 1-26-99, 4-17-01, 10-7-03, 1-1-04.

Paragraphs (3)(d), (5)(d) and (7) of Rule 64F-12.013 shall now read as follows:

64F-12.013 Prescription Drugs; Receipt, Storage and Security.

(3)(d) Facility requirements for the storage and handling of prescription drugs.

1. An applicant for an initial prescription drug wholesaler permit must have a facility that is large enough to store the estimated quantity of prescription drugs the applicant intends to possess under its initial application to comply with the requirements of s. 499.0121(1), F.S. An applicant for renewal of a prescription drug wholesaler permit must have a facility that is large enough for the ongoing operations of the wholesale establishment based on the prior year’s volume of activity with prescription drugs, which may be modified for reasonable fluctuations in inventory management for the current year. These determinations will be based on the type of prescription drugs the applicant possesses, or intends to possess, considering the size of the containers as well as any other products the applicant possesses or intends to possess. Notwithstanding the contention that an applicant will distribute all prescription drugs the same day received, the facility must be large enough to accommodate prescription drugs as set forth herein in case the drugs are not distributed the same day received.

2. An applicant for an initial prescription drug wholesaler permit must have a refrigeration capacity and freezer capacity large enough to store the estimated quantity of prescription drugs that might require refrigeration or freezing that the applicant intends to possess under its initial application to comply with the requirements of s. 499.0121(1) and (3), F.S., and this rule. An applicant for renewal of a prescription drug wholesaler permit must have a refrigeration capacity and freezer capacity that is large enough for the ongoing operations of the wholesale establishment based on the prior year’s volume of activity with prescription drugs that required refrigeration or freezing, which may be modified for reasonable fluctuations in inventory management for the

current year, to comply with the requirements of s. 499.0121(1) and (3), F.S., and this rule. These determinations will be based on the type of prescription drugs the applicant possesses, or intends to possess, considering the size of the containers as well as any other products the applicant possesses or intends to possess that might require refrigeration or freezing. Notwithstanding the contention that an applicant will distribute all prescription drugs the same day received, the refrigeration and freezer capacity must be large enough to accommodate prescription drugs as set forth herein in case the drugs are not distributed the same day received.

(5) Examination of Prescription Drugs; Physical Product and Records.

(a) through (c) No change.

(d) Authentication.

1. A prescription drug wholesaler may use any, all, or any combination of the following methods to authenticate each transaction on a pedigree paper and must maintain the corresponding documentation regarding the authentication for the method used:

a. Receipt of an invoice (or shipping document) from the seller to the purchaser, which may have the prices redacted. Documentation requirements include at a minimum a copy of the invoice or shipping document.

b. Telephone call to the seller. Documentation requirements include a signed statement by the person placing the telephone call identifying the person's name and position title representing the seller who provides the information, the date the information was provided, and verification of the sales transaction between the parties, including verification of the date of the transaction and the quantity of prescription drugs involved in the transaction.

c. E-mail communication with the seller. Documentation requirements include a copy of the e-mail that identifies the person's name and position title representing the seller who provides the information, that date the information was provided, and verification of the sales transaction between the parties, including verification of the date of the transaction and the quantity of prescription drugs involved in the transaction.

d. Verification of the transaction per a web-based system established by the seller or an independent person that is secure from intentional or unintentional tampering or manipulation to conceal an accurate and complete history of the prescription drug transaction(s). Documentation requirements include a written representation from the seller or independent person that the seller or independent person, as applicable, is responsible for the information included on the website and has adequate security on the information posted to prevent unauthorized tampering, manipulation, or modification of the information and a copy of the (dated) website page that

confirms the sales transaction between the parties, including the date of the transaction and the quantity of prescription drugs involved in the transaction.

e. Receipt of a legible and unaltered copy of a previous transaction's pedigree paper that had been signed under oath at the time of the previous transaction to support the transaction to which the pedigree paper relates.

2. Authentication of the purchase of a prescription drug directly from the manufacturer by an affiliated group member for a prescription drug that is subject to the statement in s. 499.0121(6)(e)1.a., F.S., may be documented by a written agreement between or among the affiliated group members that each affiliated group member will only transfer prescription drugs included on the specified list that were purchased directly from the manufacturer to an affiliated group member that is required to include the statement in s. 499.0121(6)(e)1.a., F.S., on its wholesale distributions to other wholesale distributors.

(7) Due Diligence Inspection. With respect to the inspection required under s. 499.0121(12)(e), F.S., a prescription drug wholesaler may rely on a due diligence inspection performed by a person that is independent of both wholesalers for purposes of the requirement in s. 499.0121(12)(e), F.S.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.0121(1), 499.05 FS. Law Implemented 499.004, 499.006, 499.007, 499.0121, 499.028(6), 499.052 FS. History—New 7-8-84, Amended 1-30-85, Formerly 10D-45.535, Amended 11-26-86, 7-1-96, Formerly 10D-45.0535, Amended 1-26-99, 4-17-01, 1-1-04.

Paragraphs (7)(e)7.; (9)(a); and (11)(f) of Rule 64F-12.015, F.A.C., shall now read as follows:

64F-12.015 Licensing, Application, Permitting.

(7) WHOLESALER PERMITS.

(e) Application requirements for Prescription Drug Wholesalers, Prescription Drug Wholesalers – Broker Only, or Out-of-State Prescription Drug Wholesalers include:

7. Identify a person who has been Certified pursuant to s. 499.012(11), F.S., to serve as the certified designated representative. If the prescription drug wholesaler operates in 'shift' schedules, a different person per shift may be designated; however the shift hours for which each person is responsible must be clearly identified. You may use Notification of Designated Representative form DH 2130, effective January 2004, which is incorporated by reference herein, for the initial notification or for changes in the designated representative.

(9) DESIGNATED REPRESENTATIVE.

(a) In order to provide a method for drug wholesalers to comply with s. 499.012(11), F.S., the department will issue a provisional permit to a designated representative prior to full implementation of the testing requirements below.

(11) PERMIT RENEWALS FOR PRESCRIPTION DRUG WHOLESALER, PRESCRIPTION DRUG WHOLESALER – BROKER ONLY, OR OUT-OF-STATE PRESCRIPTION DRUG WHOLESALER.

(e) Submit \$47.00 for each fingerprint card submitted.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.01, 499.012, 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.62, 499.63, 499.64, 499.66, 499.67, 499.701 FS. Law Implemented 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.028, 499.04, 499.041, 499.05, 499.06, 499.062, 499.063, 499.064, 499.066, 499.067 FS. History--New 12-12-82, Amended 7-8-84, 1-30-85, Formerly 10D-45.54, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.054, Amended 1-26-99, 4-17-01, 10-29-02, 7-6-03, 1-1-04.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sandra Stovall, Compliance Officer, 2818-A Mahan Drive, Tallahassee, Florida 32308, (850)487-1257 Ext. 210, e-mail: sandra_stovall@doh.state.fl.us.fl

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:
69A-21.115 "Appropriate Training" for
(Formerly 4A-21.115) Servicing Fire Extinguishers and
Preengineered Systems Defined;
Limitations; Restrictions

NOTICE OF CORRECTION

Notice is hereby given that Proposed Rule 4A-21.115, F.A.C., as published in Vol. 29, No. 37, September 12, 2003, issue of the Florida Administrative Weekly has been transferred to Chapter 69 and renumbered to Rule 69A-21.115, F.A.C.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE CHAPTER NO.: RULE CHAPTER TITLE:
69A-60 The Florida Fire Prevention Code
RULE NOS.: RULE TITLES:
69A-60.001 Title
(Formerly 4A-60.001)
69A-60.002 Scope
(Formerly 4A-60.002)
69A-60.003 Standards of the National Fire
(Formerly 4A-60.003) Protection Association, NFPA 1,
the Fire Prevention Code,
Adopted
69A-60.004 Standards of the National Fire
(Formerly 4A-60.004) Protection Association, NFPA
101, the Life Safety Code,
Adopted
69A-60.005 Publications Added to NFPA 1 and

(Formerly 4A-60.005) NFPA 101
69A-60.006 Manufactured Buildings
(Formerly 4A-60.006)
69A-60.007 Enforcement of the Florida Fire
(Formerly 4A-60.007) Prevention Code
69A-60.008 Exceptions applicable to Broward
(Formerly 4A-60.008) County
69A-60.009 Educational and Ancillary Facilities
(Formerly 4A-60.009)

NOTICE OF CORRECTION

Notice is hereby given that Proposed Rules 4A-60.001-.009, F.A.C. have been transferred to Chapter 69 and renumbered to Rules 69A-60.001-.009, F.A.C.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
69A-62	Uniform Minimum Firefighter Employment Standards
RULE NOS.:	RULE TITLES:
PART I: ADOPTION OF UNIFORM FIREFIGHTER EMPLOYMENT STANDARDS	
69A-62.0001	Definitions
(Formerly 4A-62.0001)	
69A-62.001	Uniform Minimum Firefighter Employment Standards; Adoption of OSHA Standards
(Formerly 4A-62.001)	
69A-62.002	Uniform Minimum Firefighter Employment Standards; Adoption of National Fire Protection Association Standards
(Formerly 4A-62.002)	
69A-62.003	Uniform Minimum Firefighter Employment Standards; Adoption of 29 C.F.R. 1910.134(g)(3) and 1910.134(g)(4), Including Notes One and Two and Additional Requirements Relating to Fire Scenes
(Formerly 4A-62.003)	
69A-62.006	Requirements for Recognition as a Fire Department
(Formerly 4A-62.006)	
69A-62.007	Minimum Requirements for Class 9 Protection
(Formerly 4A-62.007)	
PART II: WORKPLACE SAFETY AND HEALTH PROGRAMS	
69A-62.020	Definitions
(Formerly 4A-62.020)	
69A-62.021	General Guidelines for Firefighter Employer Comprehensive Safety and Health Programs
(Formerly 4A-62.021)	
69A-62.022	Firefighter Employer

(Formerly 4A-62.022)	Comprehensive Safety and Health Remediation Plan
69A-62.023	Criteria for Identifying Firefighter Employers With a High Frequency or Severity of Injuries
(Formerly 4A-62.023)	
PART III: SAFETY AND HEALTH COMPLIANCE	
69A-62.030	Definitions
(Formerly 4A-62.030)	
69A-62.031	Right of Entry
(Formerly 4A-62.031)	
69A-62.032	Division Inspection or Investigation
(Formerly 4A-62.032)	
69A-62.033	Employers
(Formerly 4A-62.033)	
69A-62.034	Notice of Violation
(Formerly 4A-62.034)	
69A-62.035	Safety Training
(Formerly 4A-62.035)	
69A-62.036	Procedures Relating to Penalties
(Formerly 4A-62.036)	
PART IV: WORKPLACE SAFETY COMMITTEES	
69A-62.040	Definitions
(Formerly 4A-62.040)	
69A-62.041	Scope
(Formerly 4A-62.041)	
69A-62.042	Firefighter employer Requirements
(Formerly 4A-62.042)	
69A-62.043	Duties and Functions of the Safety Committee and Workplace Safety Coordinator
(Formerly 4A-62.043)	
69A-62.044	Firefighter Employer Evaluation by the Division
(Formerly 4A-62.044)	
69A-62.045	Penalties
(Formerly 4A-62.045)	

NOTICE OF CORRECTION

Notice is hereby given that Proposed Rules 4A-62.0001, 4A-62.001, 4A-62.002, 4A-62.003, 4A-62.005, 4A-62.006, 4A-62.007, 4A-62.020, 4A-62.021, 4A-62.022, 4A-62.023, 4A-62.030, 4A-62.031, 4A-62.032, 4A-62.033, 4A-62.034, 4A-62.035, 4A-62.036, 4A-62.040, 4A-62.041, 4A-62.042, 4A-62.043, 4A-62.044 and 4A-62.045, F.A.C., as published in Vol. 29, No. 44, October 31, 2003, issue of the Florida Administrative Weekly, have been transferred to Chapter 69 and renumbered to Rules 69A-62.0001, 69A-62.001, 69A-62.002, 69A-62.003, 69A-62.005, 69A-62.006, 69A-62.007, 69A-62.020, 69A-62.021, 69A-62.022, 69A-62.023, 69A-62.030, 69A-62.031, 69A-62.032, 69A-62.033, 69A-62.034, 69A-62.035, 69A-62.036, 69A-62.040, 69A-62.041, 69A-62.042, 69A-62.043, 69A-62.044 and 69A-62.045, F.A.C.

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NOS.:	RULE TITLES:
69L-6.008	Cancellation of Workers' Compensation Insurance by an Insurer
(Formerly 4L-6.008)	
69L-6.014	Policy Information Filing
(Formerly 4L-6.014)	Requirements for Insurers

NOTICE OF CORRECTION

Notice is hereby given that the Proposed Rule Development as published in Vol. 29, No. 42, October 17, 2003, issue of the Florida Administrative Weekly regarding Rules 4L-6.008 and 4L-6.014, F.A.C., have been transferred to Chapter 69 and renumbered to Rules 69L-6.008 and 69L-6.014, F.A.C.

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NO.:	RULE TITLE:
69L-7.020	Florida Workers' Compensation Health Care Provider Reimbursement Manual
(Formerly 4L-7.020)	

NOTICE OF CORRECTION

Notice is hereby given that Proposed Rule 4L-7.020, F.A.C., as published in Vol. 29, No. 38, September 29, 2003, issue of the Florida Administrative Weekly, has been transferred to Chapter 69, F.A.C., and renumbered to Rule 69L-7.020, F.A.C.

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NO.:	RULE TITLE:
69L-24.0231	Benefits and Administration Trust Fund Penalties Improper Filing Practices
(Formerly 4L-24.0231)	

NOTICE OF CORRECTION

Notice is hereby given that Proposed Rule 4L-24.0231, F.A.C., as published in Vol. 29, No. 39, September 26, 2003, issue of the Florida Administrative Weekly, has been transferred to Chapter 69 and renumbered to 69L-24.0231, F.A.C.

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NO.:	RULE TITLE:
69L-24.0231	Benefits and Administration Trust Fund Penalties Improper Filing Practices

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. 39, September 26, 2003, of the Florida Administrative Weekly.

Due to comments received at the hearing the rule has been changed to read as follows:

69L-24.0231 Benefits and Administration Trust Fund Penalties Improper Filing Practices.

(1)(a) Failure to timely file, by electronic or paper submission, legible and complete forms, reports, or documents as required by Chapter 440, Florida Statutes, Chapter 694L-3, F.A.C., or other Division rules implementing Chapter 440, Florida Statutes, shall subject the party required to file such form, report or document to assessment by the Division of an administrative fine a civil penalty. For purposes of this rule, a paper form, report or document is timely filed when it is postmarked and mailed prepaid prior to the expiration of the time periods prescribed in this rule, and Chapter 694L-3, F.A.C. For purposes of this rule, if disability is immediate and continuous for 8 or more calendar days after the injury, an electronic equivalent of a First Report of Injury or Illness will be considered timely filed with the Division when it is received by the Division on or before the 21st day after the carrier's knowledge of the injury and is assigned an acknowledgement code of Transaction Accepted (TA). If the first 7 days of disability are nonconsecutive or delayed, the electronic equivalent of a First Report of Injury or Illness will be considered timely filed with the Division when it is received by the Division on or before the 13th day after the carrier's knowledge of the 8th day of disability and is assigned an acknowledgement code of Transaction Accepted (TA). Penalties shall be assessed as follows:

(b) No change.

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NOS.:	RULE TITLES:
69L-26.002 (Formerly 4L-26.002)	Definitions
69L-26.004 (Formerly 4L-26.004)	Requesting Assistance

NOTICE OF CORRECTION

Notice is hereby given that the proposed Rules 4L-26.002 and 4L-26.004, F.A.C., have been transferred to Chapter 69 and renumbered to Rules 69L-26.002 and 69L-26.004, F.A.C.

**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 CITRUS

RULE TITLE:	RULE NO.:
Agency Travel Rule	20ER03-2

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 120.54(4)(b), Florida Statutes, states that those rules pertaining to perishable agricultural commodities shall be included in the definition of rules relating to the public health, safety, or welfare.

At the recommendation of the Department of Financial Services, Department is adopting 20ER03-2 codifying Florida Department of Citrus Fiscal Policy #304, Rev. 4-4-99, State Travel Expense. Such travel is required to carry out the mandates contained throughout the Florida Citrus Code, specifically the requirement of Section 601.15(2), F.S., to "...plan and conduct campaigns for commodity advertising, publicity and sales promotion..." Employees of the Department of Citrus who incur actual and necessary expenses in furtherance of their duties under the Florida Citrus Code would be irreparably restrained in executing these duties through the non-adoption of this rule on an emergency basis, and perishable agricultural commodities would not be marketed and timely sold, resulting in great economic damage to the state of Florida.

After taking testimony and discussing the matter at a public meeting and hearing in Lakeland, Florida on October 29, 2003, the Florida Citrus Commission found that there exists a need to codify Florida Department of Citrus Fiscal Policy #304, Rev. 4-4-99, State Travel Expense, into an official rule in order to solidify Section 601.15(2), F.S., allowing for reimbursement of actual and necessary expenses for travel outside the state of Florida and voted to adopt Emergency Rule 20ER03-2.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Adequate notice procedures were used by the Department of Citrus to inform the public and the Florida citrus industry of the pending adoption of Emergency Rule 20ER03-2, F.A.C., adopting by reference those portions of Florida Department of Citrus Fiscal Policy #304, Rev. 4-4-99, State Travel Expense, pertaining to reimbursement of actual and necessary expenses for travel outside the state of Florida, in that notice was made via mailing

of the meeting notice on October 22, 2003, to members of the Florida Citrus Commission, all industry organizations, the Florida Press Corp and other interested persons.

SUMMARY: Emergency Rule 20ER03-2, F.A.C., codifies the Florida Department of Citrus Fiscal Policy #304, Rev. 4-4-99, State Travel Expense.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

20ER03-2 Agency Travel Rule.

The Department hereby adopts by reference those portions of Fiscal Policy #304, Revised 4-4-99, and as may be modified, pertaining to reimbursement of actual and necessary expenses for travel outside the state of Florida.

Specific Authority 601.15(8)(a) FS. Law Implemented 601.15(8)(a) FS. History--New 10-31-03.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: October 31, 2003

DEPARTMENT OF CITRUS

RULE TITLE: RULE NO.:

Fresh Oranges: 2003-04 Anhydrous Acid 20ER03-3
Maturity Standards

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 120.54(4)(b), Florida Statutes, states that those rules pertaining to perishable agricultural commodities shall be included in the definition of rules relating to the public health, safety, or welfare.

Citric acid content in an orange is indicative of the "bite" that is a flavor characteristic. Due to adverse climactic conditions through periods of this growing season significant amounts of the Florida citrus crop in the 2003-2004 season will have an acid content below the 0.4 minimum established in Section 601.19, Florida Statutes. Strict enforcement of the anhydrous acid content requirements, which were adopted largely to control abuse of plant growth regulators which are no longer in use, could cause economic waste by causing good and safe food to be ruled immature.

After taking testimony and discussing the matter at a public meeting and hearing in Lakeland, Florida on October 29, 2003, the Florida Citrus Commission found that there exists unusual growing conditions which could cause a substantial portion of the orange crop to fail minimum acid requirements and voted

to adopt Emergency Rule 20ER03-3, F.A.C., adjusting the percentage of anhydrous citric acid requirement for oranges for fresh and processed use from .40 to .36.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Adequate notice procedures were used by the Department of Citrus to inform the public and the Florida citrus industry of the pending adoption of Emergency Rule 20ER03-3 adjusting the percentage of anhydrous citric acid requirements for oranges, in that notice was made via mailing of the meeting notice on October 22, 2003, to members of the Florida Citrus Commission, all industry organizations, the Florida Press Corp and other interested persons.

SUMMARY: Emergency Rule 20ER03-3, F.A.C., adjusts the percentage of anhydrous citric acid requirement for oranges from .40 to .36.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

20ER03-3 (20-13.0011) Fresh Oranges: 2003-04
~~2002-2003~~ Anhydrous Acid Maturity Standards.

(1) During the period beginning October 31, 2003
~~November 1, 2002~~ up to and including January 29, 2004
~~July 31, 2003~~, oranges shall be deemed mature when the juice sample contains not less than .36 percent of anhydrous citric acid.

(2) No change.

Specific Authority 601.10(1),(7), 601.11, 601.19 FS. Law Implemented 601.111, 601.19 FS. History--New 3-14-93, Amended 2-12-95, 1-17-96, 5-1-02, 2-19-03, 10-31-03.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: October 31, 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."

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

**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 on November 4, 2003, South Florida Water Management District (District) received a petition for waiver from Roger Culver, Application No. 03-1009-3, for utilization of Works or Lands of the District known as the C-43 Canal, Lee County for an existing gazebo encroaching within the north right of way of the C-43 Canal at the rear of 14120 Duke Highway, Alva, FL 33920, Lee County, Section 21, Township 43 South, Range 26 East. The petition seeks relief from subsections 40E-6.011(4),(6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, which govern the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District.

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

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

NOTICE IS HEREBY GIVEN that on October 24, 2003 South Florida Water Management District (District) received a petition for waiver from John Licari, Application No. 03-1021-1, for utilization of Works or Lands of the District known as the _____ Hillsboro Canal, Palm Beach County, for an existing boat dock within the northerly right of way of the Hillsboro Canal. The petition seeks relief from paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the required low member elevation of a pile-supported docking facility within Works or Lands of the District.

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

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

NOTICE IS HEREBY GIVEN that on October 22, 2003, the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco received a Petition for Variance or Waiver of Rule 61A-7.003, F.A.C., from Cinders LLC, doing business as Fortunes Steak and Seafood. The petition, timely filed in accordance with Uniform Rules 28-106.103 and 106.111, Fla. Admin. Code, seeks entitlement to a variance or waiver under Section 120.542, Florida Statutes (2003) and relief from the Division's denial of its election to operate as a "stand alone bar", within the meaning of Article X, Section 20, Florida Constitution (2003), the Clean Indoor Air Act, Chapter 386, Part II, Florida Statutes (2003) and 561.695, Florida Statutes (2003) and to allow patrons to continue to smoke tobacco products in its alcoholic beverage licensed premises.

A copy of the petition may be obtained from: Sarah Wachman, Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399-1020, (850)921-0342.

The Division will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the Department of Business and Professional Regulation, Office of General Counsel, attention Michael Martinez, Chief Attorney, 1940 North Monroe Street, Tallahassee, FL 32399-1020, (850)414-8125.

The Construction Industry Licensing Board hereby gives notice that it has received a petition, filed on October 24, 2003, by Richard M. Wagner, seeking a waiver or variance of subsection 64G4-15.001(1), Florida Administrative Code. The Petitioner is seeking a waiver from the requirement that active experience in the category in which the applicant seeks to qualify shall be verified by affidavits prepared or signed by a state certified Florida contractor, or an architect or engineer who is licensed in good standing or a licensed building official employed by a political subdivision of any state, territory or possession of the United States who is responsible for inspections of construction improvements, listing chronologically the active experience in the trade, including the name and address of employers and dates of employment (which may be corroborated by investigation by the Board). Said affidavit shall be subscribed to in front of a notary.

Comments on this petition should be filed with the Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783, within 14 days of publication of this notice.

For additional information or a copy of the petition, contact: Timothy Vaccaro, Executive Director, at the aforementioned address or telephone (850)922-2701.

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 Clinical Laboratory Personnel filed an Order disposing of a revised Petition for Variance from subsection 64B3-7.001(1), Florida Administrative Code, filed by Leah Dean Gillis, Ph.D. Subsection 64B3-7.001(1), Florida Administrative Code, requires that an applicant for licensure as a Director must pass certain examinations for licensure in various specialty categories. The petition was filed with the Board on September 26, 2003, and noticed in the Vol. 29, No. 40 issue of the Florida Administrative Weekly on October 3, 2003. No written public comments were received.

The Order, which was filed October 30, 2003, provides in summary that Petitioner's qualifications, including passage of the high-complexity examination given by the American Board of Bioanalysis, qualify her for licensure as a Director in the category of Clinical Chemistry. Accordingly, the Petition for Variance from subsection 64B3-7.001(1), Florida Administrative Code, was granted in part and denied in part.

A copy of the Order may be obtained by writing: Amy Carraway, Deputy Agency Clerk, Department of Health, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C01, Tallahassee, Florida 32399-3251, (850)245-4121.

The Board of Medicine hereby gives notice that it has received a petition filed on October 31, 2003, on behalf of Nil R. Barua, M.D., seeking a variance from Rule 64B8-2.001, F.A.C., with regard to obtaining passing scores on required licensure examinations. Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

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

NOTICE IS HEREBY GIVEN THAT the Petition for Variance or Waiver received from Amy Freund on September 30, 2002, published in Vol. 28, No. 47 of the November 22, 2002 Florida Administrative Weekly, has been withdrawn.

A copy of the Notice of Withdrawal can be obtained from: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252.

The Department of Health gives notice that it has granted a petition, which was filed on June 16, 2003, by Scott Krueger dba Crystal Lake RV Park. The Petitioner sought a waiver of subsection 64E-15.004(5), F.A.C., pertaining to the requirement for a sewage dump station at a recreational vehicle park. For notice of receipt of the petition see FAW, Vol. 29, No. 30, July 25, 2003. The basis of the approval is the Petitioner's requirements that each recreational vehicle it serves have self-contained water and sewage tanks and that each recreational vehicle connect to the on-site sewage system.

For a copy of the order granting the petition, contact: Richard McNelis, Department of Health, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

The Department of Health gives notice that it has granted a petition, which was filed on January 27, 2003 by Merritt Development, Inc., dba Hitching Post Trailer Ranch. The Petitioner sought a waiver of subsections 64E-15.005(2) and (4), F.A.C., pertaining to sanitary facilities required at a recreational vehicle park. For notice of receipt of the petition see FAW, Vol. 29, No. 9, February 28, 2003. The basis of the approval is the Petitioner's requirements that each recreational vehicle it serves have self-contained water and sewage tanks and that each recreational vehicle connect to approved water and sewage connections.

For a copy of the order granting the petition, contact: Richard McNelis, Department of Health, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Animal Industry Technical Council** (AITC) will hold their quarterly meeting to which all interested parties are invited to attend.

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

PLACE: University of Florida, Large Animal Auditorium, Gainesville, FL

DEPARTMENT OF EDUCATION

The public is invited to a meeting of the Facilities Planning Process Committee of the **Department of Education**, Advisory Council on Educational Facilities.

DATE AND TIME: Thursday, November 20, 2003, 8:30 a.m. – 1:00 p.m.

PLACE: University of South Florida, Marshall Center (Student Union), Room 296, 4202 East Fowler Avenue, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Planning Committee will continue to look at the facilities planning process of the K-20 education system in Florida to identify issues and recommend solutions.

Information may be obtained from the Advisory Council on Educational Facilities website at <http://www.myfloridaeducation.com/council>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The **Florida Rehabilitation Council for the Blind** announces the following Public Forum to which all interested individuals are invited to attend.

DATE AND TIME: Tuesday, November 25, 2003, 4:00 p.m. – 6:00 p.m.

PLACE: Lee County Public Library Meeting Room, 2050 Central Avenue, Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: For consumer input on New, updated, and revised vocational rehabilitation policies and procedures, Potential legislation by the Florida Legislature to create a consumer driven Commission for the Blind and the effectiveness of services provided by the Florida Division of Blind Services in assisting individuals with visual impairments achieving employment and independence under title I of the Rehab Act.

CONTACT: Christine Sheehan, The Division of Blind Services, 2830 Winkler Ave., Suite 207, Ft. Myers, FL 33916, (239)278-7130 or 1(800)219-0180 or through the Florida Telephone Relay System, 711.

Existing and proposed policies are available on the DBS website at <http://www.state.fl.us/dbs/index.html>.

Copies are available at the DBS District Office. If you require transportation assistance to attend the forum, please contact the individual listed above. In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

The **Foundation for Florida's Community Colleges** announces a meeting by conference call of the Nominating Committee to which all persons are invited.

PLACE: Dial-in number (850)410-0962 or Suncom 210-0962

DATE AND TIME: November 18, 2003, 2:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Foundation for Florida's Community Colleges Board Members.

NOTE: If you need special services to attend the meeting or need additional information, write: Ms. Sharon Jones, Division of Community Colleges, 325 West Gaines Street, Suite 1314, Tallahassee, Florida 32399-0400.

DEPARTMENT OF COMMUNITY AFFAIRS

The Community Assistance Advisory Council is responsible for advising department staff and management on issues relating to the Florida Small Cities Community Development Block Grant Program, the Community Services Block Grant, and the Weatherization Assistance Programs. These three programs are administered by the **Division of Housing and Community Development** within the **Department of Community Affairs**. The meeting will be held at the following time and place:

DATE AND TIME: December 4, 2003, 9:00 a.m. – 2:30 p.m.

PLACE: Room 225-F, Second Floor Conference Room, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Department staff will provide updates on the activities of the programs served by the council, including proposed changes to the Community Development Block Grant Program.

The agenda for the meeting may be downloaded from the Department's website at <http://www.floridacommunitydevelopment.org>; requested by telephone (850)487-3644 or e-mail: judy.peacock@dca.state.fl.us or susan.lawrence@dca.state.fl.us; or you may submit a written request to: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring a special accommodation at this public hearing because of a disability or physical impairment should contact the Bureau of Community Assistance, (850)488-7956, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The **Criminal Justice Professionalism Program** announces a public meeting for a Probable Cause Determination to which all persons are invited to attend:

DATE AND TIME: December 9, 2003, 1:00 p.m. – Open

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To determine if probable cause exists to proceed with possible disciplinary action.

A copy of the Probable Cause Case agenda can be obtained by contacting: Brenda S. Presnell, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Bureau of Standards, Professional Compliance Section, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8648.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Donna Hunt, (850)410-8615, at least 2 weeks prior to the meeting.

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a change in the date of the public hearing that was noticed in the October 24, 2003, edition of the Florida Administrative Weekly.

DATE AND TIME: November 25, 2003, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m. (instead of November 12, 2003)

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

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, 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 25, 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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of amendments to rules 12D-7.003, 12D-8.011, 12D-16.002, and 12D-18.005, Florida Administrative Code. Notices of these proposed adoptions were published in the Florida Administrative Weekly on October 10, 2003 (Vol. 29, No. 41, pp. 4006 through 4009 and 4012 through 4014).

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

DATE AND TIME: Thursday, November 6, 2003, 5:30 p.m.

PLACE: Hidden Oaks Middle School, 2801 S. W. Martin Highway, Palm City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project Identification Number 230978-1-21-01 and Federal Aid Project 0418(001), otherwise known as CR 714 (Martin Highway)/S. W. 36th Street/Indian Street in Martin County, Florida. This project recommends the reconstruction of CR 714 (Martin Highway) and S. W. 36th Street to a four lane facility and construction of a new bridge crossing of the South Fork of the St. Lucie River with improvements extending to east of Willoughby Boulevard. The proposed project would serve as an alternate to the SR 714/Palm City Bridge corridor. Project limits are from the Florida's Turnpike to east of Willoughby Boulevard.

Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990 should write to the address given below or call (954)777-4335 or toll free 1(866)336-8435, Ext. 4335.

Special accommodation requests under the Americans with Disabilities Act should be made in writing at least seven (7) days prior to the public hearing.

A copy of the agenda may be obtained by writing: Mr. Steven Braun, Senior Project Manager or Ms. Cassandra Piché, Project Manager, Florida Department of Transportation, Planning and Environmental Management, District 4, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421.

The **Florida Scenic Highways Program** announces a Scenic Highways Advisory Committee meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 3, 2003, 1:30 p.m. – 3:30 p.m.

PLACE: Rhyne Building, Room 330, 2740 Centerview Drive, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to review and provide a recommendation regarding the Palma Sola Designation Application.

SPECIAL ACCOMMODATIONS: Special accommodation requests should be made at least seven (7) days prior to the meeting.

INFORMATION: Contact Mr. Mariano Berrios, State Scenic Highways Coordinator, Environmental Management Office, Florida Department of Transportation, 605 Suwannee Street, MS-37, Tallahassee, Florida 32399-0450, (850)410-5894, e-mail: mariano.berrios@dot.state.fl.us or Fax (850)410-5808.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Florida At Risk Driver Council Subcommittees of the Florida **Department of Highway Safety and Motor Vehicles** will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: Thursday, December 11, 2003, 10:00 a.m.

PLACE: Call (850)487-0867 for information on participation

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

Pursuant to the provisions for the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the department at least 48 hours before the meeting by contacting: Selma Sauls, (850)487-0867. If you are hearing or speech impaired, please contact the department by calling (850)487-0867 or email: sauls.selma@hsmv.state.fl.us.

The Florida **Department of Highway Safety and Motor Vehicles** announces a meeting of the Florida At Risk Driver Council to which interested persons are invited:

DATE AND TIME: Thursday, December 18, 2003, 1:00 p.m. – 5:00 p.m.

PLACE: Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Tallahassee, Florida

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

To obtain a copy of the agenda, please contact: Selma Sauls, 2900 Apalachee Parkway, MS 80, Tallahassee, Florida 32399-0570, (850)487-0867, email: sauls.selma@hsmv.state.fl.us.

Pursuant to the provisions for the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the department at least 48 hours before the meeting by contacting: Selma Sauls, (850)487-0867. If you are hearing or speech impaired, please contact the department by calling (850)487-0867.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Medical and Nutritional Research Advisory Council to which all persons are invited.

DATE AND TIME: Friday, November 21, 2003, 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: There will be a meeting to discuss medical research data and issues related to orange juice and grapefruit juice. The Council will also discuss any other issues that may properly come before the Council.

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

The **Department of Citrus** announces a public meeting of the Citrus Harvesting Research Advisory Council to which all persons are invited.

DATE AND TIME: Tuesday, December 9, 2003, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to receive an update on the Department activities for the 2003-04 season and other business that might come before the council for consideration.

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

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, December 3, 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

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

DATE AND TIME: *December 1, 2003, 9:30 a.m.

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

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

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

* In the event of a scheduling conflict, this meeting may be rescheduled to December 2, 2003, in Room 140, immediately preceding or immediately following the Commission Conference.

THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.

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

DATE AND TIME: December 2, 2003, 9:30 a.m.

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

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

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

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

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy. (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting the Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

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

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission**, pursuant to Section 120.54, Florida Statutes, at the agenda conference scheduled at the following time and place, will consider the comments of the Joint Administrative Procedures Committee and the proposed rule in the docket identified below:

Docket No. 030575-PU – Proposed Amendment to Rule 25-22.032, F.A.C., Customer Complaints.

DATE AND TIME: December 2, 2003, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make a decision regarding proposed Rule 25-22.032, F.A.C., in this docket and adopt, reject, or modify the proposed rule.

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

The person to be contacted regarding the rule is Samantha Cibula, (850)413-6202.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy, (\$1.00 per copy, Rule 25-24.491, F.A.C.) by writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida. The agenda and recommendation are also available on the PSC Homepage at <http://www.floridapsc.com>, at no charge.

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

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

The Florida **Public Service Commission** will consider at its December 2, 2003, Agenda Conference, Docket No. 031003-EI, Gulf Power Company's application for authority to receive common equity contributions and issue and sell securities during the 12 months ending December 31, 2004. Pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code, Gulf seeks authority to receive equity funds from the Southern Company (Southern), Gulf's parent company, to issue and sell long-term debt and equity securities, and to issue and sell short-term debt securities. The maximum amount of common equity contributions received from Southern, the maximum amount of equity securities issued, and the maximum principal amount of long-term debt securities issued will total not more than \$300 million. The maximum principal amount of short-term debt at any one time will total not more than \$190 million.

DATE AND TIME: December 2, 2003, 9:30 a.m., although the time at which this item will be heard cannot be determined at this time

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action on Docket No. 031003-EI.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services,

(850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

For additional information, please contact: Katherine Fleming, Office of the General Counsel, (850)413-6218.

The Florida **Public Service Commission** announces customer service hearings in the following docket, to which all interested persons are invited.

Docket No. 030438-EI – Petition for rate increase by Florida Public Utilities Company

DATE AND TIME: December 3, 2003, 6:00 p.m. (ET)

PLACE: Fernandina Beach City Commission, City Commission Chambers, 204 Ash Street, Fernandina Beach, Florida 32034

DATE AND TIME: December 4, 2003, 6:00 p.m. (CT)

PLACE: Jackson County Administration Building, County Commission Meeting Room, 2864 Madison Street, Marianna, Florida 32446

These hearings will begin as scheduled and will continue until all witnesses have been heard. If no witnesses are present, the hearings may be adjourned. All persons desiring to present testimony are urged to appear at the beginning of the hearing.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit members of the public to give testimony regarding the petition for rate increase by Florida Public Utilities Company. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

NOTICE IS HEREBY GIVEN that the **Executive Office of the Governor** will hold a public hearing, which will be held on:

DATE AND TIME: December 1, 2003, 10:00 a.m.

PLACE: Room 301, the Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held pursuant to Section 147 of the Internal Revenue Code of 1986, as amended, to afford interested persons the opportunity to express their views, both orally and in writing, regarding the proposed issuance of up to \$225,000,000 aggregate principal amount of tax-exempt Educational Loan Revenue Bonds ("the Bonds") by Educational Funding of the South, Inc. ("the Corporation"). The proceeds of the Bonds proposed to be issued will be used

primarily (i) to finance the acquisition of certain qualified educational loans made under the federal Higher Education Act of 1965, as amended, to students or parents of students residing in the State of Florida or attending institutions of post-secondary education, (ii) to refund certain prior indebtedness incurred for such purposes, (iii) to fund a debt service reserve fund, and (iv) to pay costs associated with the issuance of the Bonds.

Persons wishing to submit only written comments should deliver or mail such written comments to the Corporation at the address below so that they are received prior to the commencement of the public hearing.

Anyone needing special accommodations under the Americans with Disabilities Act of 1990 should write to the address given below or call Missy Markis, (904)998-3840. Special accommodation requests under the Americans with Disabilities Act should be made at least 48 hours prior to the public hearing.

Written comments and requests for copies of the agenda should be directed to: Missy Markis, Educational Funding of the South, Inc., 10245 Centurion Pkwy. North, Ste. 108, Jacksonville, Florida 32256, Fax (904)998-0812.

The **Office of Film and Entertainment** and the Florida Film Advisory Council will convene in a quarterly meeting. This is a public meeting to which all persons are invited.

Quarterly Meeting

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

PLACE: The Breakers Palm Beach, Gulf Stream Room, One South County Road, Palm Beach, FL 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss committee tasks and related general administrative matters of the Advisory Council.

A copy of the agenda may be obtained by writing: Niki Christopher, Communications Coordinator, the Office of Film & Entertainment, State of Florida, Executive Office of the Governor, Suite 2002, The Capitol, Tallahassee, Florida 32399-0001 or calling (850)488-9367.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

REGIONAL PLANNING COUNCILS

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

MEETING: Executive Committee

DATE AND TIME: December 4, 2003, 6:00 p.m.

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

MEETING: Clearinghouse Committee

DATE AND TIME: December 4, 2003, 6:00 p.m.

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

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: December 4, 2003, 7:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

PLACE: Holiday Inn Restaurant, I-75 and U.S. 90, Lake City, Florida

Any person deciding to appeal decisions of the Council or its committees with respect to any matter considered at the meetings, may need to make a verbatim record of the proceedings.

A copy of any of these agendas may be obtained by writing: NCFRPC, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653 or e-mail: ncfrpc@ncfrpc.org.

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

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

DATE AND TIME: Monday, December 1, 2003, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendment for Hollywood; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

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

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The Region V, **Training Council** will hold its Bi-Annual Advisory Meeting:

DATE AND TIME: December 3, 2003, 10:00 a.m.

PLACE: Northeast Florida Criminal Justice Center, Conference Room, 4501 Capper Rd., Jacksonville, FL

For an advance copy of the agenda, contact: Director Mark Stevens, Northeast Florida Criminal Justice Training and Education Center, (904)713-4900 or Fax (904)713-4828.

WATER MANAGEMENT DISTRICTS

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Thursday, December 4, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: South Florida Water Management District, 3301 Gun Club Road, B1 Auditorium, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting (WRAC)

A copy of the agenda may be obtained at (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.

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

Those who want more information, please contact: Paula Moree, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406, (561)682-6447.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATES AND TIME: December 10, 2003 and/or December 11, 2003, 8:50 a.m.

PLACE: The South Florida Water Management District, 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 and Management Plan which lands are further described as follows:

A copy of the agenda may be obtained (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 269 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 consisting of the exchange 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 eight parcels referred to as SFWMD Tract Nos. 27-100-042, 27-100-054, 27-100-058, 27-100-059, 27-100-060, 27-100-061, 27-100-062 and 27-100-063 consisting of approximately 1,020 acres, and lying in Sections 02, 10, 21 and 36, Townships 52 and 53 South, Ranges 35, 37 and 38 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 two parcels referred to as SFWMD Tract No. 18-021-002 and 18-021-007, consisting of a total of approximately 17 acres, 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.

Update of the Florida Forever Work Plan – 2004.

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

DATE AND TIME: December 4, 2003, 9:00 a.m.

PLACE: Big Cypress Basin, Mary Ellen Hawkins Building, 6089 Janes Lane, Naples, Florida (This address shall be the designated access point for public attendance of the meeting)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Basin Business.

A copy of the agenda may be obtained by writing: Ann Christian, Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109 or (239)597-1505.

Appeals from any Big Cypress Basin Board decision require a record of the proceedings. Although Basin Board meetings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Ann Christian, (239)597-1505, at least forty-eight (48) hours before the meeting to make appropriate arrangements. Those persons who desire more information, or those wishing to submit written or physical evidence may contact: Ann Christian, Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, (239)597-1505.

SPACEPORT FLORIDA AUTHORITY

The Continuing Traffic Engineering, Surveys and Studies Services by **Canaveral Port Authority** announces a public meeting date change. A committee established by the Chairman, will meet on:

DATE AND TIME: November 18, 2003, 10:00 a.m.

PLACE: Port Commission Meeting Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and recommend for Commission approval a ranking of qualified for presentation before the CPA Commission at a regularly scheduled meeting to be held at 2:00 p.m., November 19, 2003.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs**, Advisory Council announces a meeting to which all persons are invited to join.

DATE AND TIME: December 2, 2003, 10:00 a.m. – 12:00 Noon

PLACE: The Crowne Plaza Hotel – Sabal Park, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Department of Elder Affairs Advisory Council to discuss the department and initiatives the council wants to undertake.

Interested individuals may join by notifying: Darrick McGhee, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2085.

To obtain a copy of the agenda, please contact: Darrick McGhee, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, by phone (850)414-2085, SunCom 994-2085 or e-mail: McGheeD@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the department at least 48 hours before the meeting by contacting: Darrick McGhee, (850)414-2085. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

DEPARTMENT OF MANAGEMENT SERVICES

The **State Technology Office**, Wireless 911 Board Subcommittee for Phase II Wireless E911 will hold telephone conferences to which all interested persons are invited.

DATES AND TIME: November 20, 2003; December 4, 2003; December 11, 2003; December 18, 2003; January 8, 2004; January 15, 2004; 1:00 p.m. – 3:30 p.m.

PLACE: For participation call conference number (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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE OF RESCHEDULING – Notice is hereby given by the **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes** that the workshop as noticed in Vol. 29, No. 43, October 24, 2003 Florida Administrative Weekly, has been rescheduled as follows:

DATE AND TIME: Thursday, December 11, 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: To discuss any registration or compliance issues related to timeshare plans pursuant to Chapter 721, Florida Statutes.

The Florida **Board of Architecture and Interior Design** announces the following meeting, to be held by telephone conference, to which all persons are invited to attend. This is a correction notice for November 14, 2003.

DATE AND TIME: November 25, 2003, 10:00 a.m. (Eastern Standard Time)

PLACE: Via telephone conference – (850)410-0960 or Suncom 210-0960

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

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

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

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

The **Board of Accountancy**, Committee on Continuing Professional Education announces the following public meeting to which all persons are invited:

DATE AND TIME: Tuesday, December 2, 2003, 9:00 a.m.

PLACE: Via Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reporting forms and requests for course approval.

If you wish to participate in this meeting or receive a copy of the agenda, please contact: Karan Lee, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607, (850)487-1395.

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

Independence Task Force

DATE AND TIME: December 16, 2003, 10:00 a.m.

PLACE: Hilton Westshore, 2225 North Lois Avenue, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Independence Task Force meeting to discuss possible changes regarding Independence. This is a public meeting.

A copy of the Board agenda may be obtained by writing: John W. Johnson, Division Director, Division of Certified Public Accounting, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607.

If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting: John W. Johnson, (352)333-2500. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a meeting to which all persons are invited.

DATE AND TIME: Monday, December 1, 2003, 9:00 a.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Ninth Floor, North Tower, 400 West Robinson Street, Orlando, Florida

Any person requiring 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 (5) calendar days prior to

the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Appraisal Board (FREAB)** announces a meeting to which all persons are invited.

DATES AND TIMES: Monday, December 1, 2003, 1:00 p.m. or the soonest thereafter; reconvening Tuesday, December 2, 2003, 8:30 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Ninth Floor, North Tower, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part II, F.S., rule development workshops, Florida Administrative Code 61J1 rule amendments, disciplinary actions and general subject matter.

If a person decides to appeal a decision made by the Board, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)481-5632, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Ashley Dashnaw, Regulatory Specialist III, Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The **Department of Health, Division of Medical Quality Assurance**, hereby gives notice of a public workshop to which all interested persons are invited.

DATE AND TIME: December 1, 2003, 1:00 p.m. – 5:00 p.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 166, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED The purpose of the workshop is to receive public input regarding the implementation of rules governing the Department's continuing education tracking system.

A Notice of Proposed Rule Development was originally published in Vol. 29, No. 41, of the October 10, 2003, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jim Knepton, Department of Health, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399.

Any person requiring a special accommodation at this workshop because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the workshop. If you are hearing or speech impaired, please contact the Department's office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATES AND TIMES: Thursday, December 4, 2003, 2:00 p.m.; continuing Friday, December 5, 2003, 8:30 a.m.

PLACE: Crown Plaza, 5555 Hazeltine National Drive, Orlando, FL 32812 (407)856-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**, announces a telephone conference call in which reconsiderations will be heard.

DATE AND TIME: November 20, 2003, 3:00 p.m. – 6:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

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

Those who are hearing or speech impaired, using TDD equipment, can call the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Dentistry** announces a meeting between board members and Department personnel which all persons are invited:

DATE AND TIME: Friday, November 21, 2003, 9:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, FL 32399, (850)245-4474

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss testing processes.

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, 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 26, 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, 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 Florida **Board of Medicine**, Surgical Care Committee, announces a telephone conference call to be held via meet me number.

DATE AND TIME: Monday, December 1, 2003, 5:00 p.m.

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, 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 Florida **Board of Medicine**, Rules/Legislative Committee announces a meeting to which all persons are invited.

DATE AND TIME: December 5, 2003, 5:00 p.m.

PLACE: Hilton Tampa Airport Westshore, 2225 Lois Avenue, Tampa, FL 33607, (813)877-6688

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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to 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.

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

The Florida **Board of Medicine** announces a meeting to which all persons are invited.

DATES AND TIME: December 6-7, 2003, 8:00 a.m.

PLACE: Hilton Tampa Aiport Westshore, 2225 Lois Avenue, Tampa, Florida 33607, (813)877-6688

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 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 Florida **Board of Medicine**, Dietetics-Nutrition/Electrolysis Committee announces a meeting to which all persons are invited.

DATE AND TIME: December 6, 2003 commencing at conclusion of the Full Board meeting or soon thereafter

PLACE: Hilton Tampa Airport Westshore, 2225 Lois Avenue, Tampa, Florida 33607, (813)877-6688

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, 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 is to be based.

The Florida **Board of Medicine**, Expert Witness Credentials Committee announces a meeting to which all persons are invited.

DATE AND TIME: December 6, 2003, commencing at the conclusion of the Full Board meeting or soon thereafter

PLACE: Hilton Tampa Airport Westshore, 2225 Lois Avenue, Tampa, Florida 33607, (813)877-6688

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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to 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.

The **Board of Nursing** will hold a duly noticed meeting, to which all persons are invited to attend.

DATE AND TIME: Wednesday, December 3, 2003, 3:00 p.m. – 4:00 p.m.

PLACE: Sheraton Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational Workshop on Long-Term Care Staffing Needs.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4125, at least 48 hours prior to the meeting. If you are 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 includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Dan Coble, Board of Nursing, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

The **Department of Health, Board of Nursing** hereby gives notice that a public workshop for the purposes of rule development on Rules 64B9-17.001, 64B9-17.002 and 64B9-17.003, F.A.C., will be held at the time, date and place listed below:

DATE AND TIME: December 3, 2003, 4:00 p.m. or shortly thereafter

PLACE: The Sheraton Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, Florida 33309, (954)772-5400

A notice of rule development was published in Vol. 29, No. 39, of the September 26, 2003 Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252.

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

The **Department of Health, Board of Pharmacy**, Community Technology Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 24, 2003, 10:00 a.m.

PLACE: Teleconference Meeting – (850)921-2548, (850)291-2548 Suncom

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to conduct general business.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Lucy Gee, Interim Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar 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)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

The **Department of Health, Board of Pharmacy**, Rules Committee, announces a public meeting to which all persons are invited.

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

PLACE: The Wyndham Miami Airport Hotel, 3900 N. W. 21st Street, Miami, FL 33142, (305)871-3800

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to review Rules 64B16, F.A.C.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Lucy Gee, Interim Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar 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)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

The **Department of Health, Board of Pharmacy**, announces a public meeting to which all persons are invited.

DATES AND TIMES: December 9, 2003, 8:00 a.m.; December 10, 2003, 10:00 a.m.

PLACE: The Wyndham Miami Airport Hotel, 3900 N. W. 21st Street, Miami, FL 33142, (305)871-3800

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to conduct disciplinary proceedings and general board business.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Lucy Gee, Interim Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar 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)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

The **Department of Health, Board of Pharmacy**, announces a rules workshop to which all persons are invited.

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

PLACE: The Wyndham Miami Airport Hotel, 3900 N. W. 21st Street, Miami, FL 33142, (305)871-3800

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will be to review subsection 64B16-27.104(6) and Rule 64B16-28.871, F.A.C.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Lucy Gee, Interim Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar 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)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces the following Review Committee meeting to which all persons are invited to attend:

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

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, FL 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of responses submitted for Florida Housing Finance Corporation's Request for Proposals #2003/04 for Financial Advisor services.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robin Grantham, Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida 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 Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she 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 record shall include the testimony and evidence upon which the appeal is to be based.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission, Division of Law Enforcement** announces the following Boating Advisory Council (BAC) Boating Education Ad Hoc Committee and Boating Advisory Council public meetings, to which all persons are invited:

DATES AND TIMES: December 1, 2003, 3:00 p.m. (BAC Boating Education Ad Hoc Committee Meeting) and December 2, 2003, 9:00 a.m. (BAC Meeting)

PLACE: Radisson Riverwalk Hotel, 1515 Prudential Drive, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meetings of the BAC Boating Education Ad Hoc Committee and BAC.

A copy of the proposed agenda for either meeting may be obtained by contacting: Division of Law Enforcement, Boating Advisory Council, 620 South Meridian Street, Bryant Building, Tallahassee, Florida 32399-1600 or by calling Ms. Shelly Gurr, (850)488-5600.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should notify Cindy Hoffman, ADA Coordinator, (850)488-6411, at least five calendar days before the meeting.

CRIMINAL JUSTICE STANDARDS AND TRAINING

The **Criminal Justice Standards and Training**, Region X Council announces a meeting to which all interested persons are invited.

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

PLACE: Punta Gorda Police Dept., 1410 S. Tamiami Trail, Punta Gorda, FL 33950

GENERAL SUBJECT MATTER TO BE CONSIDERED: AGENDA: 2004-2005 Budget Projections; Sarasota Academy's Budget; Southwest Florida Criminal Justice Academy's Budget; Items of interest; Adjourn.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

The **H. Lee Moffitt Cancer Center and Research Institute**, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 18, 2003, 1:30 p.m.

PLACE: Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by writing: Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-COO, Tampa, FL 33612.

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Payne by November 17, 2003.

VISIT FLORIDA

The **Florida Commission on Tourism** announces a public meeting of Nature Based and Heritage Tourism Advisory Committee.

DATE AND TIME: Wednesday, November 19, 2003, 10:00 a.m. – adjournment

PLACE: Discovery Cove, 6000 Discovery Cove Way, Orlando, FL 32821, (407)370-1650.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the transition to the new VISIT FLORIDA Council/Committee structure.

For further information contact: Jill Rutli, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100 or (850)488-5607, Ext. 347.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are

hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

WORKFORCE FLORIDA

The **Workforce Florida** announces their quarterly Board of Directors' and related meetings to which all persons are invited.

DATES AND TIMES: Partners' Meeting – November 19, 2003, 1:00 p.m. – 4:00 p.m.; Board of Directors' Meeting – November 20, 2003, 9:30 a.m. – 12:00 Noon; Committee Meetings – November 20, 2003, 1:00 p.m. – 3:00 p.m.

PLACE: Embassy Suites Hotel, Downtown Orlando, 191 E. Pine Street, Orlando, FL 32801, (407)841-1000

For more information contact: Peggy Dransfield, (850)921-1119.

CLERK OF COURT OPERATIONS CONFERENCE

The **Clerk of Court Operations Conference** announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2003, 1:30 p.m.

PLACE: Adam's Mark Hotel, 1500 Sandlake Rd., Orlando, Florida 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Organizational Operations and Review of Clerks' Budgetary Operations.

A copy of the agenda may be obtained by contacting: Beth Allman, Florida Association of Court Clerks, (850)921-0808.

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION

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

DATE AND TIME: Friday, November 21, 2003, 11:00 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.

SUMTER COUNTY

Sumter County and the Florida **Department of Environmental Protection** announces a meeting for the Florida Organics Recycling Center for Excellence to which all persons are invited.

DATE AND TIME: Thursday, December 4, 2003, 1:30 p.m. – 3:30 p.m.

PLACE: Sumter County Solid Waste and Composting Facility, Lake Panasoffkee, Florida (Please call 1(800)566-4413 for directions and meeting room location)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of the technical advisory group for the Florida Organics Recycling Center for Excellence (FORCE) project being developed by Sumter County under a Department contract. Sumter County and the Department will seek guidance as the project progresses and tasks associated with Year Two of the project continue.

If accommodation for a disability is needed to participate in this activity, please notify Miriam Zimms, (813)971-8333, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing or calling: Miriam Zimms, Kessler Consulting, Inc., 14620 N. Nebraska Ave., Bldg. D, Tampa, FL 33613, (813)971-8333, Extension 22.

THE ABLE TRUST

The **Able Trust** (Florida Endowment Foundation for Vocational Rehabilitation) will hold a Board telecom to which all interested persons are invited to participate.

DATE AND TIME: Tuesday, December 9, 2003, 10:00 a.m.

PLACE: The Able Trust Office, 106 E. College Avenue, Suite 820, Tallahassee Florida, 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include approval of recommended grants to assist citizens with disabilities in achieving employment.

For more information, special accommodations or alternative format request, please call The Able Trust, (850)224-4493 or 1(888)838-2253.

JUSTICE ADMINISTRATIVE COMMISSION

The **Justice Administrative Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: December 11, 2003, 1:00 p.m.

PLACE: Justice Administrative Commission, Conference Room, 117 West College Avenue, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

In conjunction with the Americans with Disabilities Act, please contact June Hart, (850)488-2415, if special accommodations are needed. For TDD service, please use Dual Party Relay System 1(800)955-8771.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on October 28, 2003, from Kinco, Ltd. regarding the requirements for listing and labeling of products, and the definition and approval of certification agencies, testing laboratories, inspection agency, quality assurance entity pursuant to s. 553.842(3), Florida Statutes, Chapter 9B-72, Florida Administrative Code, and the Florida Building Code and how those requirements and terms relate to the approval of windows and exterior doors. It has been assigned the number DCA03-DEC-300.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Petition for Declaratory Statement received from Kid Safe Pool Nets has been withdrawn.

Notice of receipt of this petition, which was assigned the number DCA03-DEC-276, appeared in the October 31, 2003, edition of the Florida Administrative Weekly.

A copy of the withdrawal may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on October 27, 2003, from Roll-a-Way Protective Pool Fence regarding whether the pool safety barrier described in the Petition can receive statewide product approval as a new or innovative structural component pursuant to Chapter 9B-72, Florida Administrative Code.

It has been assigned the number DCA03-DEC-298.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on October 22, 2003, from Madden Manufacturing regarding submission of technical documentation for local use of an identified product that has received statewide product approval to be used in a residential, one-story home pursuant to Chapter 9B-72, Florida Administrative Code. It has been assigned the number DCA03-DEC-296.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Beverly Dittrich, Director; Land of the Presidents Condominium Two, Inc. Docket Number: 2003075418

The Petitioner request a declaratory statement as to whether a board adopted rule providing for the collection of assessments on a quarterly basis supersedes a provision in the bylaws requiring the collection of assessments on a monthly basis is consistent with Section 718.112(2)(g), Florida Statutes.

A copy of the Petition for Declaratory Statement, Docket Number 2003075418, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has received a petition for a declaratory statement from Calder Race Course, Inc. and Tropical Park, Inc., Petitioner, and in DBPR Case No. DS 2003-031.

The Petition lists Sections 550.3551 and 550.5241(4), Florida Statutes, as the statutory provisions upon which a declaratory statement is being sought. The Petition further requests the Division to advise as to whether:

the amendment to Section 550.5251(4), Florida Statutes, affects Calder’s or Tropical’s ability to receive broadcasts and rebroadcast races from out-of state race tracks, and take wagers on such broadcasts under Section 550.3551, Florida Statutes, on their dark days during their respective current racing meets or their future live racing meets.

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 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:

Christopher Nathaniel Lovett vs. Florida Engineers Management Corporation; Case No.: 03-4013RP; Rule No.: 61G15-21.0004(2)

Carole C. Pope vs. Department of Environmental Protection; Case No.: 03-3860RX; Rule No.: 62-33.008(4)(d)

Carole C. Pope vs. Department of Environmental Protection; Case No.: 03-3861RU

Dave Taylor and Florida Compliance Specialists, Inc. vs. Department of Financial Services, Financial Services Commission, Office of Financial Regulation; Case No.: 03-3958RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

CALL FOR BIDS

made by the Florida State University, State of Florida.

PROJECT NAME & NUMBER: Parking Garage No. 3, BR-251

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

DATE AND TIME: Tuesday, December 16, 2003, until 2:00 p.m., local time.

PLACE: 101 Mendenhall Maintenance Building A
Florida State University
Tallahassee, Florida 32306

at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the ARCHITECT/ENGINEER: EMO/Architects, Inc.

1126 Thomasville Road
Tallahassee, Florida 32303-6272
(850)222-8000 telephone
(850)222-8007 facsimile

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, Department of Labor and Employment Security.

PRE-BID/PRE-SOLICITATION MEETING: Bidders are encouraged to attend the pre-bid/pre-solicitation meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: Thursday, December 4, 2003 at 10:00 a.m., local time

PLACE: College of Medicine
Room 704 (Microscopy lab)
Florida State University
Tallahassee, Florida 32306

Directions: Vehicles enter from Stadium Drive through Gate 6 or 7 entrances and park, then walk thru Gate #6. Room 704 is in the most SW portion of the complex

DEPOSIT: \$300.00 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work, and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the Architect/ Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer for \$300.00 per set for the printing and handling cost. Partial sets will not be available.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

NOTICE TO PROFESSIONAL AND ENVIRONMENTAL CONSULTANTS

Florida A & M University (FAMU), on behalf of the FAMU Board of Trustees, State of Florida, announces that professional services for Continuing Contract projects are required in the following discipline(s):

Architect (1), Mechanical/Electrical Engineer (1), and Environmental Consultant (1).

Continuing Contract projects are specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for Continuing Contract projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1 – June 30.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The FAMU 9/23/03 version of the "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 properly chartered by the Florida Department of State to operate in Florida.

Submit Six (6) comb, ring or spiral (no hard, solid or tack) bound copies of the requested data in the order listed above. Applications which do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for A/E 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 \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional or Construction Manager Qualification Supplements and selection criteria may be obtained by contacting: Charles Willis, Administrative Assistant, Facilities Planning and Construction Office, Phone: (805)599-3197, or by FAXING a request to (850)561-2289.

Submittals must be received in the office of Facilities Planning and Construction, Florida A & M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307, Attn: Gene Nicoloso, Associate Director, by 2:00 p.m., local time, on December 12, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

**CALL FOR BIDS
(REVISED/EXTENDED)**

made by Florida A & M University (FAMU) for the PROJECT: CAMPUS WIDE ELECTRICAL UPGRADE/TECHNOLOGY INFRASTRUCTURE, PHASE I. PROJECT NUMBER: BR-322; LOCATION: Florida A & M University (FAMU), Tallahassee, FL 32307 (published in the Florida Administrative Weekly, Vol. 29, No. 41, October 10, 2003, Page 4077 Section XI – Notices Regarding Bids, Proposals and Purchasing) IS HEREBY REVISED (SEE ITEM 3 UNDER QUALIFICATION) AND THE BID DATE EXTENDED UNTIL DECEMBER 18, 2003. PROJECT DESCRIPTION: Replace the existing 15kV medium Voltage

substation, conversion of selected 5kV feeders and equipment to 15kV and rework of existing building electric services to accommodate the converted medium voltage system. This will include new electric manholes and concrete duct bank systems through out the FAMU campus. The Contractor shall provide a construction schedule that minimizes electrical outages to existing facilities. The estimated base construction budget is \$4,236,000.

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2 and the following:

1. The Contractor shall be a State of Florida Certified Electrical Contractor.
2. The Contractor shall be regularly engaged in, and shall have a minimum of 7 years experience in the Installation, Maintenance and Conversion of 15kV and up medium voltage systems. The Medium Voltage work must be handled by in-house forces and not a Sub-Contractor.
3. The Contractor shall have completed 3 projects over the past 7 years similar in size, Voltage class and complexity with each having a value between 1 and 3 million dollars.
4. The Contractor shall have an insurance company "Experience Modification Rate" (EMR) of less than 1.

Sealed bids will be received on:

DATE AND TIME: December 18, 2003, until 2:00 p.m., local time.

PLACE: Plant Operations Facilities, Building A, Room 100, 2400 Wahnish Way, Florida A & M University, Tallahassee, FL, immediately after which time and place they will be publicly opened and read aloud down the hall in Conference Room 124 (Bid Tabulation will be posted back in Suite 100).

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer: Fred Wilson & Associates, Inc., 3970 Hendricks Avenue, Jacksonville, FL 32207-5398, (904)398-8636, Fax (904)398-2968

PRE-SOLICITATION/PRE-BID MEETING: The Bidder (with the exception of Prospective Bidders present and signed the Attendance List on 10/29/03 – they are exempted and do not have to be present) is required to attend the pre-solicitation/pre-bid meeting. This is a mandatory meeting for all others and has been scheduled for:

DATE AND TIME: November 25, 2003, 2:00 p.m., local time

PLACE: Plant Operations Facilities, Building A, Room 100, 2400 Wahnish Way, Florida A & M University, Tallahassee, FL

DEPOSIT: \$100 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work, and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the Architect/Engineer's office and local plan rooms. Full sets may be purchased through the Engineer for \$100 per set for the printing and handling cost.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Direct all project related questions to the Engineer first, then to Chuks Onwunli, Project Manager at (850)599-8003.

PROJECT FACT SHEET
 FAU/HBOI Marine Science Partnership
 BR-603

Florida Atlantic University
PROJECT DESCRIPTION

The project consists of site development and construction of a 45,000 gross square feet building, at the Harbor Brach Oceanographic Institute at Fort Pierce. This facility will provide state-of-the-art research laboratories and office space for the marine sciences program.

The Construction budget is approximately \$8.3 million.

SELECTION CRITERIA

Firms will be evaluated in the following areas: experience and ability; past experience; bonding capacity; record-keeping, administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; and qualification of the firm's personnel, staff and consultants.

Experience and ability scores will be based on the following criteria:

- 1. Experience in projects of similar size and scope.
- 2. Experience in working with Universities.

SELECTION COMMITTEE

- Bob Friedman, University Architect and Vice President – FAU
- Tom Donaudy, Associate Vice President, Division of University Architect – FAU
- Scott Baruch, Associate Director, Facilities Planning – FAU
- John Wiesenfeld, User Representative – FAU
- Dennis Hannisak, Harbor Branch Representative – HBOI
- Shirley Pomponi, Harbor Branch Representative – HBOI

SELECTION SCHEDULE:

The anticipated schedule for selection, award, and negotiation is as follows:

- Submittal Due: Monday, December 22, 2003
- Short List Meeting: Thursday, January 15, 2003
- Final Interviews: TBD

GENERAL INFORMATION

- 1. All applicants will be notified of the results of the short list in writing. Finalists will be informed of the interview date and time and will be provided with additional project information, if available.
- 2. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President's action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.
- 3. A copy of the building program may be purchased at Boca Blueprint, 2029 N. W. 2nd Avenue, Boca Raton, FL 33431, (561)395-4944 and is available on FAU website at www.fau.edu/divdept/univarch/ua.htm.

NOTICE TO CONSTRUCTION MANAGERS

Florida Atlantic University, on behalf of its' Board of Trustees, announces that Construction Management services will be required for the project listed below:

Project No.: BR-603 – FAU/HBOI Marine Science Partnership
 The FAU/HBOI Marine Science Partnership consists of site development and construction of a 45,000 gross square feet building. Major space categories within the building include research laboratories and offices. The building will be located on the Harbor Brach Oceanographic Institute Campus at Fort Pierce.

The total Construction Budget is approximately \$8.3 million. The contract for Construction Management services will consist of two phases. Phase one is pre-construction services, for which the Construction Manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 100% Construction Document phase. If the GMP is accepted, Phase two, the construction phase, will be implemented. In phase two of the contract, the Construction Manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to

negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement, may result in the termination of the Construction Manager's contract.

Selection of finalists for interviews will be made on the basis of Construction Manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping, administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard Florida Atlantic University Construction Management Agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The Construction Manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide Construction Management services for the project shall submit a letter of application and a completed "Florida Atlantic University Construction Manager Qualification Supplement" (FAUCMQS). Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Construction Management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Construction Management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The FAUCMQS form and the Project Fact Sheet may be obtained on our website at: www.fau.edu/divdept/univarch/ua.htm or by contacting: Carla Capeletti, Office of the Associate Vice President to the University Architect, Florida Atlantic University, 777 Glades Road, Building Campus Operations Bldg. #69, Room 101, Boca Raton, Florida 33431, Telephone (561)297-2663, Fax (561)297-0224.

Five (5) bound copies of the required proposal data shall be submitted and addressed to: Mr. Tom Donaudy, Associate Vice President to the University Architect, at the above address by 5:00 p.m. on Monday, December 22, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

CALL FOR BIDS

made by the University of Central Florida, on behalf of the Board of Trustees.

PROJECT NAME, NUMBER & LOCATION: Gemini Boulevard Realignment, BR #401

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

DATE AND TIME: Tuesday, December 16, 2003, until 2:00 p.m., local time.

PLACE: Physical Plant Complex, 4000 Central Florida Blvd., Building 16 Libra Drive, at which time and place they will be publicly opened and read aloud. Contract award will be made subject to the availability of funds.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer at BURKE HOGUE & MILLS ASSOCIATES, 100 Colonial Center Parkway Suite 150, Lake Mary, FL 32746 and telephone (407)629-4511.

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is encouraged to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: Tuesday, November 25, 2003, 10:00 a.m. local time.

PLACE: Physical Plant Complex, Main Campus, Building 16, Libra Drive.

DEPOSIT: \$125.00 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. submit a bona fide bid, or
 - b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work,
- and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be purchased through the Architect/Engineer for \$125.00 per set for the printing and handling cost. Partial sets may be purchased at \$3.00 per sheet of the drawings and \$30.00 per copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor 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.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Gulf Coast University, on behalf of the Board of Trustees, announces that Professional Services in the discipline of engineering will be required for the project listed below:

Project No. BR-1037

Project and Location: South Entrance Road/South Housing Complex, Fort Myers, Florida

Description of Project

Currently, the only student housing is located in the northern area of the FGCU campus. At this time, the university wishes to embark on planning for a second area of student housing, which will be located at the southern area of the campus. Accordingly, a new road to access the southern housing area needs to be designed and application for proper permitting in this area must be developed. The new road will also allow for a third access road to the University from Ben Hill Griffin Parkway, however this new road will also require working within an easement granted by the adjacent land owner.

The project scope will include the development of documents to secure the following construction permits – 1) for the entire student housing development, 2) a road from the campus to the student housing area and, 3) a road from Ben Hill Griffin Parkway to connect with the campus road, all to be obtained from the South Florida Water Management District and the Corps of Engineers. The project will also include the development of construction documents for both access roads.

The project will utilize the Public Open Bid method. The selected firm will provide design, construction documents, and administration services for the referenced project. The estimated cost of construction is approximately \$3,000,000 and the project budget is \$4,000,000.

Instructions:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached the following:

1. A completed Board of Regents “Professional Qualifications Supplement,” dated September 1999. 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 five (5) 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 State University System 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, subcontract, 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:

Mr. Jack Fenwick, Director of Facility Planning, 10501 FGCU Blvd. South, Fort Myers, Florida 33965-6565, Phone (239)590-1500, Fax (239)590-1505

Submittals must be received in the Facilities Planning Office, by 3:00 p.m., local time, on December 15, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

Notice to Bidders

The School District of Lee County, Florida
Purchasing Department

BID REQUEST FOR:

BEVERAGE PRODUCTS (A LA CARTE) FOR LEE COUNTY SCHOOLS

INCLUDING VENDED BOTTLE WATER

Bid No: 6143 Opening Date: December 2, 2003 @ 2:00 p.m. EST

Phone: (239)479-4250, Fax: (239)337-8200, In Person or Mail: 3308 Canal Street, Fort Myers, Florida 33916-6594

Complete Bid Package available only upon request.

By: Linda Owen, Senior Buyer

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 South Belcher Road, Largo,

Florida until 3:00 p.m., local time, on December 15, 2003 for the purpose of selecting a supplier to provide Polo Shirts and T-Shirts with logo set-up for silk-screening and embroidery per the bid specifications for:

Uniforms: Food Service Staff Shirts
 Bid # 04-200-566

Provide and deliver Polo Shirts and T-Shirts for approximately 1,000 district Food Service Employees, as needed, to the Walter Pownall Service Center Warehouse and to secure firm, net unit pricing for the contract period. All unit pricing must include the cost of logo setup for silk screening, embroidery and digitizing.

Public opening of the Bids will occur in the Purchasing Conference Room at the above address and all interested parties are invited to be present.

Plans and specifications are available at the office of:

Purchasing Department
 Walter Pownall Service Center
 11111 So. Belcher Road
 Largo, FL 33773

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

J. HOWARD HINESLEY SUPERINTENDENT OF SCHOOLS AND EX-OFFICIO SECRETARY TO THE SCHOOL BOARD	INDA S. LERNER CHAIRMAN
	MARK C. LINDEMANN DIRECTOR, PURCHASING

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

METROPOLITAN PLANNING ORGANIZATION

The Sarasota/Manatee Metropolitan Planning Organization (MPO) is accepting Letters of Interest and Qualifications, and an outline of the approach to the project from qualified consulting firms to prepare the Long Range Transportation Plan 2030 Update for the Sarasota/Manatee Metropolitan Planning Organization.

A copy of the Scope of Services is available upon request by calling the MPO Office, (941)359-5772 or for downloading at the MPO website, www.sarasota-manateempo.org.

The Letter of Interest and Qualifications, and the outline of the approach to the project should be six pages or less.

Send twenty copies of the Letter of Interest and Qualifications, and the description of project approach by 5:00 p.m. on Friday December 5, 2003 to:

Sarasota/Manatee Metropolitan Planning Organization
 Attention: Michael Maholtz, Transportation Planner
 7632 15th Street, East
 Sarasota, Florida 34243-3248

Please direct all inquiries to Michael Maholtz, MPO Transportation Planner, (941)359-5772 or email: mmaholtz@sarasota-manateempo.org.

DEPARTMENT OF MANAGEMENT SERVICES

Florida Agency for Workforce Innovation (AWI) Offers For Sale its facility formerly known as the Panama City Reed Act Building, buildings and grounds at 114 East 9th Street and 831 Magnolia Avenue, Panama City, Bay County, Florida.

Lot size: (114 East 9th Street): 21,600 Square Feet, .496 Acres M.O.L./Building size: 7,200 Square Feet M.O.L.; (831 Magnolia Avenue): 8,400 Square Feet, .193 Acres M.O.L./Building size: 1,684 square feet M.O.L.

The initial offering price for the property is \$492,000**.

**Initial Offering price is based upon the last appraisal dated January 2001. Sale price may be subject to change based on an appraisal at the time of sale or contract.

Sealed bids will be received by the Florida Agency for Workforce Innovation, General Services, 107 East Madison Street, B-047, Tallahassee, Florida 32399-4102 until 4:00 p.m., December 23, 2003.

Interested parties may obtain information and bid packages by contacting AWI, General Services, (850)245-7467 or (850)245-7459 or by clicking on "Building Sales" at the following web site: <http://www.floridajobs.org/>.

AWI reserves the right to reject any or all bids. In the event the AWI offering price and/or terms are not met in this bidding process, AWI and its agents reserve the right to negotiate with any bidding or non-bidding party.

Florida Agency for Workforce Innovation (AWI) Offers For Sale its facility formerly known as the Tallahassee (Duval) Reed Act Building, buildings and grounds at 214 North Duval Street, Tallahassee, Leon County, Florida.

Lot size: 14,450 Square Feet, .332 Acres M.O.L./Building size: 5,330 Square Feet M.O.L.

The initial offering price for the property is \$425,000**.

**Initial Offering price is based upon the last appraisal dated January 2001. Sale price may be subject to change based on an appraisal at the time of sale or contract.

Sealed bids will be received by the Florida Agency for Workforce Innovation, General Services, 107 East Madison Street, B-047, Tallahassee, Florida 32399-4102 until 4:00 p.m., December 23, 2003.

Interested parties may obtain information and bid packages by contacting AWI, General Services, (850)245-7467 or (850)245-7459 or by clicking on "Building Sales" at the following web site: <http://www.floridajobs.org/>.

AWI reserves the right to reject any or all bids. In the event the AWI offering price and/or terms are not met in this bidding process, AWI and its agents reserve the right to negotiate with any bidding or non-bidding party.

Florida Agency for Workforce Innovation (AWI) Offers For Sale its facility formerly known as the Fort Walton Beach Reed Act Building, buildings and grounds at 130 Staff Drive and 102 Buck Drive, Fort Walton Beach, Okaloosa County, Florida.

Lot size: (130 Staff Drive): 20,540 Square Feet, .472 Acres M.O.L./Building size: 3,672 Square Feet M.O.L.; (102 Buck Drive): 13,000 Square Feet, .298 Acres M.O.L./Building size: 3,712 square feet M.O.L.

The initial offering price for the property is \$417,000**.

**Initial Offering price is based upon the last appraisal dated January 2001. Sale price may be subject to change based on an appraisal at the time of sale or contract.

Sealed bids will be received by the Florida Agency for Workforce Innovation, General Services, 107 East Madison Street, B-047, Tallahassee, Florida 32399-4102 until 4:00 p.m., December 23, 2003.

Interested parties may obtain information and bid packages by contacting AWI, General Services, (850)245-7467 or (850)245-7459 or by clicking on "Building Sales" at the following web site: <http://www.floridajobs.org/>.

AWI reserves the right to reject any or all bids. In the event the AWI offering price and/or terms are not met in this bidding process, AWI and its agents reserve the right to negotiate with any bidding or non-bidding party.

Florida Agency for Workforce Innovation (AWI) offers For Sale its facility formerly known as the Daytona Beach Reed Act Building, building and grounds at 702 South Ridgewood Avenue, Daytona Beach, Volusia County, Florida.

Lot size: 75,062 Square Feet, 1.723 Acres M.O.L. / Building size: 10,607 Square Feet M.O.L.

The initial offering price for the property is \$780,000**.

**Initial Offering price is based upon the last appraisal dated January 2001. Sale price may be subject to change based on an appraisal at the time of sale or contract.

Sealed bids will be received by the Florida Agency for Workforce Innovation, General Services, 107 East Madison Street, B-047, Tallahassee, Florida 32399-4102 until 4:00 p.m., December 17, 2003.

Interested parties may obtain information and bid packages by contacting AWI, General Services, at (850)245-7467 or (850)245-7459 or by clicking on "Building Sales" at the following web site: <http://www.floridajobs.org/>.

AWI reserves the right to reject any or all bids. In the event the AWI offering price and/or terms are not met in this bidding process, AWI and its agents reserve the right to negotiate with any bidding or non-bidding party.

**NOTICE TO PROFESSIONAL CONSULTANTS
PUBLIC ANNOUNCEMENT FOR GEOTECHNICAL AND
ENVIRONMENTAL ENGINEERING
CONSULTING SERVICES, CONTINUING AREA
CONTRACTS, SOUTH 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 Florida South Region. All counties in a line across the State South of Pinellas, Hillsborough, Polk, Osceola, Indian River.

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."

DEPARTMENT OF HEALTH

**NOTICE TO PROFESSIONAL CONSULTANTS
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
SERVICES FOR ARCHITECTURE – ENGINEERING
CONTINUING CONTRACT**

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction announces that professional services are required for the project listed below. Applications are to be sent to Mr. Ken Perlowski, Senior Architect, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, Bin #B06, Tallahassee, Florida 32399-1734, Phone (850)245-4444, Ext. 3168

PROJECT NUMBER: TBA

PROJECT NAME: Architectural/Engineering Continuing Contract, East Central Florida Catchment Area

SERVICES TO BE PROVIDED: Architectural/Engineering Services

ESTIMATED CONSTRUCTION BUDGET: Multiple projects as required by the Department with individual project construction budgets not to exceed \$1,000,000. Depending on development of projects and funding the possibility exists that the contract may expire with no projects being assigned. Work

may include all aspects of Architectural projects and attendant Engineering to provide for construction of new facilities (satellite County Health Department Facilities, Support structures, etc.), repair and renovation to existing facilities, including but not limited to roofing work, code compliance modifications, reconfiguration of spaces, replacement of finishes, and minor Studies (Study fee not to exceed \$25,000). The East Central Florida Catchment area shall include the following counties: Volusia, Citrus, Hernando, Sumter, Lake, Seminole, Orange, Osceola, Brevard, Indian River, Okeechobee, and St. Lucie. For selection Orlando will be the point used to calculate distance from Firm to site. Continuing Contracts selection is for a contract period of one year, renewable annually for up to two years at the discretion of the Department of Health. The Department reserves the right to contract with one or more of the selected firms as the Department deems is in its best interest.

RESPONSE DUE DATE: By Close of Business, December 15, 2003, Local Time.

INSTRUCTIONS: Submit three (3) bound copies of the following:

1. Letter of interest.
2. A modified copy of Department of Management Services Professional Qualifications Supplement [October 1997 Edition of the Professional Qualifications Supplement (PQS)]. A copy can be obtained from the Department of Health by calling (850)245-4444, Ext. 3168.
3. A copy of the firm's Florida Professional License renewal. (Proper registration at the time of application is required.)
4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
5. Completed Standard Form 254.
6. Completed Standard Form 255.
 - ♦ In Article 8, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.
7. Applicants desiring selection credit as State Certified Minority Business Enterprises either as Prime Consultant or Sub-consultant shall include a copy of the State of Florida Minority Recertification or Certification letter.
8. A stamped self-addressed envelope if you desire notice of selection results.

* Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data

required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

The selected firm or firms will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However they will be exempt from the one percent fee.

**NOTICE TO PROFESSIONAL CONSULTANTS
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
SERVICES FOR ARCHITECTURE – ENGINEERING
CONTINUING CONTRACT**

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction announces that professional services are required for the project listed below. Applications are to be sent to (first class or overnight) Mr. Thomas Matthias, Senior Architect, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, Bin #B06, Tallahassee, Florida 32399-1734, Phone (850)245-4066.

PROJECT NUMBER: TBA

PROJECT NAME: Architectural/Engineering Continuing Contract, North East Florida Catchment Area

SERVICES TO BE PROVIDED: Architectural/Engineering Services

ESTIMATED CONSTRUCTION BUDGET: Multiple projects as required by the Department with individual project construction budgets not to exceed \$1,000,000. Depending on development of projects and funding the possibility exists that the contract may expire with no projects being assigned. Work may include all aspects of Architectural projects and attendant Engineering to provide for construction of new facilities (satellite County Health Department Facilities, Support structures, etc.), repair and renovation to existing facilities, including but not limited to roofing work, code compliance modifications, reconfiguration of spaces, replacement of finishes, and minor Studies (Study fee not to exceed \$25,000). The North East Florida Catchment area shall include the following counties: Alachua, Baker, Bradford, Clay, Columbia, Duval, Flagler, Gilchrist, Levy, Marion, Nassau, Putnam, St. Johns, and Union. For selection Jacksonville will be the point used to calculate distance from Firm to site. Continuing Contracts selection is for a contract period of one year, renewable annually for up to two years at the discretion of the Department of Health. The Department reserves the right to contract with one or more of the selected firms as the Department deems is in its best interest.

RESPONSE DUE DATE: By close of Business, December 15, 2003, Local Time.

INSTRUCTIONS: Submit three (3) bound copies of the following:

1. Letter of interest.
2. A modified copy of Department of Management Services Professional Qualifications Supplement [October 1997 Edition of the Professional Qualifications Supplement (PQS)]. A copy can be obtained from the Department of Health by calling (850)245-4066.
3. A copy of the firm's Florida Professional License renewal. (Proper registration at the time of application is required.)
4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
5. Completed Standard Form 254.
6. Completed Standard Form 255.
 - ♦ In Article 8, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.
7. Applicants desiring selection credit as State Certified Minority Business Enterprises either as Prime Consultant or Sub-consultant shall include a copy of the State of Florida Minority Recertification or Certification letter.
8. A stamped self-addressed envelope if you desire notice of selection results.

* Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

The selected firm or firms will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However they will be exempt from the one percent fee.

WALTON COUNTY BOARD OF COUNTY COMMISSIONERS

Walton County is requesting qualifications from firms or individuals fro the provision of professional lobbying services. This can be a joint venture. Lobbying services will include, but not limited to, assisting in the development of the annual Legislative Program, developing reports and gathering information, advocating the County's position with members

of the Legislature, the Executive Branch and Cabinet; monitoring and providing input to state agency actions that impact the County; and other related duties.

Closing Date: November 28, 2003 by 4:00 p.m.

Open Date: December 1, 2003 at 10:00 a.m. in the office of Central Purchasing.

RFQ #04-002

Can be downloaded from website: www.co.walton.fl.us and click on "Doing business with us".

NORTHEAST FLORIDA AREA AGENCY ON AGING

REQUEST FOR INFORMATION

Information is requested from qualified entities with sufficient interest and adequate resources to respond to a Request for Proposal for the provision of Title IIIIE, Older Americans Act, Family Caregiver Support Services in Baker, Clay, Duval, Flagler, Nassau, St. Johns or Volusia County. Interest must be expressed individually by specific county; responses addressing multiple counties will not be entertained.

Respondent must be able to provide or oversee provision of respite (with personal care qualifications) service for elders or elder caregivers; establish and maintain local caregiver support groups or actively participate in those previously existing; provide caregiver outreach, education and training, screening and assessment and information and referral services; to record and report client and service information; participate in health fairs, programs, orientations and training and other Caregiver Support Services meetings and activities without being duplicative of or supplanting any currently offered service. Additional responsibilities include preparation of application for funding, scoring and maintenance of all program and service record documentation, and the submission of monthly, quarterly, annual and ad hoc program and fiscal activity reports and actual participation in Northeast Florida Area Agency on Aging National Caregiver Support recognitions, forums and activities.

Potential bidders must provide documentation to demonstrate:

1. ability to provide the above named services in each county addressed
2. good coordination with governmental and social service entities
3. financial solvency and stability
4. commitment of at least 10% matching funds
5. a history of service to elders.

Responses must target those caregivers most in need as established by low income, minority, native American and rural or otherwise isolated caregiver situation and must include provision to continue, without interruption, funded respite services currently provided in the county addressed.

The Area Agency does not intend to award a contract on the basis of this Request for Information or to otherwise pay for the information solicited. If a Request for Proposal is issued, the contract period will be January – December, 2004, funded

by the Florida Department of Elder Affairs, through the Northeast Florida Area Agency on Aging, with funds appropriated by the Congress of the United States.

Submit response to this Request for Interest to:

Request for Interest, Family Caregiver Support Service
Northeast Florida Area Agency on Aging, Inc., 4401
Wesconnett Boulevard – Second Floor, Jacksonville, Florida
32210

Responses to this Request for Information, accompanied by a line item budget that includes a minimum of 10% respondent match, must be received at the Area Agency no later than 5:00 p.m., Daylight Saving Time, November 24, 2003. Failure to include budget information or to respond by the deadline specified shall constitute a 'not interested' response.

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

EMERGENCY MANAGEMENT PREPAREDNESS

AND ASSISTANCE COMPETITIVE GRANT PROGRAM

The Department of Community Affairs is providing you with notification of its intent to open the Fiscal Year 2004-2005 application cycle for competitive awards from the Emergency Management, Preparedness and Assistance (EMPA) Trust Fund. Contingent on a Legislative appropriation and pending no appeals, funds provided under the Fiscal Year 2004-2005 cycle will be available to award recipients no earlier than July 1, 2004.

Due to the uncertainty of the Fiscal Year 2004-2005 Legislative Appropriations, the amount of funds available for this program cannot be determined at this time. As soon as the appropriation is approved, notification of these funds will be posted on our website at <http://www.dca.state.fl.us/cps/grants>.

The Department encourages all interested and eligible parties with projects that will enhance emergency management capabilities within the State of Florida to apply for awards during this open period.

As provided for in Rule Chapter 9G-19, F.A.C., two programs offering competitive awards encompassing four separate categories are available as follows:

PROGRAMS

1. **EMERGENCY MANAGEMENT COMPETITIVE GRANT PROGRAM – (General)** Provides competitive grants to state or regional agencies, local governments, and private non-profit organizations to implement projects that will further state and local emergency management objectives. Eligible applicants may submit multiple applications, however, no single application shall seek or receive an award in excess of \$300,000. All eligible

applicants, with the exception of counties and state agencies shall be limited to no more than three (3) application submissions in an application cycle.

2. **MUNICIPAL COMPETITIVE GRANT PROGRAM –** Provides competitive grants to municipalities that are legally constituted, have an authorized, established, and maintained emergency management program and have signed the current Statewide Mutual Aid Agreement (SMAA) and supplied all required information and documentation such that the SMAA is ready to be signed by the Division of Emergency Management as of the date of the application deadline. Each Municipal Emergency Management Program may apply for one competitive grant under this program, not to exceed \$50,000 in requested grant funds.

APPLICATION CATEGORIES:

Applications are accepted in the following four categories under both programs:

1. Projects that will promote public education on disaster preparedness and recovery issues.
2. Projects that will enhance coordination of relief efforts of statewide private sector organizations, including public-private business partnership efforts.
3. Projects that will improve the training and operations capabilities of agencies assigned lead or support responsibilities in the Florida Comprehensive Emergency Management Plan.
4. Other projects that will further state and local emergency management objectives designated as priorities in the applicable Notice of Funding Availability. NOTE: priority points are available for applications submitted under this Category only.

Priority Areas:

- (A) Projects which implement the community's Local Hazard Mitigation Strategy and are clearly identified as projects which can be initiated and completed within the 12 month grant contract period. The applicant must provide a copy of their Local Mitigation Strategy priority initiative list reflecting inclusion of their project(s).*
- (B) Projects which will improve emergency management capabilities of preparedness, response and recovery. These projects will have to clearly show that they can be initiated and completed within the 12 month grant contract period.* Projects must be clearly linked to all applicable Comprehensive Emergency Management Plans and must contain appropriate implementation and operational procedures.
- (C) Projects that will improve the training and operations capabilities of agencies assigned lead or support responsibilities as identified on the ESF Matrix, Figure 10 on pages 53 and 54, of the Florida Comprehensive Emergency Management Plan*

* At a minimum, all critical facility projects, whether mitigation, retrofit, renovations or new construction, must conform to the hurricane vulnerability guidelines established in the American Red Cross' publication "Guidelines for Hurricane Evacuation Shelter Selection" (ARC 4496, January 2002). To assist in the determination of a facility's compliance with these guidelines, an ARC 4496 Evaluation Questionnaire will be made available. If these standards cannot be met until the project is complete, the evaluation will need to reflect what measures will be used to reach a compliance status.

THE EVALUATION QUESTIONNAIRE MUST BE COMPLETED AND SUBMITTED WITH THE APPLICATION.

Critical facilities include, but are not limited to, hurricane shelters, Emergency Operations Centers, structures for fire stations, rescue operations, or law enforcement facilities, hospitals, public works facilities, etc. Other more stringent codes and standards may apply to new construction or substantial renovation/retrofit projects.

Applications addressing the above (A through C) priorities must be submitted under Project Category #4, "Other projects that will further state and local emergency management objectives which have been designated by the State of Florida as priorities in the applicable Notice of Fund Availability" listed in Section I of the Competitive Grant Application Packet, July 2003 Version, Form #008.

To download the rule, application packet and ARC 4496 Evaluation Questionnaire, please visit our website at www.dca.state.fl.us/cps/grants.htm.

28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Manatee County, Bradenton, Palmetto, Holmes Beach, Long Boat Key and the Manatee County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

NOTICE OF INTENT TO FIND
PUBLIC SCHOOLS INTERLOCAL AGREEMENT
CONSISTENT WITH SECTION 163.31777(2) AND (3),
FLORIDA STATUTES
DCA DOCKET NO. 41-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") entered into by Manatee County, Bradenton, Palmetto, Holmes Beach, Long Boat Key and the Manatee County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the School District of Manatee County, 2802B 27th Street, East, Bradenton, Florida 34208.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Charles Gauthier, AICP
 Chief of Comprehensive Planning
 Department of Community Affairs
 Division of Community Planning
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND
 PUBLIC SCHOOLS INTERLOCAL AGREEMENT
 CONSISTENT WITH SECTION 163.3177(2) AND (3),
 FLORIDA STATUTES
 DCA DOCKET NO. 44-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Monroe County, Islamorada, Key West, Marathon and the Monroe County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the South Florida Regional Planning Council, 3440 Hollywood Blvd, Suite 140, Hollywood, Florida 33021.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Monroe County, Islamorada, Key West, Marathon and the Monroe County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing

and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Charles Gauthier, AICP
 Chief of Comprehensive Planning
 Department of Community Affairs
 Division of Community Planning
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

DCA Final Order No.: DCA03-OR-306
 STATE OF FLORIDA
 DEPARTMENT OF COMMUNITY AFFAIRS
 In re: MONROE COUNTY LAND DEVELOPMENT
 REGULATIONS ADOPTED BY MONROE
 COUNTY ORDINANCE NO. 034-2003

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2003), 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 September 12, 2003, the Department received for review Monroe County Ordinance No. 034-2003 which was adopted by the Monroe County Board of County Commissioners on August 20, 2003 (“Ord. 034-2003”). The purpose of Ord. 034-2003 is to delete Section 9.5-523 (Variance), create a new Section 9.5-523 (Administrative Variance), create Section 9.5-524 (Variance granted by the Planning Commission) and creating Section 9.5-282 (residential dwelling permits and bulk regulations). All of these sections relate to the granting of variances for such parameters as front and side yard setbacks, landscaping and similar criteria.

3. Ord. 034-2003 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), Fla. Stat., and § 380.0552(9), Fla. Stat. (2003).

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. (2003). The regulations adopted by Ord. 034-2003 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. 034-2003 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.

9. Ord. 034-2003 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 034-2003 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.

 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 November 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

**NOTICE OF APPROVAL FOR
FLORIDA FOREVER FUNDS**

The Florida Communities Trust ("Trust") reviewed and approved project plans for land acquisition projects submitted under the Florida Forever Program, Series FF2 funding cycle. The project plans listed below were approved by the Executive Director under authority delegated from the governing body. The Executive Director is authorized to execute the agreements for acquisition of the project site and all other documents necessary to close the project and that funds be released as follows:

Project: 02-006-FF2/Robinson Preserve
Grantee: Manatee County

Amount of Approved Funds: the lesser of 75.00% of the final total project costs or \$6,056,250.00

Project: 02-049-FF2/Kings Bay Linear Park
Grantee: City of Pembroke Pines

Amount of Approved Funds: the lesser of 14.53% of the final total project costs or \$340,000.00

Project: 02-097-FF2/Moccasin Slough
Grantee: Clay County

Amount of Approved Funds: the lesser of 75.00% of the final total project costs or \$4,147,500.00

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk at 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Subaru of America, Inc., intends to allow the establishment of Subaru of Palm Bay, Inc. d/b/a Subaru of Palm Bay, as a dealership for the sale of Subaru motor vehicles, at 190 Interstate Court, Palm Bay (Brevard County), Florida 32907, on or after December 15, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Subaru of Palm Bay, Inc. d/b/a Subaru of Palm Bay are dealer operator(s): Robert P. Kelly, 1202 Malabar Road, S. E., Palm Bay, FL 32907; principal investor(s): Robert P. Kelly, Edward J. Kelly, Jr. and Gregory W. Kelly, 1202 Malabar Road, S. E., Palm Bay, FL 32907.

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: John Thamert, Regional Business Management Manager, Subaru of America, Inc., 220 The Bluffs, 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 Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that American Performance Cycle intends to allow the establishment of Indian Motorcycle Stuart, as a dealership for the sale of the American Performance motorcycles at 20011 Emerald Coast Parkway, Destin (Okaloosa County), Florida 32541-3410 on or after August 20, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Indian Motorcycle Stuart are dealer operator(s) and principal investor(s): Bobby Maione, 4401 S. E. Federal Hwy., Stuart, FL 34997.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Michael E. Sample, President, American Performance Cycle, 6895 Speedway Blvd., Z101, Las Vegas, NV 89115.

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."

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces that the election of Commission Chairman for a two-year term beginning January 6, 2004 will be held at the beginning of the Commission Conference scheduled for December 2, 2003 at 9:30 a.m. in Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida.

AGENCY FOR HEALTH CARE ADMINISTRATION

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

- | | |
|--|-----------------------|
| County: Brevard | District: 7 |
| ID #: 0300008 | Decision: D |
| | Issue Date: 11/5/2003 |
| Facility/Project: Holmes Regional Medical Center | |
| Applicant: Holmes Regional Medical Center, Inc. | |
| Project Description: Add 50 acute care beds to the 499 licensed and 5 approved acute care beds | |
| Proposed Project Cost: \$2,500,000 | |

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted the following policy for a second review and comment period on MyFlorida.com at:

<http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>

Electronic Mail (E-Mail) Access And Use (department-wide policy type B) – sets forth the department’s policy with regard to use of, access to, and disclosure of electronic mail to assist in ensuring that the Department resources serve those purposes. This policy was initially posted for a single review period, but has been posted for a second 20 working day review and comment period as major revisions were made to the policy.

The closure date for submission of comments on this policy is December 15, 2003. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

The Florida Department of Juvenile Justice has posted the following two policies for the initial review and comment and the second draft and matrix of comments of two other policies on MyFlorida.com at:

<http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>

The two new policies, posted for the first of two 20 working day review and comment periods are:

Department of Juvenile Justice Continuity of Operations Plans – will establish the development of continuity of operations plans for all entities of the department, pursuant to Florida Statutes; Section 252.365(1),(2),(3).

Safety – establishes that the department shall have formal procedures to provide and maintain safe working conditions, equipment, and systems of work for its entire staff. Such procedures shall provide information, training and supervision as necessary for the execution of a safety program.

The second drafts of two policies posted for the second of two 20 working day review and comment periods (along with matrix of comments from the first review period) are:

Forms Management – establishes a systematic approach to the development and standardization of forms, creating an electronic forms library that contains all forms used to transact department business. Forms will be upgraded to Adobe Portable Document Format (PDF) or utilize other approved electronic form technology.

Statewide Transportation Offender Policy (FDJJ 5000) – previously approved policy from the Office of Detention Services. The initial policy had been approved as a program policy (type C), but is now classified as a department-wide type B policy, impacting Detention Services as well as the Offices of Residential and Correctional Facilities and Probation and Community Corrections.

All four policies are department-wide type B policies with a closure date for submission of comments on these policies of December 15, 2003. Note: The 20 working day review and comment period now commences with the publication of this notice in the FAW. Responses to comments received for these policies will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

DEPARTMENT OF HEALTH

On October 29, 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 Travis Joe Martin, LPN, license number PN 1359961. 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 29, 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 Julie Lawrence, LPN, license number PN 1183771. 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 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., December 5, 2003):

APPLICATION FOR A NEW FINANCIAL INSTITUTION

Applicant and Proposed Location: First American Bank, 255 Citrus Tower Boulevard, Clermont, Florida 34711

Correspondent: Joe Stewart, P. O. Box 337, Lady Lake, Florida 32158

Received: October 31, 2003

APPLICATION AND PLAN FOR THE PURCHASE OF CERTAIN ASSETS AND ASSUMPTION OF CERTAIN LIABILITIES

Acquiring Entity: CenterState Bank Mid Florida (In Organization), 1211 West North Boulevard, Leesburg, Florida

Selling Entity: Community National Bank of Pasco County, Zephyrhills, Florida (Two branch offices located in Clermont and Groveland, Florida)

Received: October 30, 2003

APPLICATION AND PLAN FOR THE PURCHASE OF CERTAIN ASSETS AND ASSUMPTION OF DEPOSIT LIABILITIES

Acquiring Entity: PanAmerican Bank, 3475 Sheridan Street, Hollywood, Florida 33021

Selling Entity: Gulf Bank, Miami, Florida

Received: October 31, 2003

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Peoples Bank, Palm Harbor, Florida

Proposed Purchaser: Synovus Financial Corp., Columbus, Georgia

Received: November 4, 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: Florida West Coast Credit Union, 1225 Millennium Parkway, Brandon, Florida 33511

Expansion Includes: Residents of Brentwood Hills Homeowners Association

Received: November 4, 2003

NOTICE OF APPROVAL OF CEMETERY BYLAWS

The State of Florida, Board of Funeral and Cemetery Services, approved the amended bylaws of the following cemeteries at the regular meeting held on October 16, 2003, in Jacksonville, Florida:

Curlew Hills Memorial Gardens
and

Pensacola Memorial Gardens and Funeral Home

The above referenced bylaws became effective October 16, 2003. A file pertaining to the above is available for public inspection and copying by any person in the Bureau of Funeral and Cemetery Services, Larson Building, 200 East Gaines Street, 5th Floor, Tallahassee, Florida 32399-0361. Substantially affected parties who object to the bylaws may request a hearing in accordance to Chapter 120, Florida Statutes. The petitions for hearing must be filed within twenty-one (21) days of publication of this notice. Petitions shall be filed with: Clerk, Division of Consumer Services, Bureau of Funeral and Cemetery Services, The Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0361. In deference to the rights of substantially affected persons, a hearing on these matters will be held at the meeting of the Board of Funeral and Cemetery Services to be held as outlined above. All written comments and requests to address the Board must be received by the Department at least fourteen (14) days prior to the meeting.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN October 27, 2003
 and October 31, 2003**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE
Division of Cultural Affairs

IT-1.001	10/27/03	11/16/03	29/18	29/36
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DEPARTMENT OF EDUCATION
University of South Florida

6C4-13.002	10/31/03	11/20/03	Newspaper	
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Florida International University

6C8-6.014	10/31/03	11/20/03	Newspaper	
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PUBLIC SERVICE COMMISSION

25-4.110	10/27/03	11/16/03	29/38	
25-24.490	10/27/03	11/16/03	29/38	
25-24.585	10/27/03	11/16/03	29/38	
25-24.845	10/27/03	11/16/03	29/38	

DEPARTMENT OF CORRECTIONS

33-302.107	10/28/03	11/17/03	29/39	
33-404.206	10/28/03	11/17/03	29/39	
33-601.102	10/28/03	11/17/03	29/39	
33-601.504	10/29/03	11/18/03	29/37	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid Program Office

59G-4.055	10/28/03	11/17/03	29/32	
59G-4.058	10/28/03	11/17/03	29/33	
59G-4.080	10/28/03	11/17/03	29/33	
59G-4.100	10/28/03	11/17/03	29/32	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Board of Professional Engineers

61G15-20.001	10/30/03	11/19/03	29/31	
61G15-20.0010	10/30/03	11/19/03	29/31	
61G15-20.005	10/30/03	11/19/03	29/31	

Florida Real Estate Commission

61J2-1.011	10/28/03	11/17/03	29/38	
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DEPARTMENT OF HEALTH

Board of Medicine

64B8-1.007	10/28/03	11/17/03	29/38	
64B8-30.003	10/28/03	11/17/03	29/38	
64B8-30.012	10/28/03	11/17/03	29/38	
64B8-30.014	10/28/03	11/17/03	29/38	

Board of Osteopathic Medicine

64B15-14.0076	10/31/03	11/20/03	29/26	29/39
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FLORIDA HOUSING FINANCE CORPORATION

67-43.008	10/28/03	11/17/03	29/35	
67-52.002	10/28/03	11/17/03	29/37	
67-52.003	10/28/03	11/17/03	29/37	
67-52.004	10/28/03	11/17/03	29/37	